



Substitute House Bill No. 5399

Public Act No. 24-127

AN ACT CONCERNING THE CRIMINAL JUSTICE RESPONSE TO VICTIMS OF SEXUAL ASSAULT.

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

Section 1. (NEW) (*Effective July 1, 2024*) (a) There is established a Sexual Assault Criminal Justice Response, Enhancement and Model Policy Advisory Council for the purpose of evaluating the current criminal justice response to incidents of sexual assault involving adult victims and establishing a model policy for the criminal justice response to such sexual assaults. In developing such model policy, the council shall conduct such examinations as the council deems appropriate, including, but not limited to, evaluating the:

(1) Policies and procedures used by law enforcement agencies when responding to such incidents of sexual assault;

(2) Accuracy of data collected by the Department of Emergency Services and Public Protection and the Court Support Services Division of the Judicial Branch, and collecting and analyzing any additional data related to such sexual assaults and the criminal justice response available from Judicial Branch court operations, state's attorneys, public defenders, sexual assault victim advocates or operators of programs for sexual assault offenders;

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(3) Risk assessments used throughout such sexual assault cases from arrest through adjudication;

(4) Arrest, prosecution, penalties and monitoring for violations of civil protection orders issued pursuant to section 46b-16a of the general statutes or criminal protective orders issued pursuant to section 54-1k or 54-82r of the general statutes that relate to such sexual assaults;

(5) Programming offered to individuals who have been convicted of a sexual assault crime and are currently incarcerated with the Department of Correction; and

(6) Training and education for criminal justice stakeholders.

(b) The council shall consist of the following members:

(1) One appointed by the speaker of the House of Representatives;

(2) One appointed by the president pro tempore of the Senate;

(3) One appointed by the majority leader of the House of Representatives, who shall be a municipal police officer with experience providing training related to sexual assaults;

(4) One appointed by the majority leader of the Senate, who shall be a representative of a community-based organization that provides group counseling or treatment to persons who have committed acts of sexual assault;

(5) One appointed by the minority leader of the House of Representatives;

(6) One appointed by the minority leader of the Senate;

(7) One appointed by the Governor;

(8) The chairperson of the Police Officer Standards and Training

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Council, or the chairperson's designee;

(9) The Chief State's Attorney, or the Chief State's Attorney's designee;

(10) The Chief Public Defender, or the Chief Public Defender's designee;

(11) The Victim Advocate, or the Victim Advocate's designee;

(12) Two appointed by the Commissioner of Emergency Services and Public Protection, one of whom shall be a representative of the Division of State Police with experience providing training related to sexual assault, and one of whom shall be a commanding officer within the Division of State Police;

(13) Four appointed by the Chief Court Administrator, one of whom shall be a judge of the Superior Court assigned to hear criminal matters, one of whom shall be a family relations counselor or supervisor within the Court Support Services Division of the Judicial Branch, one of whom shall be an administrator within the Court Support Services Division of the Judicial Branch and one of whom shall be an administrator of the Office of Victim Services within the Judicial Branch;

(14) Four appointed by the chief executive officer of the Connecticut Alliance to End Sexual Violence, one of whom shall be a victim of sexual assault, one of whom shall be a victim advocate with courtroom experience in sexual assault matters, one of whom shall be an executive director of a community-based organization that provides direct services to persons impacted by sexual assault and one of whom shall be a representative of the Connecticut Alliance to End Sexual Violence;

(15) One representative from an association of police chiefs in Connecticut, appointed by the president of such association;

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(16) The Secretary of the Office of Policy and Management, or the secretary's designee;

(17) The chairperson of the Board of Pardons and Paroles, or the chairperson's designee;

(18) The Commissioner of Emergency Services and Public Protection, or the commissioner's designee; and

(19) The Commissioner of Correction, or the commissioner's designee.

(c) Any member of the council appointed under subdivision (1), (2), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All members of said council shall be appointed on or before October 1, 2024, and quadrennially thereafter, to serve for a term of four years. Any member may be reappointed, and any member may continue to serve until such member's successor is appointed and qualified. Any vacancy shall be filled by the appointing authority.

(e) The members of the council shall select two chairpersons of the council from among the members of the council. Said chairpersons shall be responsible for scheduling the meetings of the council.

(f) The council shall be within the Legislative Department. The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security shall serve as administrative staff of the council.

(g) The council shall develop the initial model policy described in subsection (a) of this section and submit such policy to the Police Officer Standards and Training Council not later than July 1, 2025, and shall review and, if deemed necessary, update such policy and submit any

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such update to the Police Officer Standards and Training Council annually thereafter.

