



# OLR RESEARCH REPORT

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## **CRIMES WITH MANDATORY MINIMUM PRISON SENTENCES- UPDATED AND REVISED**

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You asked for a list of Connecticut criminal offenses that have mandatory minimum prison sentences. This report updates OLR Report [2010-R-0241](#) to reflect changes through 2012.

### **SUMMARY**

We identified 64 crimes that carry a mandatory minimum prison sentence of a specific duration. The mandatory minimum sentences range from a low of 48 hours, for a first offense of driving or boating under the influence if the offender is not sentenced to community service, to a high of life without possibility of release for murder with special circumstances.

Of these 64 crimes, we identified 15 which can result in a person being punished as a persistent dangerous felony offender. By law, someone can be prosecuted as a persistent dangerous felony offender if he or she stands convicted of certain serious crimes and has prior convictions of certain serious crimes. This law enhances penalties for these offenders, including doubling or tripling the mandatory minimum sentence that would otherwise apply.

We identified three changes to mandatory minimum sentencing laws since our 2010 report. These changes relate to driving under the influence (DUI) violations, marijuana possession, and capital felonies. Additionally, a 2011 public act permits offenders convicted of certain crimes to be released to home confinement.

## **CHANGES SINCE 2010**

### ***Ignition Interlocks***

The law imposes certain penalties on people who drive while their license is suspended or revoked for DUI or certain other offenses. The penalties include mandatory minimum prison sentences of (1) 30 days for a first offense, (2) 120 days for a second offense, and (3) one year for third and subsequent offenses. In each case, the court is not required to impose the mandatory minimum sentence if there are mitigating circumstances.

[PA 11-48](#) (and identical provisions in [PA 11-51](#)) subjected an individual under a court order or subject to the Department of Motor Vehicles' ignition interlock restrictions to these same penalties if he or she drives a vehicle (1) not equipped with a functioning ignition interlock or (2) that a court has ordered him or her not to drive.

### ***Marijuana***

[PA 11-71](#) reduced the penalty for specified actions involving drug paraphernalia from a crime to an infraction when such actions relate to less than one-half ounce of marijuana. Unlike such paraphernalia-related actions involving other controlled substances or larger amounts of marijuana, such infractions are not subject to a mandatory one-year prison term, running consecutively to the term for the underlying offense, when committed within 1,500 feet of a school or day care center.

### ***Capital Punishment***

[PA 12-5](#) eliminated the death penalty as a sentencing option for a capital felony committed on or after April 25, 2012, thus leaving life imprisonment without the possibility of release as the penalty. It also renamed the crime of capital felony as "murder with special circumstances" but specified that it does not affect capital felony convictions or cases pending before April 25, 2012.

## ***Home Confinement***

[PA 11-51](#) allowed the Department of Correction (DOC) commissioner to release a sentenced inmate, after admission and conducting a risk and needs assessment, to the inmate's residence if he or she was sentenced for: (1) DUI or violating ignition interlock restrictions; (2) operating a motor vehicle with a refused, suspended, or revoked license or registration; (3) possessing a controlled substance other than a narcotic, a hallucinogen, or one-half to four ounces of marijuana; or (4) drug paraphernalia crimes. These released offenders cannot leave their homes without authorization, but the commissioner can revoke the release and return the person to prison for violating release conditions.

## **OFFENSES WITH MANDATORY MINIMUM SENTENCES**

In Table 1 below, we list offenses that carry a mandatory minimum sentence arranged by their classification, with crimes in numerical order within each classification. These include class A felonies, which carry a 10-year minimum sentence. ([CGS §§ 53a-28](#) and [53a-29](#) prohibit suspension or reduction of any sentence for a class A felony, meaning that the 10-year minimum sentence for a class A felony becomes a mandatory minimum.) Unclassified crimes are listed at the end of the table.

