

PA 11-102

HB6113

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 10
3113 - 3437**

pat/gbr
HOUSE OF REPRESENTATIVES

137
May 17, 2011

The House of Representative is voting by Roll
Call. Members to the Chamber.

The House is voting by Roll Call. Members to the
Chamber, please.

DEPUTY SPEAKER ALTOBELLO:

Have all Members voted? Have all Members voted?
Please check the board to make sure your vote is
properly cast.

If all Members have voted, the machine will be
locked. Would the Clerk please take a tally.

And would the Clerk announce the tally.

THE CLERK:

House Bill 6472 as amended by House "A".

Total Number Voting 150

Necessary for Passage 76

Those voting Yea 101

Those voting Nay 49

Those absent and not voting 1

DEPUTY SPEAKER ALTOBELLO:

The Bill as amended is passed.

Would the Clerk please call Calendar 130. 130.

THE CLERK:

On Page 44, Calendar 130, Substitute for House
Bill Number 6113 AN ACT CONCERNING THE INVESTIGATION

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HOUSE OF REPRESENTATIVES

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OF MISSING ADULT PERSONS REPORTS. Favorable Report of
the Committee on Judiciary.

DEPUTY SPEAKER ALTOBELLO:

Representative Dargan of the 115th, you have the
floor, sir.

REP. DARGAN (115th):

Thank you, Mr. Speaker. I move acceptance of the
Joint Committee's Favorable Report and passage of the
Bill.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is acceptance and
passage of the Bill. Will you remark, Representative
Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. This Bill
simply establishes a statutory procedure regarding
missing adult persons reports. That's ensuring that
such reports are accepted and investigated by police
in a timely manner.

Mr. Speaker, the Clerk has an Amendment, LCO
5316. May he please call and I be allowed to
summarize.

DEPUTY SPEAKER ALTOBELLO:

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Would the Clerk please call LCO 5316, which shall be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 5316, House "A", offered by
Representatives Dargan, Aresimowicz and Olson.

DEPUTY SPEAKER ALTOBELLO:

Representative Dargan seeks leave of the Chamber to summarize. Seeing no objection, please proceed, sir.

REP. DARGAN (115th):

Thank you, Mr. Speaker. This just clarifies that definition between the ages of 15 and 18. In the original statute it was 21, and I move for its adoption.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is adoption of House A". Further on House "A"?

If not, I'll try your minds. All those in favor signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

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Opposed? The Ayes have it. Pitch to shut out.
Further on the Bill as amended? Further on the Bill
as amended?

REP. DARGAN (115th):

Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Dargan.

REP. DARGAN (15th):

Mr. Speaker, I would just like to thank my
Ranking Member along with Representative Vicki
Nardello and Representative Rebimbas that has been
helpful over the past few years with this. There's an
issue that's been around since 2004 with the
disappearance of Billy Smolinsky, an incident in
Waterbury.

And what we're trying to do, Mr. Speaker, is
approximately there are 150,000 missing and 60,000
unidentified deceased within our country. The problem
is not just unique to Connecticut. There was concerns
in the original bill as far as the cost of a DNA and
also data bases within our law enforcement cars that
has been removed from the Bill.

This Bill will be a model policy that will give
our local police departments to change the effective

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date to January, 2012, so we have a policy in place for individuals that go missing and more importantly within that first 24 to 48 hours.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Dargan. Representative Giegler you have the floor, madam.

REP. GIEGLER (138th):

Thank you, Mr. Speaker. I rise in support of the Bill before us. It's been a work in progress for the Public Safety Committee and there's been a lot of effort and time put into developing this Bill.

We heard compelling testimony from the Smolinsky family who have dedicated their lives to help other families because they have lost their son and he still is missing. So they don't want to see other families in the state have to go through what they have gone through.

It was really heart wrenching to hear some of the problems that they've had with the various police departments and this will give the proper training to our officers when a missing person's complaint is filed.

It also codifies our current practice requiring the chief medical examiner to collect DNA from human

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remains that are sent to their office, and send the samples to the Department of Public Safety.

So I urge my colleagues' support. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative. Representative Rebimbas of the 70th District, you have the floor, madam.

REP. REBIMBAS (70th):

Good afternoon, Mr. Speaker. Mr. Speaker, I also rise in support of this Bill, and I want to commend all of the hard work that the Chairs of the Public Safety and the Ranking Members put into making this Bill a good Bill and also the work that Representative Nardello also, jointly with myself, did with the Smolinsky family, and specifically for the Smolinsky family, for their courage and advocacy on this issue, and for the many families in the State of Connecticut that hopefully will be in a better position in having this good public policy passed.

So I do encourage all my colleagues to support this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you Representative Rebimbas. Further on the Bill as amended? Further on the Bill as amended?

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May 17, 2011

If not, staff and guests please retire to the Well of the House. Members take their seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting by Roll Call. Members to the Chamber, please.

DEPUTY SPEAKER ALTOBELLO:

Have all Members voted? Have all Members voted? Please check the board to make sure your vote is properly cast. If all Members have voted, the machine will be locked.

Would the Clerk please take a tally.

Would the Clerk please announce the tally.

THE CLERK:

House Bill 6113 as amended by House "A".

Total Number Voting	144
Necessary for Passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	7

DEPUTY SPEAKER ALTOBELLO:

The Bill as amended passes.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY AND
SECURITY**

**PART 2
319 - 658**

2011

Do have questions from committee members?
Hearing none, thank you very much.

Our next presenter is Chief Tom Flaherty,
director of POST.

THOMAS FLAHERTY: Good afternoon, Representative
Dargan, Senator Hartley, members of this
committee.

I'm the executive director of the Police Officer
Standards and Training Council in Meriden,
Connecticut. And I've been authorized by them to
speak in opposition to two proposed bills and to
suggest redundancy and unfunded costs in the
third.

HB 6295
HB 6113
HB 5341

Proposed Bill Number 418, AN ACT CONCERNING
RECERTIFICATION OF RETIRED POLICE OFFICERS, POST
currently certifies approximately 8,200 police
officers in the state. One-third of those every
year is eligible for recertification due to being
on a three-year cycle. To add, retired officers
who would pay the cost of their recertification
to our current workload would really result in an
impossible workload for our agency. We have one
individual who handles the entire recertification
efforts. It would also involve billing,
collections, auditing of payments stipulated by
the proposed legislation.

We -- we provide in-service training at our
academy and local police departments also provide
in-service training. Some of our classes are --
we're such a backlog that we provide an interview
and interrogation class. The waiting list to get
into that is quite long, and I don't believe we
can accommodate retired officers. If retired
officers wished to be recertified once they're
rehired by another law enforcement agency, they
can follow the established protocol and statutes

things. A background investigation includes a polygraph examination, an updated psychological examination, and a substance abuse screen. All of those critical standards should continue to remain in place because otherwise the hiring authority would have absolutely conceivably no way to determine if an officer has engaged in misconduct either in a prior employment situation or off duty without those tools to develop that information.

We -- we all know that we've have seen in the media accounts of officers who have engaged in misconducts, some on duty and some off. It's led to discipline, dismissals or resignations. And these steps are critical to finding out information for the hiring authority if it's in existence.

And, lastly, Proposed Bill Number 6113, AN ACT CONCERNING MISSING PERSONS REPORTS. I'd like to suggest to this committee that many of the provisions of that proposed bill are redundant. They were included as a result of Public Act 07-151 where our Council was authorized and mandated by the legislature to develop a statewide policy in handling missing persons investigations.

The proposed legislation, before you, proposes sensitivity training for all police officers. We already provide sensitivity training at the academy and at our satellite academies, in cultural human diversity, human behavior, juvenile law, child abuse, people with special needs, sexual assault, conflict management, domestic violence, suicide management and prevention, interview techniques, immigration law, authority and discretion, and victim witness advocacy. In addition to that, there is a suggestion in this proposed bill that we provide

each of the 8,200 officers in the state with a disc, a CD, or DVD that they can carry on duty with them as a ready reference or an outline on how to conduct a missing person investigation. The cost of that alone is -- is astronomical in terms of our current resources and our technology. I have one IT person at the academy. She estimates that she could produce 100, 500 a week, that's virtually 20 hours -- 20 weeks of nonstop duplicating one disc pursuant to the proposal in this -- in this statute.

In terms of mandating DNA collection, DNA collection is done in routinely in serious criminal investigations, homicide investigations, and I would suggest that we defer that to the chief medical examiner and the medical facilities in this state because there may be an issue of privacy violation that perhaps would preclude that from happening.

HB 5341

Those are my brief comments, Mr. Chairman and Madam Chair. I've submitted written comments on these three proposed bills, and Chief Salvatore and I will be happy to answer any questions if you have any.

REP. DARGAN: Thank you.

Questions?

Senator Witkos, followed by Representative Rebimbas.

SENATOR WITKOS: Thank you, Mr. Chairman.

Good afternoon, Chief.

THOMAS FLAHERTY: Hi, Senator.

SENATOR WITKOS: This is regarding House Bill 6295,

was speaking specifically to the lateral transfer in which this bill speaks to.

THOMAS FLAHERTY: I think Chief Salvatore just testified that we'd -- we would -- in terms of this bill, probably, treat lateral transfers the same as we do a police chief appointee and that is that the Cooper standards are not required.

SENATOR WITKOS: Thank you very much.

Thank you, Mr. Chair.

REP. DARGAN: Representative Rebimbas.

REP. REBIMBAS: Thank you, Mr. Chair.

Good afternoon. Thank you for your testimony. Specifically I want to reference Bill 6113 having to do with the missing adult persons.

I believe in your testimony you had indicated that this is currently already being done; is that correct?

THOMAS FLAHERTY: What I testified to was that in 2007 which was issued in January 2008 -- we issued a statewide policy with guidelines on the investigation of missing persons to every law enforcement agency in the state pursuant to Public Act 07-151. That was sent out for law enforcement agencies. If they did not have an existing policy, they were urged to adopt that. If they had an existing policy that did not include all the provisions of our model policy, they were urged to adopt whatever provisions they needed to and so that has been out in the -- in the law enforcement field since January 2008.

The sensitivity training is something that we're already doing at the academy in a whole bunch of

areas that I mentioned. And -- and everything else, the other provisions, in this bill are included in that model policy.

REP. REBIMBAS: Thank you. Do you -- was there any follow through or follow-up with any of the departments as to whether or not they have either risen their standards to what was provided to them or implemented a policy where there previously was not a policy?

