

**Get the Toolkit: Automatic Court Docketing of Warrantless Arrests**

*CT Must End Automatic Docketing of Warrantless Arrests  
and Promote Prosecutorial Review*

**What is this bill?**

- This court reform bill creates a pilot program in judicial districts to study the feasibility of requiring all charges in warrantless arrests to be initiated by prosecutors.
- The pilot program would require each district's State's Attorney report back to the legislature on the successes and shortcomings of the program. This information would prepare the legislature to implement the policy state-wide.

**Why do we need to support this bill?**

- In Connecticut, cases are automatically docketed into the court system after arrest. When a person is arrested without a warrant, police are currently the ones to select charges that are then docketed for arraignment, before a prosecutor can review the case. Our criminal legal system is one that pushes people towards prosecution and overcharging.
- In 2023, the Division of Criminal Justice released a report on our prosecutorial system authored by the Center for Court Innovation. The Moving Justice Forward report argued that automatic docketing means that "prosecutors cannot efficiently fulfill their duty to determine whether cases should be prosecuted. This sets up Connecticut prosecutors to react to whether a prosecution should continue, rather than whether it should occur."
- The determination of criminal charges is a profound decision: it involves complex questions involving the admissibility of evidence, and whether that evidence is sufficient to justify criminal charges. These are determinations that can and should only be made by a barred attorney.

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**Why do we need to support this bill? (cont.)**

- There are severe consequences to automatic docketing when it comes to warrantless arrests prior to prosecutorial review, which include:
  - bringing cases to arraignment that do not meet the legal standards for prosecution
  - overcharging, undercharging, or incorrectly filing charges against defendants
  - unnecessarily depriving people of access to the substance abuse and mental health treatment or diversionary programs that they need
  - delays in cases that result in unnecessary and avoidable pretrial detention
  - unnecessary contact with the criminal legal system that leads to collateral consequences that can strip people of their jobs, licenses, housing, welfare benefits, credit, and immigration status
- Automatic docketing exacerbates the disproportionate overpolicing of people of color and allows non-prosecutors an outsized hand in determining charges, convictions, and punishments.

**What would we like from this bill?**

- To learn how to best implement the bill state-wide and its fiscal impacts on the Division of Criminal Justice and policing.
- To ensure that only prosecuting attorneys are the ones to select charges during warrantless arrests.
- To reduce the number of people that come into contact with the criminal legal system in the first place and redirect people towards the appropriate diversionary programs.
- To save the state money and resources by reducing caseloads, cutting red tape, and reducing opportunities for wrongful convictions.

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**What would we like from this bill? (cont.)**

- To promote access to justice by allowing the judicial system to focus on cases that are prosecutable and by easing unnecessary legal expenses for people defending against inappropriate charges.

**What can I do to support this bill?**

- Write or call your representatives and tell them that you support this bill. Find your legislators at <https://www.cga.ct.gov/asp/menu/cgafindleg.asp>.
- Submit testimony to the Judiciary Committee in support of the bill during its public hearing in late February to early March.

***You can find all this information and more, including model testimony and a summary of the bill, on our website at <https://www.acluct.org/en/take-action>.***