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STATE OF CONNECTICUT

OFFICE OF GOVERNMENTAL ACCOUNTABILITY

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Testimony of Garvin G. Ambrose, Esq., State Victim Advocate
Submitted to the Judiciary Committee
Friday, April 5, 2013

Good day Senator Coleman, Representative Fox and distinguished members of the Judiciary Committee. For the record, my name is Garvin Ambrose and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

Raised Senate Bill No. 1152, An Act Concerning Petition for Release from the Requirement to Register as a Sexual Offender for Life.

The Office of the Victim Advocate (OVA) must **OPPOSE** Raised Senate Bill No. 1152 as it will allow a person subject to registration as a sexual offender for life to petition the Superior Court for release from such registration requirements after the person has been on the registry for ten years or more. In short, this proposal stands to dilute the fifteen years of progress that Connecticut has made since the creation of Connecticut's Sex Offender Registry in 1998.

Currently, lifetime registration is required for any person "convicted" of a sexually violent offense, and includes:

- Sexual assault 1st
- Sexual assault 1st and the victim is under 13 and the actor is more than 2 years older
- Aggravated sexual assault 1st
- Sexual assault in a spousal or cohabiting relationship
- Sexual assault 3rd with a firearm
- Kidnapping 1st if the court finds that the offense was committed with the intent of sexually assaulting the victim

Additionally, lifetime registration is required for any person "convicted" of a criminal offense against a victim who is a minor or a non violent sexual offense AND the person has one or more prior convictions of any such offense. As such, Connecticut has reserved lifetime registration for the most serious violent sexual offenders and those offenders who have established themselves as repeat sexual offenders.

Consider for a moment the extensive trauma and impact of a violent sexual assault offense, as noted above, on the victim: (1) There are psychological and emotional impacts, both short term and long term. Among them are anxiety, fear, low self-esteem, confusion, self-blame, guilt, suicidal ideation, PTSD, nightmares, social isolation, depression, mood disorders, avoidance behaviors, stress and many more. The impact can last several months or several years; (2) There are physical impacts on a victim, including physical and medical complications, sexually transmitted diseases, eating disorders and the potential consequence of an unwanted pregnancy; (3) There are financial impacts on a victim, such as

the loss of actual earnings, the loss of future earning capacity, medical expenses and counseling expenses. Sadly, many victims of a violent sexual offense will suffer the trauma and impact for years and years, in some cases, a LIFETIME. Why then should these violent offenders, who invoke such trauma on our victims, be treated better than their victims?

As you know, Raised Senate Bill No. 1152 would allow an individual convicted of a violent sexual offense to be relieved of the burden of registration while the victim of the offense is likely to struggle with long term trauma and impact. Although the proposal allows for notification to the victim and victim input regarding the offender's request, the mere notice to the victim and thought of having to relive the emotional, physical and psychological trauma of the offense years later, will undoubtedly have significant negative ramifications to the health, welfare and recovery of the victim.

Further, subsection (d) of Section 1 would allow for the offender to submit a new petition, if first denied, five years after the date of the denial or any decision on an appeal, whichever is later. Exposing a victim of a violent sexual offense to repeated notices and hearings would undeniably re-victimize and re-traumatize the victim. Moreover, the proposal does not limit the number of petitions an offender can file, thereby never letting the victim attain finality to the criminal justice process.

Once a defendant has agreed to accept a negotiated plea agreement, during the plea colloquy, the defendant is advised, pursuant to C.G.S. § 54-251 & 54-252, that the entry of a finding of guilty will subject the person to the registration requirements and the court must determine that the defendant fully understands the consequences of the plea. The lifetime registration requirement for conviction of a violent sexual offense is not solely punitive; rather, lifetime registration for the most dangerous sexual offenders provides communities, law enforcement, employers, volunteer organizations, educational learning environments and the general public, essential information to enhance the safety of the population served.

I respectfully urge the Committee to **REJECT** Raised Senate Bill No. 1152 as the proposal is an affront to the many victims of violent sexual offenses. I appreciate your time, and thank you for consideration of my testimony.

Respectfully submitted,

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State Victim Advocate