



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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**Testimony of the Office of Chief Public Defender
Benedict R. Daigle, Assistant Public Defender**

JUDICIARY COMMITTEE - MARCH 13, 2024

Raised Senate Bill No. 362

**AN ACT CONCERNING FINES FOR CERTAIN DISCIPLINARY ACTIONS IN
CORRECTIONAL FACILITIES AND THE DEPOSIT OF SUCH FINES INTO A FUND
FOR THE BENEFIT OF ALL PERSONS WHO ARE INCARCERATED**

The Office of Chief Public Defender (OCPD) opposes *Raised S.B. 362 (LCO 2583)*, as the legislation would impose financial penalties for certain conduct by individuals who are incarcerated, with no consideration as to such individuals' limitations, diagnoses, or ability to pay, and no checks on the process by which findings are made and fines imposed.

There are overwhelming data as to the prevalence of mental illness (including severe and persistent mental illness and undiagnosed mental illness), trauma (including adverse childhood experiences, or "ACEs"), learning and language disorders, intellectual and developmental disabilities, and poverty among people who are incarcerated; as to the effectiveness of various approaches within carceral systems; and as to the power of procedural justice to mollify individuals subject to such processes. This bill does not reflect such data.

To the contrary, this legislation opens the door to a counterproductive, punitive system in which further unchecked decisions place greater strain on indigent people who are incarcerated and their families, with no requirement of responsiveness as to any causes or conditions underlying the conduct.ⁱ This is not to say that such conduct is acceptable, but rather that we, as a state, are called to do the harder work of responding in ways that are effective – to the benefit of individuals who are incarcerated, prison staff, and the community at large.

This office thanks the Committee and respectfully requests that no action be taken on this bill.

ⁱ See, e.g., Leah Wang, Prison disciplinary fines only further impoverish incarcerated people and families, PRISON POLICY INITIATIVE (Feb. 7, 2024), <https://www.prisonpolicy.org/blog/2024/02/07/disciplinary-fines/>.