

# Judiciary Committee JOINT FAVORABLE REPORT

**Bill No:** SB-290 / [Bill Status](#) / [Public Hearing Testimony](#)

AN ACT CLARIFYING THE MEANINGS OF "SEXUAL INTERCOURSE" AND  
**Title:** "SEXUAL CONTACT".

**Vote Date:** 3/23/2026

**Vote Action:** Joint Favorable

**PH Date:** 3/2/2026

**File No.:**

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## **SPONSORS OF BILL:**

Judiciary Committee

## **CO-SPONSORS OF BILL:**

Rep. Greg S. Howard, 43<sup>rd</sup> District

## **REASONS FOR BILL:**

Following the Supreme Court ruling in State v. Douglas C and State v. Joseph V. which ruled that continuous acts of sexual misconduct couldn't be prosecuted; advocates have tried to clarify the meanings of sexual intercourse and sexual contact. This bill clarifies that sexual intercourse and sexual conduct, as related to the crime of sexual assault or rape, can mean either a single act or multiple acts that occur over a period of time as a continuous course of conduct. This allows for sexual abuse cases to be charged when proof of a continuous course of conduct can be found but no one specific date can be pointed to.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

**John R. DelBarba, Assistant Legal Counsel, Office of Chief Public Defender:** The Office of the Chief Public Defender strongly opposes SB 290, which raises identical issues found in legislation from previous years. They believe it does not clarify the meaning of sexual intercourse and sexual contact but suggests seemingly simple language that would create far more complicated issues which would necessitate constitutional challenges and uncertainty in the prosecution of all sexual offenses, and it attempts to undo two 2022 Supreme Court decisions. They request that no action be taken on this bill and recommend instead that a working group be created so that all relevant parties are heard when developing this legislation.

**The Division of Criminal Justice:** The Division of Criminal Justice strongly supports this bill as it would allow a distinction between sexual assault cases that have specific testimony regarding individual incidents of sexual assault (which would be several charges) and cases in which there is general testimony that multiple incidents occurred, but specific time and location are unknown. They explained that current sexual assault statutes do not demonstrate an intention to criminalize continuous course of conduct, but rather an intention to penalize only a single act of sexual intercourse. The 2022 Supreme Court decision created a serious problem when prosecuting a sexual assault case and especially when it is a child who was a victim for months or years. They believe this bill provides an opportunity to clarify its intention that the crime of sexual assault may be charged and proven as a continuing course of conduct.

#### **NATURE AND SOURCES OF SUPPORT:**

**Stephen Harding, State Senator, Senate Minority Leader:** Senator Harding supports this legislation due to the Connecticut Supreme Court's interpretation that requires that the state must prove individual acts of sexual intercourse or sexual conduct committed against a long-term victim, even if the victim can credibly testify history of abuse but unable to differentiate between specific incidents. He furthered that this is a hindrance to sexual assault prosecutions, especially when children are involved so this bill offers an opportunity to amend state criminal laws to protect victims of sexual abuse.

**Beth Hamilton, Executive Director, Connecticut Alliance to End Sexual Violence:** Beth Hamilton supports this legislation. She stated that the Supreme Court's interpretation requires the State to prove individual acts of sexual intercourse or sexual contact rather than continuous course of conduct; this is not reflected in long-term child abuse which was over a period of time and makes individual acts indistinguishable to the victim. She furthered that current statute puts an unrealistic burden on children and this bill would enable the State to charge sexual abuse crimes against children as either a course of conduct or a single act.

**Donna Farland, Tool for Good:** Donna Farland supports this legislation. She believes this would be helpful in the fight against trafficking of children in Connecticut and beyond.

**Krystal Rich, Executive Director, Connecticut Children's Alliance:** Krystal Rich supports this legislation as it addresses how ongoing sexual assault is addressed in statute. She believes the current structure makes it harder to ensure that charges reflect the reality of continuous abuse. She furthered that the bill does not create a new crime, but clarifies and allows charges to better reflect ongoing victimization, representing an important alignment between trauma informed practice and statutory law.

**Stephen J. Sedensky III, Retired States Attorney:** Stephen J. Sedensky supports this bill. He stated that due to the dynamics of child sexual abuse, the 2022 Supreme Court rulings can prevent prosecution of sexual assault if the child cannot distinguish between repeated sexual assault. He explained that under current law, the worst child abusers can take advantage of a child's limitations by committing more versus less crimes against an individual child. He stated that this bill addresses the case law and makes a very limited correction to

the statutes that have been interpreted to include “continuing courses of conduct” for years prior to the Douglas and Joseph cases that were before the Supreme Court.

**NATURE AND SOURCES OF OPPOSITION:**

**David Erwin, President, Connecticut Criminal Defense Lawyers Association:** The Connecticut Criminal Defense Lawyers Association opposes SB 290. They support the submitted testimony from the Office of the Chief Public Defender and share the same concerns.

**Jess Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT):** Jess Zaccagnino opposes this bill, stating it lacks definition as to what would be considered a single incident or a course of conduct. She furthered that it attempts to override a Connecticut Supreme Court decision from 2022, which found that sexual assault offenses are not continuous course of conduct and are instead single acts. She believes this would allow prosecutors to pick and choose how to apply the bill’s uncertain and broad language.

**Michele May, LMFT:** Michele May opposes this bill, stating that it does more harm than good. She stated that the change in definition of sexual intercourse and sexual conduct makes it too vague and believes it will cause confusion in courts, allowing abusers to be left off due to technicalities if the clarifications narrow the scope of what an assault is.

**Two anonymous individuals:** testified in opposition to the bill stating that it was more important to address affordability issues than to fix things administratively.

**Reported by:** Bonnie Gray

**Date:** March 27, 2026