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Written Testimony Opposing Senate Bill 461, An Act Concerning the Statute of Limitations for Crimes Committed Against the Elderly

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and distinguished members of the Judiciary Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this written testimony in opposition to Senate Bill 461, An Act Concerning the Statute of Limitations for Crimes Committed Against the Elderly.

The ACLU-CT is an organization dedicated to ending mass incarceration, eliminating racial disparities in the criminal legal system, and reducing harms to justice-impacted people. We believe in a society where all people, including those who have been convicted of a crime, have equal opportunity to contribute to society and build successful and fulfilling lives. People involved in our criminal legal system who finish their sentences have paid their debt to society. They deserve to live their lives in Connecticut's communities without barriers to being happy, productive, law-abiding residents. Because Black and Latino men are disproportionately incarcerated, they are likewise disproportionately rejected when they return to the community and seek to build a life worth living. Poor chances of employment or stable housing likely have a resulting outsized impact on Black and brown people.

The Connecticut General Statutes dictate that statutes of limitations begin to run from the date of the offense. Senate Bill 461 would alter how statutes of limitation typically work by starting the clock at the discovery of the commission of the offense, rather than the commission of the offense. This change is concerning because given

the broadly expanded period of time, evidence is likely to be lost, destroyed, or deteriorated. As time goes on, the memory of witnesses becomes unreliable, witnesses may no longer have the capacity to testify at all, and witnesses may be difficult to find because they have since moved. All of these problems will make it more difficult to fairly try cases with accurate evidence, which could result in wrongful conviction or mistrial.

The ACLU-CT is dedicated to ending mass incarceration. That effort requires that the General Assembly continue making progress towards reducing the number of people who enter the criminal legal system and reducing the amount of time that people who do not enter the system serve. Because of the significant evidentiary issues raised by expanding the statute of limitations to the discovery of a crime, the ACLU-CT opposes this bill and urges this Committee to do the same.