



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director Office of Chief Public Defender

Raised Bill No. 5592

An Act Concerning The Time Limitation For Prosecuting A Motor Vehicle Violation That Results In Death Or Serious Physical Injury To Another Person

Judiciary Committee Public Hearing – March 31, 2014

Consistent with its position in the past which does not support the elimination of statutes of limitation, the Office of Chief Public Defender would urge this committee not to support *Raised Bill 5592 - An Act Concerning The Time Limitation For Prosecuting A Motor Vehicle Violation That Results In Death Or Serious Physical Injury To Another Person*. The proposed bill would eliminate the statute of limitations for anyone charged with a motor vehicle violation which caused the death or serious physical injury of another "during any period the person's identity is unknown" to law enforcement because the person evaded responsibility.

The Office of Chief Public Defender is concerned that without a limitation period, evidence may be unable to be located, destroyed or may deteriorate. In addition, memories of witnesses fade and sometimes no longer exist. It may be difficult or impossible to locate witnesses who may have moved or have passed on. Without any finite period of time within which a prosecution can be brought, it may be impossible for an innocent person to fairly defend himself, 30, 40, 50 or more years beyond the date of the offense. Therefore, the Office of Chief Public Defender respectfully requests that no action be taken on this bill.