

**CCADV Priority Bills**

**PUBLIC ACT 17-31, AN ACT CONCERNING STRENGTHENING LAWS CONCERNING DOMESTIC VIOLENCE**

**Strengthens Connecticut's Anti-Stalking Laws**

- Adds "suffer emotional distress" as a qualifier, along with the existing "fear for physical safety," to make an arrest for stalking [*§53a-181d & §53a-181e; Effective October 1, 2017*]
- "Emotional distress" is defined as "significant mental or psychological suffering or distress that may or may not require medical or other professional treatment or counseling."
- Clarifies the inclusion of "electronic or social media" as part of the "action, method, device or means" by which stalking can occur.

**Includes Acts of Suffocation in the Connecticut's Strangulation Laws**

- Adds "suffocation," defined as "obstructs such other person's nose or mouth...to impede the ability of such other person to breathe" to the state's existing strangulation statutes ("strangulation" is defined as restraining another person's neck to impede breathing) [*§53a-64aa, §53a-64bb, §53a-64cc; Effective October 1, 2017*]

**Increases Penalties for Certain Violations of Conditions of Release**

- Penalties are increased when the violation of conditions of release include:
  - 1) imposing restraint upon the person or liberty of a person in violation of the conditions of release
  - 2) threatening, harassing, assaulting, molesting, sexually assaulting or attacking a person in violation of the conditions of release

These types of violations of conditions of release in the *first degree* become a Class C felony, whereas other types of violations of conditions of release in the first degree remain a Class D felony.

These types of violations of conditions of release in the *second degree* become a Class D felony, whereas other types of violations of conditions of release in the second degree remain a Class A misdemeanor.

[*§53a-222 & §53a-222a; Effective October 1, 2017*]

**Requires Pre-Sentence Investigations in Most Family Violence Felony Cases**

- Requires that a Pre-Sentence Investigation (PSI) be completed upon any conviction of a felony involving family violence for which the punishment may include imprisonment and prohibits the waiving of the PSI in these cases [*§54-91a; Effective October 1, 2017*]

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**PUBLIC ACT 17-2 JSS, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2019**

**Increased Funding for Domestic Violence Shelters/Services - Dept. of Social Services:**

FY18 - \$5,304,514 (\$145,944 or 3% increase over FY17) | FY19 - \$5,353,162 (\$194,592 or 4% increase over FY17)

**Funds Pilot Program to Provide Legal Representation to Indigent Applicants & Respondents of Family Violence Restraining Orders (section 150)**

- Chief Court Administrator shall select one judicial district in which to establish a pilot project to provide legal representation to indigent individuals who are either the applicant or respondent of an application for relief from abuse under section 46b-15.
- Judicial Branch shall contract with one or more nonprofit organizations, whose principal purpose is to provide legal services to indigent individuals, to provide legal counsel to applicants; The Division of Public Defender Services shall provide legal counsel to respondents.
- Attorney General shall, using available funds from the settlement of any lawsuit to which the state is a party, remit \$200,000 to the Judicial Branch and \$200,000 to the Division of Public Defender Services for purposes of the pilot program. [*New Section; Effective January 1, 2018*]

## Other Bills of Interest

### **PUBLIC ACT 17-99, AN ACT CONCERNING COURT OPERATIONS, VICTIM SERVICES, FRAUDULENT FILINGS AND TRANSFERS OF AN INTEREST IN REAL PROPERTY TO A TRUST**

#### **Increases Accessibility to Victim Compensation (Sections 25, 26 & 28)**

- Allows the Office of Victim Services to waive the consideration of health insurance as a collateral source for victims of domestic violence, sexual assault or child abuse who believe that dissemination of treatment information associated with a health insurance claim would cause undue harm [*§54-208; Effective October 1, 2017*]
- Allows the Office of Victim Services or a victim compensation commissioner to order payments for victims of certain crimes, including domestic violence and sexual assault, for personal injury suffered by the victim:
  - as reported in an application for a restraining order or civil protection order, or a supporting affidavit, provided that such order was granted by the court; or,
  - as disclosed to a domestic violence counselor or a sexual assault counselor as defined in section 52-146k [*§54-209; Effective October 1, 2017*]
- Allows the Office of Victim Services or a victim compensation commissioner to award additional compensation up to \$5,000 above existing statutory minimums to a personal injury victim who was a minor at the time of the application for compensation or restitution when such victim has additional medical needs or mental health counseling needs [*§54-211; Effective October 1, 2017*]

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### **PUBLIC ACT 17-32, AN ACT CONCERNING HUMAN TRAFFICKING**

#### **Requires the Trafficking in Persons Council to Develop and Conduct Training**

- Calls on the Trafficking in Persons Council to develop and conduct training for certain healthcare professionals, teachers, school counselors, school administrators and personnel from the Departments of Children and Families and Public Health regarding the identification and assistance of victims of human trafficking [*§46a-70; Effective October 1, 2017*]

#### **Establishes a New Crime of Commercial Sexual Abuse of a Minor**

- A person is guilty of commercial sexual abuse of a minor when (1) such person pays a fee to a minor or third person for a minor to engage in sexual conduct with such person, (2) pursuant to the understanding that in return for the fee the minor will engage in sexual conduct with such person, or (3) solicits or requests to engage in sexual conduct with a minor in return for a fee. Commercial sexual abuse of a minor is a Class B felony if the victim is 15-17 years old or a Class A felony if the victim is under the age of 15 [*New section; Effective October 1, 2017*]

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### **PUBLIC ACT 17-5, AN ACT CONCERNING THE PROTECTION OF YOUTH FROM CONVERSION THERAPY**

#### **Prohibits Certain Professionals from Conducting Conversion Therapy on Minors**

- Prohibits licensed healthcare professionals from conducting conversion therapy on minors; makes it unlawful for any person who practices or administers conversion therapy to practice or administer such therapy on minors while in the conduct of trade or commerce; and prohibits use of state funds for the practice of conversion therapy on minors or referral of minors for conversion therapy [*New Section; Effective upon passage*]

#### **PAID FAMILY AND MEDICAL LEAVE**

Unfortunately two bills that would have created a system of Paid Family & Medical Leave in Connecticut failed. Both bills garnered increased support this year, from both legislators and members of the business community. We will continue to work with the CT Campaign for Paid Family Leave to educate the community on the benefits of earned family and medical leave, including for the family members of victims of domestic violence so that they may help in their recovery.