

Testimony of Deb Heinrich, Director of Policy and Public Relations
Connecticut Alliance to End Sexual Violence (formerly CONNSACS)
Judiciary Committee
March 18, 2016

In Support of HB 5631 AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO VICTIM NOTIFICATION

Good morning Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas and members of the Judiciary Committee. My name is Deb Heinrich and I am Director of Policy and Public Relations for Connecticut Alliance to End Sexual Violence (formerly CONNSACS). The Alliance is the state's leading voice to end sexual violence. We are a coalition of nine community-based sexual assault crisis services programs, which provide free and confidential sexual assault crisis counseling and victim advocacy to thousands of women, men and children across Connecticut each year. We also employ twelve post-conviction victim advocates who work support survivors and represent their needs within the State's specialized probation sex offender supervision units, and parole sex offender management units.

We are testifying in support of HB 5631 AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO VICTIM NOTIFICATION.

It is estimated that 80% of sexual assaults go unreported. When a survivor does step forward and report, it can be a difficult and frustrating process to access the legal system in order to bring the perpetrator to justice. Nationally, only 2% of rapes reach the point of conviction. When a conviction is reached, our Connecticut Constitution requires that a survivor be fully informed of the conviction sentence, imprisonment and release of the perpetrator and to allow the survivor to weigh in on any plea agreement before the court. However, the intricacies of the Risk Reduction Credit Program have made it more difficult to tease out what the actual time associated with the sentence will be. Survivors are not routinely notified about this program, how it functions and what it will mean with regard to the perpetrator's sentence after conviction. Often times, the first they learn of it is when they are notified that the person who assaulted them will be released significantly earlier than the terms of the sentence.

Survivors have an opportunity to agree to or oppose a plea agreement before the court. However, many survivors are not being given all of the information they need to make an informed decision. They end up agreeing to a plea agreement and later find out that the person who assaulted them is released earlier than they were lead to believe. HB 5631 requires that the attorney in charge of the case must tell the survivor the maximum period of imprisonment that may apply to the defendant, whether the defendant may be eligible to earn risk reduction credits, and whether the defendant may be eligible to apply for release on parole pursuant to section 54-125a. This information must be given prior to the acceptance by the court of a plea agreement.

Additionally, we support the amendment offered by the State Victim Advocate to Section 2 of this bill which would add the following underlined language: "if the terms of the plea agreement include a period of incarceration of more than two years or a total effective sentence of more than two years..."

As the state considers policies that may lead to offenders earning shorter sentences so that they can move on with their lives, let us not forget the survivors of sexual assault whose lives they have affected forever.

Thank you for your consideration of our support for HB5631 AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO VICTIM NOTIFICATION.

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