



State of Connecticut  
Division of Criminal Justice

JOINT COMMITTEE ON JUDICIARY  
March 22, 2023

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

**IN OPPOSITION TO:**

**H.J. No. 261 RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO REVISE REQUIREMENTS RELATING TO THE OFFERING OF BAIL OR PRETRIAL RELEASE TO PERSONS ACCUSED OF A CRIME**

The Division of Criminal Justice opposes H.J. No.261 and respectfully recommends no action on the bill.

The bill marks a radical departure from Connecticut's current system of constitutionally reasonable bail in all but a few cases and, while such a departure may find favor and be beneficial, doing so now, without careful study and consideration of the various stakeholders is premature and lacking in any reasonably informed and thoughtful consensus on the risk-based system that would replace the current bail system.

Laudably, research and consensus building has been undertaken for the last several years by the Connecticut Sentencing Commission, which has studied the intricacies of Connecticut's unique criminal justice system and compared it, where practicable, to those of other states. While progress has been made, the groups involved in the Commission have not yet agreed on a framework for a new bail system.

Any new risk-based system requiring a release determination and possible hearing in 85,000 criminal cases annually will require significant and fundamental changes in the Judicial Branch, DCJ, law enforcement, victims' advocates, and the Office of the Public Defender. All potentially viable alternative bail systems should be carefully reviewed and considered by the Commission to assure the voters that a workable system is in place prior to their decision at the polls.