

Legislative History for Connecticut Act

SB 1409	PA 117	1981
House 3548 - 3554		(7)
Senate 1472-1473, 1531		(3)
Judiciary 1218, 1221, 1247-1248, 1251-1252, 1261-1262, 1270, 1279, 1322		(11)

LAW/LEGISLATIVE REFERENCE  
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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1981

VOL. 24  
PART 11  
3482-3735

House of Representatives

Wednesday, April 29, 1981 67  
krr

The House of Representatives is voting by roll at this time.

Would the members please return to the Chamber immediately.

Have all the members voted? Have all the members voted?

Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked.

The Clerk will take the tally.

Would the Clerk please announce the tally.

CLERK:

Senate Bill No. 1286.

Total number voting	147
Necessary for passage	74
Those voting yea	147
Those voting nay	0
Those absent not voting	4

SPEAKER ABATE:

The bill passes.

CLERK:

Calendar No. 343, Substitute for Senate Bill No. 1409,  
AN ACT CONCERNING DISMISSALS OF CRIMINAL CASES. Favorable Report  
of the Committee on Judiciary.

REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Fox.

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REP. FOX: (144th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate. Will you remark, sir?

REP. FOX: (144th)

Yes sir. Thank you, Mr. Speaker. Under present State Law, all records are automatically and immediately erased when a case is dismissed. Court officials are not allowed to reveal any information, even that the case has been dismissed.

This bill would make an exception to the non-disclosure prohibition by permitting the crime victim or his representative to be informed within the 1 year period following the dismissal of the fact that the charges were dismissed.

The difficulty that has arisen is that victims who try to find out what happened on cases, which were dismissed, have expressed extreme frustration at being told that there was no record of such a case, especially when they are aware of the fact that an arrest has been made. This breeds distrust of the system, and many victims have expressed an unwillingness to cooperate in the future.

I would recommend passage of this bill. Thank you, Mr. Speaker.

SPEAKER ABATE:

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

REP. COBLE: (129th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Thomas Coble.

REP. COBLE: (129th)

Mr. Speaker, I also rise in support of this bill. I feel that it gets right to the point and to the heart that a victim, whomever he is, should be informed, when a person or a charge is dismissed or erased. But I think it also gets to another point that is quite relevant.

And that is an abuse by an individual who falsely goes out to obtain information, by falsely stating to be the victim or his representative. I think it states that, an increased penalty of 5 years or \$5,000.00 would be attached to any individual who attempts to do that in attempting to get information. This is something that should have put on the books a long time ago, and now that it's about to get there, I hope we're all in favor of this, and I push for its adoption, and I hope everyone supports this particular bill. Thank you.

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SPEAKER ABATE:

Will you remark further on this bill?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

If I might, a couple of questions of the proponent.

SPEAKER ABATE:

State your first question, please sir.

REP. VAN NORSTRAND: (141st)

Through you, Mr. Speaker. Rep. Fox, down in line 21, the words, "legal representative" are used, and of course they relate as Rep. Coble just said to the sections in the line 27 and 28 about the penalty for one who misrepresents the fact that they are a legal representative. What is the legal representative that's described there?

SPEAKER ABATE:

Rep. Fox, can you respond to that question, sir?

REP. FOX: (144th)

I believe, Rep. Van Norstrand that the intention of the bill was to allow for an individual's attorney, authorized to obtain this information to go to court and obtain the information

regarding whether or not the case has, in fact been dismissed.  
It is my understanding that that's what it refers to.

REP. VAN NORSTRAND: (141st)

Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

Would someone who had a Power of Attorney be a legal  
representative?

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker, through you. As I understand the  
concept of legal representative, I think it would be, yes sir.

REP. VAN NORSTRAND: (141st)

Through you, Mr. Speaker, and I presume that the commonly  
understood term of the legal representative in terms of a deceased  
person would also be a legal representative.

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Through you, as I understand it,  
yes sir.

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REP. VAN NORSTRAND: (141st)

Thank you, Mr. Speaker.

SPEAKER ABATE:

Thank you, sir. Will you remark further on this bill?  
Will you remark further on the bill? If not, would all the  
members please be seated. Would all staff and guests please  
come to the well of the House. The machine will be opened.