By law, attempt or conspiracy to commit a crime “are crimes of the same grade and degree as the most serious offense which is attempted or is an object of the conspiracy, except that an attempt or conspiracy to commit a class A felony is a class B felony” ([CGC § 53a-51](#)). Thus, if someone is convicted of attempt or conspiracy to commit a crime that carries a mandatory minimum sentence other than a class A felony, the offender would be subject to that mandatory minimum sentence (see *State v. Moran*, 264 Conn. 593 (2003)).

It also appears that someone who is an accomplice in committing a crime that is punishable by a mandatory minimum sentence would be subject to that mandatory minimum. By law, someone is criminally liable for the acts of another if he or she acts with the mental state required to commit a crime and solicits, requests, commands, or intentionally aids another to engage in criminal conduct. These offenders can be prosecuted and punished as if they were the principal offenders ([CGS § 53a-8](#)).

**Table 1: Crimes with Mandatory Minimum Sentences**

<b>Classification</b>	<b>Crime (CGS §)</b>	<b>Mandatory Minimum Sentence</b>	<b>Maximum Prison Sentence</b>
<b>Murder with Special Circumstances</b>	Murder with special circumstances ( <a href="#">53a-54b</a> )	Life imprisonment without possibility of release	Same
<b>Class A Felonies</b>	Murder ( <a href="#">53a-54a</a> )	25 years	60 years
	Felony murder ( <a href="#">53a-54c</a> )	25 years	60 years
	Assault of pregnant woman resulting in termination of pregnancy ( <a href="#">53a-59c</a> )	10 years	25 years
	Aggravated sexual assault of a minor ( <a href="#">53a-70c</a> )	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: 25 years</li> <li>● Subsequent offense: 50 years</li> </ul>	50 years
	Kidnapping 1 <sup>st</sup> degree ( <a href="#">53a-92</a> )	One year (+)	25 years
	Kidnapping 1 <sup>st</sup> degree with a firearm ( <a href="#">53a-92a</a> )	One year (+)	25 years
	Home invasion ( <a href="#">53a-100aa</a> )	10 years (+)	25 years
	Employing a minor in an obscene performance ( <a href="#">53a-196a</a> )	10 years	25 years
<b>Class A or B Felonies (Depending on Circumstances)</b>	Sexual assault 1 <sup>st</sup> degree ( <a href="#">53a-70</a> )	Two, five, or 10 years depending on the conduct and victim's age * ^ +	20 or 25 years depending on the conduct and victim's age
	Aggravated sexual assault 1 <sup>st</sup> degree ( <a href="#">53a-70a</a> )	Five, 10, or 20 years depending on the conduct and victim's age * ^ +	20 or 25 years depending on the conduct and victim's age
<b>Class B Felonies</b>	Injury or risk of injury to a minor (involving contact with intimate parts of a minor under age 13) ( <a href="#">53-21</a> )	Five years	20 years
	Manslaughter 1 <sup>st</sup> degree with a firearm ( <a href="#">53a-55a</a> )	Five years (+)	40 years
	Assault 1 <sup>st</sup> degree ( <a href="#">53a-59</a> )	<ul style="list-style-type: none"> <li>● Five years if causes injury using a deadly weapon (+)</li> <li>● 10 years if the victim is under age 10 or a witness (+)</li> </ul>	20 years
	Assault 1 <sup>st</sup> degree of elderly, blind, disabled, pregnant, or mentally retarded person ( <a href="#">53a-59a</a> )	Five years (+)	20 years
	Promoting prostitution 1 <sup>st</sup> degree (including someone under age 18) ( <a href="#">53a-86(b)</a> )	Nine months	20 years

