

MALLOY & ASSOCIATES

189 GEORGETOWN DRIVE
GLASTONBURY, CT 06033

2016 Capital Highlights

SPECIAL SESSION

SB 18 AAC A Second Chance Society

This bill (1) gradually raises the maximum age of juvenile justice jurisdiction over a period of three years from age 17 to age 20; (2) extends youthful offender status to certain offenders ages 18, 19, and 20; (3) requires certain defendants to have the option to post cash bail instead of surety bond as a condition of release; and (4) makes other miscellaneous changes.

The bill extends youthful offender status to certain offenders ages 18, 19, and 20. By law, a person qualifies for this status if he or she does not have a prior felony conviction or certain juvenile adjudications and meets other criteria. By law, youthful offender cases are handled in adult court separately from criminal matters. Courts can impose different penalties than in either juvenile or adult court, and a youthful offender adjudication is not a criminal conviction.

According to a Hartford Courant Editorial June 2, 2016, "Yes to Bail Reform," Governor Malloy had lobbied for months to pass a law that would eliminate cash bail for most misdemeanor charges and raise the age at which youths are treated as adults to 21. Malloy pushed hard to get the bill passed and delayed signing the budget deal, hoping he could convince more moderate Democrats that his Second Chance bill was worth voting for. In February, there about 550 people being held in CT jails before trial because they couldn't post bail. Hundreds of them were charged with nonviolent misdemeanors and would likely not be sentenced to prison. The budget deal includes savings of \$15 million by closing a prison, which he said wouldn't be possible without bail reform. Police and the judicial department already have a wide discretion over how much bail should be applied in individual cases – discretion that would continue under Gov. Malloy's proposal.

The Hartford Police Union and their lobbyists along with the Bail Bondsman Association and their lobbyists during the Special Session successfully defeated the Second Chance bill, one of Governor Malloy's most important measures of the year. Prior to the bill's defeat, while it was being drafted, discussions were held by lawmakers that would have made wearing of body camera's on police officers mandatory. On Friday, June 3, 2016, Governor Malloy cut \$20 million in municipal aide in a line item veto in response to the defeat of the Second Chance bill that occurred on Thursday, June 2, 2016, in the Special Session.

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Using his line-item veto authority, Malloy restored a \$20 million reduction in municipal aid through a lapse in the Municipal Opportunities and Regional Efficiencies (MORE) program. Specific cuts weren't available Friday, but the move comes after many cities and towns have already locked in their budgets and set their tax rates.

In a veto message Thursday, Malloy said he would consider restoring funds in the unlikely event lawmakers ended up passing the bill. "If the General Assembly chooses to act on this policy at a later date, I stand ready to discuss additional legislation that might reinstate the line-item appropriations that I am disapproving today," he wrote. www.courant.com/politics/hc-municipal-aid-cut-20160603-story.html.

SB 467 AAC Municipal Implementation of Criminal Justice Reforms

In a last minute amendment to the bill, Senator Coleman attempted to repeal the section referenced in the bill's amendment that would have prohibited a municipality from imposing a residency requirement. This amendment was never called to the senate floor therefore it died.

