



General Assembly

January Session, 2015

***Raised Bill No. 7005***

LCO No. 4999



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING DOMESTIC VIOLENCE OFFENDER  
PROGRAM STANDARDS AND INCREASED PROTECTIONS FOR  
VICTIMS OF DOMESTIC VIOLENCE.***

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

1 Section 1. Section 18-87k of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) The Criminal Justice Policy Advisory Commission shall: (1)  
4 Develop and recommend policies for preventing prison and jail  
5 overcrowding; (2) examine the impact of statutory provisions and  
6 current administrative policies on prison and jail overcrowding and  
7 recommend legislation to the Governor and the General Assembly; (3)  
8 research and gather relevant statistical data and other information  
9 concerning the impact of efforts to prevent prison and jail  
10 overcrowding and make such information available to criminal justice  
11 agencies and members of the General Assembly; (4) advise the  
12 undersecretary of the Criminal Justice Policy and Planning Division on  
13 policies and procedures to promote more effective and cohesive state  
14 criminal justice and juvenile justice systems and to develop and

15 implement the offender reentry strategy as provided in section 18-81w;  
16 (5) monitor developments throughout the state's criminal justice  
17 system and, not later than February 15, 2009, and annually thereafter,  
18 report to the Governor and the General Assembly on the effectiveness  
19 of the state's reentry strategy, outcomes achieved under the reentry  
20 strategy and the level of integration and coordination of the  
21 information technology systems used by the criminal justice agencies  
22 and other system-wide issues identified by the commission; (6) not  
23 later than February 15, 2009, and annually thereafter, sponsor for all  
24 members of the criminal justice community a full-day review of the  
25 criminal justice system in the state including progress that has been  
26 made within the past year and challenges to be met, which review  
27 shall be facilitated by the undersecretary of the Criminal Justice Policy  
28 and Planning Division; (7) identify specific needs for reentry services  
29 in geographic areas throughout the state; (8) identify institution-based  
30 and community-based programs and services that effectively address  
31 offender needs and reduce recidivism including, but not limited to,  
32 education and training, employment preparation and job bank,  
33 transitional health care, family support, substance abuse, domestic  
34 violence and sexual offender programs and services; (9) develop a  
35 guide to best practices in the provision of reentry services; (10) develop  
36 and annually update a plan to ensure the availability of reentry  
37 services, which plan may include establishment of community reentry  
38 centers; and (11) assist the undersecretary of the Criminal Justice  
39 Policy and Planning Division in developing the recommendations  
40 included in the report and presentation made by the division pursuant  
41 to section 4-68p.

42 (b) The commission shall establish a subcommittee on corrections  
43 behavioral health composed of the Commissioner of Correction, the  
44 Commissioner of Mental Health and Addiction Services and a  
45 representative of The University of Connecticut Health Center having  
46 responsibility for the administration of the contract with the  
47 Department of Correction concerning the provision of health care

48 services to inmates of the department. The subcommittee shall make  
49 recommendations to the commission concerning the provision of  
50 behavioral health services to inmates of the Department of Correction.

51 (c) The commission shall establish a subcommittee on correctional  
52 staff health and safety composed of the Commissioner of Correction,  
53 the Commissioner of Emergency Services and Public Protection and  
54 the Commissioner of Mental Health and Addiction Services, or their  
55 designees, eight persons appointed one each by the chairpersons and  
56 ranking members of the joint standing committees of the General  
57 Assembly having cognizance of matters relating to the judiciary and  
58 public safety, one representative from each of the three local chapters  
59 of labor organizations representing correction officers appointed by  
60 such local chapter and one representative from each of the labor  
61 organizations representing hazardous duty staff of the Department of  
62 Correction appointed by such labor organization. The subcommittee  
63 shall review the policies and procedures of the Department of  
64 Correction with respect to staff health and safety including, but not  
65 limited to, the manner in which: (1) Inmate assaults are investigated,  
66 classified and assigned points, (2) data on inmate assaults is collected  
67 and compiled, and (3) data on inmate assaults is reported to persons  
68 and agencies outside the department. The subcommittee shall submit  
69 any recommendations it may have to the commission concerning  
70 revisions to such policies and procedures.

71 (d) (1) The commission shall establish a subcommittee on domestic  
72 violence offender program standards.

73 (2) The subcommittee shall be composed of (A) the executive  
74 director of the Court Support Services Division of the Judicial Branch,  
75 the chairperson of the Board of Pardons and Paroles, the Chief State's  
76 Attorney, the Chief Public Defender, the Commissioners of Children  
77 and Families, Correction and Public Health and the Victim Advocate,  
78 or their designees, (B) one representative of an organization that  
79 provides services to victims of domestic violence, appointed by the

80 house chairperson of the joint standing committee of the General  
81 Assembly having cognizance of matters relating to the judiciary, and  
82 (C) one representative of an organization that provides services to  
83 persons who have committed acts of domestic violence, appointed by  
84 the senate chairperson of the joint standing committee of the General  
85 Assembly having cognizance of matters relating to the judiciary.

