



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

EXTERNAL AFFAIRS DIVISION

231 Capitol Avenue
Hartford, Connecticut 06106
(860) 757-2270 Fax (860) 757-2215

**Testimony of Stephen N. Ment
Judiciary Committee Public Hearing
February 26, 2007**

House Bill 7234, An Act Concerning Victim Services

Good afternoon. My name is Stephen Ment and I am here to testify on behalf of the Judicial Branch in support of *House Bill 7234, An Act Concerning Victim Services*. This bill, which is part of the Judicial Branch's legislative package, would provide that the Branch pay for the cost of service for any document requiring service in domestic violence matters, reduces the reimbursement rate for personal injury claims to eighty-five percent, allows the Office of Victim Services (OVS) and the Board of Pardons and Paroles to share victim contact information, and seeks to clarify the legislative definition of "furlough".

Sections 1 and 2 of the bill would require the Judicial Branch to pay for the cost of service for any document requiring service in domestic violence matters. Currently, the Branch only pays the cost of service of process for any application, affidavit, and order, pursuant to C.G.S. 46b-15(e). This leaves the applicant in a position to have to pay for service on any other motion or document in a 46b-15 action – such as motions to extend the restraining order or contempt – even if those motions are ordered by the court to be served by a process server. We believe that this is contrary to the intent of the Violence Against Women Act (VAWA) in that one should not have to pay for any cost of getting protection from the court against domestic violence.

Section 3 of the bill reduces the reimbursement rate for personal injury claims to eighty-five percent. As many of you know, OVS administers the Criminal Injuries Compensation Fund (CICF) which provides financial assistance to crime victims. The

Fund is generated from the payment of fines, fees, and forfeitures due to violations of state law, and as of June 30th, 2006, had a balance of approximately five million dollars. However, OVS may only spend the amount allocated annually by the General Assembly; in July of 2003, this allocation was reduced to \$1.425 million.

Over the past six years, the number of compensation applications received by OVS has steadily increased to the point where crime victims' financial needs now outstrip available resources. As an example of the crisis, as of September 6th, 2006 - roughly sixteen percent of the fiscal year - the Compensation Program had expenditures and pending payments totaling eighty-two percent of the fiscal year budget. As of January 31st, 2007, the Program had committed 118% of its budgeted amount. As a result, pay-outs to crime victims are greatly delayed.

The Judicial Branch has sought over the last three years to increase the amount allocated to the Fund. In fact, the Branch submitted a budget option this year seeking a one-time infusion of \$900,000 to eliminate the delay in compensation recipients receiving committed awards, and a continuing appropriation increase of \$600,000. It must be noted that the Fund itself is solvent; however we are constrained in that the Program can only spend allocated funds.

The Governor's recommended budget did include a one-time infusion of \$900,000. Unfortunately, this is not sufficient to end the crisis. While the Branch will continue to work with the Appropriations Committee to obtain necessary funding, it is imperative to reduce costs now.

In order to accomplish this, the Branch proposes reducing the rate of reimbursement to medical providers to eighty-five percent, with several exceptions. For instance, prescriptions, replacement of eye glasses, and ob-gyn follow-up appointments after a sexual assault would still be reimbursed at 100%.

While Connecticut is currently in the minority of states paying one hundred percent of expenses, please note that we only seek this change due to the financial exigency of the Fund. Additionally, please be aware that crime victims would not be responsible for the remaining 15%; the Office of Victim Services will work to ensure that victims are held harmless for the remaining balance. We believe that this reduction in

the rate of reimbursement will dramatically reduce expenditures, and allow for more timely pay-outs to victims in need.

The bill also expands upon Public Act 05-152 which allowed OVS and the Department of Correction (DOC) to share up-to-date contact information on crime victims by adding the Board of Pardons and Parole. This change would merely allow OVS, DOC, and now the Board of Pardons and Parole to communicate, and if any entity has a more current address, or telephone number, for the crime victim, to disclose it to the other entity for purposes of providing timely notification to the victim of any change in the status of the inmate/parolee.

Finally, the bill seeks to clarify the definition of "furlough" currently in statute. Under current law, OVS has the responsibility of notifying victims who request notification when an inmate is being released on a furlough granted for the purpose of reintegrating an inmate into the community, but OVS has no such requirement if the furlough is for other purposes. The amended language did not intend to change this framework, merely make it clearer. However, it has come to our attention that the change, as drafted, would negatively affect the DOC; this was not the intent of the Judicial Branch. Therefore, we will be working with the Department to see if we can arrive at substitute language which will reflect our intent of merely trying to clean-up existing statutory language.

Thank you for the opportunity to testify.