

CCDLA
"Ready in the Defense of Liberty"
Founded in 1988

**Connecticut Criminal Defense Lawyers
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April 2, 2007

Senator Andrew McDonald, Chair
Representative Michael Lawlor, Chair
Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, CT 06106

RE: Raised Bill 1237 – An Act Concerning The Penalty for Evasion of Responsibility

Dear Senator McDonald, Representative Lawlor and Members of the Committee:

My name is James Ruane and I am an attorney admitted to practice in Connecticut since 1998. I am a member of the Connecticut Criminal Defense Lawyers Association, a statewide organization of over 300 practicing attorneys who focus on the defense of criminal charges. I myself devote the entirety of my practice to DUI defense, hold certification in the National Highway Traffic Safety Administration Standardized Field Sobriety Tests and I am certified by the US Department of Transportation to administer breath testing on the Intoxilyzer 5000. I currently serve as the Connecticut State Delegate to the National College for DUI Defense, a national organization of DUI defense lawyers.

On behalf of the membership of the CCDLA, I am here to voice our opposition to Raised Bill 1237.

We voice our opposition to this bill because of its unduly broad language defining "physical injury."

As it stands now, persons who commit the offense whose victims suffer a serious physical injury rightfully suffer the potential penalty of felony-level criminal charges. The raised bill expands dramatically the potential felony level exposure to any physical injury. This means that should a passenger develop whiplash four days subsequent to a single car accident, the driver may be exposed to felony level charges. This unduly expands the definition of the physical injury definition of the statute and creates a virtually unlimited possibility to expose the citizenry to serious criminal charges without a concurrent serious injury.

The current evading statute sufficiently protects the state's interest and this bill is an inappropriate substitution which would lead to more trials, more taxing of the state's judicial resources and more work for the State's Attorneys of this state.

Very truly yours,

James O. Ruane