State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of
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Raised Bill No. 6473
An Act Concerning Persistent Dangerous Felony Offenders

Public Hearing - Judiciary Committee
March 23, 2011

The Office of Chief Public Defender opposes *Raised Bill. No. 6473, An Act Concerning Persistent Dangerous Felony Offenders.*

Consistent with testimony presented in the past, this Office is opposed to this proposed legislation which requires the imposition of a life sentence upon persons convicted of <u>any</u> felony, including less serious non-violent felonies and drug possession offenses. Any sentence imposed should be decided on a case-by-case basis. It is the court that should have the discretion as to what sentence should be imposed after consideration of all the facts including the offense and mitigating information pertaining to the defendant.

Connecticut police and prosecutors have the power to charge a person with the commission of a felony. This legislation would totally tie the hands of any Judge who would be prohibited from imposing anything less than a life sentence. The Judge would be prohibited from considering any extenuating circumstances which may exist, the person's background information pertaining to education, employment or family or issues of mental illness, substance abuse or poverty.

But more importantly, this office believes that passage of this legislation will actually lead to an increase in jury trials as more people accused of a third felony will have nothing to lose by exercising their constitutional right to trial. In the current fiscal reality, this Office may require additional resources to cope with such an increase.

Therefore, this office requests that this bill not be supported.