

## Legislative History for Connecticut Act

### PA 19-43

#### SB1105

House	8319-8325	7
Senate	737-740, 757-758	6
Gov. Admin. & Elections	1697-1698, 1801, 1804, 1896-1905	14
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Transcripts from the Joint Standing Committee Public Hearing(s)  
and/or Senate and House of Representatives Proceedings

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Compiled 2019

Connecticut  
Gen.Assembly  
House

Proceedings  
2019

Vol. 62  
Part 10  
7654-8447

Total Number Voting	148
Necessary for Passage	75
Those voting Yea	148
Those voting Nay	0
Absent not voting	3

DEPUTY SPEAKER CANDELARIA (95TH):

The Bill passes as Amended in concurrence with the Senate [Gavel]. Representative Ritter.

REP. RITTER (1ST):

Mr. Speaker, pursuant to the House rules I move that we immediately transfer all items to the Senate that are awaiting further action. Thank you.

DEPUTY SPEAKER CANDELARIA (95TH):

Hearing no objection, so ordered. Will the Clerk please call Calendar No. 519?

CLERK:

On Page 36, House Calendar 519 Senate Bill 1105  
AN ACT CONCERNING THE CONFIDENTIALITY OF LAW  
ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL  
ASSAULT AND FAMILY VIOLENCE. Favorable Report of  
the Joint Standing Committee on Government

sp  
HOUSE OF REPRESENTATIVES

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June 4, 2019

Administration and Elections.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Fox you have the floor, sir.

REP. FOX (148TH):

Good Evening, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Good Evening, sir.

REP. FOX (148TH):

Mr. Speaker I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill in concurrence with the Senate.

DEPUTY SPEAKER CANDELARIA (95TH):

Question before the Chamber is I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill in concurrence with the Senate. Will you remark?

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker the underlying Bill makes certain victims identifying information including law enforcement investigation and arrest records exempt from FOIA Act public

disclosure requirements. Further, the Bill allows agencies to redact from arrest records the name, address or further identifying information of the victim of the following crimes or attempted crimes: sexual assault, voyeurism, injury risk or injury by paramours or family violence. I move adoption.

DEPUTY SPEAKER CANDELARIA (95TH):

Question before the Chamber in on adoption.  
Will you remark? Representative France you have the floor, sir.

REP. FRANCE (42ND):

Thank you, Mr. Speaker and the good Chair summarize. Essentially to boil it down it extends the same protections of identification that is currently our provided to those who are victims of sexual assault to those also involved in family violence and also makes conforming changes Section 215 of the statutes as the Chair described. There were some concerns raised by the Freedom of Information Commission as well as the Connecticut Council on Freedom of Information.

And through you.

A couple of questions to clarify some of their concerns.

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, sir.

REP. FRANCE (42ND):

Thank you, Mr. Speaker.

Through you, Mr. Speaker.

If a person is arrested and charged with a family violence crime, will their identity be a public record?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. I thank the Representative for the question. It is not intended to shield the names of people who are charged with a crime.

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that and it is important to understand that what we're trying to do is protect the victims and not the people that are perpetrating the crimes, appreciate that. Now the second question, if a person is arrested and charged with a family violence crime but is also the victim of a family violence crime, what is commonly known as a dual arrest, will their identity be a public record?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker, yes the Bill is intended to protect the victim of family violence it is not intended to shield the names of people who are charged with a crime.

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative France.

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HOUSE OF REPRESENTATIVES

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REP. FRANCE (42ND):

Thank you the Chair for that answer. I think that clarifies the concerns that Freedom of Information that raised by both the Commission and the Connecticut Council. I recommend adoption.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Will you care to remark further? You care to remark further? Do you care to remark further? Will Staff and guests please come to the Well of the House. Members take their seats; the machine will be open. [Ringing]

CLERK:

The House of Representatives is voting by roll,  
Members to the Chamber. The House of  
Representatives is voting by roll, Members to the  
Chamber.

DEPUTY SPEAKER CANDELARIA (95TH):

Have all members voted? Have all members  
voted? Please check the board. Have all members  
voted? Please check the board to ensure that your  
vote has been properly cast. If all members have



voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally?

CLERK:

Senate Bill No. 1105 in concurrence with the Senate.

Total Number Voting	149
Necessary for Passage	75
Those voting Yea	149
Those voting Nay	0
Absent not voting	2

DEPUTY SPEAKER CANDELARIA (95TH):

The Bill passes [Gavel]. Will the Clerk please call Calendar No. 712?