The House of Representatives is voting by roll at this  
time. Would the members please return to the Chamber immediately.  
The House of Representatives is voting by roll at this time. Would  
the members please return to the Chamber immediately.

Have all the members voted? Would the members please  
check the roll call machine to determine if their vote is properly  
cast. The machine will be locked. The Clerk will take the tally.

Would the Clerk please announce the tally?

CLERK: The House of Representatives is voting on

Senate Bill 1409.

Total number voting	147
Necessary for passage	74
Those voting yea	146
Those voting nay	1
Those absent not voting	4

House of Representatives

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SPEAKER ABATE:

The bill passes.

CLERK:

Calendar No. 345, Substitute for Senate Bill No. 185, AN

ACT CONCERNING EMERGENCY MEDICAL SERVICE DELIVERY SYSTEMS, Favorable

Report of the Committee on Public Health.

REP. LA ROSA: (3rd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. LaRosa.

REP. LA ROSA: (3rd)

I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER FRANKEL:

The question is on acceptance of the Joint Committee's Favorable Report and passage of this bill in concurrence with the Senate. Will you remark, sir?

REP. LA ROSA: (3rd)

Mr. Speaker, reluctantly I will remark very briefly. This is a simple bill. It just allows the reduction in current statute from 2 EMTs to 1 EMT and 1 MRT. I urge its passage.

DEPUTY SPEAKER FRANKEL:

Will you remark further?

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GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1981

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PART 5  
1366-1714

Tuesday, April 14, 1981

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SENATOR SKOWRONSKI:

Thank you, Mr. President. Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark, Senator?

SENATOR SKOWRONSKI:

Yes, Mr. President. Mr. President, the main provisions of this bill provide that the Superior Court will have jurisdiction to levy fines for violations of the Inland Wetlands statutes. The bill also makes technical changes to our existing Inland Wetlands laws by allowing duly authorized agents of Inland Wetlands agencies to issue cease and desist orders and adds water courses to Inland Wetlands as regulated bodies. If there's no objection, I move it to the consent calendar.

THE CHAIR:

Is there any objection to placing the matter on consent? Hearing none, so ordered.

THE CLERK:

Continuing on page 14 of the calendar, calendar No. 246, File No. 368, Substitute for Senate Bill No. 1409. AN ACT CONCERNING DISMISSALS OF CRIMINAL CASES with a Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator Owens.

SENATOR OWENS:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

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THE CHAIR:

Will you remark, Senator?

SENATOR OWENS:

Yes. This bill, as you're aware, if a case is dismissed there's automatic erasure of the records in most instances, but this allows the courts to provide the victims of crime to receive notice within one year after the order of dismissal so that instead of having the records erased after the dismissal, there would be an opportunity by the victim of a crime to ask the court what happened to the case so they are made aware specifically of it and it's a bill that the committee's worked hard on, and it would also make it a crime for a person to obtain a criminal record information by falsely claiming to be the victim. I'd ask, if there's no objection, that it be placed on consent.

THE CHAIR:

Is there any objection to placing this matter on consent? Hearing none, so ordered.

THE CLERK:

Moving to page 15 of the calendar, calendar No. 248, File No. 375, Substitute for Senate Bill NO. 1419. AN ACT CONCERNING NUCLEAR SAFETY EMERGENCY PREPAREDNESS with a Favorable Report of the Committee on Energy and Public Utilities and the Clerk has an amendment.

THE CHAIR:

Senator Leonhardt.

SENATOR LEONHARDT:

Thank you Mr. President. I move acceptance of the joint committee's

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SENATOR O'LEARY:

Mr. President, there will be a meeting of the Education Committee on April 21st at 10:00 A.M. to take action on a bill referred to us from the House today. That's April 21st at 10:00 A.M.

THE CHAIR:

Any other announcements? Senator Martin.

SENATOR MARTIN:

Mr. President, the hearing is about to begin in the hall of the House on the property tax on votes and other bills.

THE CHAIR:

Thank you. Any other announcements? Clerk ready for the consent calendar?

