



**Office of Chief Public Defender
State of Connecticut**

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**Testimony of
Attorney Darcy McGraw, Director
Office of Chief Public Defender, CT Innocence Project - Post Conviction Unit**

**Raised Bill No. 460
An Act Concerning Compensation for Wrongful Incarceration**

**Judiciary Committee Public Hearing
March 21, 2016**

The Office of the Chief Public Defender strongly opposes *Raised Bill No. 460, An Act Concerning Compensation for Wrongful Incarceration*. Instead, this Office recommends that the Committee establish a Working Group to examine the issues that Raised Bill 460 purports to address. The compensation of innocent individuals who have spent time in prison should not be decided in a hasty manner that will inevitably result in unintended consequences harming the very individuals that the initial legislation sought to benefit. Instead, a Working Group of knowledgeable and experienced stakeholders should clarify the objectives of any change to the existing statute.

There are at least two significant questions at stake in contemplating changes to the existing compensation statute. First, an examination must take place into the policies and

structures that determine how an innocent individual who has been wrongly incarcerated may be properly compensated by the state. Additionally, the role of police and prosecutorial misconduct within the framework of those policies and structures must be reviewed in light of recent events and claims.

The Office of Chief Public Defender also suggests that the following be considered for membership on the Working Group:

- Office of the Chief Public Defender
- Office of the Chief State's Attorney
- Legislative Leadership
- Connecticut Criminal Defense Lawyers' Association
- Other relevant stakeholders.

In conclusion, this Office requests that this Committee take no action on this bill, or in the alternative, legislate a Working Group to study the issues that have been raised. Thank you.