CLERK:

On Page 60, House Calendar 712 Senate Bill No. 1082 AN ACT CONCERNING THE CONSOLIDATION OF PUBLIC SAFETY ANSWERING POINTS. Favorable Report of the Joint Standing Committee on Planning and Development.

DEPUTY SPEAKER CANDELARIA (95TH):

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Connecticut  
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Senate

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CLERK:

Page 37, Calendar Number 343, Senate Bill Number 1105, AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE.

THE CHAIR:

Senator Flexer.  
SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the Bill.

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the Bill before us extends nondisclosure protections to certain victims of family violence, crimes in our state to ensure that the safety of family and domestic violence victims can be protected, and that we have laws that encourage victims of family and domestic violence to come forward and don't do -- don't chose to not come forward out of fear that their personal identifying information may be disclosed. The Bill enjoyed strong bipartisan support in our Committee, and I'm hopeful that my colleagues here in the circle will choose to do the same. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further?  
Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you and good afternoon, Madam President. So, this Bill came before the GAE Committee and we passed it out of the Committee unanimously, and we did so with my support, because I believe very strongly in the concept that was just put forth by the very talented chairwoman of the Committee. And I want to just acknowledge that I am struggling a little bit with this vote, because I just spent the last 15 minutes or so kind of reviewing the testimony, and we did have some folks speak in opposition, mostly from the press and also from the Freedom of Information Commission.

And this Bill is really a balance between protecting individuals who may not have any culpability in a domestic or family violence situation because of another provision in our law dealing with dual arrests, and the right of the people, the public, and the press to know about that arrest. It's a -- it's a difficult situation. And I don't know how really we could develop a policy to balance it fully in a way that respects both positions.

I'm going to support the Bill today. I just hope that we are not back here because it's gone too far in the future, and we have too much gone down the road of restricting the press's ability to inform the public about records, which many would argue they have the right to have access to. I hope that

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Senate

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April 25, 2019

the public benefit of protecting the victims in these cases outweighs that. And thank you for the opportunity to speak, Madam President. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. It is great to see you up there this afternoon. I appreciate the concerns raised by my friend and colleague, Senator Sampson, the ranking member of the Government Administration and Elections Committee. But I also want to acknowledge that it's been a tremendous pleasure working over the years with Senator Flexer and battling domestic violence in our great state of Connecticut. And actually, just over the last two years coming to grips with the dual arrest problem.

And in so many ways the state of Connecticut has been a leader when it comes to reforms, to drive down the incidents of domestic violence. We have reform, police response to domestic violence matters. And finally, we got grips on how to respond so that we don't have this outlier of having too many dual arrests as compared to other states in the United States of America.

So, I think that on balance, as much as I respect freedom of the press and the fourth estate and people's right to know, I think that I'd rather err on the side of protecting individuals that are involved in these pernicious incidents that can

really ruin lives if they're not addressed in a holistic and proper manner.

And I am so proud that our law enforcement officers have embarked on the training to allow them to work with the reforms that we worked through the Judiciary Committee over the last two years. And again, I stand in strong support of this Bill this afternoon and urge my colleagues to support it, as well. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the Bill? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. I want to thank Senator Kissel and Senator Sampson for their remarks on this Bill and their -- their -- their work on this issue in -- in general. And if there's no objection, I would move that we place this Bill on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

Page 37, Calendar Number 345, substitute for Senate Bill Number 1108, AN ACT ESTABLISHING A TASK FORCE CONCERNING CONSUMER PRIVACY. There is an Amendment.

THE CHAIR:

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Consent Calendar Number 1. Page 21, Calendar 208, Senate Bill 683. Page 27, Calendar 260, Senate Bill 709. Page 30, Calendar 285, Senate Bill 1067. Page 32, Calendar 304, Senate Bill 585. Page 37, Calendar 343, Senate Bill 1105. Page 37, Calendar 345, Senate Bill 1108. And Page 41, Calendar 373, Senate Bill 1058.

THE CHAIR:

Yes. Would you please, Mr. Clerk, call the vote?  
And the machines will be open.

CLERK:

An Immediate Roll Call Vote has been ordered in the Senate on Consent Calendar Number 1. An Immediate Roll Call Vote has been ordered in the Senate on Consent Calendar Number 1. An Immediate Roll Call Vote has been ordered in the Senate on Consent Calendar Number 1.

THE CHAIR:

Senator Duff. Mr. Clerk, the machines will be closed. And would you please announce the tally?

CLERK:

Consent Calendar Number 1.