THOMAS FLAHERTY: Yes. There was a survey conducted in January of 2008 by my staff. They polled every department and -- and asked them which departments had adopted the policy, which departments had modified their policy and which departments already had a complete policy consistent with what was issued. Not 100 percent of the agencies responded but 100 percent of those that did -- and I don't have the numbers in front of me, Representative -- 100 percent of the agencies that responded had either established a policy, included the provisions in their own or modified their own policy to comply with the model policy.

REP. REBIMBAS: That's certainly good to hear regarding the departments that took it upon themselves to actually respond. My biggest concern is what percentage of departments did not respond and based on your testimony you probably don't have those figures in front of you. Is that -- is that survey something that you'd be able to provide this committee with so we can exactly see? Because it's wonderful -- the results of 100 percent of the departments that did respond. My concern is that's 100 percent of only 30 percent of the departments that responded --

THOMAS FLAHERTY: No. I -- it was a higher number

than that but I -- I will get you -- we'll do that again for you.

REP. REBIMBAS: Okay. That would be wonderful -- because again I think --

THOMAS FLAHERTY: -- and get it to this committee.

REP. REBIMBAS: -- it certainly would be important because if we have a -- you know, if we don't have all the departments responding or if we don't have all the departments implementing this then it shows that there is, unfortunately, you know, a lack of -- of needed information that's not being provided either to the departments or -- or to the people then who unfortunately may be faced with these kind of situations. And now just to be specific the information that's been provided through that act was regarding adult missing persons?

THOMAS FLAHERTY: Well, it included missing persons, in general, adults and children, at risk and whether it was unknown, whether it was at risk, foul play or not.

REP. REBIMBAS: And you did mention that there was sensitive training provided and is that training at the academy specifically, or is that -- for new recruits or is that training that's provided to all police officers?

THOMAS FLAHERTY: It's at the academy and every satellite academy in the state. I have to assume that when a -- when a chief issues a new policy or modified missing person's policy that training occurs within that agency also.

REP. REBIMBAS: Wonderful, maybe we can just you know confirm that opposed to assuming it because I think that would be important to know --

THOMAS FLAHERTY: We can, yes.

REP. REBIMBAS: -- as well. And I would have to agree with you. That was one of the things that I also wanted to see maybe modified in the bill in the sense of not providing with every individual officer a disc. I think in today's, you know, advancements of technology -- I think that by the department having it and something that is being downloaded on the laptops that are readily already available in the patrolman's car, obviously, would be a wonderful thing and not have that costly need of providing each individual a disc but, again, just downloading the information so that they have it readily available at the scene when they're conducting either their intake or investigation or whatever the case may be.

So, once again, I'll look forward to the follow-up information that you'll be providing us with and thank you for your testimony today.

THOMAS FLAHERTY: Thank you. You're welcome.

REP. DARGAN: Thank you. Chief, just to -- a brief question dealing with the Cooper standards. There -- there's been some incidents in the state -- former police chief in Hartford that had over 30 years of service in a city in New York or the current chief in New Haven that came from Chicago that there was some criticism from their chief-elected officials dealing with the recertification with POST at that time that, you know, some individual that had those years of service had to be like Jim Ryan and run the mile in four minutes. But I know that we've crossed some of those issues that have come forward. Do you see any other clarifications that the legislature needs to do so it'll be a little less

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seamless?

THOMAS FLAHERTY: No, I don't -- I don't, Representative Dargan. I think that we've -- we've dealt with that issue on the Cooper standards for police chief candidates. Anyone who comes into the business in a -- in a nonfirst line responder position -- some departments hire commanders, for instance, instead of a, you know, rather than a mid level management. They're not required to do the Cooper by Council regulations. I think we've dealt with that issue.

I think it's critical that we maintain the ability for police chiefs to delve into this background investigation information even though the candidate may be coming from another agency. We -- we have situations that both Chief Salvatore and I are aware of where an officer in one department had engaged in some sort of misconduct that that agency was not even aware of and doesn't become apparent until that candidate applies to another department and they go through this selection process.

REP. DARGAN: Thank you for that. Just some questions in referencing what we've been working on for a few years, 6113 dealing with missing persons again. I know that there's a bill us this year that a few legislators on the committee, myself, my co chair, Representative Rebimbas and Vickie Nardello has working on this year. We also have a number of testimony that you might not be around to listen to the Smolinski family, to Vickie Nardello, to other members of the Smolinski family, Michelle Cruz from the State Victim Advocate along with testimony from Survivors of Homicide about this -- about the current bill. And I know that this came about because of the Smolinski family and what happened to their son in -- in Waterbury. And over the

years we have grown on this bill.

I know the Smolinski family had testified before this committee. They're going to testify later today. They testified in front of Congress so you -- you're stating on behalf of POST and the chiefs of police around the state -- we've come a long way since the initial bill that we had before us, and do you see any other concerns or issues as we move forward or clarifications or to modify the bill to make it a better bill than it already is?

THOMAS FLAHERTY: Representative Dargan, I think the information that Representative over here asked for will be -- will be telling. I can't answer the other question. I haven't been able to identify any particular areas that have come to our attention.

I will tell members of this committee who may not be aware of it that we had contact with Representative Nardini and with Mrs. Smolinski when we were writing that policy. We also had contact with Dr. Carver, the chief medical examiner, with the FBI. We spoke with Dr. Burn over at the Division of Forensic Sciences on the DNA aspect. So it was a comprehensive effort on our part to address the concerns that we were aware of then.

I'm not aware of anything new, but we will -- we will check we'll do a new survey and find out how many departments, in addition to the ones that we already know about, have implemented that policy and train in it.

REP. DARGAN: Thank you, Chief.

Further questions? Senator Hartley.

COMMITTEE

SENATOR HARTLEY: Thank you very much for being with us, Mr. Flaherty.

And I just want to talk a little bit more about 6113. So I see your testimony, and I have heard you clearly about it being redundant. And to Representative Rebimbas' point I -- I guess it's imperative that we know how many departments are actually complying because to my cochair's point there have been great strides made from where this -- from what I can discern from where we started, however, if, in fact, this is just paper in a book somewhere then we -- we need to, perhaps, change that so we'll be very anxious and awaiting that information as soon as possible and depend upon (inaudible) the life of this bill.

But if I might just go on -- the comp -- this issue of the compact disc so as to provide the step-by-step procedure with regard to the reporting the missing person I -- because I sat on Appropriations and dealt with all of this -- understand that we have to do things in more inventive, creative ways. So I guess I ask you, short of the disc, what is it that we can do to achieve the same outcome with what the technology that we already have right now?

THOMAS FLAHERTY: Senator, I think it's fair to say that most, if not all, agencies, law enforcement agencies in the state, have MDTs, mobile data terminals, in their cruisers now. I think an easy way to handle this and it's -- it is not going to require a lot of resources is for us to simply make sure that that policy is downloadable from our website to every department in the state who then can broadcast it out on their MDTs as an option. I'm not a -- I'm not a software guy, but I think the technology probably exists to do that and we will look into that for you.

COMMITTEE

SENATOR HARTLEY: And I would be, yeah, very anxious, once again, to hear about that because where we don't have to mandate, I don't believe that we should. And, to your point, if we have these resources, it's just connecting the dots, and we really ought to be doing that so I really appreciate that.

And with regard to item number 6 about the mandated collection of DNA -- you're saying that the collection is included already in the guideline so it's included in the guideline but we're not doing it? Is that what you're saying?

THOMAS FLAHERTY: It's not mandated because we are not in a position to mandate individual agency policies nor anticipate the facts and circumstances of every single investigation. We refer to it in the policy. We suggest it be considered by those who are investigating missing persons. People -- we've talked about Dr. Carver with it. It's -- I'm almost certain it's done at the chief medical examiner's office routinely in the case of unidentified remains and homicide victims. In terms of collecting it from an Alzheimer's patient or a -- a patient who may have amnesia in a medical facility, we don't have the authority to do that. We certainly include it in our training as something we consider but we don't mandate that.

SENATOR HARTLEY: And I understand that. So short of the reference, it's basically left to case-by-case situation where those involved are presented with this option and if -- if it happens it happens depending upon on case by case.

THOMAS FLAHERTY: That's correct.

SENATOR HARTLEY: Are you aware of any other states

that may, in this instance, mandate that kind of collection?

THOMAS FLAHERTY: I am not.

ANTHONY SALVATORE: I'm not either, Senator.

SENATOR HARTLEY: Okay. I understand. Thank you.

Thank you, Mr. Chair.

ANTHONY SALVATORE: Mr. Chair, we'd like to leave pending any more questions that Chief Flaherty will get back to the Chairs with that information and possibly some additional language to make this bill work better if it was to go forward with our suggestions. But we will provide the Chairs with the information that's been requested by the members of the committee.

REP. DARGAN: Thank you.

Further questions from committee members.

Thank you very much, Chief Salvatore and Chief Flaherty.

ANTHONY SALVATORE: Thank you.

REP. DARGAN: The next presenter is John Masseur -- Masarick -- I didn't kill it too bad.

JOHN MASARICK: Good morning, Mr. Chairman, Senator and members of the Public Safety and Security Commission for giving me this opportunity, thank you very much, to testify.

My name is John Masarick. I'm director of Code Safety and Workforce Development for IEC, Independent Electrical Contractors. I'm out of the national office in Alexandria, Virginia. I'm

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cannot keep up with the current code cycle. Currently, the state of Connecticut is on 2005. That -- that being said, our apprentices are being taught on the 2008 and tested on the 2008 to get their electrical journeyman's license, yet whatever we teach them they cannot practice in the field. It's like having a car mechanic using a 2005 repair manual for a 2011 car. It just doesn't work.

We need to have the current code cycle adopted and adopted within a reasonable time table. I, therefore, approve -- therefore, urge you to support House Bill 6296.

REP. DARGAN: Thank you, Jim, for your testimony.

Questions from committee members?

Thank you very much, Jim.

JAMES BERNIER: Thank you.

REP. DARGAN: Our next presenter is Chiefs Salvatore and Strillacci, followed by Al D'Amico.

JAMES STRILLACCI: Good afternoon, Senator Hartley, SB 551 SB 765
Representative Dargan, members of the committee. SB 888 HB 6110
Jim Strillacci from West Hartford. Tony HB 6113 HB 6327
Salvatore from Cromwell. We're representing the HB 5341
Connecticut Police Chiefs on several bills.

