



DIVISION OF PUBLIC DEFENDER SERVICES
State of Connecticut

OFFICE OF CHIEF PUBLIC DEFENDER
55 FARMINGTON AVENUE, 8TH FLOOR
HARTFORD, CT 06105

ATTORNEY TASHUN BOWDEN-LEWIS
CHIEF PUBLIC DEFENDER
TEL: (860) 509-6429
FAX: (860) 509-6499

Testimony of the Office of Chief Public Defender
Deborah Del Prete Sullivan, Legal Counsel

Judiciary Committee – March 13, 2023
Raised H.B. 6682 – An Act Concerning the Sentence for Murder Committed
in the Course of Commission of a Family Violence Crime

The Office of Chief Public Defender strongly opposes **Raised H.B. 6682 - An Act Concerning the Sentence for Murder Committed in the Course of Commission of a Family Violence Crime (LCO 4126)**. The bill would enhance the penalty for murder during a domestic violence offense to life imprisonment without the possibility of release. A person convicted of murder is already subject to a life sentence without the possibility of parole. This proposal would punish persons punishable under the “murder with special circumstances” statute equally as those persons who previously were convicted for capital offenses, for which a sentence of death had been imposed prior to the statutory change.

The bill is vague and overbroad and will have unintended consequences. First the bill is vague and is not limited as to who the victim may be. Anyone could be the victim of physical or ***threatened harm, including verbal abuse or argument***, where no physical harm has occurred, so long as a murder occurred during this *domestic violence* incident. Family violence is defined as:

“an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Verbal abuse or argument does not constitute family violence

Mission Statement of the Division of Public Defender Services

Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us.

We are committed to holistic representation that recognizes clients as individuals, fosters trust and prevents unnecessary and wrongful convictions.

unless there is present danger and the likelihood that physical violence will occur.”

See subsection (1) of *C.G.S. 46b-38a. Family violence prevention and response: Definitions.*

By definition, the bill is overbroad and overinclusive. The universe of family violence charges is much broader than many people imagine. It includes lower-level offenses. Anyone could be charged with this offense even if it occurs during an oral argument between family members.

As a member of the *Trafficking in Persons Council*, this office is concerned about persons who have been abused, sexually abused, or trafficked by a person with whom they reside or have resided with or have been in a dating relationship. If the abused victim murders their abuser, under the bill they will be subject to life without possibility of release. That means that they will die in prison without any chance of release.

Therefore, this office strongly urges the Committee to reject this bill. Thank you.