Total number voting	33
Those voting Yea	33
Those voting Nay	0
Absent and not voting	3

THE CHAIR:

(Gavel) The Consent Calendar is adopted.  
Mr. Clerk, if you would continue with the Call of  
the Calendar.  
CLERK:

Page 2, Calendar Number 48, Substitute for Senate  
Bill Number 233, AN ACT CONCERNING COTTAGE FOOD  
PRODUCTS AND THE PRODUCTION OF HONEY AND MAPLE  
SYRUP. There are Amendments.  
THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If we can PT this Bill  
and go on to the next Bill, I think this Bill will  
be ready once that Bill is done.

THE CHAIR:

Thank you, Senator. Mr. Clerk.

CLERK:

Page 10, Calendar Number 120, Substitute for Senate  
Bill Number 893, AN ACT CONCERNING A PILOT PROGRAM  
FOR HEMP PRODUCTION. There is an Amendment.

THE CHAIR:

Thank you, Mr. Clerk. Senator Cohen.

SENATOR COHEN (12TH):



**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**GOVERNMENT ADMINISTRATION  
AND ELECTIONS**

**Part 3  
1502-2264**

**2019**

## AND ELECTIONS COMMITTEE PUBLIC HEARING

been disenfranchised every year because they go the same thing and there's no feedback loop to the people that submit the absentee ballots, so they never know that they've done it wrong and they think their votes being counted, so I certainly would entertain, you know, looking at the most common faults that there are and try and rectify those in the best way possible. Thank you.

MARK BERNACKI: Thank you.

REP. FOX (148TH): Are there any further questions or comments? Thank you for your testimony today. I appreciate you being here.

MARK BERNACKI: Thank you.

REP. FOX (148TH): Up next Essie Labrot and Deb Denette, followed by Dave Glidden and Travis Woodward. Good afternoon.

ESSIE LABROT: Good afternoon. My name is Essie Labrot. I'm the West Hartford Town Clerk. Deb Denette had to leave for business purposes, so she's unable to be here. Good afternoon, Senator Flexer, Representative Fox, Senator Sampson, Representative France, and the members of the GAE Committee and thank you for the opportunity to testify. We are testifying in support of S.B. 1102, revising certain absentee voting statutes, and we are certainly in support of redacting the information -- not redacting, but removing the information regarding during all hours of voting. We also would like to offer a recommendation that there be an addition in there to allow caregivers as a reason for voting by absentee. Every election, there's people that come to the office that they could be mothers of newborns, caregivers of children with special needs

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## AND ELECTIONS COMMITTEE PUBLIC HEARING

or the handicapped or the elderly and we believe this would be really beneficial to include them in the list of reasons.

The second bill that we are in support of is S.J. 14, the constitutional amendment to permit early voting. Our association has been in support of early voting by tabulator and in person for a lot of the reasons my colleagues have spoken about, but just to give you a little rundown on some numbers, when we say the 5 percent number that are not counted due to being late or being rejected, that number translates to over 4,000 ballots in a state election. For example, Fairfield County alone had 1,600 ballots not counted because they were either received late or rejected and in addition to people not filling out the ballot properly in the envelope, we get, once the ballots go through the tabulator, there are a number of over votes where if you're a person at a polling place, the ballot will be kicked out, but with a ballot by mail, we don't have an option to fix that at that point. So thank you very much and if you have any questions, I'd be happy to answer.

REP. FOX (148TH): Thank you for your testimony. Any questions or comments from the committee? Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman. Thank you for your testimony. Just one question, how -- I guess how burdensome, let's put it that way, for -- would it be for the clerks to be able to characterize the rejected ballots to be able to give data on the most significant ones and then maybe give us some opportunities to remedy those particular things and identify that?



**GAE Committee  
Public Hearing  
March 25, 2019**

HB 6063

HB 6671

HB 7392

**TESTIMONY OF SECRETARY OF THE STATE DENISE W.  
MERRILL REGARDING:**

- H.B. No. 7160, AN ACT INCREASING VOTER ACCESS
- S.J. No. 14, RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO PERMIT EARLY VOTING
- S.B. No. 24, AN ACT CONCERNING AUTOMATIC VOTER REGISTRATION AT CERTAIN STATE AGENCIES
- S.B. No. 267, AN ACT CONCERNING AUDITING OF SIGNED STATEMENTS OF ELECTORS PRIOR TO VOTING
- S.B. No. 268, AN ACT CONCERNING AUDITING OF ELECTION DAY REGISTRATION
- S.B. No. 643, AN ACT CONCERNING THE REPORTING OF ELECTION RESULTS
- S.B. No. 1102, AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES
- H.B. No. 5816, AN ACT CONCERNING ABSENTEE BALLOTS
- H.B. No. 6048, AN ACT CONCERNING INTEGRITY OF ELECTION DAY REGISTRATION