**Table 1 (continued)**

<b>Classification</b>	<b>Crime (CGS §)</b>	<b>Mandatory Minimum Sentence</b>	<b>Maximum Prison Sentence</b>
<b>Class B Felonies (continued)</b>	Enticing a minor (when minor under age 13) <a href="#">(53a-90a)</a>	<ul style="list-style-type: none"> <li>• 1<sup>st</sup> offense: five years</li> <li>• Subsequent offense: 10 years</li> </ul>	20 years
	Kidnapping 2 <sup>nd</sup> degree <a href="#">(53a-94)</a>	Three years (+)	20 years
	Kidnapping 2 <sup>nd</sup> degree with a firearm <a href="#">(53a-94a)</a>	Three years (+)	20 years
	Burglary 1 <sup>st</sup> degree (with explosive, deadly weapon, or dangerous instrument) <a href="#">(53a-101)</a>	Five years (+)	20 years
	Robbery 1 <sup>st</sup> degree (with deadly weapon) <a href="#">(53a-134)</a>	Five years (+)	20 years
	Importing child pornography <a href="#">(53a-196c)</a>	Five years	20 years
	Possessing child pornography 1 <sup>st</sup> degree <a href="#">(53a-196d)</a>	Five years	20 years
	Computer crime in furtherance of terrorism (when directed toward public safety agency) <a href="#">(53a-301)</a>	Five years	20 years
<b>Class B or C Felonies (Depending on Circumstances)</b>	Sexual assault 2 <sup>nd</sup> degree <a href="#">(53a-71)</a>	Nine months	10 or 20 years, depending on the circumstances
	Sexual assault 3 <sup>rd</sup> degree with a firearm <a href="#">(53a-72b)</a>	Two years ^ +	10 or 20 years, depending on the circumstances
<b>Class C Felonies</b>	Selling or transporting assault weapon <a href="#">(53-202b)</a>	<ul style="list-style-type: none"> <li>• Two years</li> <li>• Six years if sale is to a minor</li> </ul>	10 years
	Manslaughter 2 <sup>nd</sup> degree with a firearm <a href="#">(53a-56a)</a>	One year (+)	10 years
	Burglary 2 <sup>nd</sup> degree with a firearm <a href="#">(53a-102a)</a>	One year (+)	10 years
	Hindering prosecution 1 <sup>st</sup> degree <a href="#">(53a-165aa)</a>	Five years	10 years
	Possessing child pornography 2 <sup>nd</sup> degree <a href="#">(53a-196e)</a>	Two years	10 years
	Contaminating public water or food for terrorism <a href="#">(53a-303)</a>	Five years	10 years

**Table 1 (continued)**

<b>Classification</b>	<b>Crime (CGS §)</b>	<b>Mandatory Minimum Sentence</b>	<b>Maximum Prison Sentence</b>
<b>Class D Felonies</b>	Increasing speed to elude police after signaled to stop (involving death or serious physical injury) <a href="#">(14-223(b))</a>	Subsequent offense: One year	Five years
	Refusing to stop boat when ordered by officer in law enforcement vessel and interfering with or endangering a boat, people, or property or increasing speed to escape or elude (causing death or serious physical injury) <a href="#">(15-154(c))</a>	Subsequent offense: One year	Five years
	Illegal sale or transfer of handgun to person under age 21 <a href="#">(29-34)</a>	One year	Five years
	Possession of an assault weapon <a href="#">(53-202c)</a>	One year	Five years
	Assault 2 <sup>nd</sup> degree with a firearm <a href="#">(53a-60a)</a>	One year	Five years
	Assault or larceny of elderly, blind, disabled, pregnant, or mentally retarded person 2 <sup>nd</sup> degree <a href="#">(53a-60b)</a>	Two years	Five years
	Assault of elderly, blind, disabled, pregnant, or mentally retarded person 2 <sup>nd</sup> degree with a firearm <a href="#">(53a-60c)</a>	Three years	Five years
	Burglary 3 <sup>rd</sup> degree with a firearm <a href="#">(53a-103a)</a>	One year	Five years
	Possessing child pornography 3 <sup>rd</sup> degree <a href="#">(53a-196f)</a>	One year	Five years
	Criminal use of a firearm or electronic defense weapon <a href="#">(53a-216)</a>	Five years	Five years
Criminal possession of a pistol or revolver <a href="#">(53a-217)</a>	Two years	Five years	

