
OLR Bill Analysis

SB 361 (File 424, as amended by Senate "A")*

AN ACT CONCERNING FAMILY IMPACT STATEMENTS.

SUMMARY:

This bill allows a defendant who is (1) the custodial parent or guardian of a minor child (younger than age 18) and (2) convicted of a criminal offense for which a prison sentence may be imposed, to submit to the court a family impact statement that addresses the impact imprisonment would have on the child and other family members. The court must consider the statement before sentencing.

Under the bill, a defendant who submits a family impact statement to the court must also submit it (1) by a court-ordered date to the probation officer required to conduct any presentence investigation or, (2) if no presentence investigation is conducted, to the prosecuting official at least 24 hours prior to the sentencing date.

The family impact statement may include the:

1. impact on the financial needs of the child and other family members,
2. relationship between the defendant and the child,
3. availability of community and family support for the child,
4. defendant's employment history and available employment opportunities,
5. defendant's statement regarding programs available to rehabilitate the defendant if he or she is not sentenced to imprisonment,
6. seriousness of the offense, and

7. defendant's criminal history.

*Senate Amendment "A" adds the requirement to submit the statement to the probation officer or prosecuting official.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 22 Nay 10 (03/24/2014)