



**Office of Chief Public Defender
State of Connecticut**

30 TRINITY STREET, 4TH FLOOR
HARTFORD, CONNECTICUT 06106
TEL (860) 509-6429
susan.storey@jud.ct.gov

ATTORNEY SUSAN O. STOREY
CHIEF PUBLIC DEFENDER

**TESTIMONY OF CHRISTINE RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION**

**COMMITTEE ON THE JUDICIARY
MARCH 6, 2017**

**RAISED BILL 7198 - AN ACT CONCERNING COURT OPERATIONS AND VICTIM
SERVICES**

The Office of Chief Public Defender supports Sections 3 and 4 but has concerns in regard to Sections 22 and 37 of ***Raised Bill 7198, AN ACT CONCERNING COURT OPERATIONS AND VICTIM SERVICES***. This proposal makes a number of amendments to statutes involving temporary restraining orders and victim services.

Sections 3 and 4 address a victim's access to records in juvenile matters. This language was drafted by a multidisciplinary work group convened by the Judicial Branch to address confusion over what information could be released to victims. This language should standardize practice across the state. The proposal provides a victim the right to access information like the name, charges, existing court orders and dispositional information without having to appear in court or obtain a court order. Additional information, however, will be available to the victim after a hearing where good cause is demonstrated. The Office of Chief Public Defender participated in the workgroup and supports these changes.

Section 22 addresses statutes governing crime victims' rights and the victim's compensation fund. Many of the provisions deal with the process by which a

victim participates in sentencing or obtains restitution or other types of compensation.

The Office of Chief Public Defender suggests that language be added to make clear that defense counsel has access to statements provided by the victim. Lines 1015-1022 provide for a victim to give information regarding injuries and losses to the prosecutor. The prosecutor is then required to submit the information to the court at sentencing. Under current law, the victim's advocate puts the information in the court file, where all counsel could have access. If the process is to be changed, either the victim's advocate or the prosecutor should be required to give the information to defense counsel prior to the sentencing hearing. It is important that the defendant be aware of the victim's requests. If monetary restitution is sought, counsel will need to investigate the defendant's ability to pay. Sentencing is a stressful process for the defendant and the victim. Full sharing of information before sentencing will make the process fairer, faster and more effective for everyone.

Section 37 - The Office of Chief Public Defender has a concern as to providing the victim advocates access to any police report they may require in the course of their duties. This legislation would permit release of such to victim advocates in juvenile matters where these reports are considered to be part of the confidential juvenile file that *cannot* be disclosed.

As stated earlier, the proposed language of Sections 3 and 4 permit victims access to a police report *only after showing of good cause*. The Office of Chief Public Defender asserts that in confidential matters, the victim's advocate should also be required to make a showing of good cause to the court and only receive such upon a court order. In addition, the Office of Chief Public Defender requests that language be added which prohibits the victim's advocates from disclosing the police report further in such confidential matters.

The Office of Chief Public Defender thanks the Committee for its consideration and is available to discuss this testimony further.