THE CLERK:

On page 1 of the consent calendar, calendar No. ...

THE CHAIR:

Please give your attention to the Clerk so that we could make necessary changes if necessary.

THE CLERK:

Page 1 of today's calendar, calendar No. 50, calendar 74. On page 2, SB 443,228  
calendar 106, 111. On page 3, calendar 134. On page 4, calendar 173 and 178<sup>215,690,214</sup>  
On page 5, 180m 183. On page 6, calendar 197. On page 7, calendar 203. On<sup>1316,</sup>  
page 8, calendar 207 and 208. On page 9, calendar 210 and 215. Page 10, ca<sup>HB7167,5401</sup>  
lendar 218, 219 and 222. Page 12, calendar 230, 231, 233, 235. Page 13,<sup>6652, SB1416</sup>  
calendar 240 and 241. Page 14, calendar 243, 244, 245, 246. Page 15, calen<sup>459,1230,</sup>  
dar 248, 249, 250, 251. That concludes today's consent calendar.<sup>632,1347,</sup>  
<sup>1173,476,1232,</sup>  
<sup>1211,310,766,</sup>  
<sup>633,637,</sup>  
<sup>1286,1306</sup>  
<sup>1336,1409,1419,185,</sup>  
<sup>767,1240.</sup>

JOINT  
STANDING  
COMMITTEE  
HEARINGS

JUDICIARY  
PART 4  
1119-1416

1981

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krr

JUDICIARY

March 24, 1981

COMM. SHEALY: (continued)

very strongly that this bill should be supported.

Also, I would just briefly, I'm within my 5 minutes. I'll quickly hurry, support Senate Bill 1409, which allows elderly victims to be informed that a criminal case has been dismissed. I notice that the Justice Commission is supporting this and we joining with them.

We also support House Bill 7368, An Act Concerning Subrogation of Criminal Injuries Compensation Awards. This would encourage civil action against the perpetrator of a crime.

Quickly moving along, the Bar Association, we note is supporting House 6226. We join with them, An Act for Waiver of Costs, Fees, and Security in Payment of Necessary Expenses in Civil Cases.

In essence, it's to allow poor people to avoid these up front expenses in bringing cases to court.

We also support House Bill 7363, An Act Concerning Disclosure of Address and Telephone Number by Victims of Sexual Assault or injury, or Risk of Injury to a Minor.

We deplore the situation where a witness on a witness stand has to give out her address and telephone number, and they know they are subject to much harassment on the basis of this, and finally we support House Bill 6461, A Notice Requirement for Involuntary -- by the way you have commitment, and I understand from Judge it should be for Involuntary Conservatorship. In other words, there's an incorrect word that's on that title that says that Notice Requirements for Voluntary Commitment. It shouldn't be Commitment. It should be the other, and I know that Judge will speak on that. Thank you very much.

SEN. OWENS: Thank you, Commissioner Shealy. Any questions at all? Sen. Labriola.

SEN. LABRIOLA: Thank you, Mr. Chairman. Commissioner Shealy, as you know, I'm a child advocate, but I'm also an advocate of the elderly. With respect to Committee Bill 7367, what is the definition of the elderly, number 1, and 2, with respect to such an individual not answering a door for whatever

COMM. LARRY ALBERT: Good morning, Mr. Chairman. Members of the Committee. I'm pleased to be able to speak this morning as a Member of the Connecticut Justice Commission Statewide Victim Witness Task Force, and a representative of the Connecticut Department of Corrections in support of the following bills, 1409, 7363, 7365, and 7368.

The victim Task Force studied a number of issues relating to victims and witnesses over the course of the year and had a number of proposals, but because of our feeling of the state's financial situation, felt that we would make a modest beginning, and ask for bills that would be of assistance to victims, and show them that we're concerned about victims, without being a cost item to the state.

One four zero nine, An Act Concerning Dismissal of Criminal Cases is very simple. A victim who has sworn out a complaint now has no way of finding out what the courts did with that. In regard to their having dismissed it. This would simply allow them to know that the complaint has been dismissed without revealing the names of anyone involved, and protecting their confidentiality.