We support Senate Bill 418 about recertification of retired police officers. Even in this economy, we're having a hard time finding qualified candidates and this may increase the applicant pool. We are cognizant that there may be some cost to POST, and we hope that this can truly be cost neutral. As a practical matter, we were wondering retired officers will be able to

well. This is a case where we already have trained officers to the MRT level at POST, and we keep their recerts up. We don't want to repeat that training for officers who happen to be taking dispatch duty, as well, and subject them to telecommunicator training doing the same classroom work.

We oppose House Bill 6110 requiring traffic violations in construction work fines to be doubled. We have no objections whatsoever to stiffer fines for violations in a work zone on state or local roads. But we're not going to see many tickets given out if there are not police officers at those scenes. We believe that per 7-148 Municipalities, towns need to be able to control safety on their roadways to regulate traffic. That includes providing, if they see fit, for police protection at job sites. Police not only direct traffic, they give first aid, they summon emergency assistance at construction mishaps. They give directions to motorists. They occasionally help catch fleeing criminals and, yes, they do issue traffic tickets when there are violations in the work zone. Flaggers cannot do this. They're not empowered to do this, and the bill would be meaningless if we don't have officers at those scenes.

We oppose 6113, the investigation of missing person reports mainly as an unfunded mandate. Again, for the same reasons, we have restricted budgets. Many of the training issues are already addressed and training is -- as Chairman Flaherty addressed. If there're additional training requirements for this particular bill, this would require to take officers off their patrol duties, send them to school, backfill them frequently with overtime, and, again, we cannot afford to duplicate training when we are short staffed and under the budget knife.

We think that POST ought to be able to do as they're empowered, to decide how much and what sorts of training police officers need. We should allow them to do so.

This is the fifth year in a row we've had to speak on similar bills, and I understand that there some people who are pushing hard for this. We just want to make sure that our needs are met; that we are not given additional tasks to complete without additional resources to complete them.

Not on our written testimony, but we also approve of House Bill 6327, which would increase that surcharge on the Enhanced 9-1-1. It'd be from 50 to 75 cents. It's an excellent way to allow our emergency system to keep up with the emerging technologies and put the charge where it belongs on those who are the beneficiaries, the phone users.

And, Chief Salvatore, do you have anything to add?

ANTHONY SALVATORE: The only other thing I wanted to add is that it's not on our written testimony, but we also support proposed legislation on the collection of DNA.

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Today -- today if the committee members don't know, we already collect it from convicted felons. And a number of years ago Chief Strillacci and yourself -- myself proposed legislation that it would be taken, similar to fingerprints, and be treated the same way as fingerprints. If the person was exonerated down the road, then similar to fingerprints, they would be given back or destroyed. And our proposal was that the DNA -- DNA would be also

dealing with drunks, drugs, gangs, gambling and other illegal activity. Liquor control agents are working alongside members of both the state and local police departments who are covered by this act, yet the liquor agents who are exposed to the same dangers and threats are not covered.

Having been a liquor control agent prior to my becoming president of the union, I have firsthand knowledge of the fact that liquor control agents have been assaulted when brawls have occurred while conducting their investigations in bars. Liquor agents have also been assaulted by intoxicated people during their investigations, have been spit on, pushed, kicked and had beer bottles thrown at them.

In summary, I feel it is important that Section 53-167c be amended to include the liquor control agents in the protected classifications as they are the frontlines enforcing the state laws and regulations with regard to the sale and consumption of alcoholic beverages and oftentimes are placed in dangerous situations in the performance of their duties.

If you have any questions or require any information, I'd be glad to answer the questions now.

REP. DARGAN: Thank you, Bill, for your testimony.

And questions from committee members?

Hearing none, thank you very much.

Next presenter is Senator Vickie Nardello.

REP. NARDELLO: Good afternoon, Senator Hartley, Representative Dargan and members of the committee.

HB 6113

COMMITTEE

I'm here to testify on House Bill 6113, AN ACT CONCERNING THE INVESTIGATION OF MISSING ADULTS PERSONS.

First, I want to thank the committee for raising this bill. This bill is before you because of the case of Billy Smolinski whose family has suffered greatly and found that in Connecticut adult missing persons and the families of adult missing persons were often given little attention or dismissed by law enforcement officials -- officials. And I have said before this committee in the past it doesn't matter if the person is a child or an adult but if it's your mother or your father or your brother or your sister that's gone missing, you really care about that individual.

The reason for this is that the common thought among the law enforcement community is that adult missing persons might have left willingly and that law enforcement resources are scarce and that's the reason they often didn't attend to this and give it the time that it deserved.

I also wanted the committee to know that this bill is a follow up on Public Act 07-151 that changed the police officer and training council training with developing -- charged them with developing a policy on adult missing persons.

I do want to commend Thomas Flaherty for his work to incorporate the new policy into the training curriculum, but we need to do more.

This new bill makes specific recommendations, which I want to review with you. First of all, it goes into the collecting and entering of data. It goes into the procedures of the Office of Medical Examiner, of the collection of DNA of unknown persons, on the acceptance of adult

missing persons' reports, specific procedures on -- procedures for dealing sensitively with families, on the creation of a disc with step-by-step instructions for line officers and the inclusion of training in the National Missing and U -- Unidentified Persons System created by the Office of Justice Programs National Institute of Justice.

Janice and Billy Smolinski have -- and Bill Smolinski have dedicated their lives to creating a better system so that other families will be spared their heartache. I ask you to give them the victory they've worked so hard to achieve by passing this bill. Billy Smolinski is still missing today but through this bill no other family member will have to experience what the Smolinski family did and Billy will leave an important legacy to the state of Connecticut.

I just wanted to comment that there -- I have heard a little bit of the testimony and there is an issue about the CDs and the cost of the CD's and I wanted to tell the committee that it is not our intent, the proposers of this bill, that we would in any way have a fiscal impact for this bill so we would certainly be willing to work with you in a way to phase this in. And it's my understanding that some police cars have the ability to do this and many of them do not so this can be done in a phase-in process. But if there are other ways that we can make this bill fiscally friendly we certainly would want to discuss that.

And I thank you for hearing me out today.

REP. DARGAN: Thank you, Representative Nardello.

Representative Rebimbas.

REP. REBIMBAS: Thank you, Mr. Chairperson.

And thank you very much, Representative Nardello, for your testimony here today but also for your tireless and endless hours and hard work that you pre -- previously testified before this committee but also with the family that I know that you've been working so closely with, Smolinski family. Because not only has this been, you know, a positive impact on the state of Connecticut but I do know that this is obviously extending nationally. So with that said I just want to thank you. Thank you for bringing it to my attention. Thank you for bringing it to the attention of the committee.

And you probably have heard some of the testimony regarding what's already been provided so -- and I like the fact that you addressed the issue regarding the fiscal impact of the discs, which is one of the things that I did also bring up earlier today and I have also spoken to you regarding it that I do think that there's other ways about -- going about that whether it's simply downloading it and providing it to just the departments, or, I mean, again, with the technology something that could be provided electronically may have no cost whatsoever. So thank you for highlighting that and thank you for all the hard work that you've put into this bill.

REP. NARDELLO: Thank you very much, Representative Rebimbas, and thank you for working with me on this. It's been a pleasure to work jointly with you.

REP. DARGAN: Thank you.

Senator Hartley.

SENATOR HARTLEY: Thank you, Mr. Chair.

And to the House Chair and to Vickie Nardello and Representative Rebimbas, thank you all for the progress that has been made thus far and to, of course, the Smolinski family and all the other families that they represent.

This is obviously a very important topic which perhaps heretofore we might not have paid attention to. So it is by virtue of this tragic event that we've had this legislation before us for some time.

And we did hear testimony earlier today, yes, Representative Nardello. Where, one, we did not know the number of departments that are actually adopting and using the guidelines. We're waiting for that information to be pr -- provided to us now.

You're absolutely right. We're trying to negotiate this in view of our fiscal climate so as to still accomplish our goal and yet recognize our limitations with regard to fiscal notes.

I -- I would ask you because the testimony that came to us today from POST basically said that in essence the proposal that we seek today is duplicative. And I would just ask you if you'd choose to comment on that.

REP. NARDELLO: Actually, I do choose to comment on that because I actually brought the bill that we did in 07-151. It's a one paragraph bill basically. And it re -- it refers basically to the training of police officers and it's the only thing it refers to. It includes certain things in the training. The difference between the bill you raised -- and, by the way, I think the committee did an excellent job of -- whoever your attorney is did a great job of drafting this.

You were very specific into the areas that need to be addressed and that had not been addressed. So if you are able and take the time to compare those two bills you will see very clearly that the bill you have before you is much more specific in what the recommendations and what we should be doing going forward where the original bill focused solely on the training and through the -- through POST.

And as I said to you, I gave Tom Flaherty the kudos that he deserves. He did work with us. Okay. And he did do that, but it isn't enough. It isn't specific enough. It's only in the terms of training. This gets into the collection of DNA. It gets into additional things for the chief medical examiner. It gets into, again, more of the specifics that need to be done to make this really, truly a policy that achieves what was intended.

As I said this was the beginning. We understand this is an incremental process with the legislature. You don't get everything you want in the first time. But we've had time to let this settle in, and we do believe your specific proposals, I mean, looking at the fact that you're incorporating the -- the National Missing and Unidentified Persons System. All of these are very important, and I don't think that those init -- should have a fiscal impact.

But that's the big difference. If you look at two bills, the first bill is one paragraph, training. This bill is specific to various policies that we should adopt to make this a better process.

SENATOR HARTLEY: Thank you, Representative Nardello.

And with regard to the mandatory collection of

DNA from the victim -- that's, you know, an issue that I -- I think could probably lend itself to a whole lot of conversation and rightfully so. So I guess we're going to have to -- to your point, proceed through this in iterations knowing that there are still many improvements that we can make.

REP. NARDELLO: And I respect the committee's decision to do so.

SENATOR HARTLEY: Yes.

REP. NARDELLO: I do want to comment just briefly on what you have just said. I think that issue there is that in the collection of DNA, we often have people in hospitals who are, through no fault of their own, have no memory, have a loss. They could be one of those missing people. Again, I would say to you if -- if it's your family member that's in that hospital and could be somewhere where you could actually know that they're not -- haven't been in harm's way, this is important.

