



STATE OF CONNECTICUT

SENTENCING COMMISSION

Testimony of Alex Tsarkov and Honorable Judge Robert Devlin, Jr. before the Judiciary Committee on HB 7349, An Act Concerning Identity Theft Victim Access to Records

Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Rebimbas, and members of the Judiciary Committee. For the record, my name is Alex Tsarkov and I am the Executive Director of the Connecticut Sentencing Commission. With me is Judge Robert Devlin, Jr., a superior court judge and chair of the Sentencing Commission. We are here to testify in favor of HB 7349, *An Act Concerning Identity Theft Victim Access to Records*.

We would first like to give you some brief background about the Sentencing Commission. We are a permanent commission created seven years ago, consisting of all the stakeholders in Connecticut's criminal justice system. Our membership includes four judges; the Chief State's Attorney; the Chief Public Defender; the State Victim Advocate; the commissioners of Correction and Emergency Services and Public Protection; community activists interested in the criminal justice system; the chair of the Board of Pardons and Paroles; two municipal police chiefs; the undersecretary of the Office of Policy and Management's Criminal Justice Policy and Planning Division; as well as others vitally engaged in the criminal justice system. We have adopted a policy of striving for consensus in our recommendations to the legislature and the governor. Our work is informed by all the major system stakeholders of the criminal justice system and aims to adhere to the best legal and evidence based research and practices.

This proposal was brought to the Commission by the Office of The Victim Advocate. The Commission then voted to accept it as part of its legislative package to the Judiciary Committee.

Once a defendant makes an application for participation into the accelerated rehabilitation program, a victim of identity theft cannot obtain a copy of their complaint and a police report for the purpose of providing it to an entity that maintains erroneous information concerning the victim's identity. This proposal would fix this problem by allowing an identity theft victim to obtain a copy of these records when a defendant has made an application into the accelerated rehabilitation program. It would also allow the victim to submit a copy of their complaint and the ensuing police report to any entity (including a credit reporting agency, a Department of Motor Vehicles, and the U.S. Social Security Administration) to correct erroneous information.

We thank the Committee for raising this legislation and urge the Committee's JOINT FAVORABLE Report.