

Legislative History for Connecticut Act

2003

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JOINT
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JUDICIARY
PART 7
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2003



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Testimony of Lisa B. Winjum, J.D.
 Director of Public Policy and Communication
 Connecticut Sexual Assault Crisis Services, Inc.
 In Support of Committee Bill 5514 AAC Voyeurism
 Before the Judiciary Committee
 Public Hearing, March 23, 2003

Senator McDonald, Representative Lawlor, and members of the Judiciary Committee, my name is Lisa Winjum and I am Director of Public Policy and Communication for Connecticut Sexual Assault Crisis Services, Inc. CONNSACS is the statewide association of 11 community-based rape crisis centers in Connecticut. Our mission is to end sexual violence through victim assistance, community education and public policy advocacy. CONNSACS' member centers provided services to 5,081 sexual assault victims and their families in fiscal year 2001-02. Our member centers also provided risk reduction and prevention education to more than 57,000 children and youth and to more than 16,000 members of the general public and training for over 5,000 professionals, including law enforcement personnel.

CONNSACS strongly supports Committee Bill 5514 which would increase the penalty for voyeurism from a class A misdemeanor to a class D felony.

Voyeurism includes videotaping, photographing or otherwise recording the image of another person without her or his consent. CONNSACS is aware of at least one case in Connecticut where the perpetrator videotaped the rape. The victim in this case was unaware of the tape until informed by law enforcement. When the victim asked to see the tape and what would happen to the tape she was told it was the perpetrator's property. On the national level, CONNSACS and numerous sexual assault coalitions throughout the country are concerned about internet pornography sites that show what we believe are rape tapes. Advocates from around the country have been sharing their concerns that these sites, which advertise using a "we got them drunk, come see what they did" use images made without the victims consent and promote sexual assault.

The increased penalty for voyeurism is would aid in the prosecution of these and other offenders. It recognizes the seriousness of the invasion of privacy and harm to the victim of this crime.

Thank you.

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

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3054-3432

House of Representatives

Thursday, May 15, 2003

On page 28, Calendar 420, Substitute for H.B. 5514, AN ACT INCREASING THE PENALTY FOR VOYEURISM AND PROHIBITING THE PRESENCE OF MINORS IN CLASS III GAMING FACILITIES. Favorable Report of the Committee on Public Safety.

DEPUTY SPEAKER FRITZ:

Representative Michael Lawlor, the highly esteemed Chairman of the Judiciary Committee.

REP. LAWLOR: (99TH)

Thank you, Madam Speaker, good morning.

DEPUTY SPEAKER FRITZ:

Good morning.

REP. LAWLOR: (99TH)

Madam Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER FRITZ:

The question is on acceptance and passage. Please proceed, sir.

REP. LAWLOR: (99TH)

Thank you, Madam Speaker. This bill basically does two things. First of all, it raises the penalty for the existing crime of voyeurism from a Class A misdemeanor to a Class D felony. And it prohibits persons under the age of 21 from being present in the gaming floors of gaming facilities. Obviously, there's none of those

located in the State, however, there are two on the federally recognized Indian reservations within the confines of the State of Connecticut.

Madam Speaker, the voyeurism portion of the bill increases the penalty for conduct which is not simply taking a photo of someone without their permission, but doing it without the knowledge or consent of such person while the other person is not in plain view and when there is an expectation of privacy plus the photographs must be taken or the video taping must take place with malice or with intent to arouse or satisfy the sexual desires of a person. In other words, Madam Speaker, under very unique circumstances. Where this has happened has been really much more serious than a misdemeanor type situation and for that reason, we're recommending an increase in the penalty.

With regard to the gaming facilities, this is limited just to Class III gaming facilities and it does apply to everyone whose not authorized to consume alcohol in our state, in other words, persons under the age of 21.

I think it's an appropriate change to both of our criminal statutes. I point out it's two somewhat unrelated topics within the same bill. Each of these had a public hearing in the form of a separate bill. They

gmh

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were combined in the Judiciary Committee and I would urge support.

DEPUTY SPEAKER FRITZ:

Thank you, sir.

Will you remark further on the bill before us?

Will you remark further on the bill before us?

Representative Klarides.

REP. KLARIDES: (114TH)

Thank you, Madam Speaker. As most of you know, we passed this original voyeurism bill in 1999. And when we did that, we were in the forefront of all the states in doing that. Since then, there have been numerous incidents of this unfortunate crime. As we speak, there are a couple going on in New York and a couple in Rhode Island and as we speak, they're trying to pass the original bill in New York and Rhode Island and they have looked to us for guidance because I have been in contact with both of them.

What this bill does, as Representative Lawlor stated, it just makes the penalty for taking the pictures consistent with the penalty for disseminating them.

I feel it's very important. Unfortunately, this crime has increased throughout time. There have been very unfortunate incidents, a lot of them including

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children in recent times and I think it's important we do this for consistency and the importance of people's privacy.

Thank you.