- **S.B. No. 267, AN ACT CONCERNING AUDITING OF SIGNED STATEMENTS OF ELECTORS PRIOR TO VOTING**
- **S.B. No. 268, AN ACT CONCERNING AUDITING OF ELECTION DAY REGISTRATION**
- **H.B. No. 6048, AN ACT CONCERNING INTEGRITY OF ELECTION DAY REGISTRATION**

These three bills would make it harder for eligible potential voters to register and vote on Election Day, would create an obstacle for many people to participate in Connecticut's democracy, and could lead to longer lines on Election Day. The reporting requirements also would represent a significant unfunded mandate on our already overworked local election officials, and there certainly would be a fiscal note related to the Secretary of the State's office. I cannot support these proposals.

- **S.B. No. 1102, AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES**
- **H.B. No. 5816, AN ACT CONCERNING ABSENTEE BALLOTS**
- **H.B. No. 6063, AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY ABSENTEE BALLOT**

These three bills are proposed reforms to our absentee ballot procedures that seek to make it easier for voters to participate in the electoral process via absentee balloting. **S.B. No. 1102, AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES** would change the state statutes defining who could use the absentee balloting procedure to conform to the Connecticut Constitution. This reform would make it slightly easier for a voter to vote by absentee ballot, and although I support this proposal I would caution that it would only partially address the concerns of voters who would like absentee ballots to be available to all voters. **H.B. No. 5816, AN ACT CONCERNING ABSENTEE BALLOTS** would remove the inner absentee ballot envelope and put the voter's signature on the outer envelope. **H.B. No. 6063, AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY ABSENTEE BALLOT** would do three things: it would streamline the process of requesting an absentee ballot by no longer requiring a voter who submits an electronic copy of an absentee ballot application to also submit the original application; it would require my office to work with our local election officials to conduct a holistic review of the absentee ballot process to determine reforms that will make it easier for voters and election administrators alike; and it would allow voters who are immediate family members to submit their inner absentee ballot envelopes in the same outer envelope. The first



## Member Organizations

The Umbrella Center for  
Domestic Violence Services  
Ansonia, CT

The Center for Family Justice  
Bridgeport, CT

Women's Center  
Danbury, CT

Domestic Violence Program  
United Services  
Dayville, CT

Network Against Domestic  
Abuse  
Enfield, CT

Domestic Abuse Services  
Greenwich YWCA  
Greenwich, CT

Interval House  
Hartford, CT

Chrysalis Domestic Violence  
Services  
Meriden, CT

New Horizons  
Middletown, CT

Prudence Crandall Center  
New Britain, CT

The Umbrella Center for  
Domestic Violence Services  
New Haven, CT

Safe Futures  
New London, CT

Domestic Violence Crisis Center  
Norwalk, CT

Women's Support Services  
Sharon, CT

Domestic Violence Crisis Center  
Stamford, CT

Susan B. Anthony Project  
Torrington, CT

## Testimony Supporting

### **SB 1105, AAC the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault and Family Violence**

#### **Government Administration & Elections Committee March 25, 2019**

Good afternoon Senator Flexer, Representative Fox and members of the committee. CT Coalition Against Domestic Violence (CCADV) is the state's leading voice for victims of domestic violence and those who serve them. Our 18 member organizations provide essential services to nearly 40,000 victims of domestic violence each year. Services provided include 24-hour crisis response, emergency shelter, safety planning, counseling, support groups and court advocacy.

#### **We urge your support of SB 1105.**

This bill seeks to clarify the law and explicitly extend existing exemptions under the Freedom of Information Act (FOIA). Since 1981 the State of Connecticut has protected the names and addresses of sexual assault victims under FOIA. Under this bill, that same protection under this FOIA provision would be expressly extended to victims of family violence.

In 2015, the General Assembly strengthened victim confidentiality by limiting the release of the names and addresses of victims of family violence involved in court proceedings, just as it had already been limited in sexual assault cases. This was an important first step, but expressly extending existing FOIA protections for victims of sexual assault to family violence cases will fortify Connecticut's critical confidentiality laws that support the ability of victims to seek help.

For many victims, it is a difficult decision to seek police assistance for the abuse they are experiencing. We have heard many victims say that they have hesitated to call the police because they're afraid that their name will appear in local media, either through a police blotter or local news reporting. There have been numerous incidents where victims have faced significant challenges following the publication of their name. Repercussions often include isolation, gossip, difficulties at work, and loss of or difficulty finding housing. Even though the individual may be listed as the victim in the paper, the shame they feel is publicly displayed for the community to see and pass judgment on them.

