



Advocates for people with Intellectual disabilities
and related developmental disabilities

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March 24, 2009

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Testimony before the Judiciary Committee

Re: S.B. #348, “(Committee) An Act Concerning The Videotaping of Custodial Interrogations”

by

Lynn Warner, Executive Director/The Arc of Connecticut

Senator McDonald, Representative Lawlor, and Members of the Judiciary Committee:

I am Lynn Warner, Executive Director of The Arc of Connecticut, a 57-year-old statewide advocacy organization for individuals with intellectual disabilities and their families. We have 23 local chapters that provide supports, services, and advocacy for people with intellectual disabilities throughout Connecticut.

I am here today to testify in support of **Senate Bill #348, “(Committee) An Act Concerning The Videotaping of Custodial Interrogations”**, as it directly impacts individuals with intellectual disabilities who become involved with the criminal justice system.

In general, people with intellectual disabilities get by in life by trying to cover-up the fact that they even have a disability and by trying to please the people around them. And as a natural result of their disabilities, are very subject to suggestion, and can easily be persuaded and manipulated by others. Police officers and detectives are the substantial authority figures and they can have a profound effect on the thoughts and actions of anyone and particularly someone with an intellectual disability – including having him or her confess to a crime they didn't really commit.

We deeply believe that if videotaped recordings are used the judge and jury would be able to see and hear for themselves what went on in an interrogation room. This “second pair of eyes” could only improve the reliability of

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confessions, maintain justified innocence, as well as guard police officers from improper allegations – it seems that everybody is better protected.

According to a recent report to the Deputy Chief State's Attorney, there are several municipalities in Connecticut who are currently wired with the proper equipment and are recording interviews. The report also states that the majority of those units who are operational are reporting positive opinions of the technology from their officers and detectives. The Arc of Connecticut strongly urges this process to continue and the equipment be installed in all municipalities.

It is important for this Committee to also know that The Arc of Connecticut absolutely believes in the innocence of Richard Lapointe, a gentleman with intellectual disabilities. We believe that if the 10-hour interrogation of Mr. Lapointe had been recorded, he would have never been sentenced to "Life Plus 60 Years" for the brutal 1989 murder of Bernice Martin in Manchester, Connecticut. We believe that the real murderer of Mrs. Martin is still running loose while Richard has quietly served nearly twenty years in prison for a crime he did not commit.

The Arc of Connecticut and its 23 local chapters will never walk away from this man. And we will continue to draw your attention to this very important matter again and again, until we see it through to completion.

Thank you for the opportunity to testify before you today.