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**Permanent Commission on the Status of Women**

The State's leading force for women's equality since 1973.

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**Testimony of  
Natasha M. Pierre, JD, MSW  
The Permanent Commission on the Status of Women  
Before the Judiciary Committee  
March 25, 2013**

**Re: H.B. 6641, AAC the Sexual Assault of Persons Whose Ability to Communicate Lack of Consent is Substantially Impaired**

**H.B. 6664, AAC Restraining Orders**

Senators Coleman and Kissel, Representatives Fox and Rebimbas, and members of the committee, thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) regarding HB 6641 and HB 6664 which would advance protections to address violence against women.

*Impact on Women:*

- Twenty-six percent of Connecticut women and 10% of Connecticut men are sexual assault survivors.<sup>1</sup>
- People with disabilities are sexually assaulted at twice the rate of people who do not have a disability.<sup>2</sup>
- 40.8 % of rape survivors were raped by an acquaintance, 13.8% by a stranger, and 2.5% by a person in authority.<sup>3</sup>
- The Centers for Disease Control reports that the health care costs of intimate partner violence –physical assault, rape and stalking – exceed \$5.8 billion each year, nearly \$4.1 billion of which is for direct medical and mental health services.<sup>4</sup>

<sup>1</sup> Connecticut Sexual Assault Crisis Services (CONNSACS). *Sexual Assault in Connecticut Fact Sheet*.

<sup>2</sup> Connecticut Sexual Assault Crisis Services (CONNSACS), March 22, 2013 Press Release on H.B. 6641.

<sup>3</sup> Connecticut Sexual Assault Crisis Services (CONNSACS).

<sup>4</sup> Center for Disease Control. *Costs of Intimate Partner Violence Against Women in the United States*, March, 2003

<[http://www.cdc.gov/ncipc/pub-res/ipv\\_cost/04\\_costs.htm](http://www.cdc.gov/ncipc/pub-res/ipv_cost/04_costs.htm)>.

## **H.B. 6641, AAC the Sexual Assault of Persons Whose Ability to Communicate Lack of Consent is Substantially Impaired**

H.B. 6641 has been before this Committee in the past with your support and no opposition. While the bill was in Committee, the issue was also before the Supreme Court<sup>5</sup> and many thought the problem would be fixed in court. Sadly, it was not fixed because the Court found that if a woman was conscious, she was not “physically helpless” since she could bite, kick or scratch her way out of being raped.

So, we are back again this year to close a gaping hole in Connecticut law that allows offenders to get away with raping someone who is physically or developmentally disabled. H.B. 6641 clearly states that a person is “physically helpless” if he or she is conscious but physically unable to resist or communicate unwillingness to submit to a sexual act.

We strongly support passage of this bill because we should stop blaming the victim, stop making excuses for offenders, and start holding offenders accountable for their violent behavior.

## **H.B. 6664, AAC Restraining Orders**

We also support passage of H.B. 6664 which would extend eligibility for civil restraining orders to all victims of stalking and sexual assault. The current law was framed to protect domestic violence victims and thus is restricted to family or household members, however times have changed and people need additional protections to be safe from rapists and stalkers.

Changing the law could help almost 57% of sexual assault survivors and 36% of stalking victims by allowing them to get a restraining order against their assailant who is thankfully not a family member, but an acquaintance, stranger, or person of authority. Victims need to be safe no matter the assailant and H.B. 6664 would provide additional protections.

We look forward to working with you to address these important issues. Thank you for your consideration.

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<sup>5</sup> *State of Connecticut v. Richard Fourtin* (2012).