Item 7363, An Act Concerning Disclosure of Address and Telephone Number by Victims of Sexual Assault or Injury or Risk of Injury to a Minor. I think is self explanatory to protect those who have accused others of those kinds of crimes from any further harassment by either the accused or anyone else.

Item 7365, An Act Concerning Witnesses, I think is a very important bill, in terms of protecting the integrity of the judicial process, and protecting those people who wish to be witnesses, from any kind of retribution by their employer, hopefully employers would not do this, but there are some that do, and I think that it's an important bill, and the integrity of the process can be protected by your giving them this kind of protection from employers who might let them go, or give them a hard time, or even fire them as a result of taking part in the judicial process, which many of you know is time consuming. You can go to court, a case can be continued. You can lose a number of part, or full day's work in attempting to work with the judicial system.

I think that this kind of protection would be most helpful.

MR. TOMKIEL: (continued)

If this is what you want in your land records, and if you're ever doing a title, I bless you. We need a change in the law.

The copies that we're getting going into the land records are horrendous. They're third and fourth generation copies.

SEN. OWENS: What do you do with the powers of attorney? There are some situations where there's, you know, an original document executed, and it's used for a variety of purposes today. A power of attorney would go to a bank, that type of thing, and so forth, so that in many instances a copy of the power of attorney is attached to a deed. You're saying that the original would have to be submitted under those circumstances?

MR. TOMKIEL: Well, in this case, not necessarily an original or a certified copy is clear. I think your Bill says or a certified copy. I think if we make it mandatory for them to make a certified copy or a copy that's clear, that's all we need. We have to do something.

SEN. OWENS: Thank you, Mr. Tomkiel.

MR. TOMKIEL: Thank you for your time.

SEN. OWENS: Gil Salk to be followed by Steve Mednick.

MR. GIL SALK: Good monring. My name is Gil Salk. I'm Coordinator of the Statewide Victim Witness Project which is a sub-grantee of the Connecticut Justice Commission and funded by the Law Enforcement Assistance Administration. Our project, and particularly the Task Force which served as our major fact finding and planning unit, has developed four bills which are before you today, 1409, AN ACT CONCERNING DISMISSALS IN CRIMINAL CASES; 7363, AN ACT CONCERNING DISCLOSURE OF ADDRESS AND TELEPHONE UNMBER BY VICTIMS OF SEXUAL ASSAULT OR INJURY OR RISK OF INJURY TO A

MR. SALK: (Continued)

Minor; 7365, An Act Concerning Witnesses and 7368, An Act Concerning Subrogation of Criminal Injuries Compensation Awards.

These Bills all deal with victims of crime and are intended to respond to some specific problems which seem to be common to many crime victims. Let me give you some brief background information. Before we began planning, we held public hearings in nine communities in the State, all on the same day. Governor Grasso had proclaimed the day as an Awareness Day. Members of our task force staffed these hearings and the testimony we heard from over 150 people was combined with other information received from victim services, police, human services, and others who work with victims determined six priority areas for future study.

These six concerns became the basis for the committee outlined on the back of the first page of the packet I have submitted to you. The first Bill, 1409, very simply addresses a continuing source of frustration to victims as well as many police and prosecutors. Under current law, when a case is dismissed, the victim can be told nothing about it, not even the fact that the case was dismissed. The victim often knows an arrest was made and in fact, has assisted in the arrest by providing information. Imagine their feeling when they call the police or the court to inquire as to the status of the case only to be told that there is no record of it. For that matter, imagine how this makes the responding officer or State's Attorney feel. 1409 allows the victim to be told that the case was dismissed and that the court has ordered the record be erased. Passage of this Bill would alleviate a major source of frustration and dissatisfaction with the criminal justice system. Over time, it could help reverse a trend away from cooperation with that system.