**Table 1 (continued)**

<b>Classification</b>	<b>Crime (CGS §)</b>	<b>Mandatory Minimum Sentence</b>	<b>Maximum Prison Sentence</b>
<b>Class A Misdemeanors</b>	Assault 3 <sup>rd</sup> degree (causing physical injury with deadly weapon, dangerous instrument, or electronic defense weapon) <a href="#">(53a-61)</a>	One year	One year
	Assault of elderly, blind, disabled, pregnant, or mentally retarded person 3 <sup>rd</sup> degree <a href="#">(53a-61a)</a>	One year	One year
<b>Class A or C Misdemeanor (Depending on Circumstances)</b>	Use, possession, or delivery of drug paraphernalia near school by non-student (unless it relates to less than 0.5 oz. of marijuana) <a href="#">(21a-267(c))</a>	One year Judges can depart from this sentence under certain circumstances#%	In addition and consecutive to any imprisonment for the underlying drug crime
<b>Unclassified Crimes</b>	Operating a motor vehicle without a license or with a suspended or revoked license <a href="#">(14-36(i))</a>	90 days if two or more prior offenses	One year
	Operating a motor vehicle with a revoked, suspended, or refused license or registration. (two prior violations of this or operating in violation of license conditions) <a href="#">(14-215(b)(2))</a>	90 days	One year
	Driving during license suspension for DUI or DUI related offenses, or for violating ignition interlock restrictions or court orders resulting from such offenses <a href="#">(14-215(c))</a>	<ul style="list-style-type: none"> <li>● 30 days unless mitigating circumstances%</li> <li>● If offense is after 2<sup>nd</sup> suspension for DUI related offenses: 120 days unless mitigating circumstances%</li> <li>● If offense is after 3<sup>rd</sup> or subsequent suspension for DUI related offenses: one year unless mitigating circumstances%</li> </ul>	<ul style="list-style-type: none"> <li>● One year</li> <li>● If after 2<sup>nd</sup> suspension: two years</li> <li>● If after 3<sup>rd</sup> or subsequent suspension: three years</li> </ul>
	DUI (includes snowmobiles and all-terrain vehicles) <a href="#">(14-227a(g))</a>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: 48 hours if not given community service%</li> <li>● 2<sup>nd</sup> offense: 120 days %</li> <li>● Third and subsequent offenses: one year%</li> </ul>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: six months</li> <li>● 2<sup>nd</sup> offense: two years</li> <li>● Third and subsequent offenses: three years</li> </ul>
	Boating under the influence <a href="#">(15-133(b))</a>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: 48 hours if not given community service</li> <li>● 2<sup>nd</sup> offense: 120 days</li> <li>● Third and subsequent offenses: one year</li> </ul>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: six months</li> <li>● 2<sup>nd</sup> offense: two years</li> <li>● Third and subsequent offenses: three years</li> </ul>

