



State of Connecticut
SENATE
SENATOR DANTÉ BARTOLOMEO
Thirteenth District

Testimony in Support of Raised Senate Bill 1129
An Act Establishing a Pilot Program to Identify and Track the Homeless, Addicted or Mentally Ill Persons Entering the Justice System and Concerning the Earned Risk Reduction Credit Program
Judiciary Committee Public Hearing April 1, 2015

Senator Coleman, Representative Tong, and members of the Judiciary Committee:

I regret that I am unable to testify in person, but I want to thank you for providing the opportunity for public input on SB 1129. In particular, I appreciate that the Committee chose to include in this bill aspects of legislation that I have previously co-sponsored or proposed. My testimony specifically addresses Section 2 of SB 1129, which focuses on the Earned Risk Reduction Credit Program.

I have advocated consistently, from my time on the Meriden City Council through my time here in the General Assembly, for the repeal of this program. This is a subject of great importance to me not only in my role as a State Senator, but also as a parent and as a resident of Meriden. After witnessing the consequences of the shortcomings of this program in my community, I firmly believe that all A and B felony offenders should be excluded from eligibility for earned risk reduction credits.

In June of 2012, our community was shattered when local gas station owner Ibrahim Ghazal was shot to death by Frankie Resto, a confirmed gang member who previously had been convicted on a felony charge of first-degree robbery after holding up another individual at knifepoint in Meriden in 2006.

In spite of the violent nature of the robbery and a demonstrated pattern of engaging in aggressive and insubordinate behavior in prison, Resto had been free to participate in the Earned Risk Reduction Credit Program, because his act of robbery did not fall under any of the six offenses that were—and currently are—excluded. And even after his propensity for violence led to him being identified as a security risk, Resto still was able to earn 199 days of credit, retroactive to the start of his sentence in 2006, and qualify for early release from prison.

In July of 2012, I became the first public official to call for specific changes to the program by proposing that individuals convicted of either an A or a B felony—as well as all repeat felony offenders—be ineligible for the program. This would add more than 30 additional violent crimes to the short list of convictions that exclude individuals from the Earned Risk Reduction Credit Program.

There are simply too many violent individuals abusing this initiative. Drawing the line at six offenses is not enough to keep our citizens safe when criminals are able to earn credits even after being convicted of such egregious acts as the following:

- assault of a pregnant woman causing termination of pregnancy
- 1st degree manslaughter (*with or without a firearm*)
- 1st degree sexual assault
- employing a minor in an obscene performance
- 1st degree robbery
- 1st degree kidnapping (*with or without a firearm*)
- human trafficking
- 1st degree assault
- aggravated sexual assault of a minor
- 1st degree rape
- 1st degree burglary
- 1st degree arson
- acts of terrorism

There is no excuse for continuing to allow individuals who have committed heinous crimes such as these to benefit from the Earned Risk Reduction Credit Program. We owe it to the families of victims like Mr. Ghazal to make sure we keep our communities safe.

I have also recommended that the Department of Correction end the practice of awarding credits to inmates who are on the waiting list for the Risk Reduction programs but are not currently enrolled. If an inmate is not actively participating in any of these initiatives, it does not make sense to reward them for simply waiting, whether that is while they wait or retroactively.

Given the devastating impact Frankie Resto's early release has had on Mr. Ghazal's widow and children and the community that I represent, the only responsible decision is to enact decisive changes in the interest of public safety.

Barring a complete repeal of the program, I urge this Committee to change the law to exclude all A and B felony offenders from eligibility for earned risk reduction credits. Furthermore, I believe that all repeat offenders—those convicted of more than one felony offense—should be ineligible for such credits.

It is our obligation as legislators to make all communities in our state safer, and I strongly believe that the restrictions I have proposed for the Earned Risk Reduction Credit program will help accomplish that goal.

Thank you again for addressing this serious matter and for your consideration of my testimony.