



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

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**Testimony of Stephen N. Ment
Select Committee on Aging Public Hearing
March 3, 2009**

House Bill 5091, An Act Concerning Elderly Victims Of Fraud

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in opposition to House Bill 5091, *An Act Concerning Elderly Victims of Fraud*. This bill has the worthy goal allowing elderly individuals who have suffered a monetary loss to seek compensation from the Criminal Injuries Compensation Fund (CICF), however it is simply not economically feasible.

As members of the Committee may be aware, the CICF compensates crime victims who have suffered a personal injury. While the Fund currently contains more than \$6 million, the Judicial Branch's Office of Victim Services (OVS) is limited in each fiscal year to spending the amount that has been allocated by the legislature. Currently, \$2.625 million is allocated; unfortunately, this is not nearly enough money to compensate victims of personal injury crimes. In fact, OVS has already expended or obligated its entire allocation for the current fiscal year, forcing other deserving claimants to wait until the next fiscal year commences.

The fiscal constraints that OVS is operating under are further compounded by the proposed transfer of \$3 million from the CICF to the General Fund that has been proposed in the governor's budget; in fact, an additional \$1 million was just transferred to the General Fund in House Bill 6602, *An Act Concerning Deficit Mitigation Measures for the Fiscal Year Ending June 30, 2009*.

While the purpose of this bill is laudable, adding a new population to those already entitled to compensation would have a devastating effect on the CICF. The same diminishing pool of money will have to be spread among a larger group of

claimants, meaning that less money will be available for victims of violent crime and there will be an inadequate amount of money for elderly crime.

Finally, the bill creates a number of unanswered questions or concerns, such as:

- Is the bill intended to cover individuals who have lost money as a result of fraudulent activity by brokers outside of Connecticut? Currently, OVS cannot consider the application of a crime victim who resides in Connecticut, but where the crime happened in another state.
- The current requirement for crime victims to report the crime to the police and to cooperate with the police is a component of both the federal funding guidelines and state statute. This proposal does not address the reporting to law enforcement requirement.
- The proposal states that the person has to be 67 years of age or older. Does the act have to occur when they are 67 or older, or must the individual simply be 67 or older at the time of filing?

Should it be the will of the Committee to act favorably on this proposal, we would respectfully request that it be sent to the Appropriations Committee for further study.

Thank you for the opportunity to submit written testimony.