

PA13-258

SB0983

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VETO
SESSION**

**VOL.56
PART 31
10451 - 10795**

law/gbr
HOUSE OF REPRESENTATIVES

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June 5, 2013

SPEAKER SHARKEY:

Without objection, so ordered. Would the Clerk please call Calendar 691.

THE CLERK:

Calendar 691, favorable report of the joint standing Committee on Finance, Revenue and Bonding, substitute Senate Bill 983, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING UNCLASSIFIED FELONIES.

SPEAKER SHARKEY:

Representative Fox.

REP. FOX (146th):

Thank you, Mr. Speaker. I move for the acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER SHARKEY:

The question -- the question is acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate. Will you remark, Sir?

REP. FOX (146th):

The Clerk has an amendment, LCO number 6587. I ask for that to be called and I be allowed to

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summarize.

SPEAKER SHARKEY:

Clerk, please call LCO 6582 previously designated
Senate Amendment A.

THE CLERK:

Senate Amendment A.

REP. FOX (146th):

I move adoption. Oh, I'm sorry.

THE CLERK:

LCO 6587, Senator Coleman.

SPEAKER SHARKEY:

The Gentleman seeks leave of the Chamber to
summarize. Is there objection? Please proceed, Sir.

REP. FOX (146th):

I move adoption.

SPEAKER SHARKEY:

The question is adoption. Let me try your minds.
All those in favor of Senate Amendment A please
signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The
amendment is adopted. Will you remark further on the

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bill as amended?

REP. FOX (146th):

I move this item to the Consent Calendar.

SPEAKER SHARKEY:

Without objection, so ordered. Will the Clerk
please call Calendar 695.

THE CLERK:

Calendar 695, favorable report of the joint
standing Committee on Judiciary, Senate Bill 190, AN
ACT MUNICIPAL PENALTIES FOR UNLAWFUL DIRT BIKE
OPERATION AND A STUDY OF A TITLE SYSTEM FOR DIRT BIKE
OWNERSHIP.

SPEAKER SHARKEY:

Representative Guerrero.

REP. GUERRERA (29th):

Thank you, Mr. Speaker. I move acceptance of the
joint committee's favorable report and passage of the
bill in concurrence with the Senate.

SPEAKER SHARKEY:

The question is acceptance of the joint
committee's favorable report and passage of the bill.
Will you remark, Sir?

REP. GUERRERA (29th):

Thank you, Mr. Speaker. The Clerk has an

1040, 326, 803, 886, 1065, 983, 190 and 158 on the
Consent Calendar.

SPEAKER SHARKEY:

Representative -- Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move adoption of the Consent
Calendar.

SPEAKER SHARKEY:

Staff and guests to the well of the House.

Members take your seats. The machine will be opened.
Open the board, Mr. Clerk. Open the board for the
Consent Calendar. Staff and guests to the well of the
House. Members take your seats. The machine will be
opened for the Consent Calendar.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will
members please come to the well of the Chamber please.
The House is voting immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members
voted? Members please check the board to make sure
your vote is properly cast. If all the members have
voted the machine will be locked and the Clerk will

take a tally. Will the Clerk please announce the tally.

THE CLERK:

On the Consent Calendar, Mr. Speaker.

Total Number Voting	146
Necessary for Adoption	74
Those voting aye	146
Those voting nay	0
Absent and not voting	4

SPEAKER SHARKEY:

The bill -- or the Consent Calendar passes.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker.

SPEAKER SHARKEY:

Mr. Majority Leader.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move we adjourn sine die.

SPEAKER SHARKEY:

The motion is to adjourn sine die. Seeing no objection, so ordered.

(On motion of Representative Aresimowicz of the 30th District, the House adjourned at 12:02 o'clock a. m.,

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

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SENATE

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Madam President, if the Senate might stand at ease momentarily.

THE CHAIR:

The Senate will stand at ease.

SENATOR LOONEY:

Thank you.

(Chamber at ease.)

SENATOR LOONEY:

Madam President.

THE CHAIR:

Senator Looney, good morning.

SENATOR LOONEY:

Yes thank you. Thank you, Madam President.

Madam President, if the Clerk would call as the next ready item, Calendar Page 24, Calendar 484, Senate Bill 983 from the Judiciary Committee.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 24, Calendar 484, Substitute for Senate Bill Number 983, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING UNCLASSIFIED FELONIES, Favorable Report of the Committee on Judiciary. There are amendments.

THE CHAIR:

Good morning, Senator Doyle.

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SENATOR DOYLE:

Good morning, Madam President.

I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage.

Will you remark, sir?

SENATOR DOYLE:

Yes, thank you, Madam President.

This bill before us is a bill, a lot of hard work by the Sentencing Commission regarding classifying unclassified felonies. This is a collaborative effort of prosecutors, public defenders, all sorts of interested parties on the Commission really kind of cleaning up our felonies, making sure they are properly classified, whether A, B, C or D, actually creates Class E. It would just make a lot of order amongst all our statutes.

That being said, there is one amendment I'd ask the Clerk please call and I be allowed to summarize and that's LCO 6587.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 6587, Senate "A", offered by Senator Coleman.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

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Thank you, Madam President.

I first move adoption of the amendment.

THE CHAIR:

The motion is on adoption.

Will you remark, sir?

SENATOR DOYLE:

Yes, thank you, Madam President.

This amendment clarifies a problem in Section 94. Basically it was really kind of a -- a glitch in connection with the -- the drafting and what it really does is again this is -- it -- it removes 94 that's incorrect in the file copy. It just clarifies and classifies the -- the crime identified in here satisfying and detailing that it's a Class D felony for again classification purposes and I urge the Chamber to approve Senate -- Senate "A".

THE CHAIR:

Will you remark?

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

Before I speak on the -- actually let me just speak on this amendment and -- as well as the underlying bill and --

THE CHAIR:

Thank you.

SENATOR KISSEL:

-- move matters along since it's about seven of one in the morning. This amendment is a good amendment. I urge my colleagues to adopt it and vote in favor of

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it. It merely states that the underlying crime, the penalty for that is appropriate and, in fact, it does not reduce it whatsoever.

And regarding the underlying bill, a lot of credit goes to former Ranking Member from the House, Bob Farr, who spent an inordinate amount of time pouring through the statutes, giving -- categorizing the felonies that were unclassified that we had on the books such that when people go before prosecutors that it's apples to apples and oranges to oranges.

I will stress there is in no way shape or form any reduction in penalties for appropriate crime. There's no getting soft on crime with this underlying bill. It merely takes unclassified felonies, compares them to similarly situated felonies and makes sure that they are graded A felony, B felony, C felony, D felony or a new category E felony and for those reasons I support the amendment, urge its adoption and support the underlying bill.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark on the -- Senate "A"? Will you remark on Senate "A"?

If not, I'll try your minds. All in favor of Senate "A" please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

Senate "A" is adopted.

Will you remark further? Will you remark further?

Senator Doyle.

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SENATOR DOYLE:

Thank you, Madam President.

I move this bill to the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, have another item to -- to move to the Consent Calendar. Madam President, would ask for suspension for taking an item which is on Senate Agenda Number 3, House Bill 5607. First of all would move for suspension to take up that item.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

And now, Madam President, would move to place House Bill 5607 on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

If we might stand at ease until the next item is ready.

THE CHAIR:

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Madam President, seeing no objection, would this item please be placed on our Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered.

Senator Looney..

SENATOR LOONEY:

Thank you, Madam President.

Madam President, with that item being moved to the Consent Calendar, Madam President, there is an -- an item on the foot of the Calendar to be removed and, Madam President, on -- on the foot of the Calendar, Calendar Page 42, Calendar 648, House Bill 6660, would move to remove that item from the foot and to mark it passed retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, at this point if the Clerk would list the items on the second Consent Calendar so that we might proceed to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

House Bill 5607; House Bill 6509; House Bill 5027. On Page 4, Calendar 459, House Bill 6622; on Page 7, Calendar 536, Senate Bill 1163.

HB6591

Page 14, Calendar 651, House Bill 6565. On Page 15, Calendar 660, House Bill 6290. Page 17, Calendar 678, House Bill 6671. Also Calendar 686, House Bill 6528.

