



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
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Testimony of Michelle Cruz, Esq., State Victim Advocate
Judiciary Committee
Friday, March 26, 2010

Good afternoon 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:

Raised House Bill No. 5539, *An Act Concerning Judicial Powers and Procedures and the Criminal Justice Information System (OPPOSE SECTION 35)*

As many of you may recall, John Cluny, a member of Survivors of Homicide, fought hard for several years to provide assistance, through a zero – one percent loan provision, to a victim who was financially devastated as a result of a crime. John's wife and son were murdered in their home by a neighborhood teenager. During their life together, John and his wife were hard working professionals and owned a home as well as several rental properties. As a result of the horrendous crime, John soon found himself in bankruptcy as he was no longer able to pay the mounting bills on one income.

Shortly after passage of Public Act 00-200, John contacted the Office of Victim Services (OVS) and requested an application for the loan program. At that time, John was informed that no such application had been developed or published. Sadly, John has interpreted this to mean that the passage of Public Act 00-200 was merely to silence his efforts. As often happens with crime victims, John has given up his efforts, and instead, is rebuilding the life he has left. The Office of the Victim Advocate (OVA) spoke with John about the proposal to eliminate the zero – one percent loan provision and, honestly, he was not at all surprised; disappointed but not surprised.

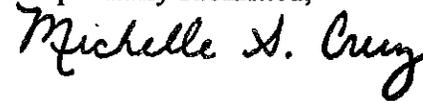
Interestingly, the Judicial Branch website, Victim Services link (http://www.jud.ct.gov/crimevictim/#Crime_Victim_Compensation), describes the compensation program available for crime victims and includes a printable version of the application. However, there is no description, reference or mere mention of the zero – one percent loan provision.

The OVA has met with families who have had to secure a loan for the "actual" costs of a funeral; one victim was awarded the \$4,000.00 funeral benefit and still had to secure a loan for the remaining and additional \$6,000.00 it cost to bury their murdered loved one. I wonder if this grieving mother had been told of the loan provision; my guess is no.

Although the Judicial Branch may claim this program is underutilized, the reason is likely that it is not mentioned in any of the literature on compensation, not actively offered to families and when a victim requested an application to participate in the program, that victim was told there has yet to be an application designed. Thus, if victims are not told of the availability of a program, the program will not be used. This program was endorsed by the legislature when the legislature decided to create the statutory language to offer the program. For an agency then to simply ignore the legislature, not activate the program and then come back a few years later and try to get rid of the program for "lack of thriving" seems ridiculous. Many victims have voiced their frustration over having to take out loans to pay for funerals- this program was available and never offered to those families!

I strongly urge the committee to reject Section 35 of Raised House Bill No. 5539. The zero – one percent loan provision program has not even been given a chance. This proposal is really another consequence of an attempt to balance the state's budget on victims' programs. Haven't victims already paid enough?

Respectfully submitted,

A handwritten signature in black ink that reads "Michelle A. Cruz". The signature is written in a cursive, flowing style.

Michelle Cruz, Esq.
State Victim Advocate