

Legislative History for Connecticut Act

PA 15-216

HB7027

House	6315-6320	6
Senate	3224-3232, 3266-3268	12
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

**VOL.58
PART 19
6276 - 6609**

/dm
HOUSE OF REPRESENTATIVES

388
May 29, 2015

Necessary for Passage	71
Those voting Yea	139
Those voting Nay	1
Absent and not voting	2

SPEAKER SHARKEY:

The bill, as amended, is passed. [gavel] Will
the Clerk please call Calendar 453.

CLERK:

On Page 23, House Calendar 453, Favorable
Report of the Joint Standing Committee on
Judiciary, Substitute House Bill 7027, AN ACT
CONCERNING REVISIONS TO CERTAIN CRIMINAL STATUTES.

SPEAKER SHARKEY:

I would remind the Chamber that we began our
day with Representative Tong describing his
experience in a boy band, which is an image I've
not been able to take out of my mind ever since.
It's scary. So we're gonna end our day on the same
note. Representative Tong.

REP. TONG (147th):

Thank you, Mr. Speaker. I can do a
demonstration outside after the conclusion of our
business today.

SPEAKER SHARKEY:

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Please don't, sir.

[laughter]

REP. TONG (147th):

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

SPEAKER SHARKEY:

The question's on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, sir?

REP. TONG (147th):

Yes, thank you, Mr. Speaker. The Clerk has an Amendment LCO No. 8670. I ask the Clerk please call the amendment and I be given leave to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 8670, which will be designated House Amendment "A."

CLERK:

House Amendment "A," LCO 67 -

REP. TONG (147th):

8670.

CLERK:

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8670. Do not have it.

[pause]

CLERK:

House "A," LCO 8670, represented by - or
introduced by Representatives Tong and Rebimbas.

SPEAKER SHARKEY:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Seeing none, you may proceed with summarization, sir.

REP. TONG (147th):

Thank you, Mr. Speaker. This is a strike-all amendment. Another bipartisan amendment. It requires some reporting on our Risk Reduction Credit Program and also exempts certain violent felonies from that program. I move adoption.

SPEAKER SHARKEY:

The question before the Chamber is adoption of House "A." Will you remark? Representative Rebimbas.

REP. REBIMBAS (70th):

Good morning. I certainly rise in support of the amendment that's before us. It's certainly

another one of those that were collaborated together, and I appreciate all the hard work that the Chairman did. And hopefully we can vote on this and I encourage everyone to vote in favor and then maybe we can join the Chairman in the hallway for a song or two.

[applause/cheering]

SPEAKER SHARKEY:

Thank you, Representative. Please don't encourage him. It's just too frightening a thought. Further on House "A?" Further on House "A?" If not, let me try your minds. All those in favor of House "A," please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The amendment is adopted. [gavel] Would you care to remark further on the bill as amended? Further on the bill as amended? If not, staff and guests to the Well of the House. Members take your seats. The machine will be opened.

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CLERK:

[bell ringing] The House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please report to the Chamber immediately.

[pause]

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board. Make sure your vote is properly cast or cast at all, in this case. 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.

CLERK:

House Bill 7027, as amended by House "A"

Total Number Voting	140
Necessary for Passage	71
Those voting Yea	140
Those voting Nay	0
Absent and not voting	11

SPEAKER SHARKEY:

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The bill, as amended, is passed. [gavel] Is
there any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker, Favorable Report Senate
Bills are on the Clerk's desk.

SPEAKER SHARKEY:

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker. Mr. Speaker,
I move all items requiring further action in the
Senate be transmitted immediately to the Senate
pursuant to House Rule 11-2(f), sir.

SPEAKER SHARKEY:

I think what we wanted to do first, Mr.
Majority Leader, was to move for the Favorable
Reports to be tabled to the Calendar we just called
from the Clerk.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker. I further
move that we waive the reading of the Senate
Favorable Reports and the Bills be tabled for the
Calendar.