**Table 1 (continued)**

<b>Classification</b>	<b>Crime (CGS §)</b>	<b>Mandatory Minimum Sentence</b>	<b>Maximum Prison Sentence</b>
<b>Unclassified Crimes (continued)</b>	Operating boat while certificate or right to operate is suspended or revoked for drunken boating or refusing to stop <a href="#">(15-156(d)(1))</a>	30 days unless mitigating circumstances	One year
	Operating boat while certificate or right to operate is suspended or revoked for reckless boating 1 <sup>st</sup> or 2 <sup>nd</sup> degree while under the influence <a href="#">(15-156(d)(2))</a>	30 days unless mitigating circumstances	One year
	Manufacture or sale of heroin, methadone, cocaine, or crack by non-dependent person <a href="#">(21a-278(a))</a>	Five years but the court may suspend it if the person (1) was under age 18 at the time or (2) had significantly impaired mental capacity Judges can also depart from this sentence under certain circumstances#	20 years or 60 years
	Manufacture or sale of narcotic, hallucinogen, amphetamine, or at least 1 kg marijuana by non-dependent person <a href="#">(21a-278(b))</a>	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: five years</li> <li>● Subsequent offense: 10 years</li> </ul> The court may suspend it if the person (1) was under age 18 at the time or (2) had significantly impaired mental capacity Judges can also depart from this sentence under certain circumstances#	<ul style="list-style-type: none"> <li>● 1<sup>st</sup> offense: 20 years</li> <li>● Subsequent offense: 25 years</li> </ul>
	Sale of drugs to minor <a href="#">(21a-278a(a))</a>	Two years	In addition and consecutive to any imprisonment for the underlying drug crime
	Sale of drugs to minor near school, public housing project, or day care center <a href="#">(21a-278a(b))</a>	Three years Judges can depart from this sentence under certain circumstances#	In addition and consecutive to any imprisonment for the underlying drug crime
	Using person under 18 to sell drugs <a href="#">(21a-278a(c))</a>	Three years	In addition and consecutive to any imprisonment for the underlying drug crime
	Possess narcotic, hallucinogen, or controlled substance near school or day care center <a href="#">(21a-279(d))</a>	Two years Judges can depart from this sentence under certain circumstances#%	In addition and consecutive to any imprisonment for the underlying drug crime
	Carry handgun without a permit <a href="#">(29-37(b))</a>	One year if no mitigating circumstances	Five years
	Commit class A, B, or C felony with assault rifle <a href="#">(53-202i)</a>	Eight years	In addition and consecutive to any imprisonment for the felony
	Commit class A, B, or C felony with firearm <a href="#">(53-202k)</a>	Five years	In addition and consecutive to any imprisonment for the felony



Table 1 (continued)

Classification	Crime (CGS §)	Mandatory Minimum Sentence	Maximum Prison Sentence
Unclassified Crimes (continued)	Carjacking (53a-136a)	Three years	In addition and consecutive to any imprisonment for the robbery
	Acts of terrorism (when commit a class B felony) (53a-300)	10 years (this law authorizes the court to impose the penalty for the next most serious degree of felony; if the felony is a class B felony, this law would impose the penalty for a class A felony which would carry a 10-year mandatory minimum sentence)	25 years

+ These crimes are subject to the persistent dangerous felony offender law which, depending on the offender's record, could double or triple the mandatory minimum sentence the court imposes.

\* The law also sets a 10-year mandatory minimum period of combined imprisonment and special parole for these crimes.

^ An offender convicted of this crime could, based on his or her record, be prosecuted as a persistent dangerous sexual offender, which requires a combined prison sentence and period of special parole that constitutes a life sentence (statutorily defined as 60 years) instead of the statutory sentence for the crime.

# Judges can impose less than the mandatory minimum sentence if no one was hurt during the crime and the defendant (1) did not use, attempt, or threaten to use physical force; (2) was unarmed; and (3) did not use, threaten to use, or suggest that he had a deadly weapon or other instrument that could cause death or serious injury. Defendants must show good cause and can invoke this provision only once (CGS § 21a-283a).

% An offender convicted of these crimes could be released to home confinement by the DOC commissioner after a needs and risk assessment.

## MANDATORY MINIMUM SENTENCES FOR 1<sup>ST</sup> DEGREE KIDNAPPING AND 1<sup>ST</sup> DEGREE ARSON

By statute, 1<sup>st</sup> degree kidnapping is a class A felony, and 10 years of a sentence for a class A felony cannot be suspended. In *State v. Jenkins*, the Connecticut Supreme Court ruled that it was unconstitutional to subject a person convicted of 1<sup>st</sup> degree kidnapping to a higher mandatory minimum sentence than a person convicted of kidnapping with a firearm, which is punishable as a class A felony with only a one year mandatory minimum sentence (198 Conn. 671 (1986)). The court ruled that the one-year mandatory minimum sentence would apply to both crimes.

