

**OFFICE OF THE VICTIM ADVOCATE**

**PROPOSED AMENDMENT TO:**

**HOUSE BILL NO. 5031**

**AN ACT CONCERNING SEXUAL VIOLENCE ON COLLEGE CAMPUSES.**

**After line 7**, insert the following: “(2) “Crime victim” or “Victim of crime” is defined by section 1-1k of the general statutes;”

**On line 8**, replace (2) with (3)

**On line 10**, replace (3) with (4)

**On line 19**, replace (4) with (5)

**On line 23**, replace (5) with (6)

**On line 25**, replace (6) with (7)

**After line 27**, insert the following: “(b) Each Institution of Higher Education in the state shall recognize and comply with the state constitutional rights afforded to crime victims in Connecticut, including but not limited to the right to be treated with fairness and respect and the right to be reasonably protected from the accused.”

**On line 28**, replace (b) with (c)

**On line 76**, replace (c) with (d)

**On line 82**, delete the “and” after “reduction;”

**On line 83**, after “campaigns”, insert the following: “; (3) incorporate on course syllabi the contact information for the Office of the Victim Advocate; and (4) not later than August 30, 2012, predominantly display within the student common areas on campus the availability of services of the Office of the Victim Advocate; the Office of Victim Services, Judicial Branch; Connecticut Coalition Against Domestic Violence; Connecticut Sexual Assault Crisis Services, Inc.; Mothers Against Drunk Driving; and Survivors of Homicide. Such information shall also be included in the student handbook”

**After line 83**, insert the following: “(e) Each Institution of Higher Education in the state shall (1) provide to the Office of the Victim Advocate a list of their designated resources that are available to any student/crime victim on campus not later than December 31,

2012; (2) ensure that the Title IX Officer is aware of and cognizant of the procedures of reporting criminal activity on campus, the services available to the student/crime victim and the state constitutional rights of crimes victims in the state; (3) not later than October 1, 2013, and yearly thereafter, provide a training program to all administrative staff, faculty and judicial hearing officers of the institution regarding the rights and services available to crime victims and the trauma and affects of crime, including crimes involving sexual assault, domestic violence and homicide; and (4) should establish an on campus crime victim advocate position to ensure that the student/crime victim has available a confidential independent body to access support services, information regarding victims' rights and services, information regarding the institution's judicial process and the criminal justice process.

**After the last section**, insert the following: "Section 2. (NEW) (Effective July 1, 2012) (a) There shall be established a task force to study and implement a statewide best practices policy for Institutions of Higher Education concerning the student/crime victim population on college and university campuses. The task force shall consider the following:

- (1) Policy for reasonable accommodations for a student/crime victim for attendance of court hearings; meeting with police; meeting with prosecutor; and accessing services;
- (2) Policy for tuition reimbursement for student/crime victim to relocate or temporarily withdraw;
- (3) Secondary victimization on campuses;
- (4) Interim sanctions against the accused surrounding safety of student/crime victim;
- (5) Policy for the enforcement of orders of protection on campuses;
- (6) Policy for reporting crime on campus and awareness of crime reports to police; and
- (7) The feasibility of an on campus crime victim advocate to ensure that the student/crime victim has available a confidential independent body to access support services, information regarding victims' rights and services, information regarding the institution's judicial process and the criminal justice process.

(b) The task force shall consist of representatives of the higher education community, the Office of the Victim Advocate, the Office of Victim Services, Judicial Branch, Connecticut Coalition Against Domestic Violence, Connecticut Sexual Assault Crisis Services, Inc., Mothers Against Drunk Driving, Survivor of Homicide and membership of the General Assembly.

(c) The task force shall report and make recommendations to the General Assembly's Committee on Higher Education and Employment Advancement not later than December 31, 2013 regarding legislative recommendations to improve the delivery of services to student/crime victims.

**AN ACT CONCERNING SEXUAL VIOLENCE ON COLLEGE CAMPUSES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (Effective July 1, 2012) (a) For purposes of this  
2 section:

3 (1) "Awareness programming" means programming designed to  
4 communicate the prevalence of sexual assaults and intimate partner  
5 violence, including the nature and number of cases of sexual assault  
6 and intimate partner violence reported at each institution of higher  
7 education in the preceding three calendar years;

(2) "Crime victim" or "Victim of crime" is defined by section 1-1k of the  
general statutes;

8 (3)~~(2)~~ "Institution of higher education" means an institution of higher  
9 education as defined in section 10a-55 of the general statutes;

10 (4)~~(3)~~ "Intimate partner violence" means any physical, sexual or  
11 psychological harm against an individual by a current or former  
12 spouse of or person in a dating relationship with such individual that  
13 results from any action by such spouse or such person that may be  
14 classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b,  
15 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes, stalking  
16 under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or  
17 domestic violence as designated under section 46b-38h of the general  
18 statutes;

19 (5)~~(4)~~ "Primary prevention programming" means programming and  
20 strategies intended to prevent sexual assault and intimate partner  
21 violence before it occurs by means of changing social norms and other  
22 approaches;

23 (6)~~(5)~~ "Sexual assault" means a sexual assault under section 53a-70,  
24 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes; and

25 (7)~~(6)~~ "Uniform campus crime report" means a campus crime report  
26 prepared by an institution of higher education pursuant to section 10a-  
27 55a of the general statutes.

