



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.
State Victim Advocate

Testimony of Michelle Cruz, Esq., State Victim Advocate
Submitted to the Judiciary Committee
Monday, April 4, 2011

Good morning Senator Coleman, Representative Fox 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 Senate Bill No. 1235, An Act Concerning the Sexual Offender Registry
(Proposed amendment to Section 1; Strike Section 2 in its entirety)

Raised Senate Bill No. 1236, An Act Concerning the Penalty for the Sexual Assault of a Minor (Support)

The Office of the Victim Advocate (OVA) supports the effort to assign risk levels to sex offenders convicted and subjected to the registration requirements of the sex offender registry. Although the membership of the Risk Assessment Board includes "a victim advocate with experience working with sexual assault victims and sexual offenders, appointed by the Governor", the OVA respectfully requests that **Section 1 of the proposal** be amended to include the Victim Advocate among the membership of the Risk Assessment Board to provide for an independent voice for the crime victim population.

Section 2 of the proposal seemingly seeks to limit the information contained on the Sex Offender Registry (SOR) by requiring that the SOR, available to the public on the Department of Public Safety website, contain information only on those registrants that have been assigned a "level 2" or "level 3" risk assessment and not registrants that have been assigned a "level 1" or "low risk of reoffending". Public Act No. 08-01 required the Department of Correction, the Court Support Services Division, Judicial Department, and the Board of Pardons and Paroles to collaborate on a risk assessment strategy to accomplish accurate risk rates of an offender's likelihood to reoffend and to identify support programs to best assist in an offender's successful re-entry into the community. We are certainly taking appropriate steps in an effort to identify high risk offenders and reduce further victimization. However, we have simply not collected enough data, at this stage, to know with any degree of confidence whether the risk assessment scales being utilized are accurate.

Currently, any person subjected to the requirements of the SOR can file an application to the Superior Court to be exempted from the registration requirements or to limit the dissemination of the information contained on the SOR. As part of the application, the applicant is required to notify the Office of Victim Services (OVS), Judicial Department, and the Department of Correction, Victim Services Unit (DOC, VSU) of such application. In turn, the OVS and the DOC, VSU notify any victim that

has registered to receive notification. The victim has an opportunity to submit a statement to the court for consideration. Section 2 of the proposal is premature as there is already a process for those individuals to challenge the information contained on the SOR and available to the public.

Further, criminal conviction information is currently available to the public on the Judicial Department website. The information contained on the SOR enhances and clarifies the information on the Judicial Department website regarding those convicted of sexual offenses. This is an issue of safety—of our children, our personal safety and our communities. The public should not be denied access to the information for any person subjected to the registration requirements of the SOR; there is already a process for those cases that may have special circumstances. **The OVA urges the Committee to strike Section 2 of Raised Senate Bill No. 1235 in its entirety.**

The OVA fully supports Raised Senate Bill No. 1236 as it will ensure that the most dangerous sexual predators are sentenced to life in prison without the possibility of release and no longer a danger to our children and public safety in general. An offender convicted of aggravated sexual assault of a minor, pursuant to C.G.S. § 53a-70c, is defined by a person who:

- Commits sexual assault of a minor under the age of thirteen;
- Employs a minor under thirteen in prostitution;
- Employs a minor in an obscene performance;

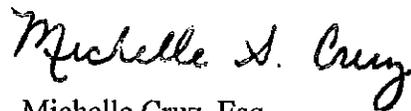
AND SUCH PERSON

- Kidnapped or illegally restrained the victim;
- Stalked the victim;
- Used violence against the victim;
- Caused serious physical injury or disfigurement to the victim;
- Was not known to the victim or there was more than one victim under thirteen;
- Had previously been convicted of a violent sexual assault.

The offender who fits within this complex and complicated framework to require life in prison, one who has already committed a violent sexual assault, is a predator and should be confined to protect all. We should be asking ourselves how an individual like this ever got out of prison in the first place. **The OVA strongly urges the Committee to support Raised Senate Bill No. 1236, without delay, to ensure that the most dangerous sexual predators are held in custody to protect the most vulnerable population—our children.**

Thank you for consideration of my testimony.

Respectfully submitted,



Michelle Cruz, Esq.
State Victim Advocate