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On Page 19, Calendar 689, House Bill 6677 and on Page 24, Calendar 484, Senate Bill Number 983.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote on the second Consent Calendar. The machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call on Senate -- on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, if all members have voted, the machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

On Consent Calendar Number 2.

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Absent and not voting	1

THE CHAIR:

Consent Calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I would move for immediate transmittal to the House of Representatives of any items voted on the second Consent Calendar needing additional action by the House.

THE CHAIR:

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So ordered, sir.

SENATOR LOONEY:

And also if there are any other items that were voted individually that may need additional action by the House.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Good, thank you, Madam President.

Madam President, that will conclude -- conclude our business for this evening or this morning at this point. Before adjournment I would yield the floor to any members for announcements or points of personal privilege.

THE CHAIR:

Any announcements or personal privilege?

Seeing none, Senator Looney.

SENATOR LOONEY:

Madam President, for a -- a Journal notation. Senator Coleman was -- was absent and missed votes today due to -- due to illness.

THE CHAIR:

So noted, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, one other item. On the -- the -- the items on the foot of the Calendar beginning on Calendar Page 27, beginning with Calendar 59, on Calendar Page 27 at the beginning of the foot and

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 5
1379 - 1717**

2013

pleasure to serve with you for three years. Anyway, thanks for your testimony and your advocacy on these important issues.

Thanks.

SENATOR COLEMAN: Other questions?

Well, let me say, likewise, you and I have talked on these matters from time to time. It's good to know that you're still interested and still working diligently on such matters. It's good to see you today.

LARRY DEUTSCH: Thank you for the opportunity to speak and hopefully we can make real progress today so we don't have to do it repeatedly. Thank you to the committee.

SENATOR COLEMAN: You're welcome.

Bob Farr.

BOB FARR: Good morning, Senator Coleman, Representative Fox and Senator Kissel.

I am Robert -- attorney Robert Farr, a member of the Classification Working Group of the Sentencing Commission. I'm joined here today by executive state's attorney -- state's attorney Brian Austin and was to be joined by assistant public defender Deborah Sullivan, but unfortunately she's not available because she's at a funeral this morning, both of us -- both of whom were members of the Classification Working Group.

We are here to testify on behalf of Senate Bills 983, AN ACT CONCERNING THE RECOMMENDATIONS TO THE CONNECTICUT SENTENCING COMMISSION REGARDING UNCLASSIFIED FELONIES. Senate Bill 983 is the product of

Classification Working Group and was unanimously supported by the Sentencing Commission Committee on sentencing structures, policies and practice and endorsed by the full commission through its consensus process.

The bill is a continuation of the commission's effort to address unclassified crimes in Connecticut's penal code. As you may recall last year this committee supported House Bill 5145, AN ACT CONCERNING THE RECOMMENDATIONS OF THE SENTENCING COMMISSION REGARDING THE CLASSIFICATION OF UNCLASSIFIED MISDEMEANORS. This successfully passed the General Assembly with bipartisan support and was signed into law by Governor Malloy as Public Act 12-80.

This proposed bill continues in the spirit of that bill. The commission believes there are several benefits will occur -- accrue to the criminal justice system from classifying the unclassified felonies. First, by classifying felonies with the penal code it's easier for law enforcement, legal practitioners, the legislature and the public to quickly understand the relative severity of the certain felony offenses.

Secondly, it would make it easier for target diversionary programs so less serious offenses and to assign appropriate periods of probation. Finally, through the classification process the statutory fines were increased to -- to maintain consistent requests to different classes of felonies. This again makes Connecticut statutes easier to understand.

The working group identified 258 felony -- statutory felonies that are not currently classified under Connecticut penal code. In order to classify as many unclassified penalties as -- felonies as possible, the

working group make the following recommendations.

The working group did not address unclassified felonies related to drugs or firearms. It did not change any mandatory sentence provisions of the statute. The recommendations are number one, create a new Class E Felony punishable by up to three years in prison, a fine of \$3,500 or both, classifying 13 unclassified felonies that currently have a maximum prison term of three years as Class E Felonies.

Number two, change the Connecticut law so that any unclassified felony with a maximum prison penalty that is more than one year, but not more than three years is deemed a Class E Felony, 64 unclassified felonies will be deemed to be classified Class E under this proposal.

Number three, change the penalty for Class E Felony for one of -- one to five years in prison for up to five years -- prison to up to five years in prison. Four, classify 132 unclassified felonies that currently have a maximum prison sentence for five years in prison as Classified B Felonies. Some of these felonies would retain their current five -- fines.

Number five, classify 14 unclassified felonies punishable by up to ten years as Class E Felonies. And number six, leave the felonies as unclassified.

I noticed I'm running out of time here, can I continue on for just a little bit more? I did submit a written report on it. It's a 135-section bill. It is a little difficult to summarize in three minutes.

SENATOR COLEMAN: Three and a half minutes. As -- as a former member of this committee you have

that privilege. You may proceed.

BOB FARR: Thank you. I'll try to be as brief as possible. You have a written copy of my testimony as well.

(SB983)

In -- in that -- that testimony we show there's a table -- table one, which shows what the new classes of felonies will be and essentially, the classes of felonies are A, B, C, D and E and we're not changing any of the A, B or C felonies. We're only recommending changes of the D felony where it would now be up to one -- five years in prison instead of one to five and Class E Felonies would be the new -- new category which would be up to three years in prison.

I also have submitted testimony on House Bill 6508 -- excuse me -- which is the recommendation for the change in the -- regarding false statements. I'm signed up to testify on that. It would only take me about another minute to go through. Can I testify on that?

House Bill 6508 is the product of the Classification Working Group, which was unanimously supported by the Sentencing Commission.

Connecticut has a total of 293 false statement statutes which can be broken down as follows; 35 statutes cite false statement in the first degree or the second degree, 96 statutes utilize the term under false -- under penalty of false statement, and 162 statutes contain difference in conflicting elements.

To address these inconsistencies, the Sentencing Commission recommends number one, false statement in the first degree be renamed

false statement under certified payroll. Number two, clarify language to be added to false statement in the first degree and number three, false statement in the second degree to be replaced with a model statutory language, which clarifies the elements of this false statement.

And we're recommending that this particular bill be merged into 650 -- into the previous bill so that they will only be one bill instead of having two of them.

(SB 983)
HB 6508

With that, I would be willing to take any questions you have.

SENATOR COLEMAN: Are there questions for Attorney Farr?

Chairman Fox.

REP. FOX III: Thank you, Mr. Chairman.

And it's great to see you, Attorney Farr, as the former Ranking Member of this committee, and I know last year you -- you went through the unclassified misdemeanors and we did -- we passed that bill and I know that was a tremendous amount of work and I -- I know that this also, as you mentioned, there's over 100 sections and it's a -- a huge undertaking.

I know sometimes -- and in the past we've had questions I know that even the Supreme Court has addressed the issue of some of the motor vehicle offenses and how we classify those and whether -- whether or not they're deemed to be felonies or not to be felonies, specifically I'm thinking of the second offense on a drunk driving -- second conviction of a drunk driving, which is deemed to be a felony.

And I just -- the way we define a felony will still remain. Any crime that has a (inaudible) could potentially have a sentence of over one year; is that -- that correct?

BOB FARR: That's -- that's correct. We didn't in this statute make -- in this proposal make any change -- recommendation on changing those areas.

REP. FOX III: Okay. But you -- you are creating a Class --

BOB FARR: Class E --

REP. FOX III: -- E.

BOB FARR: -- Felony.

REP. FOX III: Okay.

BOB FARR: To allot the unclassified felony be a Class E Felony, which will be less serious felonies.

REP. FOX III: Can you give some examples of what those would be?

BOB FARR: Well the motor vehicle one you just --

REP. FOX III: Yeah.

BOB FARR: -- threw out.

REP. FOX III: Okay.

