

CCDLA
"Ready in the Defense of Liberty"
Founded 1988

**Connecticut Criminal Defense
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March 10, 2014

The Honorable Eric D. Coleman
The Honorable Gerald M. Fox.
Chairmen
Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, CT 06106

**Re: Raised Bill SB 366, An Act Concerning the Erasure of Records in
Delinquency and Families with Services Needs Cases**

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 Raised Bill SB 366, an Act Concerning the Erasure of Records in Delinquency and Families with Services Needs Cases. Many of the members of CCDLA handle juvenile matters on a regular basis, assisting children charged with criminal offenses with the purpose of sparing the young client the indignity of an adjudication and a permanent blemish that might follow him or her into adulthood. CCDLA has always supported the automatic erasure of juvenile records and supported legislation like Raised Bill 366 in the past.

Raised Bill SB 366 provides for the automatic erasure and destruction of juvenile records for children who have been convicted of statutorily-defined non-serious juvenile offenses and Families with Services Needs cases. The current procedure requires that a juvenile seeking the erasure of his or her records must return to the court to submit his request. This is an unnecessary requirement. Automatic erasure of minor adjudications would ensure that a child who has performed as required by the juvenile court and has remained a law-abiding member of the community will not be hindered by a juvenile record.

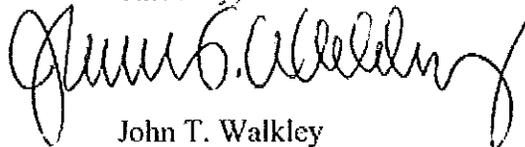
We understand and agree that juvenile records are protected by our laws and are confidential in most circumstances. Our Supreme Court has acknowledged that children and adolescents have a more limited ability to make reasoned choices. We establish separate rules and procedures to deal with juvenile offenses. We aim to help juvenile offenders through intervention and rehabilitation. We keep them away from adult offenders by providing them with their own court for the handling of their matters. Their court files are sealed from the outset of their referral. And those who are successful at the conclusion of their proceedings in juvenile court are awarded with the permanent erasure of those records. But that confidentiality is being placed in greater jeopardy as potential employers are beginning to require proof from our young adults that they have no history in the juvenile courts.

Automatic erasure should be the standard. Raised Bill 366 provides for the erasure of all records that are eligible in a 12-month period to be erased annually in the January following their eligibility. This is a wise and well-balanced proposal. The bill leaves intact the existing 4-year waiting period for erasure of serious juvenile offenses (SJO) and still requires a court hearing prior to erasure of those records. But the bill would recognize that minor offenders who show that they have not offended following their adjudication -- and likely will not offend again -- are to have their records erased without the need to seek that erasure.

CCDLA supports Raised Bill SB 366. If passed, this bill should limit the consequences of a juvenile adjudication and would assist young Connecticut citizens in overcoming their youthful indiscretions. CCDLA strongly encourages this Committee to act favorably on this bill.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "John T. Walkley".

John T. Walkley
President - CCDLA
203-882-8214