

Good morning Chairs Winfield and Stafstrom and distinguished members of the Judicial Committee,

I am providing testimony in support of SB 880 AN ACT INCREASING FAIRNESS AND TRANSPARENCY IN THE CRIMINAL JUSTICE SYSTEM.

Many people get trapped in the criminal justice system for crimes that they didn't commit or insignificant crimes. When prosecutors offer a nollie, it's a conviction and an entry into the criminal justice system and often accepted by the defendant because the defendant cannot take time off of work to make court appearances. For 13 months, this person will have a criminal record and those effects are far reaching. Generating statistics on the number of people entering the criminal justice system and the unfair disadvantage for people of color and income constrained will show the lack of justice in the criminal justice system.

I was arrested 3 years ago. At the time of my arrest my children were 10, 8, and 3 years old. Two houses down from my home there is a rental property. The landlord drives a one-ton pickup truck with dual rear wheels. He drives by my house on a daily basis to do repair work at his property. The day of my arrest, he drove past my house at a speed too fast for the very quiet street. I left my house about an hour later and he was working on his front steps. I stopped, got out of my truck, and very politely asked if he could slow down a bit because I have a 3 year old. He swore at me and said get off my property. I quickly retreated to the sidewalk. I said, I'm only asking you to slow down a bit. With my hands at my side, he punched me in the jaw. I blocked his next punch and the altercation ended. I called the police and they interviewed the landlord who admitted to the police officer that he punched me because he blew his top after I asked him to slow down. The police officer told me if I wanted the man arrested, I would be arrested too. My first court appearance was several days later. When my name was called, I was brought to a private room where the prosecutor spoke to me. He told me about one of his many accomplishments, including prosecuting the Cheshire home invasion. Then my case was discussed. He said he worked things out and he told me he was able to offer a nollie. I then asked if the nollie would interfere with me coaching my daughter's soccer team. He said it would be on my record for 13 months. I refused his offer and told him I was punched in the face with my hands at my side. He refused to dismiss the case and was visibly upset as we walked to the courtroom. I pled not guilty and a new court date was set. I reached out to an attorney who wanted to charge me \$5000.00 for representation. I decided to continue representing myself. At my next appearance two weeks later, I met with another prosecutor. Again, I pled not guilty. This time the judge was upset that the case was not settled. I then went to the court for a third time. I met with yet another prosecutor who attempted to get me to accept the plea deal. I refused. I stood before a new judge at my third appearance and pled not guilty. The new judge was a woman and asked the prosecutor if it was the state's position to take Mr. Garrett to trial. The prosecutor answered yes. The judge said no, this case is dismissed. Two weeks later, I received a letter in the mail stating that the state was appealing the judge's decision. Three weeks after that, the appellate court ended the appeal.

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