



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

30 TRINITY STREET, 4<sup>TH</sup> FLOOR  
HARTFORD, CONNECTICUT 06106  
TEL (860)509-6429  
FAX (860-509-6499  
[susan.storey@jud.ct.gov](mailto:susan.storey@jud.ct.gov)

ATTORNEY SUSAN O. STOREY  
CHIEF PUBLIC DEFENDER

**TESTIMONY OF CHRISTINE RAPILLO  
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION  
OFFICE OF CHIEF PUBLIC DEFENDER**

**Committee on the Judiciary  
February 27, 2017**

**Raised Bill 886, *AN ACT CONCERNING THE DISCRETION TO GRANT OR DENY PARDONS FOR JUVENILES CONVICTED UNER SPECIFIC CIRCUMSTANCES***

The Office of Chief Public Defender opposes *Raised Bill 886, An Act Concerning the Discretion to Grant or Deny Pardons for Juveniles Convicted Under Specific Circumstances*. This proposal would repeal P.A. 16-67, § 8., which automatically grants a pardon to an applicant who was convicted of making a threat to a school when under 18 years old and who, after being discharged from court-related supervision, had no additional court contact for three years. This pardon provision was put into place as part of amendments to C.G.S. Sec. 53a-61aa and C.G.S. Sec. 53a-62, which made it a felony to engage in activity that caused the evacuation of a school during school hours. This set of revisions was passed in response to a number of incidents at local schools and colleges.

The pardon provision is critical. It allows a court to hold a young person accountable for his or her actions but provide the opportunity to free themselves of a permanent felony conviction that will prevent them from maturing into a productive member of society. The 2016 revisions to the statutes, taken as a whole, provide for punishment as the court has the discretion to impose a prison term but recognizes that these offenses are often committed by young people who are still developing their sense of judgment and consequences.

It is important to note that P.A. 16-67, Sec 8, which is codified as C. G. S. Sec. 54-130g, does not give an unconditional pardon. The applicant must apply for the pardon and meet eligibility criteria. There is a three year waiting period that does not begin until all incarceration and supervision has ended. The individual must not have had any new offenses. Research has shown that most young people "age out" of criminal behavior by age 25<sup>1</sup>. This is important since the time frame takes most young people out of the high risk adolescent age group before they are eligible to apply for the pardon. The pardon provision P.A. 16-67, § 8 (C.G.S. 130g) are consistent with Connecticut's bold efforts to provide a second chance to young offenders who show that they have rehabilitated. It is crucial that they remain in effect. The Office of Chief Public Defender respectfully urges this committee to reject this proposal.

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<sup>1</sup> [www.nij.gov/topics/crime/Pages/delinquency-to-adult-offending.aspx](http://www.nij.gov/topics/crime/Pages/delinquency-to-adult-offending.aspx)