

CCDLA  
"READY IN THE DEFENSE OF LIBERTY"  
FOUNDED IN 1988

Connecticut Criminal Defense  
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April 15, 2013

Hon. Eric D. Coleman, Co-Chair  
Hon. Gerald M. Fox, Co-Chair  
Joint Committee on Judiciary  
Room 2500, Legislative Office Building  
Hartford, CT 06106

Re: Raised Bill 6699

Dear Chairmen Coleman and Fox:

CCDLA is a not-for-profit organization of more than three hundred lawyers who are dedicated to defending persons accused of criminal offenses. Founded in 1988, CCDLA is the only statewide criminal defense lawyers' organization in Connecticut. An affiliate of the National Association of Criminal Defense Lawyers, CCDLA works to improve the criminal justice system by insuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

CCDLA supports sections 1 and 3 of Raised Bill 6699, AN ACT CONCERNING PRETRIAL DIVERSIONARY PROGRAMS AND SOLICITATION OF CLIENTS IN CRIMINAL MATTERS.

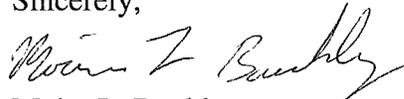
Section 1 revises the pretrial drug education program by redesignating the program as a pretrial drug education and community service program and revising eligibility and participation requirements for the program, enabling individuals who have used the program once previously, to use it again if otherwise eligible, and if they have used it twice previously, if good cause is

shown and they are otherwise eligible. CCDLA supports these revisions because it is well known that a high percentage of individuals arrested for drug offenses are drug dependent and likely to relapse after treatment. Giving individuals charged with such offenses another chance at this important diversionary program demonstrates a realistic understanding of the offender's addiction issues, and a realistic and constructive approach to addressing those issues so that they do not reoffend in the future.

Section 3 revises the eligibility criteria for accelerated rehabilitation, enabling an individual charged with statutory rape who is less than four years older than the "victim" to be eligible for accelerated rehabilitation. This amendment contemplates a consensual scenario where the "victim" is between 13 and 16 years old, and the charged party is more than 3 but less than 4 years older. The amendment provides that the actor, in the proper circumstances, has access to the accelerated rehabilitation program. I have represented individuals charged with this offense who, in an effort to avoid the risk of the mandatory minimum jail sentence, plead out to a lesser offense. They are stigmatized with a record that will haunt them for the rest of their lives based on consensual conduct while they are teenagers. Section 3 provides an appropriate solution to this problem.

Please contact me if you have any questions regarding our position on this bill. Thank you.

Sincerely,



Moira L. Buckley  
President – CCDLA  
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