

CCADV Priority Bills

PUBLIC ACT 19-43, AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE

Amends Connecticut's Freedom of Information Act to Protect Victim Confidentiality

- Expressly extends existing Freedom of Information Act (FOIA) protections for victims of sexual assault to victims of family violence.
- Prohibits the release of the name and address of a victim of family violence in records of law enforcement compiled in connection with the detection or investigation of a crime.

[§1-210; Effective October 1, 2019]

Extends Confidentiality Protections to Arrest Records

- "Arrest records" under FOIA are defined as the "name, race, and address of the person arrested..." (please note this is not the full police report)
- Allows police to redact from "arrest records" the name and address of a victim of family violence - meaning that if there is a family violence dual arrest and the victim is arrested, her or his name cannot be released in either the police report where she/he is listed as the victim or in the police report where she/he is listed as the arrested person. This effectively means that names and addresses will no longer be released when there is a dual arrest.

[§1-215; Effective October 1, 2019]

PUBLIC ACT 19-189, AN ACT CONCERNING PARITY BETWEEN SEXUAL ASSAULT IN THE CASE OF A SPOUSAL OR COHABITATING RELATIONSHIP...AND CONCERNING THE INVESTIGATION OF A FAMILY VIOLENCE CRIME

Repeals Connecticut's Separate Spousal Rape Statute and Creates Parity for All Victims of Sexual Assault

- Removes the carve out of married persons from the state's definitions of "sexual intercourse" and "sexual contact" making all of the state's sexual assault laws applicable to all victims, including those married to their abuser.
- Repeals the state's separate law for "sexual assault in a spousal or cohabiting relationship".

[§53a-65 & §53a-70b; Effective October 1, 2019]

Fixes Family Violence Arrest / Dominant Aggressor "Carve Out"

- Clarifies that the carve out added to the state's family violence arrest statute in 2018 only applies to "platonic roommates" in the following living situations:
 - Attending an institution of higher education and presently residing together in on-campus housing or off-campus housing owned, managed, or operated by the institution of higher education or its agent
 - Presently residing together in a dwelling unit and making payments pursuant to a rental agreement
- "Platonic roommates" are defined in subdivision (D) of the state's "family or household member" definition (§46b-38a). **THE DEFINITION OF "FAMILY AND HOUSEHOLD MEMBER" HAS NOT CHANGED!** The definition is as follows and subdivision (D) is ONLY carved out of the family violence arrest law for the specific living situations referenced above:

"Family or household member" means any of the following persons, regardless of the age of such person: (A) Spouses or former spouses; (B) parents or their children; (C) persons related by blood or marriage; (D) persons other than those persons described in subparagraph (C) of this subdivision presently residing together or who have resided together; (E) persons who have a child in common regardless of whether they are or have been married or have lived together at any time; and (F) persons in, or who have recently been in, a dating relationship.

[§46b-38b; Effective July 1, 2019]

PUBLIC ACT 19-117, STATE BUDGET FOR BIENNIUM ENDING JUNE 30, 2021

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

FY20 - \$5,289,049 FY21 - \$5,289,049
(\$41,977 increase over FY19 reflective of rolling out the 1% COLA from FY19)

Other Bills of Interest

PUBLIC ACT 19-25, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE

Establishes Paid Family & Medical Leave in Connecticut

- Creates a Family & Medical Leave Insurance Program, which will be funded through the Family & Medical Leave Insurance Trust Fund and overseen by the Family & Medical Leave Insurance Authority (quasi-public agency).
- The Family & Medical Leave Insurance Trust Fund will be funded through payroll deductions of 0.5% of weekly earnings beginning in January 2021; benefits become available in January 2022.
- The Family & Medical Leave Insurance Program allows eligible workers to take up to 12 weeks of leave per year (plus 2 weeks for pregnancy complications) to: recover from a serious health condition; welcome a new child by birth, adoption or foster care placement; provide care to a family member with a serious illness; serve as an organ or bone marrow donor; or care for an injured service member.
- Establishes a formula for wage replacement (95% of weekly earnings up to 40x min. wage; plus 60% above 40x min. wage; weekly comp capped at 60x min. wage).

[For more detail, please see this detailed FAQ from the CT Campaign for Paid Family Leave.](#)

PUBLIC ACT 19-4, AN ACT INCREASING THE MINIMUM FAIR WAGE

Incrementally Increases Connecticut's Minimum Wage

- Increases the state's minimum hourly wage from its current \$10.10 to (1) \$11.00 on October 1, 2019; (2) \$12.00 on September 1, 2020; (3) \$13.00 on August 1, 2021; (4) \$14.00 on July 1, 2022; and (5) \$15.00 on June 1, 2023. Beginning January 1, 2024, it indexes future annual minimum wage changes to the federal employment cost index (ECI).
- The state budget included \$3 million in FY20 and \$6 million in FY21 for nonprofit contracts to reflect the increase in the minimum wage.

[§31-58; Effective annually through 2024]

PUBLIC ACT 19-59, AN ACT INCREASING FAIRNESS AND TRANSPARENCY IN THE CRIMINAL JUSTICE SYSTEM

Establishes New Prosecutorial Data Collection and Reporting Requirements

- Requires the Division of Criminal Justice to collect and report disaggregated, case level data including, among several other case aspects, contact between victims and prosecutorial officials, nonjudicial sanctions (e.g. batterer intervention program) including completions and failures, plea agreements offered, and restitution collected by court and paid to victim.
- Prohibits disclosure of any information collected that personally identifies a victim.

[New section; Effective July 1, 2019]

LOCK CHANGES

[Senate Bill 693](#) would have required landlords, at the request and expense of the victim, to change individual dwelling unit locks for victims who have obtained a restraining or protective order or civil order of protection. This bill passed the Senate unanimously but was not called for a vote in the House.