It is critical that we expressly extend to victims of family violence the same FOIA confidentiality protections available to victims of sexual assault related to the release of police records. Victims should not have to make a decision to seek assistance from the police based on a fear that the dynamics of their relationship will be shared with everyone in their local community. This measure promotes victim privacy thereby encouraging victims to seek help when they need it, and thus serving to protect these victims from further physical and emotional harm.

Thank you for your consideration and please do not hesitate to contact me with questions.

Liza Andrews  
Director of Public Policy & Communications  
[landrews@ctcadv.org](mailto:landrews@ctcadv.org)



## Testimony Supporting

### **SB 1105, AAC the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault and Family Violence**

#### **Government Administration & Elections Committee**

**March 25, 2019**

#### Honorary Directors

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Robert Montecalvo

Barbara Nadal-Cristofaro

Whitney Sweeney

Mary-Jane Foster, Esq.  
President and CEO

Good afternoon Senator Flexer, Representative Fox, and members of the Committee. Hartford Interval House provides life-saving services to victims of domestic violence in Hartford and the surrounding 23 towns and cities. Services include counseling, support groups, safety planning, court-based advocacy, transportation, assistance with securing basic needs and job training, and coordination with local law enforcement, among others.

**We ask you support SB 1105**, which extends to family violence victims existing exemptions under the Freedom of Information Act (FOIA) that have been available in Connecticut since 1981 to protect the names and addresses of sexual assault victims under FOIA.

In 2015, the General Assembly strengthened victim confidentiality by limiting the release of the names and addresses of victims of family violence involved in court proceedings, just as it had already been limited in sexual assault cases. Extending existing FOIA protections for victims of sexual assault to family violence cases will fortify Connecticut's critical confidentiality laws that support the ability of victims to seek help.

Threat of publication has a significant chilling effect on victims we have worked with as they fear retaliation, loss of a job or being ostracized or singled out in their communities. Victims looking for a life free of fear shouldn't face these obstacles as well.

It is critical that we extend to victims of family violence the same FOIA confidentiality protections available to victims of sexual assault related to the release of police records. Victims should not have to make a decision to seek assistance from the police based on a fear that the dynamics of their relationship will be shared with everyone in their local community.

Thank you for your consideration. Please do not hesitate to contact me with questions.

Sincerely,

Mary-Jane Foster, President and CEO

[mj.foster@intervalhousect.org](mailto:mj.foster@intervalhousect.org) – 860-838-8450

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**United Services, Inc.**

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*Creating healthy communities***Testimony Supporting****SB 1105, AAC the Confidentiality of Law Enforcement Records  
Concerning Victims of Sexual Assault and Family Violence****Government Administration & Elections Committee  
March 25, 2019**

Good afternoon Senator Flexer, Representative Fox, and members of the Committee. United Services, Inc. provides life-saving services to victims of domestic violence in Windham County. Services include counseling, support groups, safety planning, court-based advocacy, transportation, assistance with securing basic needs and job training, and coordination with local law enforcement, among others.

**We urge your support of SB 1105**, which extends to family violence victims existing exemptions under the Freedom of Information Act (FOIA) that have been available in Connecticut since 1981 to protect the names and addresses of sexual assault victims under FOIA.

In 2015, the General Assembly strengthened victim confidentiality by limiting the release of the names and addresses of victims of family violence involved in court proceedings, just as it had already been limited in sexual assault cases. This was an important first step, but extending existing FOIA protections for victims of sexual assault to family violence cases will fortify Connecticut's critical confidentiality laws that support the ability of victims to seek help.

Victims are already living in fear of their abusers without the added difficulty of all the repercussions that may follow. Domestic violence has impacted some of our victims' employment statuses and, in some instances, has made them the centerpiece of gossip in their community. It is demoralizing to have to go through what so many of our victims have gone through as it is. Having their names publicized and attached to such a stigmatized event as domestic violence is humiliating. Especially in the small towns we service, everyone is privy to everyone's business and word spreads quickly. It shouldn't be that having seen a victim's name publicized would affect their employment status or their social position in that town.

It is critical that we extend to victims of family violence the same FOIA confidentiality protections available to victims of sexual assault related to the release of police records. Victims should not have to make a decision to seek assistance from the police based on a fear that the dynamics of their relationship will be shared with everyone in their local community.

Thank you for your consideration and please do not hesitate to contact me with questions.

