



Legislative Testimony
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**Written Testimony Opposing
House Bill 5407, An Act Establishing a Task Force to Promote
Efficiencies in the Filing of Habeas Corpus Matters**

Senator Doyle, Senator Kissel, Representative Tong, and distinguished members of the Judiciary Committee:

My name is Kaley Lentini, and I am legislative counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to House Bill 5407, An Act Establishing a Task Force to Promote Efficiencies in the Filing of Habeas Corpus Matters.

The ACLU-CT works to end mass incarceration and defend justice and equality under the law. Therefore, we have concerns about further limiting people's ability to file habeas corpus petitions. A habeas corpus action requires the government to prove that it is legally incarcerating a person. This is an incredibly powerful and important action for an incarcerated person to have at their disposal, as it can help to end a wrongful incarceration and ensure justice.

According to its language, this bill's goal is to "reduce the number of frivolous [habeas corpus] applications filed." We believe, however, that it is important to keep this legal action readily available for incarcerated people.

As new technology emerges, our society has found innovative ways to improve the testing of evidence. At times, new techniques and tests, as well as the discredit of many previously relied upon forms of evidence, lead to the discovery that the government has wrongfully imprisoned a person who did not commit a crime. In fact, a Hartford man was recently released after serving 18 years for a murder that new DNA testing shows he did not commit. It is cases like these that validate the importance of having meaningful use of habeas corpus.

If this bill passes into law, we encourage the membership of the task force to have significant representation from defense attorneys and formerly incarcerated people in an effort to ensure that the

interests of incarcerated people are represented. The ACLU-CT believes, however, that this task force is unnecessary and urges the committee to oppose its passage.