SPEAKER SHARKEY:

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(The Senate reconvened at 4:08 p.m., Senator Hartley in the Chair.)

THE CHAIR: (Senator Hartley in the Chair)

The Senate will come back to order. Will the Clerk please resume the call. Senator Duff, you have the floor, sir.

SENATOR DUFF:

Thank you, Madam President. Madam President, will the Clerk please call Calendar Page 20, Calendar 628, House Bill 7027.

THE CHAIR:

Will the Clerk please call. Thank you.

CLERK:

Page 20, Calendar No. 628, substitute for House Bill No. 7027, AN ACT CONCERNING RISK REDUCTION CREDITS, CARRY PERMITS AND PAROLE OFFICER ACCESS TO STATE FIREARMS DATABASE, as amended - as amended by House Amendment Schedule "A," LCO 8670, Favorable Report from the Committee on the Judiciary.

THE CHAIR:

Senator Coleman, you have the floor.

SENATOR COLEMAN:

Thank you, Madam President, good to see you up there.

THE CHAIR:

Thank you, sir.

SENATOR COLEMAN:

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

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THE CHAIR:

The motion is acceptance and passage in concurrence with the House. Will you remark, Senator Coleman?

SENATOR COLEMAN:

Madam President, this bill makes certain revisions to the criminal justice statutes and among other things. It seeks to address a loophole in the definition of peace officers. When that definition was created, U.S. Marshals and Deputy Marshals were not included in that definition. The bill seeks to correct that. And in so correcting, it avoids some problems that could occur with respect to marshals in the performance of their duties.

The bill also makes changes to our criminal mischief statutes and specifically criminal mischief in the first and second degree. And it makes clear that a person could be guilty of criminal mischief when they remain on premises. It also aligns the values of criminal mischief with the larceny statutes.

The bill also addresses our Risk Reduction Earned Credits Program and requires, among other things, for the Department of Corrections to post on its website certain provisions regarding the program. The House amended the bill to do a certain number of other things regarding the Risk Reduction Earned Credits Program.

And among those things, some additional persons who were convicted of certain offenses, manslaughter in the first degree, manslaughter in the first degree with a firearm, aggravated sexual assault, persistent dangerous felony offenders, persistent dangerous sexual offenders, any inmates who are convicted and incarcerated for any of the crimes that I've just mentioned would be excluded from participation in the Risk Reduction Earned Credits Program. The bill also requires quarterly reporting on certain aspects of the program.

It requires, the bill that is, requires certain pistol and revolver permit holders to present their permit upon request of a law enforcement officer. And

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finally, the bill requires parole offers to have access to the Department of Emergency Services and Public Protections firearm database. The interests that are in the bill are certainly those of the Department of Corrections and the Criminal Justice Division as well as a myriad of members in the House and the Senate on both sides of the aisle. I think the bill is one that should be supported, Madam President.

THE CHAIR:

Thank you, Senator Coleman. Will you remark? Senator Kissel, you have the floor, sir.

SENATOR KISSEL:

Thank you very much, Madam President. Great to see you this late afternoon.

THE CHAIR:

Likewise.

SENATOR KISSEL:

On the last day.

THE CHAIR:

A last.

SENATOR KISSEL:

I strongly support this bill and appreciate the fact that it's before us this afternoon and urge all of us in the Circle to support it as well. It's my understanding that while addressing a variety of areas, the Risk Reduction Program is one which was stridently debated in this Chamber a few years ago and essentially divided along partisan lines, for whatever reason.

But that program has been up and running. And over the years, we have found some problems with the program. There's been some outreach to the Department of Corrections and others within the Judicial Branch

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and criminal justice system to try to remedy that.
Just a couple questions to clarify some things,
through you, Madam President.

THE CHAIR:

Please frame your questions, sir.

