



Legislative Testimony
765 Asylum Avenue, 2nd Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

Written Testimony Opposing House Bill 6637, An Act Concerning a Crime Victim's Participatory Rights in a Violation of Probation Hearings

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and distinguished members of the Judiciary Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in opposition to House Bill 6637, An Act Concerning a Crime Victim's Participatory Rights in a Violation of Probation Hearings.

The ACLU-CT believes in a society where all people, including those who have been convicted of a crime, have equal opportunity to contribute to society and build successful and fulfilling lives. People involved in our criminal legal system who finish their sentences have paid their debt to society. They deserve to live their lives in Connecticut's communities without barriers to being happy, productive, law-abiding residents. Because of systemic racism, Black and Latino men are disproportionately incarcerated, which means they are likewise disproportionately rejected when they return to the community and seek to build a life worth living. Poor chances of employment or stable housing likely have a resulting outsized impact on Black and brown people. When the Board of Pardons and Paroles rescinds or revokes a person's parole and that person is incarcerated, the effects reverberate across communities. These effects include financial costs to the state, the person who is incarcerated, their family, their employer.

Every person living with a criminal record, who has served out their sentence and reentered society should have an equal opportunity to build a successful and fulfilling

life. This is true for people who are just beginning their reentry process and people who have been back in their communities for decades, regardless of whether they have been convicted of a misdemeanor or a felony and irrespective of whether they have been convicted of a violent or non-violent offense.

The ACLU-CT opposes House Bill 6637 because it does not address a documented need and it is likely to increase mass incarceration. Victims currently have ample opportunity to partake in the trial and sentencing process in this state.¹ Frequently, people are returned to incarceration due to technical violations of parole or probation which are unrelated to the harm experienced by the victim.² House Bill 6637 is unnecessarily expansive by granting a crime victim participatory rights in any hearing concerning a violation of probation or conditional discharge involving the person who committed the criminal act, regardless of whether the purported violation is even related to the initial crime. Victims have the ability to participate throughout the trial process, including by way of victim impact statements either before the plea agreement is accepted or at sentencing. Further widening the process for commentary even when the purported parole violation is completely unrelated to the initial offense will undoubtedly contribute to mass incarceration in Connecticut. As such, the ACLU-CT opposes House Bill 6637 and urges this Committee to do the same.

¹ *Rights of Crime Victims in Connecticut: Summary of State Statutes*, OFF. VICTIM SERV. (accessed Mar. 19, 2022), available at <https://www.jud.ct.gov/Publications/VS015.pdf>.

² See, e.g., *Compl. Jones v. Lamont* ¶ 37 (Apr. 3, 2020), available at <https://www.acluct.org/en/press-releases/aclu-connecticut-files-emergency-lawsuit-force-governor-commissioner-corrections>.