



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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**Testimony of Deborah Del Prete Sullivan,
Legal Counsel/Executive Assistant Public Defender
Office of Chief Public Defender**

Raised Bill No. 5339

**An Act Imposing a Mandatory Minimum Sentence for Assault of Public
Safety, Emergency Medical or Public Transit Personnel**

**Committee on Public Safety and Security
Public Hearing - March 2, 2010**

The Office of Chief Public Defender opposes *Raised Bill No. 5339, An Act Imposing a Mandatory Minimum Sentence for Assault of Public Safety, Emergency Medical or Public Transit Personnel*. Currently a person convicted of this offense can already be sentenced up to 10 years in prison. The Office of Chief Public Defender opposes this bill because it enhances the penalty for violation of this same offense and requires the court to impose a mandatory minimum sentence of 2 years imprisonment for any person convicted of this offense.

But for two exceptions, this mandatory minimum sentence cannot be suspended. The bill permits, but does not require, the court to suspend the prison sentence if the person so charged was under 18 years of age or his/her "mental capacity was significantly impaired, but not so impaired as to constitute a defense to prosecution". Because the bill does not require the court to suspend the mandatory sentence in these cases, a person under the age of 18 or whose mental capacity was so impaired can be sentenced to the 2 year mandatory minimum.

As a result, consistent with testimony presented in the past, this office opposes mandatory minimum sentences and requests that this legislation not be adopted.