



Legislative Testimony

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Written Testimony Regarding Senate Bill 3, An Act Combatting Sexual Assault and Sexual Harassment

Senator Winfield, Representative Stafstrom, and distinguished members of the Judiciary Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in regard to Senate Bill 3, An Act Combatting Sexual Assault and Sexual Harassment.

The ACLU-CT supports meaningful reform to empower people who have experienced sexual harassment and violence. It is clear that everyone must do more to stop sexual harassment and assault, which disproportionately harms women and LGBTQ people. Sexual and gender-based violence constitutes discrimination. It is part of a wider system that devalues women's and LGBTQ people's lives and prevents full participation in society, and it must end. Growing public awareness could spark change, but only if states appropriately seize this moment as a chance to enact more meaningful mechanisms for accountability.

We therefore support many of the meaningful provisions in Senate Bill 3. Requiring employers to provide more notice of sexual harassment policies to employees and broadening sexual harassment training requirements to apply to employers with three or more employees are meaningful ways to ensure that workers have adequate notice of sexual harassment and discrimination law, including the remedies available to them. Prohibiting employers from retaliating against employees who report sexual harassment and maintaining the confidentiality of workplace discrimination complaints are important provisions that would remove some barriers to reporting sexual harassment and discrimination. Extending the time limit for someone to file a complaint of alleged harassment and discrimination is also an important provision that would give people more time to come forward when they have faced discrimination and harassment at work.

We recognize that Connecticut's current five-year criminal statute of limitations for sexual assault places our state as an outlier; Connecticut's existing statute of limitations is among the shortest in the country. We further recognize that fear of retribution, stigma, police hostility, involvement in the justice system, and more contribute to a climate in which it can take years, if ever, for sexual assault survivors to secure the support and safety they need to

come forward. In addition, this five-year criminal statute of limitations treats sexual assault in the same way under Connecticut criminal law as many less serious crimes that do not have these same barriers to reporting. For these and other reasons, the ACLU-CT supports the reevaluation of Connecticut's criminal statutes of limitations for sexual assault.

While the ACLU of Connecticut does not oppose movement to reassess Connecticut's statutes of limitations for sexual assault, we oppose Senate Bill 3's proposals to eliminate statutes of limitations altogether. Just as Connecticut's current five-year statute of limitations positions the state as an outlier, so would eliminating the statute of limitations completely—the majority of states have a statute of limitations in place. Statutes of limitations are designed to balance the right to prosecute with the right to a fair trial. After a significant passage of time, an innocent person accused of a crime may be unable to remember where they were on a particular day, witnesses may become inaccessible or unable to remember what they saw, and evidence may become lost or unavailable. Eliminating the statute of limitations altogether also runs the risk of prioritizing incarceration and policing over dismantling the power disparities and discrimination that fuel sexual and gender-based violence.

We urge the committee to remove the proposals in Senate Bill 3 that completely eliminate statutes of limitations and carefully consider the bill's proposals to extend statutes of limitations.