**(b) Each Institution of Higher Education in the state shall recognize and comply with the state constitutional rights afforded to crime victims in Connecticut, including but not limited to the right to be treated with fairness and respect and the right to be reasonably protected from the accused.**

28 ~~(c)~~ Each institution of higher education shall adopt and disclose in  
29 such institution's annual uniform campus crime report a policy  
30 regarding sexual assault and intimate partner violence. Such policy  
31 shall include provisions for (1) detailing the procedures that students  
32 and employees of the institution who report being the victim of sexual  
33 assault or intimate partner violence should follow after the  
34 commission of such violence, including persons or agencies to contact  
35 and information regarding the importance of preserving physical  
36 evidence of such assault or violence; (2) providing students and  
37 employees of the institution who report being the victim of sexual  
38 assault or intimate partner violence both contact information for and, if  
39 requested, professional assistance in accessing and utilizing campus,  
40 local advocacy, counseling, health, mental health and legal assistance  
41 services, and written information concerning the rights of such  
42 students and employees to (A) notify law enforcement of such assault  
43 or violence and to receive assistance from campus authorities, and (B)  
44 obtain a protective order, apply for a temporary restraining order or  
45 seek enforcement of an existing protective or restraining order,  
46 including, but not limited to, orders issued pursuant to section 46b-15,  
47 46b-38c, 53a-40e, 54-1k, 54-82q or 54-82r of the general statutes, against  
48 the perpetrator of such assault or violence; (3) notifying such students  
49 and employees of the reasonably available options for and available  
50 assistance from such institution in changing academic, living,  
51 transportation or working situations in response to such assault or  
52 violence; (4) honoring any lawful protective or temporary restraining  
53 orders, including, but not limited to, orders issued pursuant to section  
54 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q or 54-82r of the general statutes;  
55 (5) disclosing a summary of such institution's disciplinary procedures,  
56 including clear statements advising such students and employees that  
57 (A) accusers of such assault or violence shall have the opportunity to  
58 request that disciplinary proceedings begin promptly, (B) disciplinary  
59 proceedings shall be conducted by an official trained in issues relating  
60 to sexual assault or intimate partner violence and shall use the  
61 preponderance of the evidence standard in making a determination  
62 concerning the alleged assault or violence, (C) both the accuser of such  
63 assault or violence and the accused perpetrator are entitled to be  
64 accompanied to any meeting or proceeding relating to the allegation of  
65 such assault or violence by an advisor of their choice and that such  
66 accuser and accused shall have the opportunity to present evidence  
67 and witnesses on their behalf during any disciplinary proceeding, (D)  
68 both such accuser and accused are entitled to be informed in writing of

69 the results of any disciplinary proceeding not later than one business  
70 day after the conclusion of such proceeding, and (E) the identity of  
71 both such accuser and accused shall be kept confidential by the  
72 institution of higher education, provided such confidentiality does not  
73 violate state law; and (6) disclosing the range of sanctions that may be  
74 imposed following the implementation of such institution's  
75 disciplinary procedures in response to such assault or violence.

76 (d)(~~e~~) Each institution of higher education shall, within existing  
77 budgetary resources, offer (1) sexual assault and intimate partner  
78 violence primary prevention and awareness programming for all  
79 students and employees that includes an explanation of the definition  
80 of consent in sexual relationships and information concerning the  
81 reporting of incidences of such assaults and violence, bystander  
82 intervention and risk reduction; [and] (2) ongoing sexual assault and  
83 intimate partner violence prevention and awareness campaigns; (3) incorporate  
on course syllabi the contact information for the Office of the Victim  
Advocate; and (4) not later than August 30, 2012, predominantly display  
within the student common areas on campus the availability of services of the  
Office of the Victim Advocate; the Office of Victim Services, Judicial  
Branch; Connecticut Coalition Against Domestic Violence; Connecticut  
Sexual Assault Crisis Services, Inc.; Mothers Against Drunk Driving; and  
Survivors of Homicide. Such information shall also be included in the  
student handbook.

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Office of the Victim Advocate a list of their designated resources that are  
available to any student/crime victim on campus not later than December 31,  
2012; (2) ensure that the Title IX Officer is aware of and cognizant of the  
procedures of reporting criminal activity on campus, the services available to  
the student/crime victim and the state constitutional rights of crimes victims  
in the state; (3) not later than October 1, 2013, and yearly thereafter, provide  
a training program to all administrative staff, faculty and judicial hearing  
officers of the institution regarding the rights and services available to crime  
victims and the trauma and affects of crime, including crimes involving  
sexual assault, domestic violence and homicide; and (4) should establish an  
on campus crime victim advocate position to ensure that the student/crime  
victim has available a confidential independent body to access support  
services, information regarding victims' rights and services, information  
regarding the institution's judicial process and the criminal justice process.

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task force to study and implement a statewide best practices policy for  
Institutions of Higher Education concerning the student/crime victim  
population on college and university campuses. The task force shall consider  
the following:

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