



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of Christine Perra Rapillo, Chief Public Defender

Judiciary Committee - March 29, 2019

R.B. 1086, An Act Concerning Repeat Driving Under the Influence Offenders

The Office of Chief Public Defender does not support the enhanced penalties proposed in **R.B. 1086, An Act Concerning Repeat Driving Under the Influence Offenders**. The bill would enhance the lengthy periods of incarceration and mandatory minimum sentences which already exist under current law for persons convicted of a second or third offense.

Currently courts are *required* to sentence a person convicted of a second offense to incarceration of up to 2 years, with a mandatory minimum of 120 consecutive days to serve. The bill proposes to extend this time to a sentence of incarceration of up to 3 years with a mandatory minimum sentence of 180 consecutive days to serve. In regard to a third offender, currently courts are required to impose a sentence of incarceration of up to 3 years with a mandatory minimum sentence of 2 years to serve. This bill would extend this time to a sentence of incarceration of up to 5 years with a mandatory minimum sentence of 2 years to serve.

These mandatory minimum sentences of incarceration are in addition to mandatory fines up to \$4,000 and \$8,000 respectively, community service, probation, alcohol or drug abuse assessments, treatment if ordered and any fees and costs associated with any of these conditions. In addition, anyone so convicted must install an ignition interlock device on their motor vehicle in order to have their license restored. For indigent persons, this has resulted in lifetime suspensions of their licenses. The reason is that they are unable to pay the costly fees for the installation, calibration, monitoring, maintenance and un-installation. As a result, indigent persons so convicted are already treated more harshly in the denial of the restoration of their license. (See previous testimony of this office in support of *Senate Bill 842, An Act Concerning Motor Vehicle Offenses*.)

The Office of Chief Public Defender requests that the Committee **take no action on this R.B. 1086**. Thank you.