



STATE OF CONNECTICUT
SENTENCING COMMISSION

Testimony of Alex Tsarkov Before the Judiciary Committee on HB 5631, An Act Concerning the Recommendations of the Connecticut Sentencing Commission with Respect to Victim Notification.

Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas, and members of the Judiciary Committee. For the record, my name is Alex Tsarkov and I am the Executive Director of the Connecticut Sentencing Commission. I would like to thank the committee for raising HB 5631, AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO VICTIM NOTIFICATION.

Public Act 15-84 mandated the Connecticut Sentencing Commission to develop a proposal to address the needs of crime victims at sentencing. In response, the Commission convened a working group that consisted of the State Victim Advocate, the Judicial Branch, a State's attorney, a Public Defender and the Department of Correction. The working group's recommendation was reviewed and unanimously endorsed by the full Sentencing Commission. This is significant in that the commission consists of 23 members, including judges, prosecutors, criminal defense counsel, the commissioners of the Departments of Correction, Public Safety and Mental Health and Addiction Services, the victim advocate, the executive director of the court support services division of the Judicial Branch, a municipal police chief, the chairperson of the Board of Pardons and Paroles, the undersecretary of the criminal justice policy and planning division of the Office of Policy and Management and members of the public appointed by the Governor and the leaders of the General Assembly. Thus, the Sentencing Commission represents all aspects of Connecticut's criminal justice system.

Although existing notification systems provide a wealth of useful post-conviction and presentence information, crime victims would further benefit by having an understanding of a defendant's term of imprisonment and potential release date at the time of sentencing. Periods of incarceration and community supervision can be impacted by changes in the law or release mechanisms. However, advance information allows crime victims to plan for their physical, mental health, and safety concerns. This bill ensures that crime victims have increased access to information regarding a defendant's term of imprisonment and release date.

The Commission respectfully recommends the Committee's JOINT FAVORABLE SUBSTITUTE Report to strengthen this legislation and to provide relevant information to a wider group of crime victims. Both, Section 1 that addresses the court providing certain information at sentencing, and Section 3 that addresses the Department of Correction providing certain information to members of the public, apply to sentences of "more than two-year term of imprisonment or a total effective sentence of more than a two year term of imprisonment." However, Section 2 that deals with the state's attorneys providing information to the victims at the time of a plea, only applies to "a term of imprisonment which is more than two years."

Unlike Section 1 and Section 3, Section 2 is limited to a term of imprisonment which is more than two years. For example, if a defendant was sentenced to "3 years execution suspended after 18 months and 2 years of probation," that sentence may not, necessarily, be covered by Subsection 2 even though the "total effective sentence" exceeds two years. The Commission's intent was for Section 2 to apply to proposed plea agreements that provide for a total effective sentence of more than two years. Thus, the Commission respectfully asks that the Committee includes "a total effective sentence of more than two years" in Section 2 consistent with Sections 1 and 3.

We thank the Committee for raising this important legislation and for your continued efforts to respond to the needs of crime victims. We urge the Committee's JOINT FAVORABLE Report.