SENATOR KISSEL:

Thank you. First of all, it's my understanding that
within the context of the Risk Reduction Program when
it was eventually passed by the Legislature, there was
a carve-out for certain serious offenses, which would
disallow folks convicted of those offenses of being
able to avail themselves of the program; is that
correct? Through you Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN:

Through you, Madam President. That is my recollection
as well.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL:

Thank you. And through you, Madam President. When
those offenses were carved-out, they were
characterized as serious offenses and that's why the
carve-out occurred. Would that be correct? Through
you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN:

That is correct, Madam President.

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THE CHAIR:

Thank you. You have the floor, sir.

SENATOR KISSEL:

Thank you. And through you, Madam President. The good Senator, my friend and colleague Senator Coleman, indicated there's probably about a half a dozen additional offenses now being added to that list. And it's my question, through you, Madam President, whether the good Senator would characterize those as serious offenses as well? Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN:

Madam President, through you to Senator Kissel.. I would characterize all of those offenses listed as serious offenses. I would, I guess, go a step further and indicate if I have any problem at all, my problem at this point is irrelevant. But manslaughter in the first degree or manslaughter in the first degree with a firearm are not necessarily intentional crimes. So I would consider those probably in a different category than the previous set of serious crimes that were listed when we removed consideration of inmates who have committed those crimes and being convicted for those crimes from the Risk Reduction Earned Credit Program. Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator Kissel, you have the floor.

SENATOR KISSEL:

Thank you very much. And so while we can agree to disagree on that, then would it be correct to state that at least from the proponent's perspective, the majority of the new crimes being added to the list are serious except for those two crimes that the good Senator indicated he views those from a different

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perspective based upon malice aforethought and lack of scienter. Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN:

Just to be clear, Madam President, I didn't say they were less serious. I think I was just trying to express I would put them in a different category. Manslaughter is a serious crime, a serious offense, certainly manslaughter with a firearm. But the second part of Senator's question is accurate. I put them in a different category, I suppose because there is a significant lack of intent as opposed to the other crimes. Manslaughter, a person could be convicted of manslaughter as a result of an accidental occurrence, an accidental act. Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President, and through you. I know that the good Senator indicated that there are several reforms regarding the Risk Reduction Program in the bill, but perhaps I missed it. But I think that also within the bill's an important provision where either the warden of the facility where the inmate is lodged or perhaps even the warden's designee has to sign off on the applicability of the risk reduction credits.

And the hopes with that provision was to create essentially a paper trail or someone that's accountable if the individual is awarded these risk reduction credits and something goes awry. And I'm just wondering if that provision is still in the bill before us. Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

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SENATOR COLEMAN:

Thank you, Madam President. That provision is in the bill. And as Senator Kissel - as Senator Kissel indicated, it is there in order to bring about some accountability in the application of the risk reduction earned credits and the program itself. Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL:

Thank you very much. And I have no further questions for the proponent. I, again, stand in strong support of the bill that's before us. We have this program. One of the reasons that I very much opposed the program at the outset was because when I went to national conferences regarding the utilization of risk reduction credits, the experts, republican, democrat, North, South, East, and West in our country said start the program off for offenses going, for those incarcerated, going forward. And start with nonserious offenses.

And they said build up bipartisan support in your state. And that's the way to help make this program work. And there is a very strong reason to have risk reduction credits in a facility, especially for those that are for not serious offenders because it gives folks that are incarcerated things to strive for and it also is helpful in keeping order in the facilities for the correction officers, the men and women that are on the frontline.

And as I've toured the facilities in my district - and I have six correctional facilities in my district, holding in a in little excess of 6,000 inmates - they said that there were aspects of the program they agreed with. But pretty much they did say that for those who had committed serious offenses, they did not necessarily agree with the program. For what's that's worth. The other problem that I had with the initial debate and adoption of the proposal was that it was

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framed as prospective, not as prospective, but as retroactive.

Prospective you could build up bipartisan support. You go, you roll it out, nonviolent offenders, see how it works, come back, double check, and again build up that kind of trust and support. The proposal we originally had was also retroactive so people were getting lots and lots of time credited to them without having done anything, in my view, other than complying with their plan of action that each inmate is given when they are facing time.

