



General Assembly

January Session, 2001

Amendment

LCO No. 8256

Offered by:
REP. FARR, 19th Dist.

To: Subst. House Bill No. 7007 File No. 603 Cal. No. 414

"AN ACT CONCERNING CRIME VICTIMS."

1 After line 344, add the following:

2 "Sec. 13. Section 54-63f of the general statutes is repealed and the
3 following is substituted in lieu thereof:

4 (a) A person who has been convicted of any offense, except a
5 violation of section 53a-54a, 53a-54b, 53a-54c or 53a-54d, [or any
6 offense involving the use, attempted use or threatened use of physical
7 force against another person,] and is either awaiting sentence or has
8 given oral or written notice of such person's intention to appeal or file
9 a petition for certification or a writ of certiorari may be released
10 pending final disposition of the case, unless the court finds custody to
11 be necessary to provide reasonable assurance of such person's
12 appearance in court, upon the first of the following conditions of
13 release found sufficient by the court to provide such assurance: (1)
14 Upon such person's execution of a written promise to appear, (2) upon
15 such person's execution of a bond without surety in no greater amount
16 than necessary, (3) upon such person's execution of a bond with surety

17 in no greater amount than necessary, (4) upon such person's deposit,
18 with the clerk of the court having jurisdiction of the offense with which
19 such person stands convicted or any assistant clerk of such court who
20 is bonded in the same manner as the clerk or any person or officer
21 authorized to accept bail, a sum of money equal to the amount called
22 for by the bond required by the court, or (5) upon such person's pledge
23 of real property, the equity of which is equal to the amount called for
24 by the bond required by the court, provided the person pledging such
25 property is the owner of such property. When cash bail is offered, such
26 bond shall be executed and the money shall be received in lieu of a
27 surety or sureties upon such bond. Such cash bail shall be retained by
28 the clerk of such court until a final order of the court disposing of the
29 same is passed, provided, if such bond is forfeited, the clerk of such
30 court shall pay the money to the payee named therein, according to the
31 terms and conditions of the bond.

32 (b) There shall be a presumption that a person convicted of any
33 offense involving the use, attempted use or threatened use of physical
34 force against another person shall not be released under subsection (a)
35 of this section. The court may release a person convicted of any such
36 offense, other than a violation of section 53a-54a, 53a-54b, 53a-54c or
37 53a-54d, provided the court, in addition to the findings required under
38 subsection (a) of this section concerning conditions of release, makes
39 the following findings and specifically states such findings in writing
40 for the record: (1) That the conditions imposed on such person's release
41 will reasonably protect any victim of the offense from such person
42 during such person's release, (2) that the conditions imposed on such
43 person's release will reasonably assure such person's appearance in
44 court when called, (3) that the victim of the offense has been notified,
45 or reasonable efforts have been made to locate and notify the victim,
46 and the victim has been given an opportunity to make or submit a
47 statement concerning whether the person should be released, and the
48 court has considered any such statement made by the victim, and (4)
49 that it is in the interests of justice that such person should be released."