We haven't come up with a better methodology than the collection of DNA to do so. But, again, it could be discussed if there's another way to do that and achieve the same goal we certainly could -- should entertain it.

SENATOR HARTLEY: And, Representative Nardello, do you know are there any states that actually have that provision?

REP. NARDELLO: I would --

SENATOR HARTLEY: -- mandatory with regard to victims?

REP. NARDELLO: I would direct that to Mrs. Smolinski. I'm not aware of any states, but I

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don't want to give you incorrect information in terms of that. I know that at the various conferences that have been held throughout the country -- and there have been conferences throughout the country -- this has been an issue that has been identified as a problem that keeps cropping up and that's why you see it before you in this bill.

SENATOR HARTLEY: No. I understand the value of it (inaudible). Thank you very, very much.

Thank you.

REP. DARGAN: Representative Kirkley-Bey.

REP. KIRKLEY-BEY: Good afternoon, Vickie.

REP. NARDELLO: Thank you.

REP. KIRKLEY-BEY: I just wanted to ask you a question. As I watch the nightly news, there's like an older person that may have Alzheimer's, he's missing for 24 hours, it's on the news. Where if there's a young person who might be an at-risk person or thought to be a runaway, it might be a week before you hear about it. Is there any set time by which they categorize the person as missing? I've never had to deal with this issue so --

REP. NARDELLO: What we did in the bill and what I believe was drafted by the committee is we did not set a set time and the reason we didn't do that is because when the law enforcement official spoke to us they felt that that was going to be too difficult for them. But rather what the bill seeks to do is determine who's a high-risk person and that if the department determines that it's a high-risk person then that person will be dealt with, you will take that information immediately.

So the first is determination of is it high risk? It is someone who might have been in harm's way or could be in harm's way? Once you establish that through the bill, then you would do it more quickly than someone that might -- you might have sufficient reason for thinking it is not something where they'd be in harm's way.

REP. KIRKLEY-BEY: Thank you.

REP. DARGAN: Further comments?

Thank you very much for your testimony, Vickie.

REP. NARDELLO: Thank you very much, again, to the committee.

REP. DARGAN: The next presenter is a Dan McInerney.

DANIEL MCINERNEY: Senator Hartley, Representative Dargan, members of the Public Safety and Security Committee.

My name is Daniel McInerney. I'm a business development representative for the International Brotherhood of Electrical Workers. I'm a licensed electrical contractor and a licensed assistant building official with the state of Connecticut. I'm an inspector member of the International Association of Electrical Inspectors. I'm also an executive board member for the Connecticut chapter of the International Association of Electrical Inspectors. I've been involved in the electrical industry for over 30 years. For 18 years, I was an electrical inspector in the city of Bridgeport for the building department.

I'm here to express our support for Raised Bill Number 6296, AN ACT ADOPTING THE NATIONAL ELECTRIC CODE, THE INTERNATIONAL PLUMBING CODE,

this. In fact, in our own operations, we always have to prove to our insurance carrier that -- that we, in fact, have effectively done training for our individuals.

So, with that said and appreciating the update you just gave me, I would encourage you to read our written testimony, and I'd be happy to answer any questions.

REP. DARGAN: Thank you.

Questions from committee members?

Thank you very much for your testimony.

The next presenter is Michelle Cruz from the State Victims Advocate.

MICHELLE CRUZ: Good afternoon, Senator Hartley and Representative Dargan and other distinguished members of the Public Safety and Security Commission.

For the record, my name is Michelle Cruz, and I am the state victim advocate for the State of Connecticut. I want to thank you for providing the opportunity to provide testimony today.

Now, I did provide written testimony on a number of different bills, but today I'm really going to focus on Bill -- House Bill Number 1 -- 6113.

And I've heard some support for this bill already, and I just want to give you a scenario to begin with. Imagine that you have a 21-year-old daughter and she works at Macy's and she's actually a creature of habit, meaning she always does the same thing. So every Monday, Tuesday, Thursday, Friday, she works, she gets

out at 5:30, she gets home at 5:45. On a particular Tuesday, you know she's working and you have a phone call with her about what you're going to make for dinner. And you tell her you're going to make spaghetti. She's very happy. She loves spaghetti; it's her favorite meal. At about six o'clock, you start to wonder because she's about 15 minutes late and she hasn't ever been late. She's just one of those kids who just, unlike the rest of your kids, she's always done the same thing over and over. At about seven o'clock you start to really get concerned; you have an eruption of concern in your chest and you know something is dreadfully wrong. You call the police and you say, Listen, my daughter, she's about two hours late from work., I'm really worried about her.

And, unfortunately, you're one of those people who statistically hear from the police that you have to wait 24 hours before you can report a person missing. We know that's not true, but we keep hearing at the Office of Victim Advocate that this does occur. So you wait and you wait because you kind of now feel a little embarrassed, maybe you overreacting. But you know in your intuitive self that she -- something is drastically wrong. You go back to the police approximately 24 hours later and, again, you report her missing. At this time you're told, Gee, I'm really sorry you got the information before that you had to wait. You actually could have reported her missing right when you had concern.

At this point you can't turn back the clock. You can't go gather evidence. You can't interview people, and there are some cases where the video tapes that may have captured some people's identity, that may have something to do with our daughter's disappearance has been taped over or

is no longer available.

Years go by and you never end up finding your daughter. You're one of the many people in Connecticut who has a person that they love who's gone missing.

This particular bill will allow for our state to continue in the progress we've made to create policies and procedures that'll help individuals, such as this situation and also Jan Smolinski and her family, to ensure that we're taking the measures to capture the evidence, to capture information, to get the witnesses, to get all -- everything we can to bring justice to these families.

I understand that we've made some great strides. My -- I have been told that's it's about 40 percent of the police departments that have actually complied with the policies and procedures. So there's 60 percent that still have not complied and that's obviously concerning. We want to make sure that everybody is getting the same message.

I know there was concern about the cost of the CDs, and I did talk to Jan Smolinski. The Office of Victim Advocate has been able to, through the Brooklyn Cares Program through canteen funds, we've been able to create these laminated informational packets for police cruisers on domestic violence, and I -- I don't see why we can't do that in missing persons case -- missing person cases so that we can get the information in all the cruisers and kind of avoid the cost of the CDs that we were talking about.

The one area that I would add, and I know it's a cost to the State, is that we have a public campaign because, time and again, I hear people

saying they believe they have to wait 24 hours, and so I'm just saying out loud that we really need the community to know that they don't have to wait 24 hours. They can report something miss -- someone missing the minute that they feel that there's something askew going on with their family member. And a lot of that information comes from, you know, TV depictions of criminal justice or from, unfortunately, information that they've been given by the police departments.

And so I just want to support the efforts of Jan Smolinski and her family and all the representatives and senators who have been working on getting justice for families of people who are missing.

And I can answer any questions you may have.

REP. DARGAN: Thank you, Michelle.

Questions from committee members?

Representative.

REP. REBIMBAS: Thank you, Mr. Chair.

Not so much a question, as much as a compliment, and thank you, again, for testifying on this behalf because I think it's important not only to hear from the actual families who are victims but with the people who are working with the victims so you can, kind of, process how important in the necessity that we have for legislation such as this. So I just wanted to thank you for coming and testifying before us.

MICHELLE CRUZ: Well, thank you and thank you for your efforts, too.

REP. DARGAN: Senator Hartley.

SENATOR HARTLEY: Thank you, Representative Dargan.

And thank you also for the important role that you serve.

Okay. So let me understand this, there is no threshold by which you can report a missing person so in that instance where it was seven o'clock versus the usual arrival time of 6:15 you can call --

MICHELLE CRUZ: You can, yes.

SENATOR HARTLEY: -- immediately. But are you saying that some PDs, and so forth, have this unwritten, unknown rule that says it has to be 24 hours? I don't understand that 24-hour thing.

MICHELLE CRUZ: There are many -- we met with a victim about a year and a half ago who was under the impression that they had to wait 24 hours to report their loved one missing, which isn't true so they did that and right at 24 hours they went to the police department.

Some departments, and I don't know if it's -- I don't know -- I would assume that it's a piece about training and education. There's so many new laws and rules every year but some departments are telling people that they have to wait, as was the case with Jan Smolinski. And so just getting that information out to both the community and the law enforcement community so that people know that they can report that missing person whether it's a child or adult immediately that they -- when they became -- when they become concerned.

SENATOR HARTLEY: And -- and, for example, do you or does anyone ever do like some PSAs to say, you

know, in an instance like this, report immediately, as opposed to this, kind of, you know, people not wanting to be embarrassed that they're not kind of conforming?

MICHELLE CRUZ: Well, what we've done is, you know, the Office of Victim Advocate has a very small budget, but we did have a newsletter that we're going to start up again shortly. But in our newsletter we did put information out and that goes to the state's attorneys and police departments almost -- it goes all over the state. And so in there we contained information about missing persons, how you don't have to wait 24 hours. But it's really -- it really needs to be a statewide campaign to inform people that they don't have to wait that 24-hour period because that's a crucial period. That's where all that evidence can be gathered. We can get witness statements, video tapes, and so forth.

SENATOR HARTLEY: Agreed. And so in the new world in which we live that we're doing more with less. So is there not a way as, for example, your agency can be lead on something like this and talk to -- just do a press release, I would think, to all of the Connecticut electronic media to say this is a important public service -- public safety information that isn't commonly known.

MICHELLE CRUZ: Uh-huh.

SENATOR HARTLEY: I'm thinking of, for example, just our CTN you know where they have the rolling information section. You know, there are ways and means to get this out, short of, you know, having new infusions in budgets because right now we're lucky if we just hold on to a budget never mind enhance it. But I'm, you know, wondering if that could not be a goal of your agency to do it

in with what we have already all the, you know, agencies, the -- the vehicles that exist on the ground.

MICHELLE CRUZ: We have done the press releases to the news media. We can do that again, and that's a really good idea. And then we can approach CTN and, hopefully, they'll be acceptive of a suggestion such as that. So we can get the information out there, but it's really about informing the public, and I really appreciate your suggestions. I think they're -- they're some things that we can take away and try to work on. Thank you.

SENATOR HARTLEY: And, you know, I -- I think it's like anything else, you know, you have to kind of do these types of periodic reviews of -- of a message. Yeah. Well, thanks very much for --

MICHELLE CRUZ: Thank you.