So I strongly support this as a - as a great move forward. I very much applaud the efforts of Chairman Tong in the House, Representative Rebimbas in the House, the leadership in the House as well as Senator Coleman here in our Circle. The very strong support of Senator Fasano in our Circle regarding this initiative and Attorney Cronin in helping to fashion some of this language from our side of the aisle as well as folks on the other side of the aisle.

There are other good and important parts of this bill as well. But I think sort of the critical focus for me has been the risk reduction credits, adding to the list crimes where when one is convicted of them, I don't believe you should necessarily - I don't believe that you should have the ability to earn risk reduction credits. As Senator Coleman indicated, whether the crime has mens rea, scienter, or the ability to have malice afterthought or not, clearly they are serious offenses.

And the other key critical component, I think, is having an individual in the correctional facility review this and sign off. So that if there's an incident, it can't be, well, we don't really know who to contact, we don't know how it's computed, we need someone accountable. We as a Legislature, if this is going to be our public policy, someone has to be accountable to just sign off so that if something goes wrong, we can fix it. And we owe that much to the public.

If we're going to have this as a policy, there has to be checks and balances. And that's what this does.

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And so I view this as an important step. And I would, again, can't thank Senator Coleman enough for bringing this bill forward. And with that, Madam President, I would urge everyone to support this. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark? Will you remark? Senator Coleman.

SENATOR COLEMAN:

I'm sorry, Madam President, I anticipated further debate. If there is none and if there's no objection, I would ask that this bill is amended, be placed on our Consent Calendar.

THE CHAIR:

Without objection, seeing no objections. Senator Boucher.

SENATOR BOUCHER:

No objection, Madam President. I just stand to rise to let the good Chairman of Judiciary that I don't always vote no on all of the bills that he brings out. Thank you.

THE CHAIR:

So noted. And without objection, so ordered. This will be put on the Consent Calendar. Senator Duff, you have the floor, sir.

SENATOR DUFF:

Thank you, Madam President. We're done with the bill, right?

THE CHAIR:

We are done and with the remarks as well.

SENATOR DUFF:

Great, thank you. I'd like to place some items on our Consent Calendar, please.

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SENATOR DUFF:

Thank you, Madam President. On Calendar Page 9, Calendar 503, House Bill 6117, I'd like to place that item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 8, Calendar 501, House Bill 6830, like to place that item on Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. We have a number of other items on the Consent Calendar from earlier. If the Clerk can call those items and the ones I just added. And we may have a vote on the first Consent Calendar of the day.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

On Page 9, Calendar 508, House Bill 7048. On Page 8, Calendar 501, House Bill 6830. Also on Page 9, Calendar 503, House Bill 6117. Page 10, Calendar 523, House Bill 6849. Page 11, Calendar 529, House Bill 6823. Page 12, Calendar 545, House Bill 7029.

Also on Page 12, Calendar 540, House Bill 6919. And on Page 13, Calendar 567, House Bill 6921. Page 13, Calendar 561, House Bill 6907. Page 16, Calendar 598, House Bill 7003. Page 16, Calendar 595, House Bill 6820. On Page 17, Calendar 600, House Bill 6855.

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Page 18, Calendar 613, House Bill 6899. Page 18, Calendar 615, House Bill 6737. On Page 19, Calendar 616, House Bill 6856. Also on Page 19, Calendar 622, House Bill 6186. On Page 20, Calendar 628, House Bill 7027. Page 20, Calendar 626, House Bill 7023.

Page 21, Calendar 632, House Bill 6774. Page 22, Calendar 643, House Bill 5780. On Page 22, Calendar 646, House Bill 7021. On Page 23, Calendar 649, House Bill 5793. Page 24, Calendar 651, House Bill 6987. Page 27, Calendar 408, Senate Bill 1030.

On Page 28, Calendar 517, House Bill 6498. Also on Page 28, Calendar 436, House Bill 5903. And on Page 30, Calendar 432, Senate Bill 1105.

