

PA10-042

HB5339

House	1251-1257	7
Senate	2327-2332, 2438-2440	9
		16

H – 1077

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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**VOL.53
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1169 – 1557**

mb/gbr
HOUSE OF REPRESENTATIVES

83
April 21, 2010

But anyway, I would like to thank you for coming and also I would ask the Chamber to give you another warm welcome. Thank you so much.

DEPUTY SPEAKER O'CONNOR:

Thank you.

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Ladies and gentlemen of the chamber, I also want to welcome the folks from the Wilton Y, especially Mary Ann Genuario, a dear friend of my family. We vacation together often. I want you to picture this. Mary Ann is certified in physical fitness training. Picture her trying to train me in palates. Well, that's what she does and I'm a very bad student. But I want to welcome them and thank them. I love you. Take care.

DEPUTY SPEAKER O'CONNOR:

Thank you.

Will the Clerk -- will the Clerk please call Calendar Number 349.

THE CLERK:

On page 15, Calendar 349, Substitute for House Bill Number 5339, AN ACT CONCERNING NOTIFICATION OF

PEACE OFFICERS WHO HAVE BEEN ASSAULTED PRIOR TO THE COURT SENTENCING OR ACCEPTING A PLEA AGREEMENT OF THE DEFENDANT, favorable reported the Committee on Judiciary.

DEPUTY SPEAKER O'CONNOR:

The chairman of the Public Safety Committee, Representative Dargan.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

I move acceptance of the committee's favorable report and passage of the bill.

DEPUTY SPEAKER O'CONNOR:

The question is on acceptance of the Joint Committee's favorable report and passage of the bill.

Representative Dargan, you have the floor.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

Each day our police officers across the state and country come to work and put their lives on the line during a routine traffic stop, special detail, civil arrests, responding to a domestic disturbance, dealing with a suspicious person or handling the transportation of prisoners. Mr. Speaker, according to the most recent statistics by the Department of

Justice, there were over 58,000 police officers assaulted and 41 murdered in the year 2008. Out of over those 58,000 police officers, over 1700 were from New England and out of that 1700, 757 officers were assaulted in our state of Connecticut.

Alone in the Hartford Police Department, they had over 91 officers assaulted in the line of duty. Two weeks from now, in the early part of May, in Washington, D.C., the police memorial dedication, which is really not a dedication but it's a day that law enforcement remember their own. The people -- the men and woman around the country that have died in the line of duty.

This bill before us today simply, with the substitute language, when there is an assault on one of our peace officers within our state that the state's attorney's office, similar to the victim's advocate that we have in our state, will notify that peace officer and shall personally notify such peace officer of the disposition of that charge and when that case will be -- come before that GA within our state. So it's the least that we could do for a frontline law enforcement that somebody that has been assaulted through the criminal court system will be

notified of the status of the case and he or she can have conversations with the state's attorney's office on that specific case.

That's the least that we could do for our public safety and peace officers within the state and for that, I urge adoption and for the entire General Assembly to approve this -- passage of this bill today. Thank you.

DEPUTY SPEAKER O'CONNOR:

Thank you, Representative.

Will you remark further?

Representative Perillo.

REP. PERILLO (113th):

Mr. Speaker, thank you very much.

If I could just one or two questions, through you to Representative Dargan.

DEPUTY SPEAKER O'CONNOR:

Please proceed.

REP. PERILLO (113th):

Through you, Mr. Speaker, Representative, I recall that what we have here before us, what we're voting on today is quite different than what he had passed out of the Public Safety Committee. As I recall, there was some mandatory minimum sentences for

mb/gbr

87

HOUSE OF REPRESENTATIVES

April 21, 2010

the assault of police officers and public safety personnel, as we passed it out of Public Safety.

Through you, Mr. Speaker, is that correct?

DEPUTY SPEAKER O'CONNOR:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER O'CONNOR:

Representative Perillo.

REP. PERILLO (113th):

Thank you, sir.

I was a little bit concerned that there had been some changes to this bill. Certainly, the other committees have the right to do so. I felt that what we passed out of the Public Safety Committee had teeth and I felt that it was what we should do for our public safety officers to make sure that those involved in an assault actually get the punishment that I believe and I think many people believe in this state they deserve.

