

**Testimony of Debbie Florence**  
**Submitted to the Judiciary Committee**  
**Monday, March 20, 2006**

Good afternoon Senator McDonald, Representative Lawlor and members of the Judiciary Committee. My name is Elizabeth Fitzgerald and I am here today in **SUPPORT** of Raised House Bill No. 5799 an "Act Concerning Crime Victims and the Victim Advocate."

On January 18, 2004, my son Kyle was then sixteen years old and was violently attacked by four young men. This brutal attack was at the side door of my home. Kyle suffered three stab wounds to the back because he refused to disclose the address of another young man on whom they were seeking revenge.

Kyle survived the attack thanks to his brother who, upon hearing his screams, came to his aid. Had Matthew not heard him screaming, he could have died that night as I was sleeping at 3:00 am.

The three of the four young men responsible for this crime against my son were charged with attempted murder and conspiracy to commit assault and were transferred to Part A Superior Court on Lafayette Street in Hartford, Connecticut.

In the early stages of the process, I was frequently informed of the slow moving cases that were now beginning. I was informed that the one who put the knife in Kyle's back was accepting a plea; however, I was not sure when the date was as I was told it was not known yet. In the interim, the State's Attorney did tell me he was transferring and that someone else would be handling the case but assured me that his replacement would be in contact with me to keep me updated on the future events.

That was in October 2004. It was late December when I realized it had been sometime since I had heard any reports of the cases that were pending involving Kyle's attackers.

I left a few messages at the State's Attorney's Office. I left my name and relevant information about my son's case. I was told by the person on the other end of the phone that I needed to find out the docket number (which was extremely frustrating as I had to chase all the information to get an answer). If I were a reporter for the Journal Inquirer, I would have had more luck finding out information about my son's case. It was very upsetting not knowing what was transpiring.

I finally decided to contact the Office of the Victims Advocate, hoping they could help me attain the information regarding my son. I was upset and furious as it would appear to the court that no one was there representing the wishes of Kyle and his family. I wrote a letter explaining my frustration to Jim Papillo, the state victim advocate, and received an immediate call back from Jim.

Once I got Mr. Papillo involved, I began receiving calls from the State's Attorney. The State's Attorney was very apologetic and he assured me I would be informed every step of

the way. Once the OVA made mention to me of the fact that my rights as a victim were being violated (I was not previously made aware that I even had rights), and after Mr. Papillo made contact with the State's Attorney, it was only then that I began to be informed of the facts surrounding how the case was being handled. Thanks to Jim's intervention, I was able never to miss an appearance for the other two attackers, and was there at both of the plea hearings. I was however, greatly disappointed that I was never given the opportunity to address the court regarding the plea deal offered to and accepted by the young man who was the one who actually stuck the knife in my son Kyle's back. I only wish I had learned about the Office of the Victim Advocate earlier.

Although I could not participate in the prosecution of the main criminal who nearly took my son's life, thanks to Mr. Papillo and his staff, the judge did get to see my face at every appearance at the proceedings for the remaining criminals.

Please accept my plea to help other families and victims not have to play detective to get information of their loved ones. It is very trying being a victim and dealing with the trauma of the attack.

I am praying that every part of this bill, Raised House Bill No. 5799, will become law to prevent other victims from suffering the heartaches as I had to. In particular, Section 6 of the bill, which provides for a form that victims can use to indicate what rights the victim wants to exercise, would, I believe, made a big difference in how I was treated by the system. If this form had existed, I would hope the court and the State's Attorney would have been less inclined to violate my rights.

I am hoping the legislature will pass this Raised Bill Number 5799.

(please use the below electronic signature as permission to use this memo)

Sincerely,

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