



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

H.B. NO. 6570: AN ACT CONCERNING VOYEURISM

JOINT COMMITTEE ON JUDICIARY
March 13, 2013

The Division of Criminal Justice respectfully recommends the Committee take **NO ACTION** on **H.B. No. 6570, An Act Concerning Voyeurism**. The concept of this bill is already addressed in S.B. No. 871, An Act Concerning Revisions to Various Statutes Concerning the Criminal Justice System, which in fact provides for stronger penalties than H.B. No. 6570.

Both bills amend the voyeurism statutes to strengthen protections against what at one time would have been referred to as a "peeping tom" case. The bills, though utilizing different language, also provide for a stronger penalty – a class C felony – for voyeurism committed against a victim under the age of 16. S.B. No. 871, however, provides for the same stronger penalty – a class C felony – for all incidents of voyeurism where the incident is a subsequent offense for the same crime (repeat offender) or when the perpetrator has been convicted of any of the sex crimes referenced in subsection (f) of Section 53a-29 of the General Statutes. These crimes include various degrees of sexual assault as well as Risk of Injury involving contact with the intimate parts of a child or subjecting a child to contact with the intimate parts of the offender.

S.B. No. 871 also strengthens the voyeurism statute by revising the statute of limitations in voyeurism cases to allow for prosecution for incidents where the photographing, filming, video or other recording is not discovered until more than five years after the actual act occurred. The Division is aware of actual incidents where victims did not learn that they had been recorded until the five-year statute of limitations had expired. S.B. No. 871 still requires prosecution within five years of the discovery that the incident had occurred. H.B. No. 6570 does not address the statute of limitations in any fashion. (The Division would again call the Committee's attention to substitute language that has been submitted to correct a drafting error in sections 4 and 5 of S.B. No. 871 to clarify that sexual offender registration and certain probation provisions would not apply to those convicted of voyeurism motivated solely by malice and not with intent to arouse or satisfy the sexual desire of the offender.)

In conclusion the Division wishes to express its appreciation to the Committee for affording this opportunity to provide input on this matter. We would be happy to provide any additional information the Committee might require or to answer any questions. Thank you.