And the bill that's before us today doesn't necessarily do that so it is certainly something we should be voting for and I do support the bill that's before us. I just wish, Mr. Speaker, that we have

mb/gbr
HOUSE OF REPRESENTATIVES

88
April 21, 2010

gone forward with something that was a little bit more aggressive, something that the Public Safety Committee had in mind when it originally passed the bill out of committee. So I do urge a yes vote but I'm a little bit disappointed that what we have here is not as strong as it could have been.

Thank you, sir.

DEPUTY SPEAKER O'CONNOR:

Thank you, Representative.

Will you remark further on the bill? Will you remark further on the bill?

If not, will staff and guests please come to the well of the House. Will the members please take their seats. The machine will be open.

THE 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 O'CONNOR:

Have all the members voted? Have all the members voted? Will the members please check the board to determine if your vote is 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.

THE CLERK:

House Bill 5339.

Total Number voting 143

Necessary for passage 72

Those voting Yea 143

Those voting Nay 0

Those absent and not voting 8

DEPUTY SPEAKER O'CONNOR:

The bill passes.

Will the Clerk please Calendar Number 253.

THE CLERK:

On page 11, Calendar 253; Substitute for House Bill Number 5289, AN ACT CONCERNING THE SALARIES OF THE CHIEF MEDICAL EXAMINER AND THE DEPUTY MEDICAL EXAMINER, favorable reported the Committee on Government Administrations and Elections.

DEPUTY SPEAKER O'CONNOR:

Representative Grogins.

REP. GROGINS (129th):

Yes, thank you, Mr. Speaker.

Mr. Speaker, I move for acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER O'CONNOR:

S - 605

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2010**

**VOL. 53
PART 8
2253 - 2596**

tmj/gbr
SENATE

May 1, 2010

9

believe that this bill can go by consent and I so
move.

THE CHAIR:

Thank you, sir. Will you remark further on
Senate Bill 272 as amended by A?

SENATOR MEYER:

Mr. President, I believe I'm asking that this
bill go by consent, please.

THE CHAIR:

There is a motion on the floor to place this item
on consent. Seeing no objection, so ordered.

Mr. Clerk, will you please call the second order
of the day?

THE CLERK:

Calendar page 14, under Favorable Reports,
Calendar number 471, matter marked second order of the
day, File Number 560, substitute for House Bill 5339,
AN ACT CONCERNING NOTIFICATION OF PEACE OFFICERS WHO
HAVE BEEN ASSAULTED PRIOR TO THE COURT SENTENCING OR
ACCEPTING A PLEA AGREEMENT OF THE DEFENDANT, Favorably
Reported, the Committee of Public Safety and
Judiciary.

THE CHAIR:

tmj/gbr
SENATE

10
May 1, 2010

Senator Stillman.

SENATOR STILLMAN:

Thank you; Mr. President. I move the Joint Committee's favorable report in concurrence with the House.

THE CHAIR:

Acting on approval and acceptance, ma'am, would you like to remark further?

SENATOR STILLMAN:

Yes, I would. Thank you, sir. This bill that's before us was modified, so to speak, in the Judiciary committee, but still addresses a most important issue for our public safety personnel.

What this bill does is it requires the court to ask on the record whether a police officer was personally notified as the bill provides. Under the bill, before the court could impose a sentence and before accepting a plea, the appropriate officials must personally notify the peace officer of the date, time and place of the original sentencing hearing and any judicial proceedings concerning the acceptance of a plea.

Now, this notification can be done in a manner

tmj/gbr
SENATE

11
May 1, 2010

that is -- one that we feel will not be onerous to the Department and I urge its adoption.

THE CHAIR:

Thank you, ma'am.

Will you remark further on the bill?

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President and good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR RORABACK:

My computer was a little bit slow firing up so I didn't completely follow Senator Stillman's explanation of what this bill does. And so, through you, Mr. President, to Senator Stillman.

THE CHAIR:

Sure.

Senator Stillman?

SENATOR RORABACK:

Because I'm trying to glean from what I heard, Senator Stillman said this bill has to do with sentencing on occasions where the defendant or the criminal has -- part of what he's charged with is

tmj/gbr
SENATE

12
May 1, 2010

harming a police officer or a peace officer, Mr.

