



STATE OF CONNECTICUT

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Testimony of Michelle Cruz, State Victim Advocate
Submitted to the Judiciary Committee
Friday, March 6, 2009

Good morning Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

Committee Bill No. 542, An Act Concerning the Taking of a DNA Sample from Convicted Persons

Governor's Bill No. 6381, An Act Concerning DNA Collection from Certain Convicted Individuals

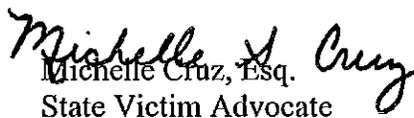
DNA collection and analysis gives the criminal justice field a powerful tool for convicting the guilty and exonerating the innocent. However, as with any tool, its effectiveness can be measured by its usage. As of October 2006, the CT DNA Database has aided over 325 reported crimes as a result of database matches and new matches are being generated at the rate of 2-3 per week (Department of Public Safety; Forensic Science Laboratory).

In part, Committee Bill No. 542 will transfer the responsibility of the collection of DNA from the Department of Public Safety (DPS) to the Court Support Services Division (CSSD), Judicial Branch prior to the time of sentencing. The OVA strongly believes that the collection of DNA *for all defendants that are required to submit* should be taken after a defendant has pled guilty or been found guilty but prior to a defendant being sentenced. Far too many defendants are advised by the court of their obligation to submit a DNA sample and later, refuse or fail to do so. Currently, there are over three thousand (3,000) pending warrants for convicted individuals that have not complied with their obligation to provide a DNA sample to the DPS. CSSD is the likely agent to collect the DNA as defendants are already at the court and available at the time of plea or finding of guilt.

Additionally, Governor's Bill No. 6381 proposes to increase the offense and penalty for those who fail or refuse to submit to a DNA sample as required. As with any order of the court or requirement pursuant to a conviction of certain statutes, those who refuse or fail to comply should face severe consequences. It is the integrity of the system that is being challenged and should not be tolerated.

The benefits of DNA collection and analysis have been realized in Connecticut and across the country. I strongly urge the committee to support Governor's Bill No. 6381 and Section 2 of Committee Bill No. 542 and improve a verified benefit to the criminal justice field. Thank you for your consideration of my testimony.

Respectfully submitted,


Michelle Cruz, Esq.
State Victim Advocate