

CONNECTICUT SENTENCING COMMISSION

Regular Meeting

Wednesday, Jan. 20th, 2020

2:00 – 3:15 PM

WebEx

Members Present: *Robert J. Devlin, Jr. (chair), John Santa (vice-chair), Leland Moore (on behalf of Carleton Giles), Jennifer Zito, Chris Rapillo, Garry Roberge, Mark Palmer, Michael Norko (on behalf of Miriam Delphin-Rittmon), Kevin Lawlor (on behalf of Richard Colangelo, Jr.), Bill Dyson, Brian Foley (on behalf of James Rovella), Sarah Russell, Vernon Oliver, and Margaret Kelley.*

Staff: *Alex Tsarkov (Executive Director), Andrew Clark, and Van Augur*

Guests: *Dana Paikowsky (Campaign Legal Center), Bryan Sperry (Court Support Services Division)*

MINUTES

I. MEETING CONVENED

Judge Devlin convened the meeting at 2:02.

II. APPROVAL OF MINUTES FROM THE 12.16.2020 MEETING

Commissioner Santa made a motion to approve the minutes, seconded by Commissioner Kelley. The motion passed unanimously.

III. 2021 LEGISLATIVE AGENDA

Judge Devlin and Alex Tsarkov discussed the Sentencing Commission's legislative agenda for the 2021 Session of the General Assembly. The Commission will present the following proposals to the Judiciary Committee:

- *An Act Concerning Misdemeanor Sentences;*
- *An Act Concerning the Enhanced Penalty for the Sale or Possession of Drugs Near Schools, Day Care Centers and Public Housing Projects;*
- *An Act Concerning Sentence Modification; and*
- *An Act Concerning the Sexual Offender Registry.*

Additionally, the Commission will present the following proposal to the Government Administration and Elections Committee:

- *An Act Facilitating Voting by Persons Who Are Incarcerated in Connecticut Correctional Facilities and Restoring Voting Rights and Electoral Privileges for Persons Who Are Incarcerated for Felony Convictions*

IV. PRESENTATION ON ENFRANCHISEMENT OF INCARCERATED INDIVIDUALS

Dana Paikowsky of the Campaign Legal Center gave a presentation on the restoration of voting rights of the incarcerated population. Judge Devlin expressed interest in further exploring literature on the relationship between recidivism and the re-enfranchisement of convicted individuals.

V. PRESENTATION ON TEN PERCENT BAIL

Bryan Sperry of the Judicial Branch Court Support Services Division gave a presentation on the utilization and outcomes of the automatic ten percent cash option for 2020. Data showed that roughly 40% of financial releases from police departments in 2020 utilized the ten percent cash option. This was accompanied by a significant reduction in the percent of arrestees who secured release by hiring a bondsman or posting the full bond amount. The ten percent option was widely used for bond amounts under \$10,000.

Commissioner Palmer expressed continued support for the ten percent rule on behalf of the law enforcement community, especially given the unique challenges that local detention in police departments present for Connecticut.

Bryan Sperry noted that failure to appear and rearrest rates for defendants released on the ten percent cash bonds were lower than for those defendants released through a professional surety, though he noted the potential impact of COVID-19 on these numbers.

Judge Devlin asked whether any Commission members would object if he and Alex were to testify against the proposed repeal of the automatic ten percent rule that has been proposed in the legislature. No members objected.

Commissioner Santa requested that further research be done to examine how much money the ten percent rule has saved arrestees in 2020.

VI. ADJOURNED

Judge Devlin adjourned the meeting at 3:15 P.M.