



STATE OF CONNECTICUT  
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment  
Judiciary Committee Public Hearing  
April 5, 2013

House Bill 6678, An Act Concerning The Service Of A Capias Mittimus  
In A Child Support Enforcement Matter

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch regarding *House Bill 6678, An Act Concerning the Service of a Capias Mittimus in a Child Support Enforcement Matter*.

The Judicial Branch supports sections 1-3 of the bill which expand the number of individuals who are authorized to serve capias orders. Currently, only state marshals, six (6) special police officers employed by the Department of Social Services (DSS), and judicial marshals, in a limited capacity, may serve these orders. More than 4200 capias orders remain unserved, to the detriment of families and children that depend on child support payments. This bill would add municipal police officers and state police officers to the list of those authorized to serve capias mittimus orders.

Section 4 of the bill directs the Chief Court Administrator to work with the DSS and Department of Emergency Services and Public Protection (DESPP) Commissioners to devise a method to enter these orders into the Connecticut Online Law Enforcement Communications Teleprocessing System (COLLECT). The Branch has several implementation concerns with this section.

At the outset, we would note that the Judicial Branch is not permitted to enter orders into COLLECT. Per DESPP policy, warrants, such as re-arrest warrants, may only be entered by law enforcement agencies. Barring a change in this policy, it is

unlikely that the Judicial Branch's Support Enforcement Services (SES) would be able to enter capias orders into COLLECT.

Even if DESPP policy was changed, the infrastructure does not exist to enable the Branch's Civil/Family computer system - a capias mittimus is a civil court order - to communicate with COLLECT. This new interface would not only need to ensure that the capias order is properly transmitted, but would also need to ensure that any court order vacating the capias is also transmitted.

Moreover, state and municipal police officers would need a copy of the capias order, or a digital image of the order, to execute the capias, unless the entire process is re-engineered or replaced by paperless capias warrants.

While the Judicial Branch supports the concept reflected in this bill, we would respectfully request that it be referred to the Appropriations Committee if it is viewed favorably for a review of the resources that would be needed to implement it.

Thank you for the opportunity to submit written testimony on this bill.