



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of Christine Perra Rapillo, Chief Public Defender Office of Chief Public Defender

**Committee on the Judiciary
March 21, 2018**

Raised Bill 5544, An Act Concerning the Recommendations of the Connecticut Sentencing Commission with Respect to Misdemeanor Sentences

The Office of Chief Public Defender strongly supports Raised Bill 5544, An Act Concerning the Recommendations of the Connecticut Sentencing Commission with Respect to Misdemeanor Sentences. This proposal would change the statutory definition of a misdemeanor from an offense for which an individual is sentenced to one year or less to an offense where an individual is sentenced to 364 days or less. Under federal law, felonies are defined as being an offense for which a sentence of a year or more can be imposed. Federal law does not consider what the actual sentence was- if the crime was subject to a year or more imprisonment, the offender is considered to be a felon. This disregards Connecticut's legislative intent to classify these offenses as less serious.

The Sentencing Commission heard testimony from many individuals who were surprised to find out that their misdemeanor conviction had unintended consequences. One of the most compelling witnesses was an Iraq war veteran, with legal status and a green card. His misdemeanor conviction resulting from a fight with another man has led to his status being revoked and deportation proceedings commenced. We heard from numerous people in similar situations. Individuals with legal status and those who were undocumented and seeking status were negatively impacted by misdemeanor convictions. It is critical that people pleading guilty to offenses in Connecticut do so knowing the full impact of their plea on their immigration status. It has long been Connecticut law to treat crimes carrying a sentence of a year or less as a misdemeanor- a less serious offense. This change will help ensure that Connecticut's sentencing policy is given full faith and credit by the federal government. We urge this Committee to act favorable on this proposal.