

HB 5544, An Act Concerning the Recommendations of the Connecticut Sentencing Commission with Respect to Misdemeanor Sentences

Dear Members of the Judiciary Committee:

I am a member of the Connecticut Sentencing Commission and also the Chief of Police in Norwalk, Connecticut, with almost thirty-five (35) years in law enforcement, the last six (6) as chief. I am unable to attend the public hearing but would like to submit this written testimony.

I am writing in support of HB 5544, An Act Concerning the Recommendations of the Connecticut Sentencing Commission with respect to Misdemeanor Sentences. As part of our work, the Connecticut Sentencing Commission's Sub-Committee on Collateral Consequences brought to the Commission the problem that Connecticut's one-year maximum sentence for Class A Misdemeanors creates for noncitizens. They noted the unintended and disproportionate consequences these misdemeanor offenders are subject to as a result of Connecticut's current law. As a result of any sentence for a Class A Misdemeanor, these individuals may be subject to mandatory deportation due to the application and interpretation of federal immigration laws, which calls for the deportation of those sentenced to one year or more, even if the individual never actually served any time in prison.

Reducing the maximum sentence for a Class A Misdemeanor by a single day, from 365 days to 364, would limit the most severely disproportionate consequences for Connecticut's immigrants and their families. Based upon testimony we heard and information that we obtained, it was clear that this small change would remove this unintended consequence of Connecticut's sentencing laws and preserve the integrity of plea-bargaining in state court. Further, I do not believe this small change would have any negative impact on law enforcement or the court system.

Thank you.

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