THE CHAIR:

The machine will be opened. Clerk will announce a pendency of roll call vote.

CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on Consent Calendar No. 1 has been ordered in the Senate.

[pause]

THE CHAIR: (The President in the Chair)

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

CLERK:

On Consent Calendar No. 1

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

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Consent Calendar passes. [gavel] Good afternoon,
Senator Duff.

SENATOR DUFF:

Thank you, Madam President. Madam President, I would ask that the Clerk now please call from Senate Agenda No. 1, Emergency Certified Bill, House Bill 7061, please.

THE CHAIR:

Mr. Clerk.

CLERK:

House Bill No. 7061, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017, AND MAKING APPROPRIATIONS THEREFOR, AND OTHER PROVISIONS RELATED TO REVENUE, DEFICIENCY APPROPRIATIONS, TAX FAIRNESS AND ECONOMIC DEVELOPMENT.

THE CHAIR:

It will be a good afternoon and a good evening. But a good afternoon, Senator Bye.

SENATOR BYE:

Good afternoon, Madam President. Nice to see you today.

THE CHAIR:

It's good to be seen and good to see you, ma'am.

SENATOR BYE:

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

The motion's on acceptance and passage in conjunction with the House. Would you remark?

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 9
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2015



U.S. Department of Justice

United States Marshals Service

District of Connecticut

New Haven, CT

March 16, 2015

**Testimony of the United States Marshal for the District of
Connecticut, Joseph P. Faughnan in support of H.B. 7027
AN ACT CONCERNING REVISIONS TO CERTAIN
CRIMINAL STATUTES**

Chairman Coleman, Chairman Tong, Senator Kissel, Representative Rebimbas and the members of the Judiciary Committee:

I appreciate the opportunity to present this testimony in support of H.B.7027, specifically Section 2, which restores the ability of United State Marshal Service (USMS) personnel to make arrests for felonies committed under Connecticut law. I believe this important technical correction will make our communities safer and strengthen the collaboration between federal, state and local law enforcement.

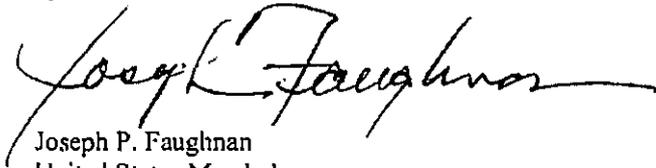
At present, Connecticut is the only state in the nation that does not provide general arrest authority to USMS personnel for state law felonies either through statute, or through the office of sheriff. 28 U.S. Code § 564 provides that U.S. marshals have the same powers as sheriffs under a state's laws. Prior to the abolition of the office of sheriff in Connecticut and the adoption of Public Act 00-99, C.G.S. §§ 53-278 and 53a-3 both included sheriffs in the definition of "peace officer." As a result, prior to the adoption of this act, USMS personnel had the same powers as other peace officers pursuant to these statutes. Public Act 00-99 substituted the terms "judicial marshals" and "state marshals" (the successor offices) in these statutes. The technical correction in H.B.7027 would restore the arrest authority and protection for state law felonies that USMS personnel had prior to the abolition of the office of sheriff.

The mission of the United States Marshal Service is to enforce federal laws and support virtually all elements of the federal justice system by providing for the security of federal court facilities and the safety of judges and other court personnel; apprehending fugitives; exercising custody of federal prisoners and providing for their security and transportation to detention facilities; executing federal court orders; managing and disposing of the assets seized and forfeited by federal law enforcement agencies; at the direction of the Attorney General enforce civil rights provisions in federal law; and assuring the safety of protected government witnesses and their families.

I was appointed by President Obama as the United States Marshal for the District of Connecticut in 2010 after a 43 year career in law enforcement including serving as a Major in the Connecticut State Police and as the Police Chief of Clinton. In addition to the U.S. Marshal, the District of

Connecticut is served by twenty-six career deputy U.S. marshals who protect the employees and the public at the three federal courthouses, also actively pursue fugitive felons through a USMS led joint federal/local taskforce (679 fugitive felons were arrested in Connecticut in 2014, including 441 violent state felons) and perform a diverse range of law enforcement activities to protect the citizens of Connecticut and the United States. The USMS is an important part of both the state and federal justice systems. The technical fix outlined in H.B. 7027 will insure the agency can continue its important work of protecting the people of Connecticut.

