



**State of Connecticut**  
**DIVISION OF PUBLIC DEFENDER SERVICES**

**Office of Chief Public Defender**  
30 Trinity Street, 4th Floor  
Hartford, Connecticut  
(860) 509-6405 Telephone  
(860) 509-6495 Fax

**Christine Perra Rapillo**  
Chief Public Defender  
Christine.Rapillo@jud.ct.gov

**Deborah Del Prete Sullivan**  
Legal Counsel, Director  
deborah.d.sullivan@jud.ct.gov

**Testimony of Christine Perra Rapillo, Chief Public Defender**  
**Raised Bill 913, AN ACT CONCERNING THE EXTENTION OF THE STATUTE OF**  
**LIMITATIONS FOR THE PROSECUTION OF SEXUAL ASSAULT**  
**Committee on the Judiciary – April 1, 2019**

The Office of Chief Public Defender supports *Raised Bill 913, An Act Concerning the Extension of the Statute of Limitations for the Prosecution of Sexual Assault.* This proposal would extend the statute of limitations for felony sexual assault from five to ten years. The Office of Chief Public Defender was on record last legislative session, indicating that doubling the current statute period for felonies to ten years would still provide an opportunity for due process and a fair trial for the accused. This is a reasonable measure that provides victims with more time to come forward while protecting the accused's right to be able to reasonably defend themselves.

Raised Bill 913 demonstrates that statutes of limitation on felony sexual assault cases can be amended to provide additional protection to vulnerable citizens without fatally impairing an accused's right to defend him or herself. The Office of Chief Public Defender thanks the Committee for their work on this issue.

**Connecticut's Statutes of Limitations for Sexual Assault Offenses:**  
**Current Law, 2019 Senate Bill 3, and 2019 Senate Bill 913**

*Office of Chief Public Defender (OCPD), March 2019*

*Note: Highlighted bold text indicates proposed changes from current law.*

<b>Statute</b>	<b>Current Law</b>	<b>SB 3 - Sec. 23 &amp; 24 (LCO 6271)</b>	<b>SB 913 - Sec. 1 (LCO 3923)</b>
<b>53a-70</b> <b>Sexual Assault 1</b>	<u><b>A felony</b></u> V <16: No SOL  <u><b>B felony*</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>A felony</b></u> V <16: No SOL  <u><b>B felony</b></u> <b>V 18+: No SOL</b> <b>V 16/17: No SOL</b>	<u><b>A felony</b></u> V <16: No SOL  <u><b>B felony*</b></u> <b>V 18+: 10 years</b> V 16/17: 30 past 21
<b>53a-70a</b> <b>Aggravated Sexual Assault 1</b>	<u><b>A felony</b></u> V <16: No SOL  <u><b>B felony*</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>A felony</b></u> V <16: No SOL  <u><b>B felony</b></u> <b>V 18+: No SOL</b> <b>V 16/17: No SOL</b>	<u><b>A felony</b></u> V <16: No SOL  <u><b>B felony*</b></u> <b>V 18+: 10 years</b> V 16/17: 30 past 21
<b>53a-70b</b> <b>Sexual Assault – Spousal or Cohabiting</b>	<u><b>B felony*</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>B felony</b></u> <b>V 18+: No SOL</b> <b>V 16/17: No SOL</b>	<u><b>B felony*</b></u> <b>V 18+: 10 years</b> V 16/17: 30 past 21
<b>53a-70c</b> <b>Aggravated SA – Minor</b>	<u><b>A felony</b></u> No SOL	<u><b>A felony</b></u> No SOL	<u><b>A felony</b></u> No SOL
<b>53a-71</b> <b>Sexual Assault 2</b>	<u><b>B felony*</b></u> V <16: 30 past majority  <u><b>C felony*</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>B felony</b></u> <b>V &lt;16: No SOL</b>  <u><b>C felony</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>B felony*</b></u> V <16: 30 past 21  <u><b>C felony*</b></u> <b>V 18+: 10 years</b> V 16/17: 30 past 21
<b>53a-72a</b> <b>Sexual Assault 3</b>	<u><b>C felony*</b></u> V <16: 30 past majority/18  <u><b>D felony*</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>C felony</b></u> V <16: 30 past majority/18  <u><b>D felony</b></u> <b>V 18+: 25 years</b> V 16/17: 30 past majority	<u><b>C felony*</b></u> V <16: 30 past 21  <u><b>D felony*</b></u> <b>V 18+: 10 years</b> V 16/17: 30 past 21
<b>53a-72b</b> <b>Sexual Assault 3 – Firearm</b>	<u><b>B felony*</b></u> V <16: 30 past majority/18  <u><b>C felony*</b></u> V 18+: 5 years V 16/17: 30 past majority/18	<u><b>B felony</b></u> V <16: No SOL  <u><b>C felony</b></u> <b>V 18 +: No SOL</b> <b>V 16/17: No SOL</b>	<u><b>B felony*</b></u> V <16: 30 past 21  <u><b>C felony*</b></u> <b>V 18+: 10 years</b> V 16/17: 30 past 21
<b>53a-73a</b> <b>Sexual Assault 4</b>	<u><b>D felony*</b></u> V <16: 30 past majority/18  <u><b>A misdemeanor*</b></u> V 18+: 1 year V 16/17: 30 past majority/18	<u><b>D felony</b></u> V <16: 30 past majority/18  <u><b>A misdemeanor</b></u> <b>V 18+: 5 years</b> V 16/17: 30 past majority	<u><b>D felony*</b></u> V <16: 30 past majority/18  <u><b>A misdemeanor*</b></u> V 18+: 1 year V 16/17: 30 past majority/18
<b>53a-86</b> <b>Promoting Prostitution 1</b>	<u><b>B felony</b></u> 5 years	<u><b>B felony</b></u> <b>No SOL</b>	<u><b>B felony</b></u> 5 years
<b>53-21(a)(2)</b> <b>Risk of Injury to Children</b>	<u><b>B felony</b></u> V <16: 30 past majority/18	<u><b>B felony</b></u> <b>V &lt;16: No SOL</b>	<u><b>B felony</b></u> V <16: 30 past majority/18