86 (3) On or before October, 1 2015, and annually thereafter, the  
87 subcommittee shall review, and revise as needed, domestic violence  
88 offender program standards, provided such standards shall include,  
89 but not be limited to: (A) A domestic violence offender program shall  
90 be conducted in a manner that promotes the safety and rights of  
91 victims; (B) a domestic violence offender program shall be conducted  
92 in a manner that places sole responsibility for acts of domestic violence  
93 on the offender and holds such offender accountable for his or her acts;  
94 and (C) a domestic violence offender program shall be administered in  
95 a manner that most effectively facilitates behavior change and  
96 cessation of the commission of acts of domestic violence by an  
97 offender. The subcommittee shall establish policies and procedures to  
98 ensure that all domestic violence offender programs operating in the  
99 state are in full compliance with the standards promulgated pursuant  
100 to this subsection.

101 Sec. 2. Subsection (g) of section 46b-38c of the general statutes is  
102 repealed and the following is substituted in lieu thereof (*Effective July*  
103 *1, 2015*):

104 (g) (1) In cases referred to the local family violence intervention unit,  
105 it shall be the function of the unit to [(1)] (A) identify victim service  
106 needs and, by contract with victim service providers, make available  
107 appropriate services that include, but are not limited to, the provision  
108 of trauma-informed care by a counselor who provides trauma-  
109 informed care, or a referral to a counselor, and [(2)] (B) identify  
110 appropriate offender services and where possible, by contract, provide  
111 treatment programs for offenders. For purposes of this subsection,

112 "trauma-informed care" means trauma-informed care, as defined in  
113 subsection (d) of section 46b-38b.

114 (2) Treatment programs for offenders who are arrested for  
115 committing acts of family violence against a family or household  
116 member, as defined in subparagraphs (A), (E) or (F) of subdivision (2)  
117 of section 46b-38a, shall operate in accordance with the domestic  
118 violence offender program standards promulgated pursuant to  
119 subsection (d) of section 18-87k, as amended by this act. On and after  
120 October 1, 2015, no budgeted agency, as defined in section 4-69, shall  
121 operate, contract with, utilize or refer a person to a domestic violence  
122 offender program unless such program demonstrates compliance with  
123 the standards promulgated pursuant to subsection (d) of section 18-  
124 87k, as amended by this act.

125 Sec. 3. Section 54-86d of the general statutes is repealed and the  
126 following is substituted in lieu thereof (*Effective July 1, 2015*):

127 Any person who has been the victim of a sexual assault under  
128 section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or  
129 risk of injury, or impairing of morals under section 53-21, or of an  
130 attempt thereof, or family violence, as defined in section 46b-38a, shall  
131 not be required to divulge his or her address or telephone number  
132 during any trial or pretrial evidentiary hearing arising from the sexual  
133 assault or injury or risk of injury to, or impairing of morals of, children,  
134 or family violence; provided the judge presiding over such legal  
135 proceeding shall find: (1) Such information is not material to the  
136 proceeding, (2) the identity of the victim has been satisfactorily  
137 established, and (3) the current address of the victim will be made  
138 available to the defense in the same manner and time as such  
139 information is made available to the defense for other criminal  
140 offenses.

141 Sec. 4. Section 54-86e of the general statutes is repealed and the  
142 following is substituted in lieu thereof (*Effective July 1, 2015*):

143 The name and address of the victim of a sexual assault under  
144 section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or  
145 risk of injury, or impairing of morals under section 53-21, or of an  
146 attempt thereof, or family violence, as defined in section 46b-38a and  
147 such other identifying information pertaining to such victim as  
148 determined by the court, shall be confidential and shall be disclosed  
149 only upon order of the Superior Court, except that (1) such information  
150 shall be available to the accused in the same manner and time as such  
151 information is available to persons accused of other criminal offenses,  
152 and (2) if a protective order is issued in a prosecution under any of  
153 said sections, the name and address of the victim, in addition to the  
154 information contained in and concerning the issuance of such order,  
155 shall be entered in the registry of protective orders pursuant to section  
156 51-5c.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	18-87k
Sec. 2	<i>July 1, 2015</i>	46b-38c(g)
Sec. 3	<i>July 1, 2015</i>	54-86d
Sec. 4	<i>July 1, 2015</i>	54-86e

**Statement of Purpose:**

To: (1) Ensure that treatment programs for persons who commit acts of domestic violence operate in conformity with adopted standards; and (2) enhance protections for victims of family violence.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*