



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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

Judiciary Committee - March 18, 2026

R.B. 5565

AN ACT CONCERNING A STUDY OF THE CIVIL AND CRIMINAL LAWS OF THIS STATE

The Office of Chief Public Defender (OCPD) supports **R. B. 5565 - An Act Concerning a Study of the Civil and Criminal Laws of This State**. This office requests that the Chief Public Defender be added to the membership of the working group as it carries out its charge to study the Connecticut statutes regarding criminal justice issues. This office's substantial experience in the Connecticut courts, both pretrial and post-conviction, including its Connecticut Innocence Project, gives this agency a unique perspective on Connecticut's criminal and juvenile delinquency laws. Pursuant to C.G.S. 51-296¹, the Division of Public Defender Services, as a state agency, provides legal representation to indigent adults and juveniles in criminal proceedings, including direct appeals. In addition, the Division provides representation through its Connecticut Innocence Project and post-conviction habeas unit to persons in post-conviction proceedings, including habeas corpus and habeas corpus appeals, sentence modifications, Casiano motions to correct illegal sentences, and petitions for a new trial.

This office also requests that the focus by the working group in regard to criminal laws include a study of the current laws pertaining to operating under the influence and (1) the requirement to

¹ C.G.S. 51-296 also requires the Division of Public Defender Services to provide: "(A) Legal services and guardians ad litem to children, youths and indigent respondents in family relations matters in which the state has been ordered to pay the cost of such legal services and guardians ad litem, provided legal services shall be provided to indigent respondents pursuant to this subparagraph only in paternity proceedings and contempt proceedings; and (B) legal services and guardians ad litem to children, youths and indigent legal parties in proceedings before the superior court for juvenile matters."

install an ignition interlock device, (2) commercial driver licenses, and, (3) removing the administrative sanction requiring the installation of the ignition interlock device in cases where the charge has been dismissed, but not as a result of completing the diversionary program.

- (1) As a result of the ongoing suspension of one's license until the ignition interlock device time periods are met as required, the licenses of many of the clients of this agency are suspended for years and sometimes decades. As a result of their indigency, clients of this agency may never own a motor vehicle. Therefore, they will never be able to comply with the statutory requirements pertaining to the installation of an ignition interlock device. This substantially restricts public defender clients from moving on in their lives, obtaining employment, and contributing to society.
- (2) This office seeks review of the operating under the influence statutes pertaining to a commercial driver's license to permit a person charged while operating their "personal" motor vehicle to be permitted to apply for the alcohol diversionary program.
- (3) This office requests that another focus be on clarifying jail credit as it is currently processed. This office proposes that the group study the feasibility of awarding day-for-day jail credit on each docket a person is incarcerated on. There are numerous instances wherein a person may be incarcerated pretrial and a bond set where they earn credit for the time incarcerated. However, if the person is also held on another docket where no bond is set, and then they plead out to that docket, they may not receive credit on that docket. By giving day-for-day credit on each docket for which a person is incarcerated, subsequent motions to the court for jail credit adjustment and/or habeas corpus petitions could be eliminated and provide savings to the overall criminal justice system.

For these reasons, OCPD requests that the bill be voted on favorably by the Committee, the Chief Public Defender be included as a member, and the focus by the working group include laws as articulated above. Thank you.