REP. DARGAN: Thank you.

Further questions?

Hearing none, thank you very much.

Representative Kirkley-Bey.

REP. KIRKLEY-BEY: Do you have a number or approximate number of missing persons that are outstanding in the state of Connecticut at this time?

MICHELLE CRUZ: I believe between missing persons and cold case individuals together, last time I checked it was about 1200. I don't remember if the missing person are the -- one of them is 700 and one of them is about 500 but that was -- those statistics are from about six months ago. I can get you more recent statistics. But it's

actually quite an alarming number of individuals.

REP. KIRKLEY-BEY: And I'm saying for those individuals who had to wait 24 hours that must be a hectic and disturbing 24 hours and you, like you say, you can't start to recreate the information and --

MICHELLE CRUZ: Right.

REP. KIRKLEY-BEY: -- that's very essential especially with all trafficking and things like that and drug problems. And people meeting online that you need to be able to get that information as soon as possible.

MICHELLE CRUZ: Right.

REP. DARGAN: Thank you.

Further questions?

Thank you very much, Michelle.

MICHELLE CRUZ: Thank you.

REP. DARGAN: Our next presenter is Bill Ethier.

BILL ETHIER: Thank you.

Representative Dargan, Senator Hartley, members of the Public Safety and Security Committee, my name is Bill Ethier. I'm the CEO of the Homebuilders Association of Connecticut. Our 1100 members across the state, all small businesses, build between 70 and 80 percent of all the new housing in the state each year.

And I'm here to talk about -- in opposition to 6296, the adoption of the National Electrical Code and the other model codes referenced in the

And, Bill and Janice Smolinski, would you choose to come together?

Yeah. Thanks so much, I know it's been a very long day for you.

Well, I guess it's almost good evening.

BILL SMOLINKSKI: Well, I was going to say good afternoon or good evening.

Representative Dargan, Senator Hartley and members of the committee. My name is Bill Smolinski, father of missing Billy Smolinski.

I only have a little to say but I wanted to express upon you how important it is to vote for Bill Number 6113 into law.

Since August 24, 2004, the life we once knew as a family is no longer. My wife Jan is on the phone and computer daily. It has become a full-time job to find our son and help the many others who have lost loved ones. This is all due to the lack of proper investigation when an adult is reported missing.

I witnessed firsthand calls that my wife makes to repetition of calls that should have been returned and were not. This has become a daily routine, but Jan does not stop there. Her drive is relentless. Some remarks are -- that were are very cruel, "You care about your son but no one else does," or "It's five o'clock and I don't get paid after five." All comments were made from persons of authority. The last being a few days ago, a threat was made to arrest my wife for interfering with an investigation. How can an officer arrest a mother who is looking for her son?

Sensitivity training, lack of concern when tips are reported are all too common. When a person is reported missing and the many days that follow, courtesy to the families is very important. When a new development in a case is to be told to the family, they need to hear it from law enforcement not the media. This is another problem we encountered when state police said we will either call you or you'll hear it from the media.

I do not want to rehash -- I do not want to rehash what Jan will mention, but I do want to say that our problems are very similar to what missing adult families very often experience.

This bill will not help our family, but, if passed into law, it may help future families. After all no one is exempt.

In conclusion, to our efforts to find our son, we'll prevail until he is brought home and justice done. Please consider Bill 6113.

Thank you very much.

SENATOR HARTLEY: Thank you very much, Bill.

Jan?

JANICE SMOLINSKI: Before I start my testimony, I just want to say listening to the comments all day, I'm here to work with the police because they're hired to protect and serve our community, and we have a huge problem in our community.

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I have tried to get in touch with Chief Strillacci, and he won't meet with me. I want to talk with the Police Chiefs Association and just go one on one as the problems in our community,

and they seem to push us away. So with that I want to read my testimony.

Representative Dargan, Senator Hartley, and distinguish members of the Public Safety and Security Committee. Good afternoon -- evening, kind of.

My name is Janice Smolinski, and I'm here to testify in full support of Bill 6113, AN ACT CONCERNING THE INVESTIGATION INTO MISSING PERSONS.

Our family's hell began six and a half years ago, when my 31-year-old son vanished from his life. A sluggish response from the Waterbury Police Department -- typical in the case of an adult missing person -- started a domino effect that reverberates to this day and possibly strong leads were not followed. Evidence was destroyed. Seven DNA samples were lost. And basic information from Billy's case was not entered into the national databanks for three years.

At that time of his disappearance, Billy was involved in an explosive love triangle. This case involved a gravedigger, a long distance trucking company, a school bus driver, a politician, and a violent group of drug addicts. My son walked into a hornet's nest. Law enforcement officers and the FBI, the Seymour Police Department, the Shelton Police Department and the Connecticut State Police have all told us, Billy was murdered in August of 2004 and buried somewhere in the Lower Naugatuck Valley. Efforts to recover his body continue to this day.

Despite overwhelming evidence of foul play, the Waterbury Police Department told the Reporter that Billy was probably having a beer in Europe and would be home when he was ready. The comment

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was cruel and insensitive and was uttered 18 months after Billy was murdered.

Unable to get to the Waterbury Police to seriously investigate Billy's disappearance, we hired private investigators, brought in search dogs and began to piece the puzzle together ourselves. Our search for Billy brought us into a hornet's nest in Woodbridge.

Where I was arrested for hanging a flier -- a missing persons poster of my son and sued by Billy's ex-girlfriend Madeline Gleason. But our search revealed more than political and police corruption, we stumbled in -- blindly into a world of the missing and the unidentified dead.

We learned that 160,000 other Americans are missing and their coroners and medical examiners hold the remains of 40,000 unidentified dead. This is a national crisis.

The president of the International Homicide Association, Bill Hagmaier, has publicly stated that a majority of the missing have been murdered and are now the unidentified dead. The way to cross-reference these two groups is with DNA sampling.

We live in a world where the most popular show in America is "CSI." Yet, most of our local and state police lack basic working knowledge of DNA. They don't know how to properly collect DNA or enter it into the proper databases, like NamUs. This can only change through training.

There are hundreds of unsolved homicides in Connecticut and 700 missing persons. Yet, the police in Connecticut continue to oppose this legislation. Why?

Four years ago, West Hartford's Police Chief, James Strillacci, the head of the Police Chief's Association testified that the legislation was unnecessary because there was no problem. Yet, weeks later a missing 15-year-old girl was discovered hidden beneath the stairs of a home in West Hartford, Chief Strillacci's town.

Two years ago, Chief Strillacci, again, opposed efforts to reform the way law enforcement officers respond to the report of a missing adult. Shockingly, Chief Strillacci told Channel 3 News that he wasn't going to risk live people to search for dead bodies.

Chief Strillacci's statements are insensitive and outrageous and provide further proof why the Connecticut's state legislation needs to take a bold stand to protect the safety of our citizens.

One hundred and fifty years ago, the great Black abolitionist, Fredrick Douglas said, Power concedes nothing without a demand.

The police in Connecticut have the power now and despite irrefutable evidence, they refuse to acknowledge they have substandard training in DNA collection, the usage of national databanks and how they respond to report of a missing adult.

Bill Number 6613 will change that. We can longer allow the police to obstruct efforts to improve their training. It is time for law enforcement to catch up to the remarkable advancements of science.

Passing Bill 6113 will make Connecticut a safer place to live. Although, this legislation will not help my son Billy, it will help the thousands of families that will experience the nightmare of a missing loved one in the decades to come.

And, for them and for the safety of all our citizens, the legislators of Connecticut must demand this change..

Thank you.

Any questions?

SENATOR HARTLEY: Yes. Jan and Bill, first of all, thank you for your particularly articulate testimony. And I know you have been in that seat here and in Washington for some time. And I, first of all, commend you for your incredible perseverance and also selflessness with regards to seeing this through despite the fact that, as you admit, it's really not going to be a personal benefit to you.

The story that you tell is chilling and horrific, and I am grateful for your advocacy and your coming forward on this.

My Cochair would like to start off with questions.

JANICE SMOLINSKI: Okay.

REP. DARGAN: Hi Bill and Janice, good seeing you again, thanks for waiting around six hours to testify.

I know -- just like to compliment you on your stewardship of this particular issue. We've made some progress over the years on some bills that I co-sponsored along with your help.

What I could tell you today and if you need to facilitate a meeting either with a POST or Department of Public Safety or Police Chiefs Association, we could do that on your behalf, and

have you there to resolve outstanding issues to make our system run a little bit better than it already does.

And -- this building, we try to listen to everyone's comments and law enforcement should do that, too, on your behalf, too. So, once again, I thank you for coming forward, both of you and other family members over the years of educating us of some of the flaws that we have within our system and thank you once again.

JANICE SMOLINSKI: Thank you, Representative.

BILL SMOLINSKI: Thank you.

SENATOR HARTLEY: Thank you, Representative Dargan.

Further questions?

Representative Rebimbas.

REP. REBIMBAS: Thank you, Madam Cochair.

Once again, thank you so much for your testimony here today and for waiting to this late hour in order to testify and share your story once again with us.

I also want to make sure that I do thank the Cochairs of this committee for raising this bill and for co-sponsoring this bill. And for truly making this bill that much better with the changes that were modified to it and also Representative Nardello that has worked so long with the family.

And I do also share with the Cochair had -- Senator Dargan had mentioned regarding the meetings. Anyone who is unwilling to meet with you certainly bring it to our attention, we will

make that meeting does take place.

Also, we can certainly have other conversations regarding this most recent threat of interfering and having you arrested. You know, those tactics, there's no place for it because, unfortunately, what that does is try to deter someone from pursuing something that obviously is important.

So with that said, we'd like to also -- I'd like to look into that a little bit further in that regard. So thank you for your advocacy with what you have already done is made such a positive impact not only locally but statewide.

And I know that the education and conferences and speaking engagements that you've put forth is so educational for so many people. It's been educational for me and that's why I certainly, you know, actively wanting to participate in this also continuously moving forward.

So, once again, thank you very much just for enlightening us, educating us and, hopefully, you know, providing better laws for the State of Connecticut.

JANICE SMOLINSKI: Thank you.

BILL SMOLINSKI: Thank you.

SENATOR HARTLEY: Thank you, Representative Rebimbas.

If just might say, there is absolutely no place in a situation like this and even one that is far less horrific for these kinds of comments, "having a beer in Europe, read about it or hear about it in the media." I am so sorry. I don't care what your badge says or who you are, that is unacceptable.