DEPUTY SPEAKER FRITZ:

Thank you, Madam.

Will you remark further on the bill before us?

Will you remark further on the bill before us?

If not, will staff and guests please come to the Well of the House, the machine will be opened.

CLERK:

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

DEPUTY SPEAKER FRITZ:

Have all the members voted? Have all the members voted? Please check the board to be sure your vote has been accurately cast. If so, the machine will be locked and the Clerk will take the tally.

The Clerk will announce the tally.

CLERK:

H.B. 5514

Total Number Voting	136
Necessary for Passage	69
Those voting Yea	136

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Those voting Nay 0

Those absent and not Voting 14

DEPUTY SPEAKER FRITZ:

The bill is passed.

SPEAKER LYONS:

Will the Clerk please call Calendar 460.

CLERK:

On page 13, Calendar 460, Substitute for S.B. 1158,
AN ACT CONCERNING THE MORATORIUM ON PROJECTS IN LONG
ISLAND SOUND. Favorable Report of the Committee on
Energy and Technology.

SPEAKER LYONS:

Representative Pat Widlitz, you have the floor,
Madam.

REP. WIDLITZ: (98TH)

Thank you, Madam Speaker. Good morning, Madam
Speaker.

SPEAKER LYONS:

Good morning to you.

REP. WIDLITZ: (98TH)

Thank you. I move acceptance of the Joint
Committee's Favorable Report and passage of the bill, in
concurrence with the Senate.

SPEAKER LYONS:

The question before the Chamber is on acceptance

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CONNECTICUT
GEN. ASSEMBLY
SENATE

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2568-2875

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Senate

Thursday, May 22, 2003

This item will be passed retaining its place.

THE CLERK:

Calendar 470, File 616, Substitute for H.B. 5514 An Act Increasing The Penalty For Voyeurism And Prohibiting The Presence Of Minors In Class III Gaming Facilities, as amended by, correction, just Favorable Report of the Committees on Judiciary and Public Safety.

THE CHAIR:

Senator McDonald.

SEN. MCDONALD:

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. Senator McDonald, just a moment, please. (GAVEL) You have the floor, Sir.

SEN. MCDONALD:

Thank you, Madam President. Madam President, this bill would restrict access to people under the age of 21 at Indian casinos that conduct Class III gaming and it would also increase the criminal penalty for voyeurism to a Class D felony from a Class A misdemeanor.

THE CHAIR:

The question is on passage. Will you remark further? Senator McDonald.

pat

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Senate

Thursday, May 22, 2003

SEN. MCDONALD:

Madam President, if there is no objection, could this item be placed on the Consent Calendar.

THE CHAIR:

The question is to refer this item to the Consent Calendar. Without objection? Senator Aniskovich?
Without objection, so ordered.

THE CHAIR:

Calendar Page 8, Matters Returned From Committee, Calendar 54, File 12, Substitute for S.B. 834, An Act Concerning The Substance Abuse Revolving Loan Fund. Favorable Report of the Committee on Public Health and Appropriations.

THE CHAIR:

Senator Murphy.

SEN. MURPHY:

Thank you, Madam President. I move adoption of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark?

SEN. MURPHY:

I will, thank you, Madam President. This bill comes to us from the Department of Mental Health and Addiction Services.

pat

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Senate

Thursday, May 22, 2003

Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the first Consent Calendar begins on Calendar Page 1, Calendar 109, Substitute for S.B. 865.

Calendar Page 4, Calendar 447, H.B. 5158.

Calendar Page 6, Calendar 463, Substitute for H.B.

6443.

Calendar 465, Substitute for H.B. 6507.

Calendar 466, Substitute for H.B. 5072.

Calendar 467, Substitute for H.B. 6404.

Calendar Page 7, Calendar 468, Substitute for H.B.

6502.

Calendar 470, Substitute for H.B. 5514.

Calendar Page 8, Calendar --

THE CHAIR:

Mr. Clerk, just a moment. (GAVEL) Ladies and gentlemen, I can't even hear the Clerk call the Consent Calendar. Please. Mr. Clerk.

THE CLERK:

Calendar Page 8, Calendar 4, correction, Calendar 54, Substitute for S.B. 834.

Calendar Page 9, Calendar 64, Substitute for S.B.

93.

Calendar 89, Substitute for S.B. 893.

Calendar 95, Substitute for S.B. 971.

Calendar 97, Substitute for S.B. 1034.

Madam President, I believe that completes those items previously placed on the First Consent Calendar.

THE CHAIR:

Thank you, Sir. Would you once again announce a roll call vote. The machine will be opened.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

If all members have voted, the machine will be locked. The Clerk please announce the tally.

THE CLERK:

Motion is on adoption of Consent Calendar No. 1.

Total number voting, 36. Necessary for adoption, 19. Those voting yea, 36; those voting nay, 0. Those absent and not voting, 0.

THE CHAIR:

The Consent Calendar is adopted.

Once again, the Chair will entertain points of