



# STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE

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Testimony of Michelle Cruz, Esq., State Victim Advocate

Submitted to the Judiciary Committee

Monday, March 12, 2012

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State Victim Advocate

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 House Bill No. 5148, *An Act Concerning Communications to Victims of the Criminal Operation of a Motor Vehicle that Results in Death or Serious Physical Injury.* (Oppose)**

In 1996, Connecticut residents overwhelmingly supported passage of the Victims' Right Amendment to our State Constitution. Among the rights afforded to crime victims is the right to be treated with fairness and respect throughout the criminal justice process. This right supposes that a crime victim would be free from injustice and met with courtesy. Raised House Bill No. 5148 is an affront to a crime victim's constitutional right to be treated with fairness and respect.

The Office of the Victim Advocate (OVA) has been present at many sentencing hearings with crime victims. Some defendants offer an apology; some defendants maintain steadfast innocence; while other defendants say nothing. The OVA has also witnessed the court order a defendant to write a letter of apology to a crime victim as a condition of the defendant's supervision. There is currently nothing barring a defendant from expressing condolences or an apology to a crime victim, except of course, their own acceptance and responsibility for that apology.

Raised House Bill No. 5148 attempts to completely relieve a defendant from any true acceptance or responsibility for the actions for which they are apologizing. It equates to a meaningless apology—one better left unsaid. A true and meaningful apology does not carry limitations and conditions. A true and meaningful apology can be liberating but does not free one from all responsibility. Raised House Bill No. 5148 simply permits a defendant to apologize, in a closed setting, to give the appearance of remorse prior to be sentenced; the motivation is clear and offensive towards victims.

**I strongly urge the Committee to reject Raised House Bill No. 5148.**

Respectfully submitted,

Michelle Cruz, Esq.  
State Victim Advocate