



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

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**Testimony of the Honorable Robert J. Devlin, Jr.  
Judiciary Committee Public Hearing  
March 11, 2013**

**S.B. 1063, An Act Concerning the Uniform Collateral Consequences  
of Conviction Act**

Good morning, Senator Coleman, Representative Fox, Senator Kissel, Representative Rebimbas, and members of the Judiciary Committee. Thank you for the opportunity to testify on *S.B. 1063, An Act Concerning the Uniform Collateral Consequences of Conviction Act*. The Judicial Branch has concerns about the impact that this bill would have on our courts and clerk's offices.

This bill would impose the following additional responsibilities on the Judicial Branch:

1. It would require the Branch to collect and publish a list of all the provisions of Connecticut law that impose collateral consequences due to a criminal conviction, plus provisions in the law that provide relief from such consequences. The bill references the National Institute of Justice as a source of this information. This website appears to be under construction, and the information for Connecticut is not yet available.
2. It would require that a "Notice of Additional Legal Consequences" be given to arrested persons, convicted persons and persons about to be released from jail. It would require that judges confirm during a plea canvas that the defendant has received and understood the notice, and had an opportunity to discuss the notice with his or her attorney. It would require the court to again provide the notice "as part of sentencing."
3. Section 10 would create a new procedure whereby a person subject to a collateral sanction related to employment, education, housing, public benefits, or the granting of a license could petition the sentencing court, or the Board of Pardons and Paroles, for relief from the consequence. The bill sets forth the process by which such petitions are to be adjudicated, but

does not set forth standards. Moreover, it would be difficult for a busy G.A. court to accommodate these matters.

4. It would require judges presiding over civil cases to permit orders of relief from collateral consequences as evidence of due care in cases where someone is sued for negligence (presumably for hiring someone with a record).

5. It would require the Office of Victim Services to advise victims that they have a right to be heard with respect to the petitions for relief.

I would like point out that the Committee has before it today another bill that addresses this same issue, albeit in a more limited way (H.B. 6582) and that that bill has been carefully considered by the Sentencing Commission over the past year and a half. I would respectfully suggest that the Committee may want to address the issue through that bill rather than this one.

Thank you for your consideration.