BOB FARR: There are some other ones that have, you know, have a chart here that was attached to the testimony, if I could make -- take a second I can give you. Selling adulterated liquor is a two year maximum sentence, not used very often. See if I can get you one that --

delivering liquor to a minor is a --

REP. FOX III: I'm being asked what is adulterated liquor. I don't know if you have any insight on that, but we -- we can look into if we have to.

BOB FARR: Delivering -- to make it easier -- delivering liquor to a minor. I can --

REP. FOX III: Yeah, that one.

BOB FARR: -- did find that one. Operating a motor vehicle under suspension with a -- for a second adult -- alcohol related offense, which is the one you just referred to, is a maximum term of up to two years in prison and so that would continue to be -- that would not be an E felony.

REP. FOX III: Okay.

BOB FARR: And we -- we didn't change -- make any recommendations on a minimum mandatories on any of these, because this -- we were trying to put -- to classify as many as possible and come up with a document that everybody could agree to.

Once we started changing mandatory minimums we were going to then get into (inaudible) on each one of those and since this is trying to address 258 different provisions we were not going to get anywhere by just sending out a number with the changes like that.

REP. FOX III: So is -- is it safe to say that the penalties for all of the crimes that you're dealing with will remain the same essentially?

BOB FARR: Well, two -- two changes.

REP. FOX III: Okay.

BOB FARR: One, a number of them the fine is going to go up slightly. In the E felony is a \$3,500 fine -- up -- it's a up to \$3,500.

REP. FOX III: Okay.

BOB FARR: So in -- in some of these if the -- if the statute doesn't specifically set the fine we're upping the fine up to \$3,500. It's not going to be true of the motor vehicle ones. Those fines are already set -- the statutes, but there will be some cases in which the fine will be going up to \$3,500.

The second thing is that the present statutes for a D felony is one to five years, now that doesn't -- it's not a mandatory one year penalty. You can suspend the entire amount, but you can't give somebody a suspended sentence of six months because it's supposed to be a one year -- if you're going to do any sentence you're supposed to do it to one year. Half of the statutes that we were classifying that have sentences of up to five years have sentences that say zero to five and the other half are one to five, so instead of changing them all to one to five we decided that it would be easier to -- and more reasonable to say zero to five because it gives more flexibility to the court, so if the court wanted to do a suspended sentence at six months they can do it.

REP. FOX III: And -- and just so we're clear, there's nothing that says a judge can't sentence to one to five or in that range?

BOB FARR: Absolutely.

REP. FOX III: Okay.

BOB FARR: As I say, it's not a mandatory sentence. It's -- right now it's not clear to us right now in fact in some of these cases where it says that sentence is one to five. There are some judges may actually be giving somebody a suspended sentence of six months and nobody's really challenging those, but technically it's illegal under the statute because there's no basis for giving somebody -- if you're going to do a suspended sentence you have to do it -- you have to do at least a year.

REP. FOX III: A year. Okay. And then the whole reason for classifying these unclassified crimes, in other words, the misdemeanors last year or the felonies now is to provide this kind of clarity as to what people are pleading to and then what the penalties -- the appropriate penalties are?

BOB FARR: Right. And it -- and it includes, you know, the probation is based upon -- the periods of probation are based upon the -- the severity of the sentence. We have -- and also there are diversionary programs that you are eligible for, but you're not in -- you're ineligible for if you're in a certain class and so we tried to -- to make it consistent, so that most of the -- we're not going to make -- one of the problems we had is a number of -- on the Class C Felonies you're not eligible for an AR unless there's a showing of -- of extra --

REP. FOX III: Good cause or something, yeah.

BOB FARR: Yeah. Some kind of -- I forget the language. And so we weren't able to classify there's about ten statutes the public defender did -- objected to making them Cs because they were going to change -- make it more difficult to do the Class C Felonies. I mean -- I'm sorry -- to do an AR with them. So we did not

address those. There's 35 statutes we ended up not classifying.

REP. FOX III: Okay.

BOB FARR: And next year maybe we'll try to address some of them, but they're more -- they're more difficult ones.

REP. FOX III: It's important to leave something for -- for next year.

BOB FARR: Yeah.

REP. FOX III: (Inaudible). Well, thank you, Attorney Farr.

BOB FARR: Okay. If they're no further questions, thank you very much.

SENATOR COLEMAN: Let me -- let me follow up on Chairman Fox's questions. Was it your intention to change the definition of felony, which I understand to be a felony is any offense for which the penalty is a year or more in jail and if you're changing the definition or the classification of Class D Felony from one to five to zero to five, aren't you in fact changing?

BOB FARR: No. We're -- we're simply on the Class D saying that you can be sentenced to up to five years in jail. It's -- a -- a felony by definition is a sentence for which -- is a statute for which you can be sentenced to more than one year in jail. It doesn't -- it -- just because you were sentenced under a felony to six months in jail doesn't mean it's not a felony.

SENATOR COLEMAN: Okay.

BOB FARR: So it's just that the minimum sentence that you were supposed to be sentenced to under a Class D was one year in jail, or a suspended one year. If you were going to impose any sentence -- jail sentence at all it was supposed to be one year in jail, or suspended - - you know, one year suspended. We're simply saying that that doesn't -- there's no reason to do that.

SENATOR COLEMAN: Okay. So the intent was not to change the definition of what is --

BOB FARR: Absolutely.

SENATOR COLEMAN: -- a felony, but to provide even greater flexibility (inaudible) --

BOB FARR: Absolutely.

SENATOR COLEMAN: -- the courts. Okay.

Any other questions?

Seeing none, thank you again.

BOB FARR: Thank you very much.

SENATOR COLEMAN: Yeah.

Helen McCown.

HELEN MCCOWN: Good afternoon, Senator Coleman, Representative --

SENATOR COLEMAN: Good afternoon.

HELEN MCCOWN: -- Fox and other Judiciary members.

My name is Helen McCown. I'm a loving, heartbroken, devoted and supportive mother speaking on behalf of my son Larry L. McCown, inmate number 238820.

HB6581



State of Connecticut

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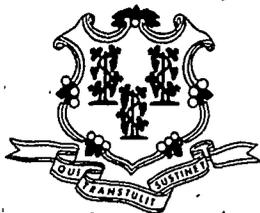
Raised Bill No. 983

An Act Concerning the Recommendations of the
Connecticut Sentencing Commission Regarding Unclassified Felonies

Judiciary Committee Public Hearing
March 11, 2013

The Office of Chief Public Defender supports Raised Bill No. 983, An Act Concerning the Recommendations of the Connecticut Sentencing Commission Regarding Unclassified Felonies. The Connecticut Sentencing Commission created a working group to review and classify 258 felonies that are not classified under the statutes currently. Current felony classifications range from class A to class D felonies punishable by incarceration that ranges up to life without the possibility of release and fines that range up to \$3,500. Pursuant to this proposal certain unclassified felonies would be classified as C and D felonies. A new class E felony would also be created and would be punishable by up to 3 years in prison, a fine up to \$3,500 or both. Thirteen unclassified felonies are recommended to be placed within this new classification.

The working group consisted of Attorney Robert Farr, Executive Assistant Brian Austin of the Division of Criminal Justice and myself on behalf of the Office of Chief Public Defender. With the assistance of Attorney Louise Nadeau of LCO, Attorney Chris Reinhart of OLR and Jason DePatie, policy specialist at the Institute for Municipal and Regional Policy at Central Connecticut State University, the working group held numerous meetings to discuss potential changes in the classification of certain unclassified felonies and the penalties and fines associated with each. As a result, the Office of Chief Public Defender requests that this proposed bill be voted out favorably.

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LINE 2

**Connecticut
Sentencing
Commission**

www.ct.gov/opm/csc

TESTIMONY IN SUPPORT OF SB 983

**AN ACT CONCERNING THE RECOMMENDATIONS OF THE
CONNECTICUT SENTENCING COMMISSION REGARDING
UNCLASSIFIED FELONIES.**

HB6508

**By Attorney Robert Farr
Chair, Classification Working Group of the Sentencing Commission**

Good morning Senator Coleman, Representative Fox, and members of the
Judiciary Committee.

