



*550 members in 12 shoreline and surrounding towns
safeguarding fundamental human rights through grassroots action*

**Testimony in Support of Connecticut Sentencing Commission Legislative Proposal:
An Act Concerning Misdemeanor Sentences**

CONNECTICUT SENTENCING COMMISSION PUBLIC HEARING

December 6, 2018

Connecticut Shoreline Indivisible (CTSI) is a non-partisan grassroots organization and a member of the Connecticut Immigrant Rights Alliance. Our mission includes a strong commitment to creating a more just society by addressing systemic injustice and racism. To that end, our Immigration & Refugee Action Team defends the human and civil rights of immigrants in a broad spectrum of contexts that ranges from supporting specific families threatened by deportation to promoting laws that embody equitable principles and policies.

One of the injustices that has come to our attention is the devastating and unintended consequences of the current maximum sentence of 365 days for misdemeanors in CT. The fact that the maximum sentence is 365 days instead of 364 days can subject to deportation non-citizens who have only committed a misdemeanor regardless of whether they are actually sentenced for a year. The 365-day maximum sentence also makes it impossible for immigrants without green cards, who may have led exemplary lives in every other respect, to apply for cancellation of removal, one of the few options that long-term residents have for obtaining a green card.

Another extremely harsh effect of the 365-day maximum sentence is that immigrants who are convicted of certain crimes that federal immigration law arbitrarily deems “aggravated felonies” are detained and deported for misdemeanors that are not, in reality, either “aggravated “ or “felonies,” but are characterized as such only because the sentence, even if suspended, is 365 rather than 364 days. People in this situation have no recourse and are not even eligible to apply for various forms of relief from deportation.

The need to make this simple change in the law is more urgent than ever in view of the current Administration’s war against immigrants, which seeks to detain and deport as many people as possible regardless of the human cost and trauma imposed on families and communities. Connecticut stands in a position to prevent some people from being treated cruelly and expelled from the country and their families solely because they committed a misdemeanor that had a sentence or potential sentence of 365 days. The unintentional and disproportionately inhumane impact of the current law needs to be addressed during this legislative session.

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