

# Judiciary Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-461

AN ACT CONCERNING THE STATUTE OF LIMITATIONS FOR CRIMES

**Title:** COMMITTED AGAINST THE ELDERLY.

**Vote Date:** 3/31/2022

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/25/2022

**File No.:**

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## **SPONSORS OF BILL:**

Judiciary committee

Rep. Travis Simms, 140th Dist.

Sen. Saud Anwar, 3rd Dist.

Rep. Geraldo C. Reyes, 75th Dist.

## **SUBSTITUTE LANGUAGE:**

Adds "except" in line 43 to indicate that a case must be brought *within* 5 years of discovery, rather than *after* 5 years of discovery

## **REASONS FOR BILL:**

SB 461 would extend the statute of limitations for elder abuse to five years after the discovery of a crime, rather than five years from the commission thereof. The present statute of limitations makes it especially difficult to prosecute cases of elder abuse, because these by nature can involve a long discovery process and may not be brought to light until long after the crime is committed.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

### **State of Connecticut, Division of Criminal Justice**

The Division of Criminal Justice testified in favor of SB461. The Division explains that the crimes covered by this bill tend to be committed over a long period of time and are often not discovered until well after the commission of the crime. Additionally, the prosecution of these crimes often involves the lengthy process of requesting documents from financial institutions. All these factors and many others make it very difficult to bring a case within one year.

### **State of Connecticut, Division of Public Defender Services**

The Office of the Chief Public Defender urged the committee to take no action on SB 461. The Office is concerned that given the extended period of time, evidence may disappear or deteriorate, and witnesses' memories may fade or disappear.

**Office of the Victim Advocate – Natasha M. Pierre**

Ms. Pierre testified in support of SB 461. She echoes the sentiments of the testimony given by the Division of Criminal Justice, emphasizing that long-term financial crimes against the elderly require a significant amount of time to investigate. She concludes that SB 461 will be critical to holding elder abusers accountable.

**NATURE AND SOURCES OF SUPPORT:**

None given

**NATURE AND SOURCES OF OPPOSITION:**

**ACLU Connecticut – Jess Zaccagnino, Policy Council**

Ms. Zaccagnino testified in opposition to SB 461. She expressed concerns that this bill would add to the number of people who enter the criminal legal system and contribute to mass incarceration. Ms. Zaccagnino argues that changing the statute of limitations could result in wrongful conviction or mistrial because evidence may be destroyed or lost, and witnesses may be hard to find as they may have moved.

**Other**

**David Godbout**

Mr. Godbout opposes SB204 on the basis that legislative proceedings conducted via zoom constitute an unreasonable search of his domicile, and therefore violate the 4<sup>th</sup> amendment. Mr. Godbout expressed concern about the possibility of being prosecuted for what may be visible or audible inside his home while testifying via zoom

**Reported by: Foster Hall**

**Date: 4/11/2022**