I am attorney Robert Farr, a member of the Classification Working Group of
the Sentencing Commission. I am joined here today by Executive Assistant
State's Attorney Brian Austin and Legal Counsel/Executive Assistant Public
Defender Deborah Del Prete Sullivan, both of whom are also members of the
Classification Working Group. **We are here to testify on behalf of the
Sentencing Commission in support of Senate Bill 983, AN ACT CONCERNING
THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION
REGARDING UNCLASSIFIED FELONIES.**

Senate Bill 983 is the product of the Classification Working Group and was
unanimously supported by the Sentencing Commission's Committee on
Sentencing Structure, Policy and Practices, and endorsed by the full
Commission through its consensus process. The bill is a continuation of the
Commission's efforts to address unclassified crimes in Connecticut's Penal
Code. As you may recall, last year this committee supported House Bill 5145,
AN ACT CONCERNING THE RECOMMENDATIONS OF THE SENTENCING
COMMISSION REGARDING THE CLASSIFICATION OF UNCLASSIFIED
MISDEMEANORS, which successfully passed the General Assembly with
bipartisan support and was signed into law by Governor Malloy as PA 12-80 in
June 2012. This bill continues in the spirit of that bill.

The Commission believes that several benefits will accrue to the criminal
justice system from classifying the unclassified felonies. First, by classifying
felonies within the Penal Code, it will be easier for law enforcement, legal
practitioners, the legislature, and the public to quickly understanding the
relative severity of certain felony offenses. Second, it will make it easier to
target diversionary programs to less serious offenses and to assign
appropriate periods of probation. Finally, through the classification process,
the statutory fines were increased to maintain consistency across the
different classes of felonies; this again makes Connecticut statutes easier to
understand

The Honorable
Joseph M. Shortall, Chair

Underscretary
Mike Lawlor, Vice Chair

Andrew J. Clark, Acting
Executive Director

The working group identified 258 statutory felonies that are not currently classified under Connecticut's Penal Code using a Judicial Branch database that identifies all statutes with criminal penalties.

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Gary White

In order to classify as many unclassified felonies as possible, the Working Group made the following recommendations which are encompassed in SB 983. The working group did not address unclassified felonies related to drugs or firearms and did not change any mandatory sentence provision of the statutes.

Recommendations:

- Create a new class E felony, punishable by up to three years in prison, a fine of up to \$3,500, or both. Classify 13 unclassified felonies that currently have a maximum prison term of three years as class E felonies.
- Change Connecticut law so that any unclassified felony with a maximum prison penalty that is more than one year but not more than three years is deemed to be a class E felony. Sixty-four unclassified felonies would be deemed to be class E felonies under this proposal. Some would retain their current fines.
- Change the penalty for a class D felony from one to five years in prison to up to five years in prison.
- Classify 132 unclassified felonies that currently have a maximum prison sentence of five years in prison as class D felonies. Some of these felonies would retain their current fines.
- Classify 14 unclassified felonies currently punishable by up to 10 years in prison as class C felonies.
- Leave 35 felonies as unclassified.

For additional information on the unclassified felonies and the working group's recommendations, please reference the full report which is included as Appendix A of this testimony.

If the Sentencing Commission's recommendations are adopted, the penalties for the different classifications of felonies would be as shown in table 1.

Felony	Prison Term	Fine
Class A felony (murder with special circumstances)	Life without the possibility of release	Up to \$20,000
Class A felony (murder)	25 to 60 years	Up to \$20,000
Class A felony (aggravated sexual assault of a minor)	25 to 50 years	Up to \$20,000
Class A felony	10 to 25 years	Up to \$20,000
Class B felony (1st degree manslaughter with a firearm)	5 to 40 years	Up to \$15,000
Class B felony	1 to 20 years	Up to \$15,000
Class C felony	1 to 10 years	Up to \$10,000
Class D felony	Up to 5 years	Up to \$5,000
Class E felony	Up to 3 years	Up to \$3,500

Passage of SB 983 will mean that all but 35 of Connecticut's felony crimes will be classified within the Penal Code. Additionally, the Sentencing Commission recommends that the provisions in HB 6508, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING FALSE STATEMENT, be merged with SB 983. HB 6508 was also the product of the Classification Working Group and was unanimously supported by the full Sentencing Commission. We will be presenting testimony on HB 6508 shortly, but without getting into details, we recommend that because both bills address the classification scheme of the Connecticut's Penal Code, they be merged into one bill.

We want to thank Louise Nadeau, legislative attorney from the Legislative Commissioners' Office; Chris Reinhart, legislative attorney from the Office of Legislative Research, and Jason DePatie, policy specialist at the Institute for Municipal and Regional Policy, for their assistance to the working group.

APPENDIX A: UNCLASSIFIED FELONY REPORT

SUMMARY OF PROPOSALS

In order to classify as many of the unclassified felonies as possible, the working group made the following proposals, which were approved by the Sentencing Structure Subcommittee on November 5, 2012.

- Create a new class E felony, punishable by up to three years in prison, a fine of up to \$3,500, or both. Classify 13 unclassified felonies that currently have a maximum prison term of three years as class E felonies.
- Change Connecticut law so that any unclassified felony with a maximum prison penalty that is more than one year but not more than three years is deemed to be a class E felony. Sixty-four unclassified felonies would be deemed to be class E felonies under this proposal. Some would retain their current fines.
- Change the penalty for a class D felony from one to five years in prison to up to five years in prison.
- Classify 132 unclassified felonies that currently have a maximum prison sentence of five years in prison as class D felonies. Some of these felonies would retain their current fines.
- Classify 14 unclassified felonies currently punishable by up to 10 years in prison as class C felonies.
- Leave 35 felonies as unclassified.

If the working group's proposals are adopted, the penalties for the different classifications of felonies would be as shown in table 1.

Table 1: Penalties For Classified Felonies		
Felony	Prison Term	Fine
Class A felony (murder with special circumstances)	Life without the possibility of release	Up to \$20,000
Class A felony (murder)	25 to 60 years	Up to \$20,000
Class A felony (aggravated sexual assault of a minor)	25 to 50 years	Up to \$20,000
Class A felony	10 to 25 years	Up to \$20,000
Class B felony (1st degree manslaughter with a firearm)	5 to 40 years	Up to \$15,000
Class B felony	1 to 20 years	Up to \$15,000
Class C felony	1 to 10 years	Up to \$10,000
Class D felony	Up to 5 years	Up to \$5,000
Class E felony	Up to 3 years	Up to \$3,500

TABLE OF UNCLASSIFIED FELONIES

The working group identified 258 unclassified felonies using a Judicial Branch database that identifies all statutes with criminal penalties. Table 2 shows these unclassified felonies, their current penalties, and the working group's proposal. It is organized based on the felonies' current maximum prison penalties, from lowest to highest. A crime shaded in grey in the table indicates that there were no initial charges for this crime from FY 02 to FY 11, according to the Office of Fiscal Analysis' database of Judicial Branch initial charging information.

In some instances, a crime has different penalties based on prior convictions for the offense. We indicate whether a penalty is for a 1st offense, 2nd offense, or subsequent offense (SBS). Please note that minimum sentences indicated in the table are not mandatory minimum sentences unless marked with the letter "m." Those marked "m1" or "m2" can be suspended under certain circumstances (see the footnotes).