Sincerely,

*Shauna Harrington*

Shauna Harrington

United Services, Inc.

860-457-4759

[sharrington@usmhs.org](mailto:sharrington@usmhs.org)

Windham County





## WOMEN'S SUPPORT SERVICES

*Domestic Violence  
Intervention  
& Prevention*

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Alexandra Lange,  
Salisbury, CT

Anna Traggio,  
Sharon, CT

Elizabeth Webb,  
Lakeville, CT

D. Elizabeth Mauro  
Executive Director

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Hotline:

(860) 364-1900

Office:

(860) 364-1080

Fax:

(860) 364-5767

[www.wssdv.org](http://www.wssdv.org)

*Women's Support Services  
is a nonprofit, tax exempt  
organization serving  
victims of domestic  
violence & abuse in the  
towns of Canaan,  
Cornwall, Kent, North  
Canaan, Salisbury, Sharon  
and surrounding areas.*

### Testimony Supporting

#### **SB 1105, AAC the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault and Family Violence**

**Government Administration & Elections Committee  
March 25, 2019**

Good afternoon Senator Flexer, Representative Fox, and members of the Committee. Women's Support Services provides life-saving services to victims of domestic violence in the Northwest Connecticut towns of Sharon, Lakeville, Canaan, Salisbury, Cornwall, Kent and North Canaan. Services include counseling, support groups, safety planning, court-based advocacy, transportation, assistance with securing basic needs and job training, and coordination with local law enforcement, among others.

**We urge your support of SB 1105**, which extends to family violence victims existing exemptions under the Freedom of Information Act (FOIA) that have been available in Connecticut since 1981 to protect the names and addresses of sexual assault victims under FOIA.

In 2015, the General Assembly strengthened victim confidentiality by limiting the release of the names and addresses of victims of family violence involved in court proceedings, just as it had already been limited in sexual assault cases. This was an important first step, but extending existing FOIA protections for victims of sexual assault to family violence cases will fortify Connecticut's critical confidentiality laws that support the ability of victims to seek help.

Because our service area is rural and its communities tight, victims of domestic violence express fear of being identified in the media after an arrest has been made. This fear keeps many victims from reporting their assaults to law enforcement. Additionally, many feel shamed when their names or identifying information appear in the community newspaper. Such identification can lead to loss of supportive networks and fear of job loss, among other consequences. The gossip that is entrenched in small communities can make going out in public a burden, creating additional isolation for victims. Victims also rightly worry that, if they are publically identified, their children will be stigmatized and bullied.

It is critical that we extend to victims of family violence the same FOIA confidentiality protections available to victims of sexual assault related to the release of police records. Victims should not have to make a decision to seek assistance from the police based on a fear that the dynamics of their relationship will be shared with everyone in their local community.

Thank you for your consideration and please do not hesitate to contact me with questions.

Sincerely,

D. Elizabeth Mauro, Executive Director  
Women's Support Services

[bmauro@wssdv.org](mailto:bmauro@wssdv.org)

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**STATEMENT OF THE FREEDOM OF INFORMATION COMMISSION ON  
PROPOSED SENATE BILL 1105, AN ACT CONCERNING THE  
CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING  
VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE.**

**March 25, 2019**

Proposed Senate Bill 1105 seeks to amend §§1-210(b)(3) and 1-215(b) of the Freedom of Information (“FOI”) Act to allow the withholding of identifying information of victims of sexual assault and family violence contained in law enforcement records.

The FOI Commission is concerned that the proposed language is inconsistent with §1-215, G.S., regarding the disclosure of arrest records during a pending prosecution. Section 1-215, G.S., specifically requires the disclosure of the name and address of the person arrested. Senate Bill 1105 may have the serious unintended consequence of creating “secret” arrests, long held unacceptable in Connecticut.

Nevertheless, the Commission writes to apprise the members of the Government Administration and Elections Committee that the withholding of the names of two individuals who were arrested as a result of an alleged incident of family violence, is at issue in a contested case that is pending before the Commission. Similarly, a second complaint regarding the same issue in the context of another arrest is also pending. Therefore, the Commission is unable to take a further position on this proposal at this time.

For the Committee’s information, the Commission anticipates that a final decision will be issued in April or May of this year regarding the first complaint.

For further information contact: Colleen M. Murphy, Executive Director and General Counsel or Mary Schwind, Managing Director and Associate General Counsel at (860) 566- 5682.



Lucy Nolan, Director of Policy and Public Relations  
Committee on Government Administration and Elections  
March 25, 2019

Support SB 1105 AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS  
CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE.

