

Re: Letter in Support of Raised Bill 6475 An Act Concerning Mandatory Minimum Sentences

Dear Judiciary Committee Members:

I am here today to support Raised House Bill 6475 An Act Concerning Mandatory Minimum Sentences. I was a jury foreman on a mandatory minimum case for a repeat offender, a young man of color, back in 2006. He was a passenger in a car driven by a young female friend who was on probation. He saw her at a convenience store in a high crime area of New Haven when he asked her for a ride. She nervously asked him "Are you clean?" to which he convincingly replied "Yes I am". Well the undercover narcotics unit was on patrol that night. They followed her for a while before pulling her over...**in front of an elementary school**. Much to the young woman's dismay, her passenger inadvertently dumped some of his drugs onto the floor of her car while attempting to throw the PCP outside onto the road. When the officer made the arrest, he knew that **because** it was in front of a school the crime would come with a mandatory minimum sentence of three years.

My predominantly white fellow jurors were quick to convict. I was sickened and appalled by their apparent apathy. I and one other juror insisted that we examine all of the evidence and go through the process, as we would want for our own son, husband or father. Truthfully, I was hoping to find something that could hold enough weight to acquit. I saw before me a lost young man with a bleak future even without another conviction. My heart bled for his mother who came faithfully to court to support the son upon whom neither she nor God had given up. After several hours of deliberation, the judge came in to speak to us. She said she was glad to see we were taking the case seriously but then went on to say that our job was to uphold the law and that regardless of how it happened, because he was caught with drugs within 1500 feet of a school, the conviction would have to come with a mandatory minimum sentence of 3 years.

Ultimately, no evidence existed that pointed to his innocence. We had to convict. I died inside as the jury was polled and I heard myself whisper the word "guilty". It was a sad day for this poor young victim of societal ills. A sad day for his weeping mother. In addition, a very sad day for us all when, regardless of any circumstance, there is **no acceptable defense or recourse** when a stiff sentence for a nonviolent crime is automatic and no actual rehabilitation offered.

Ironically, a year and a half later, I got a phone call from my ex husband's mother. She was crying hysterically and I could barely make out her words as she said, "Did Nathan talk to you?" (Nathan is **my** son) "Talk to me about what?" I asked. She went on to say "Nathan got arrested for possession with intent to sell?" I screamed "Possession of what?" "Heroin". He's going to court this morning".

Now it was my turn to live the nightmare. I was frantic. How did I not see that he was on drugs? My thoughts immediately turned to that poor mother whose young son had only completed half his term by then. I wanted to call her and tell her how I never believed in convicting someone for their physical and mental illness - which I believe addiction to be.

Now my emotional rollercoaster is three and a half years old. I've seen overdoses and recoveries; I once drove 8 hours and 400 miles only to find my drug crazed son tripping

down the Berlin Tpke, wearing almost nothing, dripping of heroin packets. I've been to Hartford Correctional; courts in Meriden, New Britain, Middletown and Danielson; rehabs at Stonington, Rushford, Stone Haven, Lebanon Pines; sober houses, New Britain General, Yale New Haven, St. Raphael's; Naranon meetings and Parents for a Change. I've spent seasons of my life hot flashing and silently screaming to God to save my son. Restore him to health. Heal his mind. Reach him, as I could not. And, most of all touch the hearts of prosecutors and judges. Let them see the child within him. Let them have mercy and not take away all hope of him ever having a life. Through all this I've learned a lot, but the most important things I already knew:

If we are to survive as a species we must nurture our children -not turn our backs on them when they are ill by locking them up and throwing away the key. I am asking you to support Raised House Bill 6475 An Act Concerning Mandatory Minimum Sentences.

Mandatory minimums are unfair, as they do not allow for a constitutional defense. Let's spend our time and hard earned money on "holistic" solutions. Solutions that heal and not harm. Offer **hope** instead of despair. Bring families together instead of tearing them apart.

Drugs are demons. Addicts are **victims**.

Thank you.
Gail DeLucia