Now, can you just help me out? Arrested for what?

JANICE SMOLINSKI: I was arrested -- well, I was -- you mean the first time or the --

SENATOR HARTLEY: -- I was arrested for hanging a missing persons poster --

JANICE SMOLINSKI: Yes, I was arrested.

SENATOR HARTLEY: We put posters up when we lose our -- our dogs.

JANICE SMOLINSKI: Yes. I was arrested as a criminal for hanging a flier of my missing son.

SENATOR HARTLEY: Well, where did you hang it and what was the grounds?

JANICE SMOLINSKI: Well, that was in Woodbridge, and I think that the Woodbridge Police wanted to scare me and get me out of town.

SENATOR HARTLEY: Where did you hang this poster?

JANICE SMOLINSKI: It was -- it was near -- this poster -- this particular poster was near school property.

SENATOR HARTLEY: What was the grounds that you were arrested on?

That you could not post legally?

JANICE SMOLINSKI: That it was near school property. It was first -- it was criminal trespassing first degree.

SENATOR HARTLEY: Because you were on public --

JANICE SMOLINSKI: It was -- it was near school property, but on the pole next to it was a missing cat.

REP. DARGAN: You were just putting a post up, you weren't selling drugs within that 1500.

JANICE SMOLINSKI: Right. I don't think I would have gotten -- no. If I was selling drugs I probably wouldn't get such a strong sentence -- charge but I'm just kidding but, you know, I was criminal trespassing first degree, disorderly conduct. And I was also charge with paintballing two school buses, which they were -- later found out through an investigative journalist that they were made up charges.

SENATOR HARTLEY: Excuse me. Paintballing school buses? Now, wait a minute.

JANICE SMOLINSKI: Two school buses.

SENATOR HARTLEY: This is, like, not one of these reality TV shows here. Right? Paintballing a school bus?

JANICE SMOLINSKI: Yeah.

BILL SMOLINSKI: She don't even know what a paintball looks like.

JANICE SMOLINSKI: Well, not then, no. But, yes, I was charged with paintballing two school buses. Madeline Gleason and her friend, Fran, drive school buses in Woodbridge and Bethany, and it was supposedly their two school buses that I spray painted or I paintballed but --

SENATOR HARTLEY: The school buses got paintballed but there were no witnesses --

JANICE SMOLINSKI: They weren't. They weren't paintballed.

SENATOR HARTLEY: Oh, they weren't?

JANICE SMOLINSKI: They were made up charges.

SENATOR HARTLEY: Okay.

To Representative Dargan's point, yeah, I would very much like to have a conversation with the Police Chiefs Association and other important and relevant folks. So we will be putting that together, in fact, I'm just looking over for my clerk so she can get you phone numbers, and so forth, so we can move forward.

BILL SMOLINSKI: One more important thing, when my wife and my daughter were at the Woodbridge Police Station, they told her about all these charges. And then they came in with the owner of the bus company and they said, We'll drop all four or five charges if you do not take this to Channel 8 News.

SENATOR HARTLEY: Well, you're here on CTN.

BILL SMOLINSKI: And that's when they walked out, and we did get it on that channel.

You know what? We -- seriously, we do need some help like that. I'd appreciate it if we get some kind of meeting here because we really need something.

SENATOR HARTLEY: Thanks for -- thank you, and we'll continue our conversation.

Are there further comments or questions from committee members?

If not, thank you.

BILL AND JANICE SMOLINSKI: Thank you very much.

SENATOR HARTLEY: Is Frank DaCato from Meriden with us still? Frank?

Oh, Joyce, you are absolutely more than welcome.

FRANK DACATO: How do you follow that? I'm a Connecticut citizen, raise my taxes. Do what you got to do. Let's take care of this. That's -- that's ridiculous.

Senator Hartley, Representative Dargan, members of the Public Safety and Security Committee. First, I would like to thank you for taking the time to hear me today.

My name is Frank DaCato. I'm the training coordinator for plumbers and pipefitters, Local 777. I am also a member of the State Plumbing Board, a state apprenticeship council, and I'm actually here today to ask you to support two bills.

HB6296

The first one would be 5802, AN ACT ADOPTING CERTAIN SAFETY RECOMMENDATIONS OF THE THOMAS COMMISSION. I'm not going to read you my testimony you have it. I actually emailed everybody last night a video. I don't know if you ever got a chance to look at it from the Connecticut -- from the Chemical Safety Board on the accident not only at Kleen Energy but one down -- similar down South Carolina, I mean North Carolina.

To say it was a tragedy is an understatement. I knew three of those people personally. They were not acquaintances. They were friends,



CONNECTICUT POLICE CHIEFS ASSOCIATION

342 North Main Street, West Hartford, Connecticut 06117-2507

(860) 586-7506 Fax: (860) 586-7550 Web site: www.cpcanet.org

Testimony to the Committee on Public Safety, February 15, 2011

Chiefs Anthony Salvatore & James Strillacci, Connecticut Police Chiefs Association

Senator Hartley, Representative Dargan, and Members of the Committee on Public Safety, we speak for the Connecticut Police Chiefs Association to testify on several Bills.

We support **SB 418, AAC Recertification of Retired Police Officers**. Even in this economy, qualified recruits are hard to find, and this bill may increase the applicant pool. Yet as a practical matter, we suspect that relatively few retired officers will be able to meet current standards.

We appreciate the intent of **SB 551, AAC Volunteer Firefighters**, but we'd ask an exemption for on-duty police personnel who are volunteers. It would be unfair to the community paying an officer to patrol its streets to lose his or her services to another town.

We strongly oppose **SB 765, An Act Concerning Emergency Alerts Concerning Abducted or Missing Children**. AMBER alerts were established to enlist public help in urgent cases—kidnapped children. They are effective because such cases are rare. But teenagers run away daily all over the state, and most return within a day. Including these runaways in AMBER alerts would be the equivalent of crying "Wolf!"—the alerts would soon be ignored. We urge you to reserve them for true emergencies.

We support **S.B. 888, An Act Exempting Certified Police Officers from Telecommunicator Training**, and urge its passage, as this would eliminate needless duplication in training and cost.

We oppose **HB 6110, AA Requiring Fines For Certain Traffic Violations in Construction Work Zones In Municipalities To Be Doubled**. We don't object to stiff fines in work zones, but there won't be many without police on site. Per 7-148, towns need to be able to regulate their roadways, including police protection at job sites if they deem it necessary. Police not only direct traffic, but give first aid and summon emergency assistance at construction mishaps, give directions to motorists, help catch fleeing criminals, and yes, issue traffic tickets. Flaggers can't.

HB 6113 is AAC the **Investigation of Missing Persons Reports**. CPCA opposes this bill as an unfunded mandate. We object in particular to additional training mandates, because it's costly to send officers for training and to replace them during their absence.

The Police Officer Standards and Training Council is responsible for determining the type and amount of training Connecticut's police need, and we should allow them to do so. Four years ago, POST developed a model policy on the acceptance of missing person reports and police response to such reports, which was disseminated to all law enforcement agencies.

This is the fifth consecutive session in which missing-person mandates have been proposed, at the prompting of a single activist. It may not be possible to satisfy every such constituent.



TESTIMONY
of the
CONNECTICUT CONFERENCE OF MUNICIPALITIES
to the
PUBLIC SAFETY & SECURITY COMMITTEE

February 15, 2011

CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to provide testimony to you on issues of concern to towns and cities:

HB 5326 **“An Act Requiring the Presence of Carbon Monoxide Detectors in All Public Schools”**

This bill would mandate that all local public school buildings be installed with carbon monoxide detectors.

HB 5341 **“An Act Requiring the Collection of DNA from Persons Arrested for a Serious Felony”**

This bill would mandate that law enforcement personnel conduct DNA analysis on all persons arrested for serious felonies “to determine identification characteristics specific to the person.”

HB 6113 **“An Act Concerning the Investigation of Missing Adult Persons Reports”**

Among other things, this bill would mandate new training requirements for law enforcement personnel with regard to missing adult persons cases.

These three bills are all worthy proposals however, each would impose a new unfunded state mandate that would place additional costs on already strained local budgets. Local officials do not dispute the intent of these bills – but, do oppose the costs that would be associated with these new mandates.

CCM recommends the committee either (1) make sure that the State provide adequate funding to implement these proposals, or (2) take no action on HB 5326, HB 5341, and HB 6113.

##

If you have any questions, please contact Bob Labanara rlabanara@ccm-ct.org.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY AND
SECURITY**

**PART 3
659 – 992**

2011

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State of Connecticut
HOUSE OF REPRESENTATIVES
 STATE CAPITOL
 HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE VICKIE O. NARDELLO
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CHAIRMAN
 ENERGY AND TECHNOLOGY COMMITTEE

MEMBER
 INSURANCE AND REAL ESTATE COMMITTEE
 PUBLIC HEALTH COMMITTEE

February 15, 2010

Senator Hartley, Representative Dargan
 Members of the Public Health Committee

RE: HB 6113, An Act Concerning The Investigation Of Missing
 Adult Persons Reports

I am testifying in favor of HB 6113 AAC The Investigation Of Missing Adult Persons Reports. This bill is before you because of the case of Billy Smolinski, whose family has suffered greatly and found that in Connecticut adult missing persons and the families of adult missing persons were given little attention or were often dismissed by law enforcement officials.

The reason for this is that the common thought that adult missing persons might have left willingly and law enforcement resources were scarce.

This bill is a follow up on Public Act 07-151 that charged the Police Officer and Training Council with developing a policy on adult missing persons.

I commend Thomas Flaherty for his work to incorporate the new policy into a training curriculum, but we need to do more. This new bill makes specific recommendations regarding the collecting and entering of data, on procedures for the Office of Medical Examiner, on the collection of DNA of unknown persons, on the acceptance of adult missing persons reports, on procedures for sensitively dealing with families, on the creation of a disc with step by step instructions for the line officers, and the inclusion of training in the National Missing and Unidentified Persons System created by the Office of Justice Programs National Institute of Justice.

