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**Testimony of state Senate Minority Leader John McKinney
before the Judiciary Committee of the Connecticut General Assembly**

November 27, 2007

Chairmen McDonald and Lawlor, Ranking Members Kissel and O'Neill, and members of the Judiciary Committee: I commend you for your efforts in coordinating this series of hearings, and thank you for the opportunity to testify today in support of legislative proposals I believe will improve our criminal sentencing and parole laws.

Four months have passed since a brutal home invasion and triple homicide destroyed a Cheshire family. As you know, I have not been as patient as some with the speed at which this legislature has moved to address some of the clear deficiencies in our criminal justice system exposed by this tragedy. However, I was heartened to learn, upon reviewing the proposals before this committee today, that there is general agreement in the legislature on many of the important changes we need to make.

I believe this process is moving in a positive direction, and it is my hope that – after this committee concludes its hearings, and after the Governor's sentencing task force concludes its

work – the legislature will move swiftly to convene a special session to enact reforms that will improve our sentencing and parole laws and better protect Connecticut citizens from violent criminals.

As Dr. William Petit wrote in testimony that will be read before the Judiciary Committee earlier today, “the sole issue and the only legitimate focus should be public safety and the protection of the citizens of Connecticut...”

I agree with Dr. Petit. We cannot put a price on public safety and we must do whatever is necessary to correct the failures of our criminal justice system.

To that end, the Senate Republican Caucus has put forward a series of criminal justice reforms for this committee to review.

Our proposals include:

1. **Reclassifying Burglary of a Residence (Home Invasion) as a Violent Crime**, requiring those who commit this crime to serve 85% of their jail sentences before being eligible for parole. Additionally, we are proposing a mandatory minimum 5-year prison sentence for criminals convicted of burglary in the first or second degree.
2. **Requiring Serious Criminals Wear GPS Tracking Devices** on their person at all times as a condition of their release.
3. **Strengthening Connecticut’s Persistent Offender Law** by following the state Supreme Court’s recommendation to grant juries the power to determine enhanced sentences on dangerous persistent offenders.
4. **Enacting a Strong Three Strikes Law** that eliminates judicial discretion and requires life imprisonment for a third serious felony conviction.

Despite initial resistance, I am pleased that several of the proposals before this committee today include a three strikes provision. The three strikes law proposed by the Senate Republican Caucus is designed to effectively incarcerate dangerous repeat criminals and deters serious violent crime, without resulting in explosive prison growth. It requires mandatory life imprisonment for a third felony conviction of only the most serious crimes, including manslaughter, sexual assault, arson, kidnapping and home invasion.

Our proposal was modeled after an effective law currently on the books in the state of Washington, which has roughly the same prison population as Connecticut (19,000). There the law has proven to be an effective way to remove dangerous career criminals from society without straining the state prison system. In fact, ten years after the enactment of Washington state's three strikes law, the Justice Policy Institute – an advocacy group opposed to the law – reported that just 209 criminals were incarcerated under the law. That isn't explosive prison growth by anyone's standards, but it is an effective way to keep the most dangerous career criminals in jail and out of our neighborhoods.

In addition to our legislative proposals aimed at strengthening criminal sentencing laws, the Senate Republican Caucus has put forward a number of proposals designed to help the Parole Board more effectively execute its responsibilities. We are proposing that judges and prosecutors be required to place more information on the court record at the time of sentencing, so that all pertinent background and/or opinions regarding a criminal are available to the parole board during their review process. We are also proposing that this information, along with court transcripts, be provided to Board of Parole members for review at least three business days prior to a parole hearing. Furthermore, we believe paroled offenders should be required to report to their local police station to be photographed and documented within one week of their release. Finally, we recommend an increasing membership on the Board of

Parole, and transferring responsibility and funding for the board from the Department of Corrections to the Department of Public Safety.

I believe the reforms I've outlined will bring the result we are all striving for – a safer Connecticut. It is my hope that these proposals will be met with broad bipartisan support and passed in special session this year.

I want to again thank the committee for its work and for the opportunity to testify today.