



## State of Connecticut

### HOUSE OF REPRESENTATIVES STATE CAPITOL

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Chairmen Representative Stafstrom and Senator Winfield; Ranking Members Representative Rebimbas and Senator Kissel; and Members of the Judiciary Committee, thank you for holding the public hearing on Monday, April 1, 2019 regarding the important topic of combatting sexual assault. A former Victim Services Advocate, Mrs. Beata Bagi (New Haven Superior Court), brought to my attention an issue with our current sexual assault statutes, which I share with you and urge your support.

In Connecticut General Statutes Sections 53a-70(a)(1), 53a-70(a)(4), and 53a-70b(2)(b), sexual assault is defined by a person compelling another to "engage in" sexual intercourse or contact. This terminology, occasionally used synonymously in our legal system with the term "perform," connotes a level of willingness, satisfaction, or even active participation. The Victim Services Advocate with whom I spoke about this issue alerted me to the fact that, by using the same terminology used to describe consensual sexual activity, victims are often made to feel as if they are active participants in their victimization, lessening a perpetrator's perceived culpability.

I recommend that in instances within the Penal Code where appropriate, the use of "engage in" be replaced by the term "submit to." The "submit to" language is already appropriately in use in General Statutes Section 53a-72a, defining sexual assault in the third degree, and is also in use in other regional jurisdictions such as Massachusetts and New Hampshire.

I believe this change in language is appropriate and including it in substitute language merits consideration by this Committee.

Thank you.

William A. Petit, Jr., MD  
State Representative 22<sup>nd</sup> District