Janice and Bill Smolinski have dedicated their lives to creating a better system so that other families will be spared their heartache. I ask you to give them the victory they have worked so hard to achieve by passing this bill. Bill Smolinski is still missing but through this bill, no other family will have to experience what the Smolinski family did and Billy will leave an important legacy to the state of Connecticut

House Bill: 6113
**AN ACT CONCERNING THE INVESTIGATION OF MISSING PERSON
REPORTS**
Testimony of Kimberly Sundquist

Representative Dargan, Senator Hartley and distinguished members of the Public Safety and Security Committee, my name is Kimberly Sundquist and I would like to offer my written testimony in support of HB 6113: An Act Concerning the Investigation of Missing Person reports.

I am the former president and board member of Survivors of Homicide (SOH). I still currently facilitate a support group in Manchester. I have met so many victims of one of the most traumatic crimes one can face and my heart goes out to all of them seeing as though my own uncle was murdered on September 11, 2003 outside his business. The act of his murder was traumatic enough and the lack of justice in our case was further trauma I would have rather avoided...but I got to bury my uncle because he was never missing. I was able to see him at peace before he was cremated. I was able to say goodbye. I was able to leave a poem that I wrote for him and read at his funeral that would be buried with him. I hated seeing him in that casket, but it beats not knowing where he was and thinking that he just fell off the face of the earth.

Imagine that your own child, parent or spouse was not only murdered, but also missing. We all know that the first 24 hours in any missing persons case is the most crucial. Yes sometimes people run away on their own accord, but in so many cases, foul play is suspected and later verified. 24 hours may not seem like a long time to you to wait for a person who may have run away to materialize, but for the parent of Billy Smolinski, whose son was murdered and has been missing for years, and who knew things did not add up in his disappearance, every second was an eternity. 24 hours also offers entirely too much time for offenders to get stories straight, clean up evidence and find alibis. In the case of Billy Smolinski, they had to wait even longer than the 24 hours because his neighbor claimed Billy was going out of town for a couple days. His truck was in the driveway in a way he would not have parked it and the events that took place earlier that day were out of character for him. This case should have been taken seriously from the moment the police were called and they gathered information. If it had been, Billy's remains may have been found by now and the offender(s) arrested.

It is unacceptable that victims of foul play are not always taken seriously, even with much information leading to a conclusion that a crime had taken place. I understand that the police are busy, but that is no excuse not to follow up with something where it was very obvious that Billy was not only missing, but also quite possibly murdered. Evidence was not processed in a timely manner and tips were not exposed to the family until the family themselves hired a private detective. There is no reason that the family should have had to hire someone to find out what was either not investigated or what was known by the police for years yet not disclosed. The treatment the Smolinskis faced by the law enforcement was inexcusable and it quite possibly allowed someone or some people to literally get away with murder.

It is so important that law enforcement not only take reports of missing persons seriously, but begin the investigation. Evidence should be processed in a timely fashion, DNA taken so if a John Doe is ever found they can swiftly identify the remains, and the families should be treated with respect. Law Enforcement personnel may have heard sob stories over and over again, but each victim is new to the ordeal and they need to be treated as such. They are traumatized, they want answers, and they want to know what to do. They don't want to go home without their loved ones. Their hearts are broken. They think of the "What ifs". They want to remember the last conversation with their loved one and they often try and remember if the last thing they said when they hung up the phone was "I love you". It is horrible. I urge you to make changes in the current policies to waive the 24 hour waiting period to accept reports of a missing person; to support the processing of all evidence in a timely fashion including DNA, and support the training of all law enforcement who will be working on these types of cases so that they will handle it correctly and treat the victims with respect.

I thank you for your time and consideration in this matter and I urge you to pass HB 6113.

Kimberly Sundquist



State of Connecticut
Police Officer Standards and Training Council
Connecticut Police Academy



Proposed Bill No. 6113

An Act Concerning The Investigation of Missing Persons Reports

As Executive Director of the Police Officer Standards and Training Council and a representative of the Council's Legislative Committee, I have been authorized to advise this Committee that the provisions of this proposed bill are redundant, costly and for the most part already in place.

In January, 2008 the Council, pursuant to then Public Act 07-151, issued to every Law Enforcement Agency in this State "A Policy of the Police Officer Standards and Training Council – Guidelines for Handling Missing Persons Investigations and the Acceptance of Reports".

Specifically, this proposed bill has six provisions which I will respond to:

1. The immediate acceptance of any report of adult missing person. This is already part of the above Guidelines referenced about.
2. Mandate sensitivity training for all police officers. Currently, sensitivity training is taught to all Recruits at the Connecticut Police Academy and every satellite academy in the state in a number of areas which include: Cultural/Human Diversity, Human Behavior, Juvenile Law, Child Abuse, People with Special Needs, Sexual Assault, Conflict Resolution, Domestic Violence, Suicide Management and Prevention, Interview Techniques, Immigration Law, Authority and Discretion and Victim/Witness Advocacy.
3. Issue to all police officers a compact disc for use in any police car detailing a step-by-step procedure to follow upon receipt of a report of a missing person. There are currently approximately 8,200 certified Police Officers in this State and another approximate 1,200 State Troopers for a total estimate of 9,400 law enforcement officers. In addition to the hard costs and staff time to generate compact discs there are other labor costs to write the format, edit the product, produce it, deliver it and assure that some training takes place to use it. In addition to an estimated cost of \$770.00 in materials, given the current limitations of production this would take an estimated 20 full work weeks for our I.T. staff member to reproduce. This would be an unfunded requirement for an agency that has already suffered staff cuts and budget reductions.
4. Complete National Crime Information Center missing person reports fully and timely. This is included in our Recruit curriculum at the Connecticut Police Academy as well as all satellite academies in the state.
5. Train all new police officer recruits in the National Missing and Unidentified Persons System. This is already included in our Recruit curriculum at the Connecticut Police Academy as well as all satellite academies.
6. Mandate collection of DNA from homicide victims and from John or Jane Does who are in a coma, have amnesia or have Alzheimer's disease. The collection of DNA is included in the above referenced Guidelines.

Thomas E. Flaherty, Executive Director, Police Officer Standards and Training Council



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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONERJames M. Thomas
CommissionerLieutenant Edwin S. Henion
Chief of Staff

February 15, 2011

Rep. Stephen Dargan, Co-Chairman
Sen. Joan Hartley, Co-Chairman
Public Safety and Security Committee
Legislative Office Building
Hartford, CT 06106

HB 6113 AN ACT CONCERNING THE INVESTIGATION OF MISSING PERSONS REPORTS

The Department of Public Safety advises of fiscal impact and other concerns.

This proposed bill would adopt a required statutory procedure in regard to missing persons and mandate compliance with all of its statutory procedures by Connecticut law enforcement agencies, including the Connecticut State Police. The Department of Public Safety believes that great caution should be exercised in enacting statutory mandates for law enforcement procedure. The Connecticut State Police and all of Connecticut's municipal police departments have limited resources with which to carry out a wide range of public safety responsibilities. This bill would require that "The unit of the Division of State Police within the Department of Public Safety that investigates missing adult persons shall, as appropriate, enter all collected information relating to a missing adult person case into the National Crime Information Center database and any other applicable federal database with all practicable speed." The Department of Public Safety does not have a Missing Person Unit. These functions have been covered to the *most basic* level by the Message Center personnel. The law enforcement agency receiving the missing person report should be responsible for NCIC and any other databases that the data needs to be entered in. The Department of Public Safety does not presently have the resources to handle this. It would take a large, fully staffed 24x7 unit to enter everyone's missing persons into NCIC.

The Department of Public currently already has specific mandated procedures in its A&O manual setting forth requirements for handling of missing persons cases. Those procedures were recently updated and revised and encompass some of the intent of this proposed bill.

Passage of this bill would have additional fiscal impact as it requires that DNA samples be taken from homicide victims and from John or Jane Does who are in a coma, have amnesia or have Alzheimer's disease. If this bill is passed, the language requiring DNA of homicide victims should be limited to unidentified homicide victims, as taking DNA when identity is known would be waste of resources unless it is taken for some purpose other than identifying missing persons:

Sincerely,



James M. Thomas
COMMISSIONER

House Bill 6113
AN ACT CONCERNING THE INVESTIGATION OF MISSING PERSON REPORTS
Testimony of Janice Smolinski

Representative Dargan, Senator Hartley and distinguished members of the Public Safety and Security Committee

Good Afternoon.

My name is Janice Smolinski and I'm here to testify in full support of Bill #6113, an act concerning the investigations into missing persons.

Our family's private Hell began six and half years ago when my 31-year-old son, Billy, vanished from his life.

A sluggish response from the Waterbury Police Department – typical in the case of adult missing persons – started a domino affect that reverberates to this day. Impossibly strong leads were not followed, evidence was destroyed, seven DNA samples were lost, and basic information from Billy's case was not entered into national data banks for three years.

At the time of his disappearance Billy was involved in an explosive love triangle. This case involves a gravedigger, a long distance trucking company, a school bus driver, a politician, and a violent group of drug addicts.

My son walked into a hornet's nest.

Law enforcement officers in the FBI, the Seymour Police Department, the Shelton Police Department and the Connecticut State Police have all told us Billy was murdered in August 2004, and buried somewhere in the lower Naugatuck Valley.

Efforts to recover his body continue to this day.

Despite overwhelming evidence of foul play, the Waterbury Police Department told a reporter that Billy was probably having a beer in Europe and would come home when he was ready. That comment was cruel and insensitive, and was uttered 18 months after Billy was murdered.

Unable to get the Waterbury police to seriously investigate Billy's disappearance, we hired private investigators, brought in private search dogs and began to piece the puzzle together ourselves. Our search for Billy brought us into the hornet's nest in Woodbridge, where I was arrested for hanging a missing person poster of my son, and sued by Billy's ex-girlfriend, Madeline Gleason.

But our search revealed more than political and police corruption, we stumbled blindly into the world of the missing and unidentified dead. We learned that

160,000 other Americans are missing, and that coroners and medical examiners hold the remains of 40,000 unidentified dead. This is a national disaster.

The president of the International Homicide Association, Bill Hagmaier, has publicly stated that a majority of the missing have been murdered, and are now the unidentified dead. The way to cross-reference these two groups is with DNA sampling. We live in a time when the most popular show in America is CSI, yet most of our local and state lack police lack

basic working knowledge of DNA. They don't know how to properly collect DNA or enter it into the proper databases, like NamUs.

This can only change through training.

There are hundreds of unsolved homicides in Connecticut and 700 missing persons, yet the police in Connecticut continue to oppose this legislation.

Why?

