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Dear Honorable Sir,

I'm writing you in reference to the November 21, Public Hearing held by the Sentencing Commission that considered a proposal concerning sentencing and parole for persons who were under 18 at the time of the commission of their crime/s, that will be presented during the 2014 Connecticut General Assembly legislative session.

My name is Edward Falby, I am currently incarcerated at Chesire Correctional Institute. I am serving an Indeterminate type of sentence of 15-LIFE ("LIFE IMPRISONMENT") for a conviction of murder that occurred on June 13, 1978. I was 18 years - 263 days old at the time of my offense. My sentence allows me to have parole consideration hearings as do all sentenced for crimes that occurred prior to July 1, 1981; the enactment date of the then new definite sentencing system here in the state of Connecticut.

Forgive me for writing a letter that is outside of the direct scope of the proposal you are today considering.

However, with very few options left to me, I must try to get the attention of a person such as yourself that is in a position to possibly effectuate a change in the sentencing law I am under, namely C.G.S. 53a-35(a).

Section 53a-35(a) described the maximum term of the indeterminate life sentence as "... the maximum term for a conviction of a class A felony is LIFE IMPRISONMENT."

Section 53a-35b, "LIFE IMPRISONMENT" defined. states that "... Life Imprisonment shall mean a definite sentence of 60 years..."

Because of the use of the word "Definite" in section 53a-35b, its definition of sixty years for "LIFE IMPRISONMENT" is limited to section 53a-35a, which is the section that described the various sanctions under the new DEFINITE sentencing scheme enacted on July 1, 1981.

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Being eligible for parole is one of the ways a person serving an indeterminate sentence may be released from prison. Another way a person serving an indeterminate sentence will be released is by reaching the end of their sentence/s and being discharged from their sentence.

For persons serving an indeterminate sentence in which both the minimum and the maximum terms are numerically defined it's a clear understanding as to when the person's earliest release date could be and their longest (max-out) release date will be.

For persons, such as myself, serving an indeterminate life sentence where only the minimum term is numerically defined but the maximum term is NOT numerically defined, the only way to reach the longest (max-out) release date will be when I die in prison of old age.

Having eligibility for parole yet to be denied the opportunity to any meaningful use of the opportunity only leaves one option left for me, (P) grow old and die in prison.

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By the time my case is next reviewed to see if the parole board finds me suitable to receive a parole hearing will be in May 2017.

At that time I will have been incarcerated for 39 years, I will be 57 years old and will have been denied an opportunity for release on parole for 31 years (My first parole hearing was held on June 10, 1986).

And still there will be no light at the end of the tunnel, no end of sentence in sight.

I'm asking the Sentencing Commission if they could please consider submitting a proposal to the 2014 General Assembly session that would allow section 53a-35b to be amended in such a way so as to include the "LIFE IMPRISONMENT" sentenced under section 53a-35(a), in the definition of "... life imprisonment shall mean a sentence of 60 years", under section 53a-35b.

At least that would allow there to be an end of sentence date where I would still be alive when I reached it.

Thank you for your time and consideration.

Sincerely,
Edward Falby