



Testimony of Mary Lee Kiernan, President & CEO of YWCA Greenwich,
on behalf of the Board of Directors of YWCA Greenwich
Before the Connecticut General Assembly
Joint Committee on Judiciary
April 19, 2019

In support of:

S.B.3 – AN ACT COMBATting SEXUAL ASSAULT AND SEXUAL HARASSMENT

Senators Bergstein, Kissel, and Winfield and Representatives Blumenthal, Reimbass and Stafstrom, and distinguished members of the Judiciary Committee.

Thank you for your consideration of S.B.3, which seeks to eliminate the statute of limitations on sexual assault crimes, except in rare cases, and provide employee protections and expanded training on sexual harassment in the workplace.

Connecticut is behind a substantial number of other states in modernizing its statutory framework for sexual assault. Twenty-five states have no statute of limitations on sexual assault and 19 states have a longer statute of limitations than Connecticut. Our statute of limitations is the third shortest in the country and the shortest overall in New England.

The importance of eliminating the statute of limitations is well established: it may take many years for victims to come forward and take legal action against their perpetrators, and many never do. Victims need time to heal from trauma, to move beyond shame or to feel safe coming forward. They face multiple barriers reporting immediately after the assault and choose very carefully if, when and to whom they will disclose. In addition to coping with the impact of trauma experienced by the assault, survivors often face threats by the offender or their family members and friends, and risk being blamed, shamed and scrutinized for their assault.

Importantly, S.B.3 does not change the burden of proof required for criminal sexual assault case to move forward. The evidentiary frame work for charging and prosecuting such cases would remain the same. We urge you to enable victims to seek justice by adopting a modern, trauma-informed approach to sexual assault in our statutes.

S.B.3 also proposes important protections for victims of work place sexual harassment. Many women and men have either experienced or witnessed the illegal touching, advances and hostile environments that persist in workplaces. In FY 2018 the Commission on Human Rights and Opportunities (CHRO) reported that cases of sexual harassment in the workplace rose by nearly 38% over FY 2017*.

Moreover, instances of harassment or assault still go unreported. Quite often, employees either don't know or understand their rights or they fear retribution if they report on their supervisors.

In October 2018 the Institute for Women's Policy Research reported that the experience of sexual harassment or assault at work can have lasting impact on a woman's life in terms of negative impact on mental and physical health, reduced opportunities for on the job learning or advancement, forced job change, unemployment, and abandonment of well-paying careers**.

Requiring employers to provide mandatory training and education about workplace sexual harassment is an important step in both preventing this behavior and empowering victims to report cases of harassment. Providing more transparency about employer policies, making it illegal to modify conditions of employment for an employee who makes a claim against an employer, and providing provisions to keep the employee whole will encourage both victims to come forward and employers to change the culture that allows harassment or assault to take place.

As an organization whose mission it to eliminate racism and empower women and as an accredited provider of domestic abuse services, we believe in the fundamental empowerment that S.B.3 will provide to victims of sexual harassment. In addition, from a small business perspective, we do not view the enhanced training requirements contemplated by S.B.3 as onerous. Training is already required and expanding the reach of this training causes minimal expense and disruption. On the contrary, expanded training reduces the costs associated with workplace harassment measured in terms of legal expenses, lost productivity and damaged workplace culture.

We respectfully urge the Judiciary Committee to support S.B. 3 out of Committee and support its passage by the full General Assembly.

Thank you for your consideration.

** Women's Institute for Policy Research: Dreams Deferred: A Survey on the Impact of Intimate Partner Violence on Survivors' Education, Careers, and Economic Security