

Minutes of the Meeting  
Code of Evidence Oversight Committee of the Supreme Court  
February 23, 2015

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On Monday, February 23, 2015, the Code of Evidence Oversight Committee of the Supreme Court met in the Supreme Court courtroom from 2:04 p.m. to 3:22 p.m.

Members in attendance were:

Hon. Thomas A. Bishop, Chairperson	Attorney Leonard C. Boyle
Hon. Thomas D. Colin	Attorney Brian S. Carlow
Hon. Steven D. Ecker	Attorney Margaret Q. Chapple
Hon. Barbara B. Jongbloed	Attorney Jack G. Steigelfest
Hon. Eliot D. Prescott	Attorney Lawrence J. Tytla
Hon. Angela C. Robinson	Attorney Eric W. Wiechmann
Hon. Michael R. Sheldon	

Also participating were Professor Julia A. Simon-Kerr of the University of Connecticut Law School and academic advisor to the Committee, Attorney Eric Levine, Assistant Reporter of Judicial Decisions, Attorney Adam Mauriello, Counsel, Judicial Legal Services, and Attorney Lori A. Petruzzelli, Counsel to the Code of Evidence Oversight Committee of the Supreme Court.

Attorneys Robert B. Adelman and John R. Gulash were not in attendance at this meeting.

1. The Honorable Judge Thomas A. Bishop called the meeting to order at 2: 04 p.m.
2. The Committee unanimously approved the minutes of the meeting held on January 21, 2015.
3. The Committee considered the proposals by the ESI Subcommittee to amend certain provisions of the Connecticut Code of Evidence regarding electronically stored information. The proposals incorporated the Committee's comments from the January 21, 2015 meeting.

After discussion, the Committee unanimously voted to submit the following proposals, as set forth in Appendix A, attached hereto, to the Supreme Court for consideration:

- a. Conn. Code Evid. Rule 1-2 (c) and commentary
- b. Conn. Code Evid. Rule 1-3 commentary
- c. Conn. Code Evid. Rule 8-1 (2) commentary
- d. Conn. Code Evid. Rule 8-3 (9) commentary

- e. Conn. Code Evid. Rule 8-4 commentary
- f. Conn. Code Evid. Rule 9-1 commentary
- g. Conn. Code Evid. Rule 9-3 and commentary
- h. Conn. Code Evid. Rule 10-1 and commentary

4. In response to a request from the Supreme Court, Judge Bishop sought comments from the Committee regarding whether the admission of prior consistent statements under the constancy of accusation doctrine should be abandoned in Connecticut. See Conn. Code Evid. Rule 6-11 (c).

After discussion, the Committee decided that it should ascertain and study current scholarship and empirical works regarding the viability of the constancy of accusation/fresh complaint doctrine. Additional materials will be provided to the Committee.

5. After discussion, the next meeting was scheduled for Monday, March 23, 2015, in the Supreme Court courtroom.

6. The meeting was adjourned at 3:22 p.m.

Respectfully submitted,



Lori A. Petruzzelli

Counsel to the Code of Evidence Oversight  
Committee of the Supreme Court