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Testimony of Attorney Ioannis A. Kaloidis
Connecticut Criminal Defense Lawyers Association
Raised Bill No. 454 – *An Act Concerning Automatic Erasure of Criminal Records*
Judiciary Public Hearing – March 18, 2016

The Connecticut Criminal Defense Lawyers Associations is a not-for-profit organization of more than three hundred lawyers who are dedicated to defending persons accused of criminal offenses. Founded in 1988, CCDLA is the only statewide criminal defense lawyers' organization in Connecticut. An affiliate of the National Association of Criminal Defense Lawyers, CCDLA works to improve the criminal justice system by insuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

CCDLA strongly supports Raised Bill 454. The proposed legislation makes important and necessary changes to the existing erasure statute, Connecticut General Statutes § 54-142a. Specifically, the proposed legislation adds to the types of cases for which records will be erased those where "the charge is dropped prior to arraignment or the accused is released without being charged due to a wrongful arrest due to mistaken identity or other reason." It also makes erasure of police and court records automatic.

The proposed legislation also adds language that clarifies the impact of the erasure statute providing that the person who has been the subject of erasure may "deny the occurrence of such arrest for any purpose, including, but not limited to, an application for employment or for a firearm."

The proposed bill is an excellent piece of legislation that adds much needed language to the existing erasure statute. Making erasure automatic is will ensure that records that should be erased, will be erased. Many individuals are not familiar with erasure procedures and do not take advantage of them currently. The proposed legislation will better serve the public by making erasure automatic thus resulting in equal application of this statute across the board.

The proposed legislation also provides that "any records taken at the time of arrest that include a DNA sample or any DNA profile created from such sample that are subject to erasure pursuant to this section, shall be destroyed and expunged and purged from any system in accordance with the provisions of section 54-102l." This language is an important addition to the current statute as it serves to protect the privacy rights of individuals whose records are entitled to erasure.

For these reasons CCDLA supports Raised Bill 454 and respectfully requests the Committee approve this bill.

Testimony to Judiciary Committee
**H.B. No. 5531 AN ACT CONCERNING THE CARE AND TREATMENT OF PERSONS
WITH MENTAL ILLNESS OR SUBSTANCE ABUSE DISORDER**

March 18, 2016

Joanie Masot, Southington, CT

Respective members of the Judiciary Committee, My name is Joanie Masot, I am a resident and registered voter of Southington, Connecticut. I am also actively involved in the Advocacy Unlimited Community.

I am writing this testimony in opposition to H.B. #5531 AN ACT CONCERNING THE CARE AND TREATMENT OF PERSONS WITH MENTAL ILLNESS OR SUBSTANCE ABUSE DISORDER. Persons with mental illnesses and substance abuse disorders need to have the right to choose the care they receive. Forcing or mandating people to take medication is a violation of their rights.

There are multiple opportunities for earlier interventions that can prevent the need for force.

It can be difficult at times to engage people in treatment. But, many providers have developed effective techniques for doing so. Peer services, outreach, mobile/crisis outreach, and supportive housing have proven to be successful. All too often, we turn to force because there are a lack such services.

It is a known fact that listening carefully to consumers, education and offering the type of services and supports that consumers prefer is effective. When care/treatment plans/medications are imposed and forced upon the consumer, it should not come as a surprise that consumers will depart from treatment. Commitment and shared responsibility between the provider/program, etc. and the consumer promotes treatment outcomes. To respect the consumers concerns and choices is the best way to secure compliance. These types of laws are counterproductive and in most cases forced treatment/medication actually drives the consumer away from treatment. We also avoid the real problem forcing consumers to take their medication and this is a very real ethical issue. Forcing medication often leads the consumer to new/or increased trauma or brings their past back to life.

We need to focus on using more humane ways of treatment. It is proven that alternative treatments are successful, productive and healing. Let's offer more natural wellness treatment such as meditation, yoga, stronger social support, amongst many other options. Services that offer peer supports have been proven to make wellness and recovery a reality for people living with mental health conditions and/or substance abuse disorders.

We need to directly involve the consumer in their own treatment and recovery plans, including educating them on recovery and setting realistic goals, assisting them in choosing services, providing the skills, supports, encouragement and assisting them in reaching their goals for overall wellness in their recovery.

How would you feel if you were forced to take medication that actually made you feel worse? Better yet, how would you like to see your child having to be forced to take medication that made him/her a zombie?

Let's be real about this and "buy into" healthy treatment before going to this extreme. I believe in my heart when we make this decision to do so we will witness much more recovery with more effectiveness and change.

I urge you please from a person who has been living with a mental health diagnosis and a person in recovery to do the research and make a commitment to our citizens to find a better way than forcing medication before even considering this bill.

Thank you for your time and thank you for listening.