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
Maximum Penalty of Under Five Years								
<u>1</u>	<u>30-86 (b)(2)</u>	Delivering liquor to a minor	0	M 18	M	\$ -	\$1,500	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>2</u>	<u>10-51</u>	Fraudulent voting school budget	1	Y 2	Y	\$300	\$500	Deem E felony, eliminate one year minimum (not currently a mandatory minimum) but keep maximum prison term, increase fine to \$3,500
<u>3</u>	<u>14-196(b)</u>	Willfully misusing a motor vehicle title certificate	0	Y 2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>n/a</u>	<u>14-215(c)(2)</u>	Operating a motor vehicle under suspension for a 2 nd alcohol-related offense (fines doubled in C/U zone)	120 (m)	D 2	Y	\$500	\$1,000	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>14-227a</u>	Driving under the influence (2 nd)(fines doubled in C/U zone)	120 (m)	D 2	Y	\$1,000	\$4,000	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>14-227g</u>	Driving under the influence- 02 BAC for person under age 21 (2 nd)	120 (m)	D 2	Y	\$1,000	\$4,000	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>15-133*</u>	Operating a vessel under the influence (2 nd)	120 (m)	D 2	Y	\$1,000	\$4,000	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>15-140</u>	Reckless boating under the influence	0	Y 2	Y	\$2,500	\$5,000	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>15-173(c)</u>	Illegally discharging sewage (2 nd /SBS)	0	Y 2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>16-50ii (PA 11-101(1))**</u>	Violating electric generating facility requirements	0	Y 2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
<u>4</u>	<u>21a-165</u>	Selling defective oil	0	Y 2	Y	\$ -	\$300	Deem E felony, no change in prison penalty but increase fine to \$3,500

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
<u>5</u>	<u>21a-245</u>	Violating restricted substances requirements (1 st) (penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-246</u>	Making controlled substances without a license (1 st)(penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-251</u>	Illegally dispensing controlled substances-hospital (1 st)(penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-252</u>	Illegally prescribing or dispensing controlled substances (1 st)(penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-255(b)***</u>	Failing to keep drug records with intent to violate the drug laws (1 st)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-256</u>	Violating the controlled substance labeling requirements (1 st) (penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-257</u>	Failing to keep narcotics in containers (1 st) (penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-266</u>	Committing certain controlled substance violations (1 st) (penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>5</u>	<u>21a-277(c)</u>	Operating a drug factory (1 st) (penalty in 21a-255)	0	Y	2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
<u>n/a</u>	<u>22a-131a(a)</u>	Violating hazardous waste record requirements (1 st)	0	Y	2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>22a-131a(c)</u>	Violating used oil requirements (1 st)	0	Y	2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>22a-175(a)</u>	Violating air pollution requirements (2 nd /SBS)	0	Y	2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
<u>n/a</u>	<u>22a-208a</u>	Violating solid waste facility requirements (1 st) (penalty in 22a-20a) See Sec 8.1 re: class D felony	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
n/a	22a-208a	Violating waste facility requirements-imminent danger (1 st) (penalty in 22a-226b) See Sec 81 re Class D felony	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-208c	Handling solid waste without a permit (1 st) (penalty in 22a-226a)	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-208c	Handling solid waste without permit-imminent danger (1 st) (penalty in 22a-226b)	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-209	Violating solid waste management regulations (1 st) (penalty in 22a-226a)	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-209	Violating solid waste management regulations-imminent danger (1 st) (penalty in 22a-226b)	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-225	Violating a solid waste abatement order (1 st) (penalty in 22a-226a)	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-225	Violating a solid waste abatement order-imminent danger (1 st) (penalty in 22a-226b)	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-231	Violating resources recovery regulations (1 st) (penalty in 22a-226a)	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	n/a 22a-231	Violating resources recovery regulations-imminent danger (1 st) (penalty in 22a-226b)	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-250(c)	Illegal dumping (1 st) (penalty in 22a-226a)	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-250(c)	Illegal dumping-imminent danger (1 st) (penalty in 22a-226b)	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-250(d)	Illegal dumping-bulky or hazardous waste (1 st) (penalty in 22a-226a)	0	Y	2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-250(d)	Illegal dumping-bulky or hazardous waste-imminent danger (1 st) (penalty in 22a-226b)	0	Y	2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
n/a	22a-252	Illegally disposing of asbestos (1 st)(penalty in 22a-226a)	0	Y 2	Y	\$ -	\$25,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-252	Illegally disposing of asbestos-imminent danger (1 st)(penalty in 22a-226b)	0	Y 2	Y	\$ -	\$100,000	Deem E felony, no change in prison penalty or fines
n/a	22a-438(b)	Violating water pollution control laws (2 nd /SBS)	0	Y 2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-438(d)	False statement-water pollution control	0	Y 2	Y	\$ -	\$25,000	Deem E felony, no change in prison penalty or fines
n/a	22a-469	Violating PCB sale requirements (2 nd /SBS)(penalty in 22a-438)	0	Y 2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
n/a	22a-628(a)	Violating mercury restrictions with criminal negligence (2 nd /SBS)(See Sec. 1416 re: Class C felony)	0	Y 2	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
6	29-152	Violating professional bondsmen requirements	0	Y 2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
7	30-99	Selling adulterated liquor	0	Y 2	Y	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
See Sec. 8	36b-6	Violating uniform security act requirements	0	Y 2	Y	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
8	36b-16	Offering or selling unregistered securities	0	Y 2	Y	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
8	36b-23	False or misleading statement violating the uniform securities act	0	Y 2	Y	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
8	36b-28(b)	Violating the uniform securities act	0	Y 2	Y	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
n/a	36b-62	Violating the business opportunity investment act (See Sec. 9)	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
n/a	36b-63	Violating disclosure requirements of the business opportunity investment act (See Sec. 9)	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
9	36b-73(b)	Violating the business opportunity investment act	0	2	\$ -	\$2,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
n/a	38a-140(b)(1)	Illegally acquiring a controlling interest in a domestic insurance company	0	2	\$ -	\$15,000 AND \$50,000	Deem E felony, no change in prison penalty or fines
10	38a-658	Violating credit, life, accident, or health insurance requirements	0	2	\$ -	\$1,500	Deem E felony, no change in prison penalty but increase fine to \$3,500
11	53-201	Illegally aiding a prize fight	0	2	\$ -	\$500	Deem E felony, no change in prison penalty but increase fine to \$3,500
12	53a-209	Violating an injunction-obscene matters	0	2	\$ -	\$1,000	Deem E felony, no change in prison penalty but increase fine to \$3,500
13	9-355	Willful neglect of election duty or fraud	0	3	\$ -	\$2,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
14	14-149(f)	Altering a motor vehicle identification number or possessing a vehicle with an altered number (1 st)	0	2	\$ -	\$2,500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
n/a	14-215(c)(3)	Operating a motor vehicle under suspension for third or subsequent alcohol-related offense (fines double in C/U zone)	1 (m1)	3	\$500	\$1,000	Deem E felony, no change in prison penalty or fines
n/a	14-227a	Driving under the influence (3 rd /SBS)(fines doubled in C/U zone)	1 (m)	3	\$2,000	\$8,000	Deem E felony, no change in prison penalty or fines

Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
n/a	14-227g	Driving under the influence-.02 BAC for someone under age 21 (3 rd /SBS)	1 (m)	Y 3	Y	\$2,000	\$8,000	Deem E felony, no change in prison penalty or fines
n/a	15-133*	Operating a vessel under the influence (3 rd /SBS)	1 (m)	Y 3	Y	\$2,000	\$8,000	Deem E felony, no change in prison penalty or fines
15	22-126	Illegally entering a horse in a race	0	Y 3	Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
16	22-351	Stealing, killing, or injuring a companion animal (SBS or multiple animals)	1	Y 3	Y	\$ -	\$2,000	Amend the statute to call this crime a class E felony, thus keeping the three year prison penalty, eliminating the one year minimum (not currently a mandatory minimum), and increasing the fine to up to \$3,500
n/a	22a-438(c)	Knowingly violating water pollution control requirements	0	Y 3	Y	\$ -	\$50,000	Deem E felony, no change in prison penalty or fines
n/a	22a-438(e)	Illegally discharging gasoline	0	Y 3	Y	\$ -	\$50,000	Deem E felony, no change in prison penalty or fines
n/a	22a-628(b)	Knowingly violating mercury requirements (1 st)	0	Y 3	Y	\$ -	\$50,000 per day	Deem E felony, no change in prison penalty or fines
17	29-28	Violating pistol permit requirements (penalty in 29-37) (also changed re Class D felony)	0	Y 3	Y	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
17	29-31	Failing to display gun sales permit (penalty in 29-37) (also changed re class D felony)	0	Y 3	Y	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
18	31-48a (a)	Hiring professional strikebreakers	0	Y 3	Y	\$100	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
n/a	36a-229(c)	Failing to deliver records to bank receiver	0 Y	3 Y	\$ -	\$10,000	Deem E felony, no change in prison penalty or fines
19	51-87(a)	Illegally soliciting cases for attorney	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
19	51-87(b)	Illegally receiving payment for an attorney referral	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
20	51-87b	Illegal referral to real estate broker (penalty in 51-87) (rewrote for accuracy)	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
21	53-202f (a)	Illegally transporting an assault weapon	0 Y	3 Y	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
22	53-206 (a)	Carrying a dangerous weapon	0 Y	3 Y	\$ -	\$500	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
23	53-368	False certification re oath	0 Y	3 Y	\$ -	\$1,000	Amend the statute to call this crime a class E felony, thus keeping the prison penalty but increasing the fine to up to \$3,500
Maximum Penalty of Five Years							
24	1-103	Hindering legislation by threat	0 Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
25	4d-39(d)	Violate nondisclosure requirements: Department of Information Technology contract	0	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum), keeping the maximum prison penalty, and keeping the fine of up to \$5,000
26	7-64	Violating requirements for disposal of a dead body	0	5 Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
27	7-66(d)	Violating a sexton's burial duties	0	5 Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
28	9-264	Illegally assisting a disabled voter	0	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
29	9-352	Tampering by an election official	0	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
30	9-353	False return by an election officer	0	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
31	9-364	Improperly printing a ballot label	0	5 Y	\$100	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but eliminating the minimum fine and increasing the maximum fine to \$5,000
32	9-623	Violating campaign financing requirements (Amended (a), but Subsec. (e) has fines)	0	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
33	10-390	Illegal acts at archeological or sacred sites	0	5 Y	\$ -	\$5,000 or twice value to restore site	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
34	12-205(e)	Insurance, hospital or medical corporation tax fraud	1	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
35	12-231(b)	Corporation business tax	1	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
36	12-268e(b)	Public service company tax fraud	1	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
37	12-304(b)	Avoiding tax on 20,000 or more cigarettes	1	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000

Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
<u>38</u>	<u>12-306b(b)</u>	Cigarette tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>n/a</u>	<u>12-321</u>	Cigarette use/storage tax fraud (refers to 12-304 for penalty)	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>39</u>	<u>12-330(c)</u>	Willfully avoiding tobacco taxes	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>40</u>	<u>12-330(b)</u>	Tobacco products tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>41</u>	<u>12-405d(g)</u>	Estate income tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
<u>42</u>	<u>12-428(2)</u>	Sales/use tax return fraud	1	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>43</u>	<u>12-452(b)</u>	Alcoholic beverage tax fraud	1	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>44</u>	<u>12-464(b)</u>	Motor vehicle fuels tax fraud	1	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>45</u>	<u>12-482(b)</u>	Motor carrier road tax fraud	1	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>46</u>	<u>12-519(b)</u>	Dividend, interest, and capital gains tax fraud	1	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
47	12-551(b)	Admission or cabaret tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
48	12-591(b)	Petroleum products tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
49	12-638c(b)	Controlling interest transfer tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
50	12-737(b)	State income tax fraud	1 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
14	14-149(f)	Altering a motor vehicle identification number or possessing a vehicle with an altered number (200/SBS) (also amended to Class E felony)	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
51	14-149a (b)	Operating a chop shop	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
<u>51</u>	<u>14-149a (b)</u>	Operating a chop shop (SBS)	0	Y 5	Y	\$ -	\$10,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
<u>3</u>	<u>14-196(a)</u>	Motor vehicle title certificate fraud (Subsec. (b) amended re class E felony fine)	1	Y 5	Y	\$500	\$1,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum), keeping the maximum prison penalty, eliminating and the minimum fine, and increasing the maximum fine to \$5,000
52	14-299a(f)	Traffic signal preemption device violation causing an accident (Subsec. (e) has \$5,000 fine and 90 day imprisonment)	0	Y 5	Y	\$ -	\$15,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
<u>53</u>	<u>15-69 (a)</u>	Tampering with an airport or equipment (Subsec. (b) stays as \$1,000 fine and max 1 year imprisonment)	0	Y 5	Y	\$200	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but eliminating the minimum fine and increasing the maximum fine to \$5,000
54	16-33	False statement report to public utility regulators	0	Y 5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
55	16a-18(b)	Creating a fuel shortage	0	Y 5	Y	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
<u>56</u>	<u>17a-83</u>	False statement-commit child to hospital	0	Y 5	Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
57	17a-274(m)	False statement-involuntary commitment	0	5	\$	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
58	17a-504	False statement-mentally ill commitment	0	5	\$	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
59	17b-30(d)	Illegally releasing biometric identification	0	5	\$	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
60	19a-32d(e)	Violating embryo/egg/sperm disposal requirements (Subsec. (b) remains unchanged. See class C felonies)	0	5	\$	\$50,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
60	19a-32d(f)	Violating embryo/egg/sperm disposal requirements	0	5	\$	\$50,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
61	19a-324	False statement-cremation	0	5	\$	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
61	19a-324	Illegally removing a body for cremation	0	5	\$	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
61	19a-324	Violating cremation requirements	0	5	\$	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
<u>62</u> to <u>71</u>	20-9 (penalty in 20-14), 20-33, 20-42, 20-65, 20-73(c), 20-74f(b), 20-102, 20-126, 20-126t, 20-138a(b)	Practicing the following without a license. medicine, chiropractic, natureopathy, podiatry, physical therapy, occupational therapy, nursing, dentistry, dental hygiene, or optometry (rewrote Sec. 68 for consistency - to make "for remuneration" apply to advanced practice registered nurses - same as other types of nurses)	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>72</u>	20-161	Violating optician requirements	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>73</u>	20-185i (b) (PA 11-228)**	Misrepresenting self as board certified behavior analyst	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>74</u>	20-193	Practicing psychology without a license	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>75</u>	20-206p	Illegally using dietitian or nutritionist title	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>76</u>	20-329	Prohibited acts: real estate	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
<u>77</u>	20-395h	Violating audiologist requirements	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
<u>78</u>	20-417	Violating speech pathology or audiology requirements	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>79</u>	<u>20-581</u>	Violating the Pharmacy Practice Act	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
	<u>20-605</u>	Practicing pharmacy without a license (penalty in 20-581)	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
<u>80</u>	<u>21a-279(b)</u>	Possessing hallucinogens or more than 4 oz marijuana (1 st)****	0	Y	5	Y	\$ -	\$2,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>80</u>	<u>21a-279(c)</u>	Possessing controlled substances or between .5 and 4 oz. marijuana (2 nd /SBS)****	0	Y	5	Y	\$ -	\$3,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
81	22a-131a(a)	Violating the hazardous waste records requirements (2nd/SBS)	0	Y	5	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
<u>81</u>	<u>22a-131a(b)</u>	Violating hazardous waste permit or order requirements (1 st)	0	Y	5	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
81	22a-131a(c)	Violating used oil requirements (2nd/SBS)	0	Y	5	Y	\$ -	\$100,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-208a	Violating waste facility requirements (2nd/SBS) (penalty in 22a-226a)	0	Y	5	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
83	22a-208a	Violating waste facility requirements-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-208c	Handling waste without a permit (2 nd /SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-208c	Handling waste without permit-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-209	Violating solid waste management regulations (2 nd /SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-209	Violating solid waste management regulations-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-225	Violating a waste abatement order (2 nd /SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-225	Violating a waste abatement order-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-231	Violating resources recovery regulations (2 nd /SBS) (penalty in 22a-226a)	0	5	\$	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-231	Violating resources recovery regulations-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	5	\$	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
83	22a-250(c)	Illegal dumping-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	Y 5	Y	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-250(c)	Illegal dumping (2 nd /SBS) (penalty in 22a-226a)	0	Y 5	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-250(d)	Illegal dumping bulky or hazardous waste-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	Y 5	Y	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-250(d)	Illegal dumping bulky of hazardous waste (2 nd /SBS) (penalty in 22a-226a)	0	Y 5	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
82	22a-252	Illegally disposing of asbestos (2 nd /SBS) (penalty in 22a-226a)	0	Y 5	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
83	22a-252	Illegally disposing of asbestos-imminent danger (2 nd /SBS) (penalty in 22a-226b)	0	Y 5	Y	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
84 for UC	22a-376(c)	Penalty: water diversion hearing. (Violation can already be a class D felony or Class A misdemeanor, but refers to Sect 53a-156 to 53a-157. (each change made to correct reference to false statement: 53a-157b)	0	Y 5	Y	\$ -	\$15,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
84	22a-376(c)	Tampering with or falsifying water diversion evidence	0	Y 5	Y	\$ -	\$15,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
85	28-22	Damaging civil preparedness equipment	0	Y 5	Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
Sec. #								
<u>17</u>	<u>29-35(a)</u>	Carrying a pistol without a permit (penalty in 29-37(b)) (also a class E felony)	1 (m1)	Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, retaining the one-year mandatory minimum sentence and increasing the fine to up to \$5,000
<u>86</u>	<u>29-36</u>	Illegally altering firearm identification	0	Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>87</u> ** —	<u>29-37(a)</u>	Purchasing a firearm for an illegal transfer (D felony if committed after prior felony conviction in past five years) ** Compare change in Subsec. (a) to Subsec. (c) which has enhanced penalty (Class D felony) if already a felon; Change in Subsec (a) would make lesser penalty the same as the enhanced penalty.	0	Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>88</u>	<u>29-38 (a)</u>	Illegally possessing a weapon in a motor vehicle (Compare to Sec. 53-206 which remains unchanged)	0	Y	5 Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
<u>89</u>	<u>29-353</u>	Illegally possessing unlabelled explosives	0	Y	5 Y	\$ -	\$10,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
<u>90</u>	<u>31-12</u>	Illegal hours of labor-manufacturing or mechanical work (penalty in 31-15 and 31-15a)	0	Y	5 Y	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
<u>90</u>	<u>31-13</u>	Illegal hours of labor-mercantile work (penalty in 31-15 and 31-15a)	0	Y	5 Y	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
90	31-14	Illegally employing a minor at night (penalty in 31-15 and 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-15	Parent permitting illegal employment of minor (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-18	Illegal hours of labor other establishments (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-18(b)	Certain employers failing to post hours of employment of minors, elderly, and people with handicaps (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-23	Illegally employing a minor in certain work (penalty in 31-15a)	0	5	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-24	Illegally employing a minor in hazardous work (penalty in 31-15a)	0	6	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
90	31-15a	All this is the actual penalty section for prior sections listed as Section 90					Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
	91	31-69(b)	Minimum wage violation-unpaid wages under \$2,000		0 Y	5 Y	\$4,000	\$10,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
	92	31-71g	Violating wage payment requirements over \$2,000		0 Y	5 Y	\$2,000	\$5,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the existing minimum and maximum fine
	93	36b-51(a)	Violating the Tender Offer Act		0 Y	5 Y	\$5,000	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
	94	38a-149(c)(2)	False statement holding company officer (Other provision of section deemed class E felony above)		0 Y	5 Y	\$50,000	\$50,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
	95	40-51	Illegally issuing a warehouse receipt		0 Y	5 Y	\$5,000	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
	96	40-53	Illegally duplicating a warehouse receipt		0 Y	5 Y	\$5,000	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
	97	41-17	Fraudulently issuing a bill of lading		0 Y	5 Y	\$5,000	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
	98	41-19	Illegally issuing a duplicate bill of lading		0 Y	5 Y	\$5,000	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
99	41-51	Illegally transferring a bill of lading	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
100	41-52	Soliciting an illegal bill of lading	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
101	41-53	Issuing improper nonnegotiable bill of lading	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
102	42-232(d)	Violating a supply emergency order	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
102	42-232(d)	Repeatedly violating a supply emergency order	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
103	45a-729	Illegally placing a child for adoption	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
104	49-8a(h)	Recording a false affidavit on land records	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
105	53-20(a)(1)	Intentional cruelty to persons	0 Y	5 Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
105	53-20(b)(1)	Intentional cruelty to child under age 19	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
106	53-23	Abandoning a child	0	Y	5	Y	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
107	53-200	Illegal prizefighting	0	Y	5	Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
108	53-247(a), amended by PA 12-86**	Animal cruelty (2nd and SBS)	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
108	53-247(b)	Maliciously wounding or killing an animal	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
108	53-247(c)	Using an animal for fighting	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
108	53-247(d)	Injuring a peace officer animal (Subsec. (e) unchanged \$10k; 10 Years)	0	Y	5	Y	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus keeping the same prison penalty and fine
109	53-320	Distributing noxious seed or poisons	0	Y	5	Y	\$ -	\$1,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
110	53-334	Unlawful disinterment	0	Y	5	Y	\$ -	\$2,000	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals
			Min.	Max.	Min.	Max.	
	53-347	Illegally using the title of physician, surgeon, doctor, or osteopath	0	5	\$ -	\$500	Amend the statute to call this crime a class D felony, thus keeping the prison penalty but increasing the fine to up to \$5,000
112	53-347a(a)	Forging a stamp or label	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
112	53-347a(b)	Affixing a fraudulent marking	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
112	53-347a(c)	Using a counterfeit marking	0	5	\$ -	\$250,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
113	54-142a(b)	False statement to obtain criminal history	1	5	\$ -	\$5,000	Amend the statute to call this crime a class D felony, thus eliminating the one year minimum prison term (not currently a mandatory minimum) and keeping the fine of up to \$5,000
113	[PA 12-135**] 12-428a(b)	Sale or possession of zappers or phantom-ware (which falsify cash register receipts)	1	5	\$ -	\$100,000	Amend the statute to call this crime a class D felony (which has the same prison penalty) but keep the higher fine
Maximum Penalty of Over Five Years							
n/a	12-652	Possessing an unstamped drug (penalty in 12-660)	0	6	\$ -	\$10,000	No action recommended at this time.
n/a	12-660	Failing to pay marijuana or drug tax	0	6	\$ -	\$10,000	No action recommended at this time
n/a	21a-277(b)	Selling controlled substances (1st)****	0	7	\$ -	\$25,000	No action recommended at this time
n/a	21a-279(a)	Possessing narcotics (1st)****	0	7	\$ -	\$50,000	No action recommended at this time.
n/a	12-308	Fraudulent cigarette tax stamps	1	10	\$ -	\$5,000	No action recommended at this time.