By statute, 1<sup>st</sup> degree arson is also a class A felony. In *State v. O'Neill*, the court held that it is unconstitutional to subject a person convicted of 1<sup>st</sup> degree arson to a 10-year mandatory minimum while allowing the suspension of a sentence for arson murder, a more serious crime (200 Conn. 268 (1986)).

## **PERSISTENT DANGEROUS FELONY OFFENDERS**

Of the 64 crimes that carry a mandatory minimum sentence, we identified 15 which can result in a person being punished as a persistent dangerous felony offender. By law, someone can be prosecuted as a persistent dangerous felony offender if he or she stands convicted of certain serious crimes and has prior convictions of certain serious crimes ([CGS § 53a-40](#)). This law enhances penalties for these offenders, including doubling or tripling the mandatory minimum sentence that would otherwise apply.

For those with one of the required prior convictions, the penalty is a range between twice the minimum penalty for the crime the person stands convicted of, including twice any mandatory minimum sentence that applies, to a maximum of 40 years or twice the maximum penalty for the crime the person stands convicted of, whichever is longer. (This is often referred to as “two strikes.”)

For those with two of the required prior convictions, the penalty is a range between three times the minimum penalty for the crime the person stands convicted of, including three times any mandatory minimum sentence that applies, and life in prison (statutorily defined as 60 years). (This is often referred to as “three strikes.”)

In addition to mandatory minimum prison sentences, the law sets a 10-year mandatory minimum period of combined imprisonment and special parole for aggravated 1<sup>st</sup> degree sexual assault and 1<sup>st</sup> degree sexual assault. Similarly, persistent dangerous sexual offenders are subject to a mandatory combined prison sentence and period of special parole that constitutes a life sentence (statutorily defined as 60 years) instead of the statutory sentence for the underlying crime ([CGS § 53a-40\(i\)](#)). A persistent dangerous sexual offender is a person awaiting sentencing for 1<sup>st</sup> or 3<sup>rd</sup> degree sexual assault, aggravated 1<sup>st</sup> degree sexual assault, or 3<sup>rd</sup> degree sexual assault with a firearm who has previously been sentenced to at least one year in prison for one of these crimes, attempt to commit one of them, similar crimes under predecessor statutes, or substantially similar crimes prosecuted elsewhere ([CGS § 53a-40\(b\)](#)).

Other persistent offender provisions allow the court to impose a harsher sentence than otherwise authorized for the crime, including authorizing a three year mandatory minimum for a persistent felony offender ([CGS § 53a-40\(m\)](#)), but these provisions do not require the court to impose the enhanced penalties.

The law contains a list of crimes that someone can stand convicted of to be eligible for sentencing under this provision. Some of these crimes carry a mandatory minimum prison sentence. Table 2 shows these crimes and how that mandatory minimum sentence would be doubled or tripled for a persistent dangerous felony offender.

**Table 2: Penalties Under the Persistent Dangerous Felony Offender Statute for Crimes With Mandatory Minimum Sentences**

