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Testimony of Garvin G. Ambrose, Esq., State Victim Advocate
Submitted to the Judiciary Committee
March 3, 2014

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. 261, *An Act Concerning the Inheritance Rights of a Beneficiary or Survivor Who is Found Not Guilty of Murder or Manslaughter of the Deceased by Reason of Mental Disease or Defect.*

The Office of the Victim Advocate ("OVA") introduces and supports today's proposal for an amendment to Connecticut's "Slayer" statute. As you know, Connecticut's "Slayer" statute currently prevents a person from inheriting from the estate of the deceased when that person is found guilty of murder, manslaughter in the first degree or manslaughter in the first degree with a firearm. However, the statute **does not** prevent a person from such inheritance if the person is acquitted **by reason of mental disease or defect** of murder or manslaughter in the first degree or manslaughter in the first degree with a firearm. This issue was highlighted in 2012 when it was widely reported in the media that David Messenger, found not guilty of murder by reason of mental disease or defect in the killing of his pregnant wife, stood to inherit over \$400,000 from his deceased wife's estate. **Raised Senate Bill No. 261** would close this loophole to ensure that mental disease or defect acquittees are not unjustly enriched by benefitting from the estate or the life insurance policy or annuity of the deceased.

In an attempt to close this loophole in 2012, the Judiciary Committee introduced S.B. No. 307 which successfully passed in the Senate. Regrettably, during the final days of the legislative session, SB No. 307 was not acted upon by the House of Representatives. The OVA continues to support a legislative change in Connecticut's "Slayer" statute to fill this void.

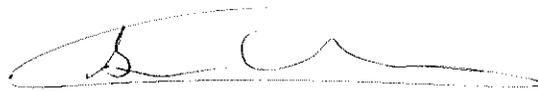
Additionally, the current "Slayer" statute only includes the offenses of murder (C.G.S. §§ 53a-54a, 53a-54b, 53a-54c, and 53a-54d), manslaughter in the first degree (C.G.S. § 53a-55) and manslaughter in the first degree with a firearm (C.G.S. § 53a-55a). **Raised Senate Bill No. 261** would add the crimes of **manslaughter in the second degree (C.G.S. § 53a-56) and manslaughter in the second degree with a firearm (C.G.S. § 53a-56a)** to the list of crimes for

which the beneficiary would be disqualified from benefitting from the estate or the deceased's life insurance policy or annuity.

The OVA believes that inclusion of these crimes, as well as the overall prohibition of these individuals from being unjustly enriched for their crimes, is an important public policy that also spares the surviving family members from further victimization.

For these reasons, the OVA introduces and supports Raised Senate Bill No. 261 and urges this Committee's approval.

With gratitude,

A handwritten signature in black ink, appearing to read "Garvin G. Ambrose", written over a horizontal line.

Garvin G. Ambrose, Esq.
State Victim Advocate