

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-220—sSB 429

Public Safety and Security Committee

Judiciary Committee

AN ACT CONCERNING ASSAULT THAT RESULTS IN THE LOSS OF CONSCIOUSNESS

SUMMARY: This act specifically designates as 2nd degree assault any case in which someone, without provocation, strikes a person in the head intentionally (1) causing serious physical injury and (2) rendering him or her unconscious. The act makes anyone who commits this crime ineligible for existing law's accelerated rehabilitation (AR) program, which is a pretrial diversionary program for certain criminal defendants (see BACKGROUND).

By law, a person who intentionally causes serious physical injury to anyone commits 2nd degree assault, which is a class D felony (see Table on Penalties).

EFFECTIVE DATE: October 1, 2014

BACKGROUND

2nd Degree Assault

A person commits 2nd degree assault when he or she does any of the following to someone:

1. intentionally causes serious physical injury;
2. intentionally causes physical injury by using a deadly weapon or dangerous instrument other than a firearm;
3. recklessly causes serious physical injury by using a deadly weapon or dangerous instrument; or
4. for a purpose other than lawful medical or therapeutic treatment, intentionally causes stupor, unconsciousness, or other physical impairment or injury by administering, without the victim's consent, a drug, substance, or preparation capable of producing the same.

A person also commits this crime if he or she is a parolee and intentionally causes physical injury to an employee or member of the Board of Pardons and Paroles (CGS § 53a-60).

AR Program

Under Connecticut's criminal justice system, certain criminal defendants may avoid prosecution and incarceration by successfully completing court-sanctioned, community-based treatment programs (called diversionary programs) before trial. By law, someone is eligible for the AR program if he or she is charged with certain nonserious crimes or motor vehicle violations, has no prior convictions of a crime or certain motor vehicle violations, and has not used AR before. A

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defendant who does not complete the program is brought to trial (CGS § 54-56e).

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