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term				Fine		Working Group Proposals
			Min.	Max.	Min.	Max.			
n/a	14-224(a) and (f)	Evading responsibility-death/serious injury (fine doubled in C/U zone)	1	Y	10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	19a-820(b)	Cloning/using human embryo	0	Y	10	Y	\$ -	\$100,000	No action recommended at this time.
<u>5</u>	21a-245	Violating restricted substances requirements (2 nd /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>5</u>	21a-246	Making controlled substances without a license (2 nd /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>5</u>	21a-251	Illegally dispensing controlled substances-hospital (2 nd /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
5	21a-252	Illegally prescribing or dispensing controlled substances (2nd/SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>5</u>	21a-255(b)***	Intentionally failing to keep drug records (2 nd /SBS)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
<u>5</u>	<u>21a-256</u>	Violating controlled substance label requirements (2 nd /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>5</u>	<u>21a-257</u>	Failing to keep narcotics in containers (2 nd /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>5</u>	<u>21a-266</u>	Controlled substance-certain prohibited acts (2 nd /SBS)(penalty in 21a-255)	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>5</u>	<u>21a-277(c)</u>	Operating a drug factory (2 nd /SBS) (penalty in 21a-255(b))	0	Y	10	Y	\$ -	\$10,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and fine but adding a minimum one year prison term (which the court can suspend)
<u>80</u>	<u>21a-279(b)</u>	Possessing a hallucinogen or more than 4 oz marijuana (2 nd /SBS)****	0	Y	10	Y	\$ -	\$5,000	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term, adding a minimum one year prison term (which the court can suspend), and increasing the fine to \$10,000