Bill 7363 addresses a very real fear of sexual assault victims. One frequently given reason for the low reporting rate on this crime is the victim's fear of public disclosure of the assault. This is compounded by occasional instances of harassment of such victims after they have appeared in court. There seems to be a fringe element that are attracted to rape cases who think it's fun to make a few

MR. MEDNICK: (continued)

In addition, Mr. Chairman, the City of New Haven supports a number of Bills before your Committee today dealing with the long forgotten party in the criminal justice system, the victim of crime. The pestilence of violent crime sweeping this nation and state has provoked an outcry of public interest and awareness in possible legislative action designed to meet the issue head on. Over the course of the past two years, the City of New Haven and Mayor Dilieto have testified on a wide range of Bills that seek to insure swift justice as well to eradicate the threat of violence to our citizenry. We applaud the efforts of Senator Owens and Representative Tulisano and the members of this Committee to deal with the serious docket problems we face in the Judiciary, for it is clear that our inability to cope with the burgeoning caseload impedes the proper administration of the judicial system.

In addition to a wide range of Constitutional issues that emanate from judicial case overload, we believe that the appearance of a judicial logjam is but an additional indignity heaped on the innocent victims of crime who inevitably get lost in the shuffle. It is in this light that we support the Bills that are recommended by the Victim Task Force before this Committee today, SB 1409 which would allow court administrators to disclose to the victims of a crime or his attorney, the fact that the case has been dismissed. HB 7363 which would afford a degree of protection to highly vulnerable victims of very serious or heinous crimes of violence. HB 7365, entitled An Act Concerning Witnesses which would clearly establish preeminent state policy the freedom of witnesses to testify without fear of losing one's employment. Mr. Chairman, I cite a recent study by the Institute for Law and Social Research in Washington which indicates that the difference between a guilty plea and a dismissal lies in the success of ensuring the availability and proper preparation of witnesses.

We submit that House Bill 7365 addresses the issue of availability which we believe represents the critical first step in the ability to successfully prosecute criminal activity. And finally, Mr. Chairman, we support

MR. MEDNICK: (continued)  
HB 7368, An Act Concerning Subrogation of Criminal  
Injuries Compensation Awards.

In conclusion, the people of the City of New Haven have manifested their resolve to deal with the problems of crime through many channels, particularly their involvement in neighborhood block watch programs. In recent weeks they have begun to turn their attention to the General Assembly in the hope that their representatives will address the issues of improving the criminal justice system. We believe that the Bills before you today deserve your support and we hope that you will JF them and send them to the floor of the House and the Senate. Thank you Mr. Chairman.

SEN. OWENS: Thank you Steve. The next speaker Donald Gray and I'll give you--it will be William Clark and Richard Bieder, in that order.

MR. DONALD A. GRAY, JR.: May it please the Chair, SB 666 members of the Committee, my name is Donald A. Gray, Jr., President and General Counsel of the Western Connecticut Industrial Council located at 30 Holmes Avenue, Waterbury, Connecticut. I'm also speaking today on behalf of the Connecticut Small Business Federation with offices at 60 Washington Street, Hartford, Connecticut.

Connecticut Small Business Federation has some 2,000 members statewide. The Western Connecticut Industrial Council has some 172 member companies in the Western part of the State whose membership employs some 75,000 persons and is exclusively engaged in manufacturing and both of the organizations strongly support Senate Bill 666. When the product liability legislation was passed in the 1979 Session of the General Assembly, it included a ban on the right of subrogation in product liability cases. At the time, we strenuously objected to this provision, among others, and warned that it would substantially increase the premium on a workman's compensation policy. We were informed during the public hearings on the subject by the insurance industry that our concern was unwarranted and that at the most the premium would rise only one to two percent. Charitably, we call this a

MR. BIEDER: (continued)

problems with that Bill, just having seen it four days ago or within the last four days, anyway. I'm not in a position to speak in favor of it. I am in a position to tell you if you're going to pass it, if you're going to pass it, that you should amend two sections of it. That is one, to allow jury trials, and number two, in the section that calls for punitive damages, you may be aware that under our Supreme Court's decisions, punitive damages are limited to attorney's fees and court costs. That should be changed in this Bill. It always has struck me as being inequitable and the Supreme Court always says let the legislature change it and I'm asking you, please take the first step in changing it here.

