



State of Connecticut  
DIVISION OF CRIMINAL JUSTICE

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

IN OPPOSITION TO:

**H.B. NO. 6643: AN ACT CONCERNING THE FAILURE OF A WITNESS TO REPORT A  
SERIOUS CRIME**

JOINT COMMITTEE ON JUDICIARY  
April 15, 2013

The Division of Criminal Justice respectfully recommends the Committee take NO ACTION on H.B. No. 6643, An Act Concerning the Failure of a Witness to Report a Serious Crime. While clearly well-intentioned, this bill is fraught with practical problems that render it ineffective.

H.B. No. 6643 establishes a new crime of failure to report a crime with regard to acts of Murder, felonious assault, felonious sexual assault or felonious physical abuse of a child. The bill, however, provides for an affirmative defense that the person who witnessed the crime believed that someone else had already reported it to the authorities. Is this sending the message that witnesses need only step forward if someone else has not?

One of the most serious problems confronting our communities today is the reluctance of witnesses to step forward and assist the police in solving homicides and other serious and violent crimes. The "don't snitch" mentality that infects many of our urban areas is a prime contributor to the continued violence, particularly involved firearms, that is tearing apart these neighborhoods. While the apparent intent of H.B. No. 6643 would be to encourage cooperation of witnesses under threat of arrest and prosecution, it is difficult to see how such a law would be practically implemented. The bill references witness to a murder – would its provisions still apply if the perpetrator were convicted of a lesser offense such as Manslaughter?

The Division of Criminal Justice is keenly aware of the need to encourage community involvement and witness participation and continues to work closely with the police and others to foster such cooperation. We also recognize that there is a very real need when appropriate to compel testimony. A more comprehensive and appropriate approach is embodied in H.B. No. 6698, An Act Concerning Grand Jury Reform. For these reasons, the Division must respectfully recommend NO ACTION on H.B. No. 6643. The Division thanks the Committee for this opportunity to offer comment on this matter and would be happy to provide any additional information or answer any questions you might have.