I thank the Judiciary Committee and its leadership for raising this bill and appreciate the opportunity to offer this testimony.



Joseph P. Faughnan
United States Marshal
District of Connecticut

CCDLA
"Ready in the Defense of Liberty"
Founded 1988

Connecticut Criminal Defense
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March 20, 2015

The Honorable Eric D. Coleman
The Honorable William Tong
Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, Connecticut 06106

Re: Raised Bill No. 7027— An Act Concerning Revisions to Certain Criminal Statutes

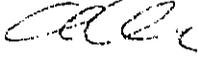
Dear Chairmen and Committee Members:

The Connecticut Criminal Defense Lawyers Association (CCDLA) is a statewide organization of over 300 licensed lawyers, in both the public and private sectors, dedicated to defending persons accused of criminal offenses. Founded in 1988, the CCDLA works to improve the criminal justice system by ensuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

The CCDLA supports Raised Bill 7027, An Act Concerning Revisions to Certain Criminal Statutes. Under Section 1(a) (1) of C.G.S. 53a-115 the values upon which Criminal Mischief in the first degree are based would be increased from One Thousand Five Hundred dollars (\$1,500) to Two Thousand dollars (\$2000) to correspond to the values currently assigned to Larceny in the third degree pursuant to C.G.S. 53a-121(a)(2) and Larceny in the fourth degree under C.G.S. 53a-125(a). The CCDLA would note that the larceny statute values were increased recently to reflect monetary trends over the past decade. This proposal brings the values assigned to criminal mischief in the first degree in line with those of the larceny statutes.

The CCDLA supports the passage of Raised Bill 7027, An Act Concerning Revisions to Certain Criminal Statutes as it pertains to the criminal mischief statute. The CCDLA takes no position as to the bill's other sections. If you have any questions regarding this testimony please feel free to contact me.

Respectfully submitted,


Elisa L. Villa
President, CCDLA
860-655-9434



State of Connecticut
DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF CHIEF PUBLIC DEFENDER
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Testimony of
Deborah Del Prete Sullivan, Legal Counsel, Director
Office of Chief Public Defender

Judiciary Public Hearing - March 20, 2015
Bill No. 7027-An Act Concerning Revisions to Criminal Statutes

The Office of Chief Public Defender supports Section 1 of Bill 7027, An Act Concerning Revisions to Criminal Statutes and thanks the Committee for raising this agency's proposal. The Office takes no position on sections 2 and 3 of the bill. Section 1 would increase the values upon which the offense of criminal mischief in the first degree, a class D felony could be charged, to mirror the values for larceny in the third degree and its penalty. This office respectfully requests that C.G.S. §53a-116 also be amended to reflect the penalty and value of larceny fourth degree as follows:-

53a-116 Criminal Mischief in the second degree: Class A misdemeanor:

- (a) A person is guilty of criminal mischief in the second degree when: (1) With intent to cause damage to tangible property of another and having no reasonable ground to believe that such person has a right to do so, such person damages tangible property of another in an amount exceeding [two hundred fifty] one thousand dollars; or (2) with intent to cause an interruption or impairment of service rendered to the public and having no reasonable ground to believe that such person has a right to do so, such person damages or tampers with tangible property of a public utility or mode of public transportation, power or communication, and thereby causes a risk of interruption or impairment of service rendered to the public; or (3) with intent to cause damage to tangible property owned by the state or a municipality that is located on public land and having no reasonable ground to believe that such person has a right to do so, such person damages such tangible property in an amount exceeding [two hundred fifty] one thousand dollars.
- (b) Criminal mischief in the second degree is a class A misdemeanor.