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DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of Christine Perra Rapillo, Chief Public Defender  
Senate Bill 880 AN ACT CONCERNING FAIRNESS AND TRANSPARENCY IN THE  
CRIMINAL JUSTICE SYSEM  
Committee on the Judiciary  
March 25, 2019

Members of the Judiciary Committee, I am Christine Rapillo, the Chief Public Defender for the State of Connecticut. Thank you for the opportunity to speak to you today to support Governor Lamont's proposals to enhance accountability and public trust in the criminal justice system. *Senate Bill 880, An Act Concerning Fairness and Transparency in the Criminal Justice System* will continue the good work of the Legislature and this Committee by providing accountability for the criminal justice system and expanding the right to counsel. The bill mandates that the justice system collect data so that outcomes for both the accused and the community can be tracked. Fairness to the accused and the victim, sentences that ensure successful reentry of convicted individuals into the community and public safety all need to be the goals of the criminal justice system. This proposal will help ensure that the system is accomplishing those goals.

Our lawyers and staff represent indigent criminal accused in all of our state courts and have a deep commitment not only to provide effective, zealous representation but also to enhance the ability of our clients to exit the criminal justice system better off than they enter it. The Division of Public Defender Services supports legislative efforts that make the system more fair, increase trust in the system and give defendants, victims and the public more confidence that justice will be done. We must move the criminal justice system towards a model that diverts more cases out of the system and provides transparent data to monitor if the accountability and interventions are actually improving outcomes.

Senate Bill 880 would also create a pilot program for our agency to provide representation to individuals subject to parole revocation proceedings. Individuals have the right to counsel at parole revocation hearings<sup>1</sup>. A 2015 study by the Yale Law School Criminal Justice Clinic showed that nearly all individuals in parole revocations proceedings waived their right to counsel and that 100 percent had

<sup>1</sup> Gagnon v. Scarpelli, 411. U.S.778, 93 S.Ct. 1753, 36 L. Ed. 656 (1975)

**Testimony of Attorney Christine Perra Rapillo, Chief Public Defender  
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Judiciary Committee SB 880 –March 25, 2019**

their parole revoked. Since that study, the Board of Pardons and Parole has made efforts to ensure parolees know about their right to counsel in revocation matters and have made a modest increase in the number of individuals who appear with counsel. This pilot would provide counsel to all indigent parolees facing revocation.

Our agency is excited to participate in this pilot. We believe that our lawyers and staff have the expertise to efficiently represent individuals at parole revocation hearings. Our lawyers, social workers and instigators already know many of these individuals. They will be able to provide the parole hearing officers with information on the client's backgrounds, community contacts and treatment needs and can advocate for the less restrictive sanctions that both enhance successful community reentry and promote public safety. The proposal calls for funding for two lawyers, a social worker and a paralegal. We plan to supplement this with work for our field offices in order to implement the pilot in the most cost effective manner. The cases will be included in our case management system, so we can easily report outcomes to the General Assembly.

Senate Bill 880 increases transparency and accountability in our criminal justice system and provides additional safeguards against unnecessary incarceration. On behalf of The Division of Public Defender Services, I urge you to support its passage.