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OFFICE OF GOVERNMENTAL ACCOUNTABILITY
OFFICE OF THE VICTIM ADVOCATE
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Testimony of Garvin G. Ambrose, Esq., State Victim Advocate
Submitted to the Judiciary Committee
Friday, March 22, 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:

Governor's Senate Bill No. 846, An Act Decreasing Recidivism and Promoting Responsible Reintegration

After reviewing the language of Senate Bill No. 846, the Office of the Victim Advocate (OVA) has some concerns that I believe were simply an oversight, and hope that the suggested amendments at the end of my written testimony are feasible prior to the Judiciary Committee's further action on this proposal.

Subsection (a) of Section 3 of the proposal allows for the victim to request a hearing concerning the release to parole of any person when (1) an employee of the Board of Pardons and Paroles has reviewed the inmate's case and recommended parole be granted, and (2) such recommendation has been approved by at least two members of the panel of the board. The OVA believes that this remedy is an important one for ALL crime victims; however, lines 273 and 274, as it relates to this section, defines "victim" ONLY by C.G.S. § 54-201 and 54-226. C.G.S. § 54-201, defines a victim as a person who is injured or killed as provided in section 54-209, which is far too limiting; C.G.S. § 54-226 defines victims as a victim, the legal representative of the victim or a member of the deceased victim's immediate family. Again this definition is too limiting as it does not encompass representatives or immediate family members of a minor victim, an incompetent individual, except in cases of homicide, or a person designated by a deceased victim in accordance with section 1-56r.

As you know, the OVA was established as an independent state agency to protect and promote the legal rights of crime victims in Connecticut. To that end, the OVA continues to operate under a separate definition for victims as provided in C.G.S. § 1-1k. More specifically, C.G.S. § 1-1k defines "Victim of crime", or "crime victim", as an individual who suffers direct or threatened physical, emotional or financial harm as a result of a crime and includes immediate family members of a minor, incompetent individual or homicide victim and a person designated by a homicide victim in accordance with section 1-56r. It stands to reason that the inclusion of all victims should be a priority within this proposal, and I believe that the Governor and the General Assembly meant to include all victims; therefore, I would suggest that the necessary amendments be made to include C.G.S. § 1-1k prior to passage of this proposal so that no victims are left without this important remedy.

In making certain that no victim is left without this remedy, the OVA also believes that the definition of victim currently used by the Board of Pardons and Paroles (BOPP) must be included in this proposal. Currently, the BOPP already defines victim for purposes of parole hearings (C.G.S. § 54-126a) as a person who is a victim of a crime, the legal representative of such person, a member of a deceased victim's immediate family or a person designated by a deceased victim in accordance with section 1-56r.

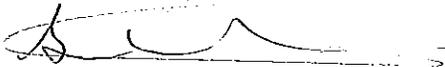
I respectfully request that Subsection (a) of Section 3 be amended, as follows, to ensure that the definition of victim does not inadvertently become a barrier to victims' participation in the parole consideration process.

SUGGESTED AMENDMENT:

On line 273, after "sections", insert the following "1-1k, 54-126a,"

I thank you for your time and attention to this important measure, and look forward to working with you to ensure that all victims are properly included in this measure.

Respectfully submitted,



Garvin G. Ambrose
State Victim Advocate