

LEGISLATION DESCRIPTION CONTINUED:

- limits the reasons that the Department of Correction (DOC) can grant an inmate a furlough;
- increases the number of reentry, diversionary, and staff-secure sexual offender beds;
- requires the Judicial Branch to post certain arrest warrant information on the Internet;
- requires global positioning system (GPS) monitoring of 300 more parolees;
- affords BOPP members and employees and certain DOC employees access to juvenile and youthful offender court records in limited circumstances;
- changes administrative driver's license suspension periods when the driver's elevated blood alcohol level is determined by evidence provided by a hospital;
- requires probationers who are the subject of arrest warrants or notices to appear to continue to comply with their release conditions;
- expands membership in the Criminal Justice Information System (CJIS) Governing Board, directs that body to hire an executive director and design and implement a state of the art information technology system, and appropriates \$2.25 million for these purposes;
- appropriates money for reentry and diversionary services in Bridgeport, Hartford, and New Haven;
- by January 1, 2009, directs DOC to provide the BOPP with a secure video connection at each correctional facility for conducting parole hearings by video conference (§ 15); and
- requires DOC, BOPP, and the Judicial Branch's Court Support Services Division (CSSD) to develop a risk assessment strategy for offenders in DOC custody.

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NEW CRIMINAL JUSTICE REFORM LEGISLATION PASSED. THIS IS WHAT IT DOES:

The bill:

- creates the new crime of home invasion and increases the penalty for burglary of a dwelling at night by making it 1st degree, instead of 2nd degree, burglary;
- makes home invasion a Class A felony requiring a penalty of 10 to 25 years;
- makes someone convicted of 2nd degree burglary or home invasion ineligible for parole until he or she has served at least 85% of the sentence imposed;
- eliminates a factual finding currently required to trigger enhanced sentencing under state persistent offender laws;
- alters the composition, qualification requirements, and appointment process for the Board of Pardons and Paroles (BOPP); requires a training program for board members and parole officers; prohibits parole hearings from being conducted unless the chairperson has certified that all pertinent information has been obtained or is unavailable; and requires the board to hire at least one psychologist;
- eliminates the parole administrative review procedure;
- updates the crime victim notification law; gives the paroles board discretion to permit family members of living victims to make statements at pardons and paroles board hearings; and directs the Judicial Branch to (a) implement an automated victim notification system that, among other things, can notify interested victims when the court is considering whether to accept a plea bargain and (b) assign two victim advocates to assist crime victims appearing at BOPP hearings;



Dear Friends,

The legislature recently passed a criminal justice reform bill. This bill was passed in response to tragic events in Cheshire that exposed weaknesses in the current system and made people question their safety. This mailing provides details of that legislation.

In September, Rep. Fritz and I submitted legislation which established the crime of home invasion, made it a Class A felony with a penalty of ten to twenty-five years, and required that eighty-five per cent of the sentence be served before consideration for parole.

I was very pleased that the final bill, which I voted for, includes all of these provisions. In addition, the bill provides for a life sentence for a third strike, counts serious violent felonies as strikes, requires the Board of Pardons and Parole to have all information before conducting a hearing, makes changes to the victim notification system, requires GPS monitoring systems for 300 parolees, and improves the communication systems between the courts and the Department of Correction. The language of the bill we passed is consistent with the recommendations made by the Governor's Task Force on Sentencing and Parole.

During the debate, an amendment was offered that sought to modify the three strikes language already included in the bill. The proposed amendment language that was offered would still retain prosecutor discretion on whether to seek a life sentence, but it allowed the judge to release the offender upon a hearing after thirty years. It also counted drunk driving and fights resulting in minor injuries as strikes. In addition, the wording was vague and the constitutionality was in question. Those involved in the criminal justice system recommended that we reject the language of the amendment because it was unworkable and would have made three strikes less applicable than the proposed bill language before us. For all of those reasons, I voted against the amendment.

The final bill was the result of work that included Democrats, Republicans and the Governor's Office. It was an example of how the system should work. Politics has no place in this discussion. This issue is too important. No piece of legislation is totally perfect and we will need to monitor the results carefully. If either the prosecutorial or corrections staff recommends further changes, we will take them up in the next legislative session. We have all learned from this experience and it is my hope that our work will prevent future tragedies.

If you would like a copy of the legislation in its entirety, or would like to discuss this legislation, please contact my office.

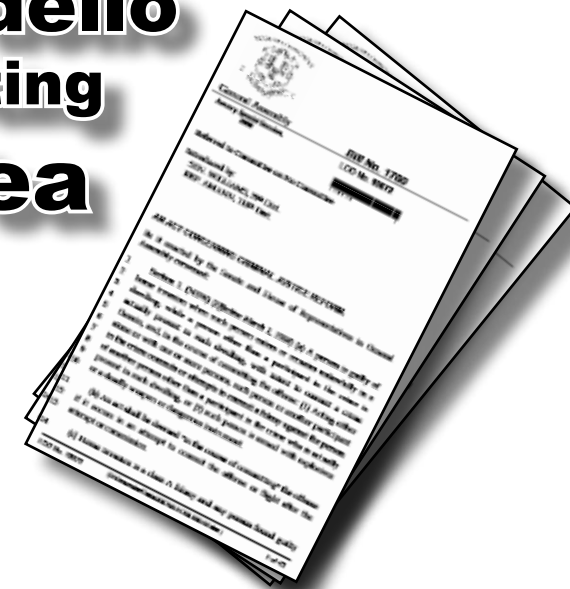
Vickie Nardello
State Representative, 89th District

BILL # 1700 AN ACT CONCERNING CRIMINAL JUSTICE REFORM

PASSED WEDNESDAY, JAN. 23rd, 2008
2:41 am

138 voting
126 voting Yea
12 voting Nay

Nardello voting Yea



BUILDING SAFER COMMUNITIES

