

**Testimony before the Judiciary Committee on House Bill 7365: An Act  
Concerning The Procedure In A Capital Felony Trial**

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Connecticut

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Good Afternoon Senator McDonald, Representative Lawlor and members  
of the Judiciary Committee:

My name is Roger Vann, Executive Director of the ACLU of Connecticut, and I am before you today to express our **support for House Bill 7365: An Act Concerning The Procedure In A Capital Felony Trial**. This bill would require the court to impose a sentence of life imprisonment without the possibility of release in the event the jury in a capital felony trial is deadlocked as to whether a sentence of death or life imprisonment without the possibility of release should be imposed.

If this bill becomes law, Connecticut will join the majority of states with the death penalty by requiring a unanimous verdict to impose a death sentence. When a capital jury cannot agree on the ultimate question of whether or not a person should be put to death, it sends a message that the State has failed to show that the defendant is among the worst of the worst. In the absence of the State making that showing, a death sentence is inappropriate, as is the State's second chance to prove it at a subsequent sentencing hearing. Under the proposed law, the court would be required to impose a sentence of life in prison without the possibility of release – a sufficiently harsh and severe punishment for any capital defendant.

The passage of this legislation would also save Connecticut the cost of a second or subsequent capital sentencing hearing. Additionally, the State would most likely reduce its expenses for post-conviction litigation in state and federal courts in capital cases as most of this litigation results from cases where the death penalty has been imposed.

**The ACLU of Connecticut urges the Judiciary Committee and General Assembly to approve House Bill 7365.**