President, through you to Senator Stillman?

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Through you, Mr. President. That is correct. We want to make sure that our peace officers are notified appropriately so they can be aware of what's going on if they've been assaulted.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Through you, Mr. Chair. So I'm guessing that there must have been occasions when people that were accused of assaulting a peace officer were sentenced or copped a plea and the officer who was assaulted didn't even know that that was happening. And if that were me, I would be upset not to be in the loop if the person who hurt me was being sentenced or getting a plea. I'd be particularly upset if I were a peace officer. Through you, Mr. President, is that what happened? Is that why we're doing this bill?

THE CHAIR:

tmj/gbr
SENATE

13
May 1, 2010

Senator Stillman.

SENATOR STILLMAN:

Thank you. Through you, sir. You are correct,
Senator Roraback.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. I thank Senator
Stillman for the answers. To me, I'm surprised that
our victim's rights amendments, our constitutional
victims right amendment wouldn't already make sure
that this happens, but obviously, our peace officers
go above and beyond the call of duty for us and it's
not unreasonable for us to go above and beyond the
call of duty for them. Thank you, Mr. President.

THE CHAIR:

Thank you, sir. Will you remark further on the
bill? Will you remark further on the bill?

Senator Stillman.

SENATOR STILLMAN:

Thank you. If there aren't any other questions,
I'd like to ask that this, as well, be placed on the
consent calendar.

tmj/gbr
SENATE

14
May 1, 2010

THE CHAIR:

There is a motion on the floor to place this item
on the consent. Seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, on Senate Agenda Number 2, previously adopted, there was an introduction to the Senate Joint Resolution, Senate Joint Resolution Number 47. If the clerk would call and then read that resolution.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Senate Joint Resolution Number 47, RESOLUTION EXPRESSING SYMPATHY ON THE DEATH OF WILLIAM B. STANLEY OF NORWICH, was introduced by Senator Williams of the 29th District, Senator Looney of the 11th District, Senator Prague of the 19th District, Senator Stillman of the 20th District, Senator Maynard of the 18th District, Senator McKinney of the 28th District, Senator Fasano of the 34th District, Senator Roraback of the 30th District, et al.

tmj/gbr
SENATE

120
May 1, 2010

THE CHAIR:

Is there objection? Is there objection? Seeing
none, so ordered. 1251

Mr. Clerk.

THE CLERK:

Calendar page 31.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, we'd
call for a vote on the consent calendar at this time.

THE CHAIR:

Would the clerk please call the consent calendar
and make the appropriate announcement.

THE CLERK:

An immediate roll call has been ordered in the
Senate on the consent calendar. Will all Senators
please return to the chamber? An immediate roll call
has been ordered in the Senate on the consent
calendar. Will all Senators please return to the
chamber?

tmj/gbr
SENATE

121

May 1, 2010

Mr. President, the items placed on the first consent calendar beginning on calendar page 7, Calendar Number 348, Senate Bill 250. Calendar page 14, Calendar 471, substitute for House Bill 5339.

Calendar page 23, Calendar number 77, Senate Bill 262.

Calendar page 28, Calendar 189, substitute for Senate Bill 248. And Calendar page 38, Calendar number 349, Senate Bill 272.

Mr. President, that completes the items placed on the first consent calendar.

THE CHAIR:

The machine is open.

THE CLERK:

The Senate is voting by roll on the consent calendar. Will all Senators please return to the chamber? The Senate is voting by roll on the consent calendar. Will all Senators please return to the chamber?

THE CHAIR:

Would all Senators please check the roll call board to make certain that your vote has been properly recorded.

tmj/gbr
SENATE

122
May 1, 2010

If all Senators have voted and all votes are properly recorded, the machine will be locked and would the clerk please announce the tally.

THE CLERK:

The motion is on adoption of Consent Calendar Number 1.

Total number Voting	34
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Consent calendar 1 is adopted.

Mr. Clerk. Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, if the clerk would continue with the call of the calendar. I believe calendar page 31, Calendar 219.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 31, Calendar 219, File Number 304, Substitute for senate Bill 402, AN ACT CONCERNING THE BEHAVIORAL HEALTH PARTNERSHIP,