



State of Connecticut

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Testimony of Deborah Del Prete Sullivan, Legal Counsel Office of Chief Public Defender

Raised Bill No. 1347 An Act Concerning Erasure of Records in Certain Criminal Cases

Judiciary Public Hearing March 5, 2007

The Office of Chief Public Defender supports passage of *Raised Bill No. 1347, An Act Concerning Erasure of Records in Certain Criminal Cases*. Current law requires the erasure of the records of the police, the court and state's attorney in a case whenever the charges have been dismissed or the defendant has been found not guilty. This bill would add the records of the Department of Corrections to this statutory requirement.

This issue as it pertains to the records of the Department of Corrections (DOC) arose after the conviction of James Tillman was vacated. In July of 2006, Mr. Tillman was exonerated by DNA after spending 18 ½ years incarcerated for a crime that he did not commit. A review of the statutes revealed that although the court, law enforcement and prosecutor's records are subject to the erasure statute, records of DOC are not. Had Mr. Tillman not been wrongly convicted, he would not have been incarcerated and such records would not exist.

The Office of Chief Public Defender requests passage of this bill.