Good day, Senator Flexer, Senator Sampson, Representative Fox, Representative France and members of the Committee on Government Administration and Elections. My name is Lucy Nolan and I am the Director of Policy and Public Relations for the Connecticut Alliance to End Sexual Violence (The Alliance) the statewide coalition of Connecticut's nine community-based sexual assault crisis services centers. I am here today in support of SB 1105 AN ACT CONCERNING THE CONFIDENTIALITY OF LAW ENFORCEMENT RECORDS CONCERNING VICTIMS OF SEXUAL ASSAULT AND FAMILY VIOLENCE.

The mission of The Alliance is to create communities free of sexual violence and to provide culturally affirming, trauma-informed advocacy, prevention, and intervention services centered on the voices of survivors. Last year certified sexual assault crisis counselors, our legal team and victim advocates at our member centers and within the state's sex offender management and supervision probation and parole units, served over 8,100 child, adolescent and adult survivors and provided prevention education and training programs to over 50,000 residents.

Nationally, 63% of sexual assaults go unreported. The reasons are varied; eight out ten victims knew their perpetrator and may fear or retaliation from the offender or their family, some believe it's a personal matter or not important enough to report which may go hand in hand with the shame and self-blame many victims carry with them. The trauma and PTSD that victims of sexual assault suffer after an assault can easily be re-traumatizing if what is considered personal and private becomes public. Victims of sexual assault must be given the opportunity to decide when and how their information is shared.

We work with survivors of crimes of sexual violence daily. In the aftermath of an assault, many survivors of sexual violence are concerned about their privacy and safety. As survivors heal from their trauma and work to rebuild their lives and the trust and control that they were robbed of, it is not uncommon for them to carefully consider if, when and how they will choose to share their information. This legislation protects victims of both sexual and family violence from any person or organization receiving their information released through a Freedom of Information Act request.

We ask that you support SB 1105 An Act Concerning the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault and Family Violence.

Thank you.

Lucy Nolan

[lucy@endsexualviolencect.org](mailto:lucy@endsexualviolencect.org)





## **The Connecticut Council on Freedom of Information**

### **Testimony before the Joint Committee on Government Administration and Elections regarding Senate Bill 1105, An Act Concerning the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault or Family Violence**

March 25, 2019

Representative Daniel Fox  
House Chair  
Senator Mae Flexer  
Senate Chair  
Government Administration and Elections Committee  
Connecticut General Assembly  
Legislative Office Building, Room 2200  
Hartford, CT 06106

Dear Chairman Fox and Chairwoman Flexer, Ranking Members France and Sampson and Members of the Government Administration and Elections Committee:

My name is Michael Savino, I am President of the Connecticut Council on the Freedom of Information (CCFOI) and I am testifying on Senate Bill 1105, "An Act Concerning the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault or Family Violence."

We have concerns about the language proposed under Section 2(b)(2) of this bill, particularly the exemption proposed for victims of family violence. In family violence cases when two parties are arrested, often referred to as a "dual arrest," there is a requirement under Connecticut General Statute 1-215 that the names of arrestees be disclosed. We ask that this committee amend the language so that it does not conflict with Statute 1-215

and that it ensures that the identities of arrestees are publicly identifiable.

It seems that the intent of this bill is to strike a balance between transparency and protection of privacy for victims of certain crimes. We think the Committee should preserve transparency in cases of dual arrests to ensure oversight of police activity. Many, including members of this General Assembly, have become concerned about the prevalence of dual arrests in Connecticut. A constant review of cases could provide better guidance to police about when dual arrests are appropriate and when they become harmful. This provision, though, would require the redaction of any identifying information, making it difficult for the public to determine, based on records, who was the aggressor.

This language can also make it difficult to hold aggressors accountable. My newspaper, the *Record-Journal* recently filed a complaint with the Freedom of Information Commission in our efforts to obtain records detailing the arrest of an official with a local housing authority. The official was involved in an incident that resulted in a dual arrest and referrals for both parties to the family violence program. Housing authorities often have punishment, including possible eviction, for tenants based on criminal cases. Yet without access to public records, we may not be able to determine if this official is ever held to the same standard. This exemption, coupled with the completion of certain diversionary programs, could result in his record never being disclosable. This prevents the public from having a thorough review of his conduct to determine if the housing authority is holding its own officials to the same standards as its tenants.

We therefore ask that the Committee amend the language to comply with Connecticut General Statute 1-215 and preserve the disclosure of names of arrested parties.

