State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN OPPOSITION TO:

S.B. NO. 361: AN ACT CONCERNING FAMILY IMPACT STATEMENTS

JOINT COMMITTEE ON JUDICIARY
March 12, 2014

The Division of Criminal Justice respectfully recommends the Committee take NO ACTION on H.B. No. 6660, An Act Concerning Family Impact Statements.

The Division opposes this bill for the very same reason that we did when essentially the same legislation was proposed in the 2013 session: it is not necessary.

The stated purpose of the bill is "to permit criminal defendants who have physical custody of a minor child to provide the court with a family impact statement prior to sentencing for a crime for which a sentence of imprisonment may be imposed."

Defendants in criminal cases are already permitted – and routinely do – provide a whole host of information and opinions on a wide range of subjects, including everything referenced in S.B. No. 361. Additionally, the proposed family impact statement could address "programs available to rehabilitate the defendant if the defendant is not sentenced to a term of imprisonment." Such a discussion is already a part of the sentencing proceeding and may also be addressed in a presentencing investigation (PSI) report.

A defendant already can submit any information they wish as part of the sentencing proceeding. Criminal defense attorneys freely exercise this existing process. There is no need for the General Assembly to establish in statute what is longstanding and unchallenged practice in our courts. The bill is simply not needed.

In conclusion, the Division of Criminal Justice wishes to express its appreciation to the Committee for this opportunity to provide input on this matter. We would be happy to provide any additional information the Committee might require or to answer any questions you might have. Thank you.