\*Current law and these bills continue to work in conjunction with C.G.S. §§ 54-193a and 54-193b, which provide an alternate SOL based upon the making of a report by the victim of the assault to law enforcement or the state's attorney and, pursuant to the provisions of § 54-193b, the presence of DNA evidence.

## Connecticut's Statutes of Limitations

*Current as of March 2019*

**Sec. 54-193. Limitation of prosecution for certain violations or offenses.** (a) There shall be no limitation of time within which a person may be prosecuted for (1) a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012, a class A felony or a violation of section 53a-54d or 53a-169, (2) a violation of section 53a-165aa or 53a-166 in which such person renders criminal assistance to another person who has committed an offense set forth in subdivision (1) of this subsection, (3) a violation of section 53a-156 committed during a proceeding that results in the conviction of another person subsequently determined to be actually innocent of the offense or offenses of which such other person was convicted, or (4) a motor vehicle violation or offense that resulted in the death of another person and involved a violation of subsection (a) of section 14-224.

(b) No person may be prosecuted for any offense, other than an offense set forth in subsection (a) of this section, for which the punishment is or may be imprisonment in excess of one year, except within five years next after the offense has been committed.

(c) No person may be prosecuted for any offense, other than an offense set forth in subsection (a) or (b) of this section, except within one year next after the offense has been committed.

(d) If the person against whom an indictment, information or complaint for any of said offenses is brought has fled from and resided out of this state during the period so limited, it may be brought against such person at any time within such period, during which such person resides in this state, after the commission of the offense.

(e) When any suit, indictment, information or complaint for any crime may be brought within any other time than is limited by this section, it shall be brought within such time.

**Sec. 54-193a. Limitation of prosecution for offenses involving sexual abuse of minor.**

Notwithstanding the provisions of section 54-193, no person may be prosecuted for any offense, except a class A felony, involving sexual abuse, sexual exploitation or sexual assault of a minor except within thirty years from the date the victim attains the age of majority or within five years from the date the victim notifies any police officer or state's attorney acting in such police officer's or state's attorney's official capacity of the commission of the offense, whichever is earlier, provided if the prosecution is for a violation of subdivision (1) of subsection (a) of section 53a-71, the victim notified such police officer or state's attorney not later than five years after the commission of the offense.

**Sec. 54-193b. Limitation of prosecution for sexual assault offenses when DNA evidence available.**

Notwithstanding the provisions of sections 54-193 and 54-193a, there shall be no limitation of time within which a person may be prosecuted for a violation of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, provided (1) the victim notified any police officer or state's attorney acting in such police officer's or state's attorney's official capacity of the commission of the offense not later than five years after the commission of the offense, and (2) the identity of the person who allegedly committed the offense has been established through a DNA (deoxyribonucleic acid) profile comparison using evidence collected at the time of the commission of the offense.