

Testimony of Robert Nave

Judiciary Committee of the Connecticut General Assembly

Monday, March 10, 2008

In opposition to

**SB 320 – AN ACT CONCERNING TIME LIMITATIONS ON THE FILING OF APPEALS AND HABEAS CORPUS APPLICATIONS IN CAPITAL FELONY CASES**

And in support of

**HB 5875 – AN ACT CONCERNING THE PROTECTION OF FAMILY VIOLENCE VICTIMS IN FAMILY RELATIONS MATTERS**

Good afternoon ladies and gentlemen. My name is Robert Nave. I am here to testify on two bills. First, as many of you know, I am the State and Regional Death Penalty Abolition Coordinator for Amnesty International, the Vice-Chairperson of the National Steering Committee for Amnesty International's Program to Abolish the Death Penalty out of Washington, D.C., and I am the Executive Director of the Connecticut Network to Abolish the Death Penalty. On behalf of both Amnesty International and the Connecticut Network to Abolish the Death Penalty, I am here today to voice my objection to SB 320. I will keep my message on this bill very short. Simply, if you look at the states that have shortened the appeals process, states like Texas, Virginia, and Florida who make up more than three quarters of all executions in the United States, you will find that they also lead the nation in death row exonerations. It is also most certain that innocent people have been executed in those states in recent years. So it is very simple, shorten the process and we will make more mistakes. While we retain a death penalty in this state, a sanction that the vast majority of the world now rejects, there will always be the possibility of killing an innocent person. We certainly do not want to do anything that would make that likelihood a reality. Therefore, I urge you to vote against SB 320.

At this time, I would like to testify not as a death penalty abolitionist, but as a high school teacher. As many of you also know, I teach social studies at Terryville High School in Terryville, Connecticut. So, on behalf of several of my students, I am here to testify in support of HB 5875. On August 23, 2007, tragedy struck in Terryville. On that night, there was a murder/suicide in town. The victim in this tragedy is Jennifer Magnano. Scott Magnano shot and killed his wife and then, later, killed himself. Jen's daughter, Jessica Rosenbeck, was a student of mine at Terryville High School several years ago. Her brother, David Magnano, is currently a junior at Terryville High School. They have a younger sister who is in elementary school who is not here today.

When I attended the Memorial Service for Jen Magnano, I remember finding Jessica and giving her a long hug. I had the pleasure of working with Jessica as a student for all four years she was in high school and knew her well. I had also met Jen several times and was struck by how much she and Jessica looked alike. Jen had a bright and happy face and when she smiled and laughed, it made you feel good. Therefore, it was with a very heavy heart that I now saw Jessica these several years later.

There is never any way to make a Memorial Service under these circumstances an occasion that you would describe as beautiful, but, as terrible as it was, I was so impressed with the arrangements and the detail that had gone into the Memorial Service that I complimented Jessica on her efforts. It was at that time when Jessica looked at me and told me that it was her mother, Jennifer Magnano, who had asked for her Memorial Service to be a happy and

upbeat celebration of her life. At first I thought I had heard wrong – I will never forget that moment. As I stared at Jessica in disbelief, she went on to tell me that her mother was certain that her husband was going to kill her, so she told Jessica what she wanted, not “if” she was killed, but “when” she was killed.

Within days of the Memorial Service, I contacted Representative Hamzy who is the state representative for Terryville and told him what I had learned. I told him that the way the law stood, Mrs. Magnano was forced by law to come back to Connecticut to continue with the divorce proceedings even though she had fled to California for safety in the months prior to her murder. I asked Representative Hamzy if he would research the law concerning this matter, and he did, and the result is HB 5875, or, as we would like to call it, “Jen’s Bill,” with the hope that one day soon it will be called “Jen’s Law.”

I would like to publicly thank Representative Hamzy and his staff for their work on this very important bill and I urge you to pass this bill out of this committee and work to get it passed in the General Assembly.

Thank you.