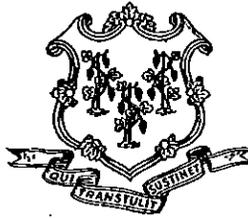


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Good Afternoon Senator Coleman, Representative Fox and members of the Judiciary Committee. I am here to testify in support of two bills that are on your agenda today: SB 446, AN ACT CONCERNING THE AMOUNT OF BOND THAT MAY BE SET FOR MISDEMEANOR AND VIOLATION OFFENSES and HB 5555, AN ACT CONCERNING DIVERSIONARY PROGRAMS.

SB 446 would limit the amount of bond that can be set for certain offenses unless a finding of fact is made that would support a higher bail. This legislation is consistent with a progressive approach to our criminal justice system in that our goal should be rehabilitation wherever possible as well as punishment. In general, those who commit misdemeanors and violations are not wealthy persons and a five thousand dollar surety bond is more than sufficient to ensure their return to court. Clearly there are cases in which a higher bond amount is desirable even for crimes that have a maximum sentence of less than one year. This bill does not take away discretion from the court; it allows bond to be set in

any amount the court finds is proper. If the amount is higher than \$5000 the court would, however, be required to make a finding of fact.

HB 5555 makes several positive changes which would create a more rational criminal justice system. First it clarifies how the pre-trial drug education and the community service program work together which has been the source of some confusion. It also clarifies the appropriate use of the program for persons who are apprehended a third time with less than half an ounce of marijuana. Perhaps most importantly, this legislation would allow a person entry into the program a third time if good cause is shown. Substance abuse is an extraordinarily difficult problem to treat. Without question, many if not most persons facing these issues suffer relapses before finally being able to live drug free. A third chance should not be automatic, but it should be possible under certain circumstances.

Thank you for hearing bills on these important issues.