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term		Fine		Working Group Proposals		
			Min.	Max.	Min.	Max.			
<u>81</u>	<u>22a-131a(b)</u>	Violating hazardous waste permit/regulations (2 nd /SBS)	0	Y	10	Y	\$ -	\$100,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
<u>114</u>	<u>22a-438(c)*</u>	Knowingly violating water pollution control requirements (2 nd /SBS)	0	Y	10	Y	\$ -	\$100,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
<u>114</u>	<u>22a-438(e)</u>	Illegally discharging gasoline (2 nd /SBS)	0	Y	10	Y	\$ -	\$100,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
<u>115</u>	<u>22a-628(b)</u>	Violating mercury requirements (2 nd /SBS)	0	Y	10	Y	\$ -	\$50,000 per day	Amend the statute to call this crime a class C felony, thus keeping the maximum prison term and adding a minimum one year prison term (which the court can suspend), but retain the higher fine
<u>n/a</u>	<u>29-324</u>	Violating flammable liquid regulations causing death/injury	0	Y	10	Y	\$ -	\$10,000	No action recommended at this time
<u>n/a</u>	<u>29-348</u>	Illegal possession of explosives	0	Y	10	Y	\$ -	\$10,000	No action recommended at this time
<u>n/a</u>	<u>29-349(b)</u>	Using explosives without a permit	0	Y	10	Y	\$ -	\$10,000	No action recommended at this time
<u>n/a</u>	<u>29-349(c)</u>	Storing explosives without a permit	0	Y	10	Y	\$ -	\$10,000	No action recommended at this time

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799	Statute	Description	Prison Term		Fine		Working Group Proposals	
			Min.	Max.	Min.	Max.		
n/a	29-349(d)	Illegally procuring or transporting explosives	0	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	33-1333(b)(1)	Willfully certifying a false financial statement	0	Y 10	Y	\$ -	\$1,000,000	No action recommended at this time.
n/a	36b-4	Fraudulently selling securities (penalty in 36b-28)	0	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	36b-5	Illegal acts by investment advisers (penalty in 36b-28)	0	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	36b-28(a)	Violating the Uniform Securities Act	0	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	36b-67(b)	Business opportunity investment fraud (penalty in 36b-28)	0	Y 10	Y	\$ -	\$25,000	No action recommended at this time.
n/a	53-202(c)(1)	Using a machine gun for an aggressive purpose	5	Y 10	Y	\$ -	\$1,000	No action recommended at this time.
n/a	53-202(c)(2)	Transferring, selling, or giving a machine gun to someone under age 16	5	Y 10	Y	\$ -	\$1,000	No action recommended at this time.
n/a	53-247(e)	Killing a peace officer or animal	0	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	53-388a(b)	Illegally using a scanning device	1	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	53-388a(c)	Illegally using a reencoder	1	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	54-33d	Interfering with a search-deadly weapon	0	Y 10	Y	\$ -	\$10,000	No action recommended at this time.
n/a	21a-277(a)	Selling hallucinogens or narcotics (1st)****	0	Y 15	Y	\$ -	\$50,000	No action recommended at this time.
n/a	21a-277(b)	Selling controlled substances (2nd/SBS)****	0	Y 15	Y	\$ -	\$100,000	No action recommended at this time.
n/a	21a-279(a)	Possessing narcotics (2nd)****	0	Y 15	Y	\$ -	\$100,000	No action recommended at this time.
n/a	22a-131(a)(d)	Certain hazardous waste violations: imminent danger (See Sec. 011 re class C, and D felony)	0	Y 15	Y	\$ -	\$250,000	No action recommended at this time.
n/a	21a-278(b)	Selling narcotics or certain other drugs—nondependent person (1st)	5	Y 20	Y	\$ -	\$ -	No action recommended at this time.
n/a	33-1333(b)(2)	Willfully certifying a false financial statement	0	Y 20	Y	\$ -	\$5,000,000	No action recommended at this time.

**Table 2: Unclassified Felonies and Working Group Proposals
(Shading=no initial charges in the Judicial Branch Database, FY 02-FY 11)**

LCO 799 Sec. #	Statute	Description	Prison Term				Fine		Working Group Proposals
			Min.	Y	Max.	Y	Min.	Max.	
n/a	<u>53-202(b)</u>	Possessing or using machine gun in a violent crime	10	Y	20	Y	\$ -	\$ -	No action recommended at this time
n/a	<u>53-395</u>	Violating the corrupt organizations & racketeering act (penalty in 53-397)	1	Y	20	Y	\$ -	\$25,000	No action recommended at this time
n/a	<u>21a-278(b)</u>	Selling narcotics or certain other drugs—nondependent person (2 nd /SBS)****	10 (m2)	Y	25	Y	\$ -	\$ -	No action recommended at this time
n/a	<u>21a-279(a)</u>	Possessing narcotics (3 rd /SBS)****	0	Y	25	Y	\$ -	\$250,000	No action recommended at this time.
n/a	<u>21a-277(a)</u>	Selling hallucinogens or narcotics (2 nd)****	0	Y	30	Y	\$ -	\$100,000	No action recommended at this time
n/a	<u>21a-277(a)</u>	Selling hallucinogens or narcotics (3 rd /SBS)****	0	Y	30	Y	\$ -	\$250,000	No action recommended at this time

SBS=subsequent offense

C/U=The law doubles the fine for this crime if committed in a construction or utility zone.

* Based on a search of the database, it is unclear whether there are any charges for this offense

** This offense was created too recently to appear in the charging database

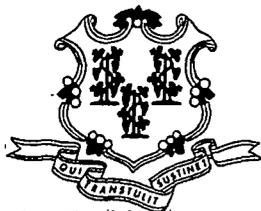
*** There are charges under (b) for this offense but the database does not distinguish between the two entries for (b)

**** The law authorizes an alternative, indeterminate sentence for this offense.

m=mandatory minimum sentence

m1=This mandatory minimum sentence applies absent mitigating circumstances

m2=The court may suspend this mandatory minimum sentence under certain circumstances (see CGS §§ 21a-278(b) and -283a).



**Connecticut
Sentencing
Commission**

www.ct.gov/opm/csc

TESTIMONY IN SUPPORT OF HB 6508

**AN ACT CONCERNING THE RECOMMENDATIONS OF THE
CONNECTICUT SENTENCING COMMISSION REGARDING FALSE
STATEMENT.**

SB 983

By Attorney Robert Farr
Chair, Classification Working Group of the Sentencing Commission

Good morning Senator Coleman, Representative Fox, and members of the
Judiciary Committee.

I am attorney Robert Farr, a member of the Classification Working Group of
the Sentencing Commission. I am joined here today by Executive Assistant
State's Attorney Brian Austin and Legal Counsel/Executive Assistant Public
Defender Deborah Del Prete Sullivan, both of whom are also members of the
Classification Working Group. **We are here to testify on behalf of the
Sentencing Commission in support of House Bill 6508, AN ACT CONCERNING
THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION
REGARDING FALSE STATEMENT.**

House Bill 6508 is the product of the Classification Working Group and was
unanimously supported by the Sentencing Commission's Committee on
Sentencing Structure, Policy and Practices, and endorsed by the full
Commission through its consensus process.

Connecticut has a total of 293 "false statement" statutes which can be
broken down as follows: 35 statutes cite false statements in the 1st degree
and 2nd degree (Sec. 53a-157a, Sec. 153a-157b), 96 statutes utilize the term
"under penalty of false statement," and 162 statutes contain different and
conflicting elements.

To address these inconsistencies, the Sentencing Commission recommends:

- 1) False Statement in the 1st Degree (Sec. 53a-157a) be renamed "False
Statement on a Certified Payroll;"
- 2) Clarifying language be added to False Statement in the 1st Degree; and
- 3) False Statement in the 2nd Degree (Sec. 53a-157b) be replaced with model
statutory language which clarifies the elements of false statements.

The Honorable
Joseph M. Shortall, Chair

Undersecretary
Mike Lawlor, Vice Chair

Andrew J. Clark, Acting
Executive Director

The Sentencing Commission's long term goal is for state agencies to align the
elements in their existing false statement statutes to the proposed model
statute.

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The Sentencing Commission's final recommendation is that HB 6508, be merged with SB 983, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING UNCLASSIFIED FELONIES. As we previously testified, SB 983 was also the product of the Classification Working Group and was unanimously supported by the full Sentencing Commission. It is the Sentencing Commission's belief that because both bills address clarifying Connecticut's Penal Code, they should be merged into one bill.