



Legislative Testimony
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**Written Testimony Supporting
House Bill 5544, An Act Concerning the Recommendations of the Connecticut
Sentencing Commission with Respect to Misdemeanor Sentences**

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

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of House Bill 5544, An Act Concerning the Recommendations of the Connecticut Sentencing Commission with Respect to Misdemeanor Sentences, which reduces the maximum sentence for misdemeanor offenses by one day in an effort to protect immigrants from unnecessary Immigration and Customs Enforcement (ICE) involvement.

Though this bill's provisions would apply to all people convicted of a misdemeanor, undocumented immigrants have the most to gain from its passage. Right now, if an undocumented person in Connecticut is convicted of a misdemeanor that carries a sentence of 365 days, they could be referred to ICE and face deportation. In Connecticut, this kind of sentence could come from something as small as failure to appear in court for a motor vehicle violation because of a bad address.

Tearing someone away from the country they call home based solely on a single misdemeanor conviction does not reflect Connecticut's values. It is a life-altering, disproportionate punishment that does not fit in a modern justice system.

Involvement in the justice system does not tell us anything about someone's goodness, or whether they have a family here that needs them. It only tells us they were one of millions of people imprisoned in America's mass incarceration machine. Undocumented people who are ensnared in the justice system are parents, children, neighbors, coworkers, bosses, and friends, and Connecticut should treat them as such. Connecticut should not tear someone away from their country, family, and home based solely on their misdemeanor record.

It is very important that this bill's provisions are retroactive. Without this piece, the government could deport someone who has a misdemeanor record from decades ago. We should not subject people to the life-altering punishment of being deported from the country they call home based solely on a mistake or conviction from years in their past.

Other states have passed similar legislation. California, Nevada, Oregon, and Washington have all passed legislation that similarly helps undocumented people avoid consequences that are disproportionate to their actions when they are caught in the criminal justice system because of a misdemeanor conviction. Connecticut should follow their example with this bill.

We strongly encourage this committee to support House Bill 5544 to protect immigrants from unnecessary involvement with Immigration and Customs Enforcement by reducing the maximum sentence for certain misdemeanors from 365 to 364 days.