<b>Current Conviction</b>	<b>Penalty With One Prior Conviction</b>	<b>Penalty With Two Prior Convictions</b>
Manslaughter 1 <sup>st</sup> degree with a firearm ( <a href="#">CGS § 53a-55a</a> )	10 to 80 years; 10 year mandatory minimum	15 to 60 years; 15 year mandatory minimum
Manslaughter 2 <sup>nd</sup> degree with a firearm ( <a href="#">CGS § 53a-56a</a> )	2 to 40 years; 2 year mandatory minimum	3 to 60 years; 3 year mandatory minimum
Kidnapping 1 <sup>st</sup> degree or 1 <sup>st</sup> degree with firearm ( <a href="#">CGS §§ 53a-92</a> and <a href="#">53a-92a</a> )	20 to 50 years; 2 year mandatory minimum	30 to 60 years; 3 year mandatory minimum
Kidnapping 2 <sup>nd</sup> degree or 2 <sup>nd</sup> degree with a firearm ( <a href="#">CGS §§ 53a-94</a> and <a href="#">53a-94a</a> )	2 to 40 years; 6 year mandatory minimum	3 to 60 years; 9 year mandatory minimum
Robbery 1 <sup>st</sup> degree ( <a href="#">CGS § 53a-134</a> )	2 to 40 years; 10 year mandatory minimum if armed with a deadly weapon	3 to 60 years; 15 year mandatory minimum if armed with a deadly weapon
Assault 1 <sup>st</sup> degree ( <a href="#">CGS § 53a-59</a> )	2 to 40 years; 10 year mandatory minimum if used a deadly weapon or dangerous instrument to cause serious physical injury or 20 year mandatory minimum if victim under age 10 or a witness	3 to 60 years; 15 years mandatory minimum if used a deadly weapon or dangerous instrument to cause serious physical injury or 30 year mandatory minimum if victim under age 10 or a witness
Assault of elderly, blind, disabled, pregnant, or mentally retarded person 1 <sup>st</sup> degree ( <a href="#">CGS § 53a-59a</a> )	2 to 40 years; 10 year mandatory minimum	3 to 60 years; 15 year mandatory minimum
Home invasion ( <a href="#">53a-100aa</a> )	20 to 50 years; 20 year mandatory minimum	30 to 60 years; 30 year mandatory minimum
Burglary 1 <sup>st</sup> degree ( <a href="#">CGS § 53a-101</a> )	2 to 40 years; 10 year mandatory minimum if armed with explosives, deadly weapon, or dangerous instrument	3 to 60 years; 15 year mandatory minimum if armed with explosives, deadly weapon, or dangerous instrument
Burglary 2 <sup>nd</sup> degree with a firearm ( <a href="#">CGS § 53a-102a</a> )	2 to 40 years; 2 year mandatory minimum	3 to 60 years; 3 year mandatory minimum
Sexual assault 1 <sup>st</sup> degree ( <a href="#">CGS § 53a-70</a> )	Depending on the circumstances and age of the victim: 2 to 40 years or 20 to 50 years; mandatory minimum of 4, 10, or 20 years	Depending on the circumstances and age of the victim: 3 to 60 years or 30 to 60 years; mandatory minimum of 6, 15, or 30 years
Aggravated sexual assault 1 <sup>st</sup> degree ( <a href="#">CGS § 53a-70a</a> )	2 to 40 years or 20 to 50 years if victim under 16 years; 10 year mandatory minimum or 40 year mandatory minimum if victim under 16 and force used or threatened	3 to 60 years or 30 to 60 years if victim under 16 years; 15 year mandatory minimum or 60 year mandatory minimum if victim under 16 and force used or threatened
Sexual assault 3 <sup>rd</sup> degree with a firearm ( <a href="#">CGS § 53a-72b</a> )	2 to 40 years; 4 year mandatory minimum	3 to 60 years; 6 years mandatory minimum

The persistent dangerous felony offender statute uses the terms “manslaughter,” “arson,” “kidnapping,” and “assault in the first degree.” These do not refer to specific criminal statutes but they appear to apply to all of the crimes listed in the table above. For example, “manslaughter” appears to include the crimes of 1<sup>st</sup> degree manslaughter, 1<sup>st</sup> degree manslaughter with a firearm, 2<sup>nd</sup> degree manslaughter, 2<sup>nd</sup> degree manslaughter with a firearm, and 2<sup>nd</sup> degree manslaughter with a motor vehicle.

TA:mp