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**Testimony of
The Permanent Commission on the Status of Women
Submitted to the
Judiciary Committee
March 4, 2015**

Re: H.B. 6923, AN ACT CONCERNING SEXUAL ASSAULT

Senators Coleman and Kissel, Representatives Tong and Rebimbas, and distinguished members of the Judiciary Committee, thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) in support of **H.B. 6923, An Act Concerning Sexual Assault**.

Sexual assault is an invasive and traumatic crime that takes place within a culture that overwhelmingly blames victims for an assault. This undue blame and shame keeps many victims of sexual assault from reporting to law enforcement. Accordingly, when a victim of sexual assault takes the courageous step to report to the police and agrees to participate in the criminal justice process, she should be met with support, have her claims taken seriously, and be treated with respect throughout the process.

H.B. 6923 would require police departments to transfer sexual assault evidence collection kits to the Division of Scientific Services within 10 days from the collection of the kit, would require the Division to analyze the kit within 60 days, and expand the length of time that the Division is required to hold anonymous kits to 5 years to coincide with Connecticut's statute of limitations. Additionally, H.B. 6923 would further strengthen Connecticut's "rape shield" law to prevent a victim's past sexual history from being made public.

Transfer & Processing of Sexual Assault Evidence Kits

The PCSW is an active statutory member of the Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations. This Commission is tasked with creating and maintaining guidelines around sexual assault evidence collection and has been considering and researching the issue of timely kit transfer and processing.

Through the work of the Commission, it came to light that many police departments are holding onto sexual assault evidence collection kits rather than sending them to the State Crime Lab. There are varying reasons for why nearly 1000 sexual assault exam kits are being held at police departments, some more than 5 years old. Some departments are unclear of what to do with a kit while others speak with the accused and after determining he's a "good guy", choose not to send the kit. Whether it is lack of training or confusion over policy, from PCSW's perspective, all kits should be sent to the appropriate agency within a reasonable period of time.

The PCSW believes that the timely analysis of sexual assault evidence kits is of critical importance and as such supports the creation of a 60-day time limit for processing of the kits in the State Crime Lab. Ensuring that evidence is collected, transferred appropriately and processed in a timely manner aids in helping to prosecute perpetrators of sexual violence.

H.B. 6923 also extends the amount of time an anonymous kit can be held to coincide with the statute of limitations for sexual assault. There are many reasons why victims of sexual assault don't report to the police right away. Currently, in these situations, the kit is held for 60 days. The PCSW feels strongly that the kit should be held for 5 years, so as not to destroy vital evidence before the statute of limitations has expired.

Improvements to the Rape Shield Law

Connecticut's "rape shield" statute is intended to protect a victim's privacy and prevent past sexual history from being disclosed in open court unless a judge rules such evidence permissible. Under current law, even when the "rape shield" protects the victim by precluding evidence of past sexual history in front of the jury, it does not protect the victim's privacy in relation to the general public and the media.

Connecticut's "rape shield" statute does include language for an in camera hearing, but that provision is not automatic. H.B. 6923 would require that whenever there is a hearing on a motion to offer evidence that includes a victim's past sexual history, it be done in camera. The PCSW believes that protecting a victim's privacy is essential to maintaining victim involvement in the criminal justice process and will not discourage other victims from taking part in a system that does not protect their privacy.

Thank you for your thoughtful consideration of these important issues.