

CRIMINAL JUSTICE REFORM AT THE CAPITOL

By State Representative Marilyn Giuliano

Six months have passed since the home invasion and murders in Cheshire. What happened in Cheshire was a life-altering event that made all of us feel vulnerable, and caused us to change the way we live our everyday lives.

Now we think twice about leaving doors unlocked, and look over our shoulders while standing at the ATM machine. Meeting in special session in late January, the state House and Senate adopted legislation including many of the criminal justice reforms recommended by the Governor's task force to create the new crime of home invasion and increase the penalty for the burglary of a dwelling at night.

A crucial part of the legislation makes someone convicted of second-degree burglary or home invasion ineligible for parole until he or she has served at least 85% of the sentence imposed.

This new law also:

- alters the composition, qualification requirements, and appointment process for the Board of Pardons and Paroles (BOPP);
- requires a training program for board members and parole officers;
- prohibits parole hearings from being conducted unless the chairperson has certified that all pertinent information has been obtained; and
- requires the board to hire a forensic psychologist to provide the BOPP with violent offender risk assessment.

This legislation also eliminates the parole administrative review procedure, making it more difficult for dangerous, violent offenders to be released from prison prematurely.

These criminal justice reforms update the crime victim notification law and give the paroles board discretion to permit family members of living victims to make statements at pardons and paroles board hearings.

The Judicial branch is directed to implement an automated victim notification system that, among other things, can notify interested victims when the court is considering whether to accept a plea bargain, and assigns two victim advocates to assist crime victims appearing at BOPP hearings. Global positioning system (GPS) will be required to assist in monitoring of 300 more parolees.

The Judicial branch will now be required to post arrest warrant information on the Internet, similar to information now posted on sex offenders. The Board of Pardons and Paroles members will be given limited access to previously closed juvenile and youthful offender court records that have relevance to the criminal activity under the BOPP's review.

Under these new criminal reforms, law enforcement and parole officials will have more complete information on an offender's criminal history. Toward that end, the responsibilities of the Criminal Justice Information System (CJIS) Governing Board are increased. The membership of the CJIS governing board is expanded. The CJIS will hire an executive director, and implement a state of the art information technology system so that law enforcement agencies can communicate more effectively with one another.

This bill creates a diversionary program so that persons with psychiatric disorders who have been accused of less serious crimes can be more appropriately directed to the services they need.

Missing from these reforms was a narrowly crafted "3-Strikes" provision recommended by Governor Rell that sought to impose a life sentence upon conviction of a third violent felony offense. As recommended, the "3-Strikes" provision would have allowed the court to review the sentence after the violent felon had served 30 years. Proposed as a Republican amendment to both the House and the Senate bills, the measure was defeated in party line votes.

Overall, the legislation that was passed gives Connecticut families more protection from violent offenders and eliminates loopholes in our parole system that will prevent many dangerous prisoners from being released after having served only a fraction of their sentences.

It recognizes and affirms that the most fundamental obligation of government is to protect the safety of its citizens, particularly in their homes. I voted for this measure because its overall impact will be to improve public safety.

For more information on this or other issues before the General Assembly, go to housegop.ct.gov or call my office at 1-800-842-1423.

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