Four years ago West Hartford Police Chief James Strillacci, the head of the Police Chief's Association, testified that legislation was unnecessary because there was no problem. Yet weeks later a missing 15-year-old girl was discovered hidden beneath the stairs of a home in a West Hartford, Chief Strillacci's town.

Two years ago Chief Strillacci again opposed efforts to reform the way law enforcement officers respond to the report of a missing adult. Shockingly, Chief Strillacci told Channel 3 news that he "wasn't going to risk live people to search for dead bodies".

Chief Strillacci's statements are insensitive and outrageous, and provide further proof why the Connecticut State Legislature needs to take a bold stand to protect the safety of our citizens.

One hundred and fifty years ago the great black abolitionist Frederick Douglas said, "Power concedes nothing without a demand."

The police in Connecticut have the power now, and despite irrefutable evidence; they refuse to acknowledge they have substandard training in DNA collection, the usage of national data banks, and how they respond to a report of a missing adult.

Bill #6113 will change that.

We can no longer allow the police to obstruct efforts to improve their training.

It is time for law enforcement to catch up to the remarkable advancements of science. Passing Bill #6113 will make Connecticut a safer place to live. Although this legislation will not help my son Billy, it will help the thousands of families that will experience the nightmare of a missing loved one in the decades to come.

And for them, and for the safty of all our citizens, the legislators of Connecticut must demand this change.

House Bill 6113
**AN ACT CONCERNING THE INVESTIGATION OF MISSING PERSON
REPORTS**

Testimony of Bill Smolinski Sr.

My name is Bill Smolinski, father of missing Billy Smolinski. I only have a little to say but I want to express upon you how important it is to vote bill No. 6113 into law.

Since August 24, 2004 the life we once knew as a family is no longer. My wife Jan is on the phone and computer daily. It has become a full time job trying to find our son and help the many others who have lost loved ones. This is all due to the lack of proper investigation when an adult is reported missing.

I witness first hand, calls that my wife makes and the repetition of calls that should have been returned and were not.

This has become a daily routine but Jan does not stop there her drive is relentless.

Some remarks made are very cruel "you care about your son but no one else does" or "it is five o'clock and I don't get paid after 5" all comments were made from persons of authority. The latest being a few days ago a threat was made to arrest my wife for interfering in an investigation. How can any officer arrest a mother who is looking to find her son?

Sensitivity training, lack of concern when tips are reported are all to common when a person is reported missing in the many days that follow. Courteously to the families is very important. When a new development in a case is to be told to the family they need to hear it from law enforcement not the media, this is another problem we encountered when state police said we will either call you or you will hear it from the media.

I do not want to rehash what Jan has already mention but I do want to say that our problems are very similar to what a missing adult family very often experiences.

This bill will not help my family but if passed into law will help many future families. After all no one is exempt. In conclusion our efforts to find our son will prevail until he is brought home and justice is done. Please consider bill number 6113 Thank you very much.

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Michelle S. Cruz, Esq.
State Victim Advocate

STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Testimony of Michelle Cruz, State Victim Advocate
Public Safety and Security Committee
Tuesday, February 15, 2011

Good morning Senator Hartley, Representative Dargan and distinguished members of the Public Safety and Security Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

**Proposed House Bill No. 6113, *An Act Concerning the Investigation of Missing Person Reports*
(SUPPORT)**

The Office of the Victim Advocate (OVA) has heard from many crime victims regarding the issue of the reporting and investigation of missing persons. As I am sure many of you are aware, Janice Smolinski, of Cheshire, has been an extraordinary advocate for improving the reporting and investigation procedures of missing persons. Her devotion to this cause is fueled by Janice's son, Billy, suspicious disappearance in 2004 and the systemic challenges she faced in trying to assist law enforcement search for her son. Janice has also brought this issue to the national stage with the support and assistance of Congressman Chris Murphy.

There are 150,000 missing and 60,000 unidentified deceased in our country. This is not a problem unique to Connecticut. One would think that as technology advances and the use of DNA databases are expanded, the number of missing persons and unidentified deceased persons should decrease. However, without a model policy for the acceptance and investigation of missing persons, Connecticut will fall behind the national effort to address this issue.

Although we have made some improvements in the laws, those who attempt to report a person missing are still often challenged by social stereotypes and attitudes. Proposed House Bill No. 6113 will establish a model policy for the acceptance and investigation of missing person reports by law enforcement agencies. The first twenty-four to forty-eight hours are the most important not only for reporting a person missing, but for the collection of potential evidence and notification to the community. I strongly urge the committee to support this important proposal.

Thank you for consideration of my testimony.

Very Sincerely,

Michelle Cruz, Esq.
State Victim Advocate

S - 632

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 21
6546-6914**

mhr/cd/gbr
SENATE

517
June 7, 2011

Thank you, Madam President.

And a final item under matters returned from committee is on calendar page 52, Calendar 521, House Bill Number 6113.

Madam President, move to place that item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

That concludes our Consent Calendar, markings and would thank all the members for their cooperation and would ask the Clerk now, pardon me, wait, pause for just a moment.

(Pause)

SENATOR LOONEY:

Madam President, we might stand at ease for just a moment. We want to reconfirm, since that was a lengthy listing.

THE CHAIR:

Absolutely, sir, the Senate will stand at ease.

(Chamber at ease.)

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SENATE

520
June 7, 2011

Mr. Clerk.

THE CLERK:

Immediate roll call's been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call's been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

THE CLERK:

Madam President, the items placed...

THE CHAIR:

I would ask the Chamber to be quiet please so we can hear the call of the Calendar for the Consent Calendar.

Thank you.

Please proceed, Mr. Clerk

THE CLERK:

Madam President, the items placed on the first Consent Calendar begin on calendar page 5, Calendar 336, House Bill 5697.

Calendar page 7, Calendar 421, Substitute for House Bill 6126.

Calendar page 8, Calendar 449, Senate Bill 1149.

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Calendar page 10, Calendar 470, Substitute for House Bill 5340. Calendar 474, Substitute for House Bill 6274. Calendar 476, House Bill 6635.

Calendar page 12, Calendar 499, Substitute for House Bill 6638. Calendar 500, House Bill 6614. Calendar 508, House Bill 6222.

Calendar page 13, Calendar 511, House Bill 6356. Calendar 512, Substitute for House Bill 6422. Calendar 514, House Bill 6590. Calendar 515, House Bill 6221. Calendar 516, House Bill 6455.

Calendar page 14, Calendar 517, House Bill 6350. Calendar 519, House Bill 5437. Calendar 522, House Bill 6303.

Calendar page 15, Calendar 523, Substitute for House Bill 6499. Calendar 524, House Bill 6490. Calendar 525, House Bill 5780. Calendar 526, House Bill 6513. Calendar 527, Substitute for House Bill 6532.

Calendar page 16, Calendar 528, House Bill 6561. Calendar 529, Substitute for House Bill 6312. Calendar 530, Substitute for House Bill 5032. Calendar 532, House Bill 6338.

Calendar page 17, Calendar 533, Substitute for House Bill 6325. Calendar 534, House Bill 6352.

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Calendar 536, House Bill 5300. Calendar 537, House
Bill 5482.

calendar page 18, Calendar 543, House Bill 6508.

Calendar 544, House Bill 6412. Calendar 546,
Substitute for House Bill 6538. Calendar 547,
Substitute for House Bill 6440. Calendar 548,
Substitute for House Bill 6471.

Calendar page 19, Calendar 550, Substitute for
House Bill 5802. Calendar 551, House Bill 6433.
Calendar 552, House Bill 6413. Calendar 553,
Substitute for House Bill 6227.

Calendar page 20, Calendar 554, Substitute for
House Bill 5415. Calendar 557, Substitute for House
Bill 6318. Calendar 558, Substitute for House Bill
6565.

Calendar page 21, Calendar 559, Substitute for
House Bill 6636.

Calendar page 22, Calendar 563, Substitute for
House Bill 6600. Calendar 564, Substitute for House
Bill 6598. Calendar 566, House Bill 5585.

Calendar page 23, Calendar 568, Substitute for
House Bill 6103. Calendar 570, Substitute for House
Bill 6336. Calendar 573, Substitute for House Bill
6434.

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Calendar page 24, Calendar 577, Substitute for
House Bill 5795.

Calendar page 25, Calendar 581, House Bill
6354.

Calendar page 26, Calendar 596, Substitute for
House Bill 6282. Calendar 598, Substitute for House
Bill 6629.

Calendar page 27, Calendar 600, House Bill
6314. Calendar 601, Substitute for House Bill 6529.
Calendar 602, Substitute for House Bill 6438.
Calendar 604, Substitute for House Bill 6639.

Calendar page 28, Calendar 605, Substitute for
House Bill 6526. Calendar 608, House Bill 6284.

Calendar page 30, Calendar number 615,
Substitute for House Bill 6485. Calendar 616,
Substitute for House Bill 6498.

Calendar page 31, Calendar 619, Substitute for
House Bill 6634. Calendar 627, Substitute for House
Bill 6596.

Calendar page 32, Calendar 629, House Bill
5634. Calendar 630, Substitute for House Bill 6631.
Calendar 631, Substitute for House Bill 6357.
Calendar 632, House Bill 6642.

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Calendar page 33, Calendar 634, Substitute for
House Bill 5431. Calendar 636, Substitute for
House, correction, House Bill 6100.

Page 34, Calendar 638, Substitute for House
Bill 6525.

Calendar page 48, Calendar 399, Substitute for
Senate Bill 1043.

Calendar page 49, Calendar 409, Substitute for
House Bill 6233. Calendar 412, House Bill 5178.
Calendar 422, Substitute for House Bill 6448.

Calendar page 52, Calendar 521, Substitute for
House Bill 6113.

Madam President, that completes the item placed
on the first Consent Calendar.

THE CHAIR:

Thank you, sir.

We call for another roll call vote. And the
machine will be open for Consent Calendar number 1.

THE CLERK:

The Senate is now voting by roll on the Consent
Calendar. Will all Senators please return to the
Chamber. The Senate is now voting by roll on the
Consent Calendar, will all Senators please return to
the Chamber.

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Senator Cassano, would you vote, please, sir.

Thank you.

Well, all members have voted. All members have voted. The machine will be closed, and Mr. Clerk, will you call the tally?

THE CLERK:

Motion is on option Consent Calendar Number 1.

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 1 has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

We might stand at ease for just a moment as we prepare the next item..

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)