Sincerely,

Michael Savino  
President  
Connecticut Council on Freedom of Information

**Testimony Supporting****SB 1105, AAC the Confidentiality of Law Enforcement Records  
Concerning Victims of Sexual Assault and Family Violence****Government Administration & Elections Committee  
March 25, 2019**

Good afternoon Senator Flexer, Representative Fox, and members of the Committee. Safe Haven of Greater Waterbury, Inc. provides life-saving services to victims of domestic violence in the towns of Bethlehem, Cheshire, Middlebury, Naugatuck, Prospect, Southbury, Waterbury, Watertown, Wolcott and Woodbury. Services include counseling, support groups, safety planning, court-based advocacy, transportation, assistance with securing basic needs and job training, and coordination with local law enforcement, among others.

**We urge your support of SB 1105**, which extends to family violence victims existing exemptions under the Freedom of Information Act (FOIA) that have been available in Connecticut since 1981 to protect the names and addresses of sexual assault victims under FOIA.

In 2015, the General Assembly strengthened victim confidentiality by limiting the release of the names and addresses of victims of family violence involved in court proceedings, just as it had already been limited in sexual assault cases. This was an important first step, but extending existing FOIA protections for victims of sexual assault to family violence cases will fortify Connecticut's critical confidentiality laws that support the ability of victims to seek help.

Many of our clients have indicated that they did not call the police earlier for fear of this information getting out into the media if there is an arrest. This issue crosses all socioeconomic classes. Individuals in the upper class are sometimes even more concerned because they have the fear of being judged and possibly losing their societal status.

It is critical that we extend to victims of family violence the same FOIA confidentiality protections available to victims of sexual assault related to the release of police records. Victims should not have to make a decision to seek assistance from the police based on a fear that the dynamics of their relationship will be shared with everyone in their local community.

Thank you for your consideration and please do not hesitate to contact me with questions.

Sincerely,

Lee R. Schlesinger  
Executive Director  
203.575.0388 / [lschlesinger@safehavenofgw.org](mailto:lschlesinger@safehavenofgw.org)

Serving the towns of Bethlehem, Cheshire, Middlebury, Naugatuck, Prospect, Southbury, Waterbury, Watertown, Wolcott and Woodbury



**The Center for  
Family Justice**

### Testimony Supporting

### **SB 1105, AAC the Confidentiality of Law Enforcement Records Concerning Victims of Sexual Assault and Family Violence**

**Government Administration & Elections Committee  
March 25, 2019**

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##### PRESIDENT, CEO:

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Good afternoon Senator Flexer, Representative Fox, and members of the Committee. The Center for Family Justice provides life-saving services to victims of domestic violence, sexual violence and child abuse in Bridgeport, Fairfield, Stratford, Trumbull, Monroe & Easton. Services include 24/7 crisis hotline/safe house, counseling, support groups, safety planning, court-based advocacy, civil legal assistance, transportation, assistance with securing basic needs and job training, and coordination with local law enforcement, among others.

**We urge your support of SB 1105**, which extends to family violence victims existing exemptions under the Freedom of Information Act (FOIA) that have been available in Connecticut since 1981 to protect the names and addresses of sexual assault victims under FOIA.

In 2015, the General Assembly strengthened victim confidentiality by limiting the release of the names and addresses of victims of family violence involved in court proceedings, just as it had already been limited in sexual assault cases. This was an important first step, but extending existing FOIA protections for victims of sexual assault to family violence cases will fortify Connecticut's critical confidentiality laws that support the ability of victims to seek help.

Our clients have told us that the hardest thing they have ever faced is walking through our doors and asking for help. For many, they experience deep shame, as well as backlash from family, friends, neighbors and employers. In some instances, having their situation publicized puts the victim and her children in greater danger. We have had clients who have been ostracized by members of their community, who have experienced problems with their employers who fear that the victim's presence in the office creates additional problems for the company, and have experienced additional violence at the hands of the offender's family and friends.

It is critical that we extend to victims of family violence the same FOIA confidentiality protections available to victims of sexual assault related to the release of police records. Victims should not have to make a decision to seek assistance from the police based on a fear that the dynamics of their relationship will be shared with everyone in their local community.

Thank you for your consideration and please do not hesitate to contact me with questions.

Sincerely,

  
Angela Schlingheyde, J.D.

Director of Civil Legal & Court Advocacy Services  
The Center for Family Justice

[203-334-6154/aschlingheyde@centerforfamilyjustice.org](mailto:203-334-6154/aschlingheyde@centerforfamilyjustice.org)

Serving Bridgeport, Fairfield, Stratford, Trumbull, Monroe and Easton



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