(h) Not later than August 1, 2025, and annually thereafter, the Police Officer Standards and Training Council shall (1) review the model policy and any updates submitted to the council pursuant to subsection (g) of this section, (2) approve such model policy and updates, with or without modifications, and (3) distribute to each law enforcement unit, as defined in section 7-294a of the general statutes, the model policy with any updates and modifications.

(i) Not later than September 1, 2025, and annually thereafter, each law enforcement unit shall adopt and maintain a written policy that meets or exceeds the standards of the version of the model policy most recently distributed pursuant to subsection (h) of this section.

(j) Not later than September 1, 2025, and annually thereafter, the Police Officer Standards and Training Council shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety and security. The report shall include any recommendations for statutory or policy changes within the purview of the council, any updates or modifications to the model policy described in subsection (a) of this section and any recommendations related to programs for sexual assault offenders.

Sec. 2. (NEW) (*Effective October 1, 2024*) It shall be the responsibility of the police officer, as defined in section 7-294a of the general statutes, at the scene of an incident of sexual assault involving an adult victim, or at the time of the filing of a complaint of such an incident, to provide immediate assistance to such victim. Such assistance shall include, but need not be limited to:

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(1) Assisting the victim to obtain medical treatment if such treatment is required;

(2) Informing the victim of services available, including providing the victim with (A) contact information for a regional sexual assault organization that employs, or provides referrals to, counselors who are trained in providing trauma-informed care, and (B) a copy of the information concerning services and resources available to victims of sexual assault published pursuant to section 10-10g of the general statutes, as amended by this act;

(3) If there is a child at the scene or present at the time of the filing of a complaint, and such child's parent or guardian is also present, providing such parent or guardian with a copy of the documents concerning behavioral and mental health evaluation and treatment resources available to children developed pursuant to section 17a-22r of the general statutes for the appropriate mental health region; and

(4) Referring the victim to the Office of Victim Services within the Judicial Branch.

Sec. 3. Section 10-10g of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than December 1, [2022] 2024, and annually thereafter, the Office of Victim Services within the Judicial Department, in consultation with the Connecticut Coalition Against Domestic Violence and the Connecticut Alliance to End Sexual Violence, shall compile information concerning services and resources available to victims of domestic violence and sexual assault and provide such information electronically to the Department of Education, and electronically and in hard copies to (1) the Division of State Police within the Department of Emergency Services and Public Protection, (2) each municipal police

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department, and (3) each ambulance company and organization, whether public, private or voluntary, that offers transportation or treatment services to patients under emergency conditions. Such information shall include, but need not be limited to, (A) referrals available to counseling and supportive services, including, but not limited to, the Safe at Home program administered by the Office of the Secretary of the State, sexual assault crisis centers, shelter services, medical services, domestic abuse and sexual assault hotlines, legal counseling and advocacy, mental health care and financial assistance, and (B) procedures to voluntarily and confidentially identify eligibility for referrals to such counseling and supportive services. Such information shall be translated into, and provided in, multiple languages, including, but not limited to, English, Polish, Portuguese and Spanish.

(b) Not later than January 1, 2020, the Department of Education shall publish the information compiled and provided pursuant to subsection (a) of this section on the Internet web site of the department. If informed of any necessary revisions by the Office of Victim Services within the Judicial Department, the Department of Education shall revise such published information.

(c) For the school year commencing July 1, 2020, and each school year thereafter, the Department of Education shall disseminate the information published pursuant to subsection (b) of this section to each local and regional board of education. Each local and regional board of education shall require the provision of such information to any (1) student or parent or guardian of a student who expresses to a school employee, as defined in section 10-222d, that such student or parent or guardian or a person residing with such student or parent or guardian does not feel safe at home due to domestic violence or sexual assault, and (2) parent or guardian of a student who authorizes the transfer of such student's education records to another school.

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Sec. 4. Subsection (c) of section 10-10g of the 2024 supplement to the general statutes, as amended by section 56 of public act 23-167, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(c) For the school year commencing July 1, 2020, and each school year thereafter, the Department of Education shall disseminate the information published pursuant to subsection (b) of this section to each local and regional board of education. Each local and regional board of education shall require the provision of such information to any (1) student or parent or guardian of a student who expresses to a school employee, as defined in section 10-222aa, that such student or parent or guardian or a person residing with such student or parent or guardian does not feel safe at home due to domestic violence or sexual assault, and (2) parent or guardian of a student who authorizes the transfer of such student's education records to another school.

Approved June 5, 2024