Subsection 4b should read, if willful and malicious misappropriation exists, the court may award punitive damages in addition to attorney's fees and court costs. You should add the words in addition to attorney's fees and costs. It will then be clear to the Supreme Court that you mean that punitive damages should be real punitive damages and not just costs or attorney's fees.

In addition, I don't think there should be any limitation such as twice the award for punitive damages. Punitive damages are meant to be punitive. If Aetna Life Insurance my favorite--it does--and I know they're probably all around me here and I'm paranoid, but if Aetna Life and Casualty gets banged for \$350 in a case where they had been horrible to a litigant and all that they're entitled to and suffer in punitive damages is double the \$350, I submit to you and I suggest that John Filer himself wouldn't disagree with me, that Aetna Life and Casualty probably would not change their practices if all they were risking was a \$750 fine. Thank you very much.

SEN. OWENS: Thank you. Elizabeth Spaulding to be followed by Spencer Reynolds.

MS. ELIZABETH SPAULDING: Mr. Chairman, members of the Committee, my name is Elizabeth Spaulding. I'm Chair of the Connecticut International Women's Year Committee. We would like to support and object to several Bills. I'd like to speak just briefly on the custody Bill at the end. Bill 74, An Act Concerning Findings of the Judicial Review

MS. SPAULDING: (continued)

Council, we would support. Bill 6841, An Act Concerning Loitering for the Purposes of Engaging in a Prostitution Offense, it would seem to me that that should move beyond that by now.

SEN. OWENS: We should what?

MS. SPAULDING: We should have moved beyond that by now. It doesn't seem to me that you can (a) legislate morality and (b) if you in fact arrest an equal number of customers with prostitutes, that's one thing, but it is not the history of enforcement, so--

SEN. OWENS: But, in all fairness though, there are some problems in the cities, in the large cities, at the intersections of the downtown areas. It does create a blight in many areas. I agree with you that both of them should be arrested, but I think it's a major problem in many of our cities.

MS. SPAULDING: Well, maybe it could be taken care of by some other. Bill 7358 An Act Concerning Custodial Interference, we would support that. Bill 7363, An Act Concerning Disclosure of Address and Telephone Number by Victims of Sexual Assault, we would support that and 7364, An Act Concerning Temporary Restraining Orders for Abuse Victims we could support that.

In Bill 7357, An Act Concerning Child Custody and Visitation Orders, it seems to us that in the question of child custody, that the past performances of the parents when they were together, is very important to what will be going on in visiting orders, etc. On Bill 133, we support the concept of joint custody, but we do not support the presumption of joint custody. The problem of children of divorce is one, of course the most complex and most difficult in the area in that particular area. There is a longitudinal study coming out from an organization in San Jose, California about the impact on divorce on children of divorce. It's a ten year study and it's due out this year. And it would seem to me that as the court can now award joint custody, that if these two Bills were delayed a year, pending the report from San Jose and experience this year in Connecticut, it would

MR. SOYCHER: (continued)  
addition to their responsibility for Workers' Comp  
benefits.

SEN. OWENS: Thank you.

MR. SOYCHER: I'll leave copies of my statement.

SEN. OWENS: Susan Knaut?

MS. SUSAN KNAUT: Good afternoon. My name is Susan Knaut and I'm speaking as the Co-chair of the Statewide Victim Witness Project Task Force. I'm speaking in support of Bill 1409, An Act Concerning Dismissals of Criminal Cases, Bill 7363, An Act Concerning Disclosure of Address and Telephone Number by Victims of Sexual Assault or Injury or Risk of Injury to a Minor, Bill 7365, An Act Concerning Witnesses, Bill 7368, An Act Concerning Subrogation of Criminal Injuries Compensation Awards.

Since June of 1980, the Task Force has been working on a comprehensive approach to dealing with victim and witness crime. Public hearings were held on June 21st to get input from concerned citizens and professionals who deal with victims. Committees were formed to deal with these concerns in an attempt to formulate a statewide plan which would begin to recognize the special needs and rights of crime victims. These four Bills are an important step for Connecticut to take. Consider the frustration of a crime victim who has cooperated with law enforcement agencies, cooperated with the preliminary steps in the judicial process and calls the court for information on the status of the case they've been actively involved in, only to be told the court has no such record of the case.

