



State of Connecticut

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Joint Committee on Judiciary
Public Testimony
February 29, 2016

TESTIMONY IN SUPPORT OF SENATE BILL 213 AN ACT CONCERNING THE INHERITANCE RIGHTS OF A BENEFICIARY OR SURVIVOR WHO IS FOUND NOT GUILTY OF MURDER OR MANSLAUGHTER BY REASON OF MENTAL DISEASE OR DEFECT

Good Morning Co-Chairs Senator Coleman, Representative Tong; Vice Chairs Senator Doyle, Representative Fox; Ranking Members Senator Kissel, Representative Rebimbas; and esteemed members of the Committee. I am submitting this testimony in SUPPORT of SB 213.

Few of us can imagine the horror of having a child, parent or sibling brutally killed. The lasting pain and anguish such surviving family members will forever carry with them is something of which most of us cannot possibly conceive. Such is the continuing suffering experience by the family of Heather Messenger. In 1998, Heather was brutally killed by her husband David Messenger in front of their five-year old son who pleaded in vain with the killer to stop beating his mother.

Such a horrific experience would scar most of us for life. However, seeing David Messenger found not guilty of that vicious killing by reason of mental disease or defect, and seeing him collect financial benefits of his victim's estate, cruelly ground salt into the gaping emotional wounds born by Heather's child and family. David Messenger is now a millionaire, in part from inheriting the proceeds of Heather's estate. Her traumatized little boy and Heather's devastated family got nothing. Connecticut law should not allow this unjust situation to ever be repeated.

Under existing law, a person found guilty of murder or first-degree manslaughter is barred from inheriting from the victim's estate. SB 213 would also bar such inheritance for killers found not guilty of such crimes by reason of mental disease or defect. A killer, whether found guilty of murder or manslaughter, or found not guilty of the killing by reason of mental disease or defect, should not be permitted under Connecticut law to inherit from the dead victim's estate.

I urge my colleagues on the Judiciary Committee to send SB 213 to the Senate Floor for further action.

Sincerely

Doug Dubitsky
State Representative, 47th District