



## State of Connecticut

### DIVISION OF PUBLIC DEFENDER SERVICES

**Office of Chief Public Defender**  
55 Farmington Avenue, 8<sup>th</sup> Floor  
Hartford, Connecticut 06105  
(860) 509-6405 Telephone  
(860) 509-6495 Fax

**Deborah Del Prete Sullivan**  
Legal Counsel, Director  
[deborah.d.sullivan@pds.ct.gov](mailto:deborah.d.sullivan@pds.ct.gov)

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

JUDICIARY COMMITTEE - MARCH 13, 2024

H.J.R. No. 171

### 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

As in prior testimony, the Office of Chief Public Defender (OCPD) opposes **H.J.R. 171, 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 Connecticut Sentencing Commission, of which this office is a member, has been involved in ongoing discussion regarding this issue. The Sentencing Commission, established in 2011, is charged with reviewing Connecticut's criminal laws and propose recommendations to the Governor, this body and other criminal justice agencies. Commission members include, among others, the Chief Court Administrator and other Judges, Court Support Services, Chief State's Attorney, Law School Professors, former state representatives, the Victim Advocate and Commissioners of Emergency Services and Public Protection, Mental Health and Addition Services, Correction, Pardon and Parole.

In 2022, the Sentencing Commission released its *Report on Pretrial Justice, Toward a Fair and Just System*. A recent trip to New Jersey by members of the Sentencing Commission to view the criminal process on this issue is still being discussed. Any changes as contemplated by this Resolution will impact upon this agency's indigent clients who are presumed innocent. Details of any bail process contemplated must first be recommended, reviewed, considered, and ultimately agreed upon by those stakeholders in the criminal justice system. Passing an

Page 2 of 2

**Raised Bill No. H.J.R. 171 - 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**

March 13, 2024

Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director

amendment to the Constitution prior to establishing the process would be premature without the specific details worked out before hand to avoid substantial and detrimental impact upon this agency's indigent clients and the most vulnerable people in this state, including people of color. This office is concerned as it believes that passage of this Resolution and contemplated constitutional amendment will result in increased detention of our clients and pressure clients to plead guilty so that they may be released from incarceration. Pretrial detention results in substantial collateral consequences, which include loss of employment, housing, children and family support.

This office is committed to continuing the discussion pertaining to the bail process as contemplated by this Resolution. However, until the bail process has been determined, the Office of Chief Public Defender requests that the Committee take no action on this resolution.