Consider the anxiety of a victim of sexual assault or risk of injury when they know that they must reveal their address in an open court for all to know. Consider the fear of losing a job if you cooperate with the criminal justice system because of loss of work time. Frustration, anxiety and fear are commonplace for crime victims. Enactment of these Bills will bolster confidence in the criminal justice system. Bill 7368 will encourage victims

MS. CHASE: (continued)  
applicant's child.

In these cases, as in the cases of spouse abuse, the victim can seek protection in the criminal courts by having the abuser arrested. However, as we have seen in the cases of spousal abuse, when the perpetrator of the crime is not a stranger -- when, in fact, that person may even be sharing the home with a victim, the victim is not adequately protected from occurrence of the violence by having the abuser arrested. The purpose of the restraining order has been to intervene in a situation where violence is likely to reoccur before the next outbreak of violence, and we support the extension of this protection.

And finally, Senate Bill 1409, AN ACT CONCERNING DISMISSAL OF CRIMINAL CASES, would permit the victim to learn that a case has been dismissed. We support the provision of such information to victims of crime. Thank you.

REP. TULISANO: Diana Jones.

MS. DIANA JONES: My name is Diana Jones, and I am here to -- in support of Bill 7363, AN ACT CONCERNING DISCLOSURE OF ADDRESS AND TELEPHONE NUMBER BY VICTIMS OF SEXUAL ASSAULT. I, myself, was a recent victim of a sexual assault not more than two weeks ago. There are hundreds of us, many you'll never even hear their names because the silent majority of men, women and children remain very secluded and afraid. Most of us are afraid to testify. I soon as to testify, and I am very much threatened. The harm that can come to me or my family as a result of publicly announcing my address in a courtroom. I don't feel that I or anyone else should have to suffer in double jeopardy for a crime we did not commit and that we have a right to privacy and safety and to resume some form of normality in our lives and that as long as our address is on file with the court, that it should not be publicly announced in a courtroom, and I support the bill and ask that it be approved.

REP. TULISANO: Mike -- Mike Spolita? Not here. Jenny Carrea? Shirley Pristein.

MS. SHIRLEY PRIPSTEIN: Thank you, Rep. Tulisano. Rep. Tulisano, members of the Committee. I'm Attorney Shirley Pripstein from the Family Law Unit of the Legal Aid Society of Hartford, and I am speaking to SB 133 and HB 5087 regarding joint

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JUDICIARY

1322  
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MS. WICKS: (continued)

Further, since the courts still have the authority to order sole custody to the parent most tolerant of the child's continuing relationship with the other parent, it is believed that this option will prove to be an incentive to greater cooperation between negotiating parents.

I won't go on any further, but I would like to say that I think this bill will cause men and women to realize that we have responsibility and we have life involved and you just can't throw it away or separate it like you can a car, or whatever. I don't know, I just think that we're dealing with human life here and it should be something that we don't ever forget.

REP. TULISANO: Thank you. Carl Hardriat or Hardrick. David Bianchini left? Marilyn Dirks I know left. Larry Deutsch. Christine Adams.

CHRISTINE ADAMS: Good afternoon. My name is Christine Adams. I am speaking to you tonight as an individual with ten years of experience in the criminal justice field.

Currently I am a social worker with the Corrections Unit at Catholic Family Services of Hartford. There are four bills which you are considering today, and all I feel should receive your positive consideration.

The first bill I wish to address is Bill No. 1409. This bill would allow victims to be informed if a case committed against them has been dismissed. Clearly such a bill would not violate any of the constitutional rights of defendants. While it will enforce the trust of the victim in the criminal justice system. A victim must now rely on the defendant's word or on second-hand information to learn if a case was dismissed. Surely we owe the unfortunate victims of a crime a greater dignity than this.

The second bill I am supporting is Number 7368, which would enable the Criminal Injuries Compensation Board to 75% of an award to victim, if the victim receives funds from the offender. The greatest advantage of this bill is that this 75% will be returned to the pool of monies to help other victims, and even if this amount is infrequent, it will certainly assist taxpayers and others that fund is important for.

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