



***Office of Chief Public Defender
State of Connecticut***

30 TRINITY STREET, 4TH FLOOR
HARTFORD, CONNECTICUT 06106
TEL (860)509-6429
FAX (860-509-6499
susan.storey@jud.ct.gov

ATTORNEY SUSAN O. STOREY
CHIEF PUBLIC DEFENDER

**TESTIMONY OF DEBORAH DEL PRETE SULLIVAN, LEGAL COUNSEL
OFFICE OF CHIEF PUBLIC DEFENDER**

***Raised House Bill No.7044
An Act Concerning Pretrial Justice Reform
Judiciary Committee - March 20, 2017***

The Office of Chief Public Defender supports Raised Bill 7044, the Governor's bill regarding pretrial justice reform. The bill provides for the review of a person's bail after 30 days, instead of the current 45 day period. Upon review after this period of time, the court retains the discretion to remand the person back to corrections, reduce, modify or discharge the bail. In cases where a person has been charged with a class D, E, certain unclassified felonies or a misdemeanor, the bill provides for a person to be presented to the court not later than 14 days after arraignment for redetermination of his/her bail and requires the court to make a finding, on the record, as to the ability to pay. If the person is unable to post bond, he/she is brought back to the court every 14 days for a redetermination of the bail and a finding as to ability to pay.

The Office of Chief Public Defender suggests that language be considered in Section 2 regarding the process for investigation of a person's financial status. The bill provides for the court to have the arrestee complete a financial affidavit under oath as to the person's ability to pay. Currently, any arrestee requesting counsel must complete an Affidavit of Indigence Form, under penalty of perjury, and as promulgated by the

Public Defender Services Commission. This office suggests that the public defender office is already in the best position to advise the court as to whether an arrestee has the ability to pay a bond and the extent of such, if any. Further, if the public defender subsequently becomes aware that the arrestee's financial status has improved, the public defender can make the court aware of this factor. This is similar to the process already in statute which requires the public defender to withdraw from a case and notify the court that the person no longer qualifies for public defender services. By having the process suggested here, it would avoid a duplication of efforts and utilization of Judicial resources as the public defender already has this information, at least in regard to indigent persons. The Office of Chief Public Defender is available to discuss this process and potential language to put this process in place.