



State of Connecticut
DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of the Office of Chief Public Defender
Benedict R. Daigle, Deputy Assistant Public Defender

Committee on Judiciary – March 25, 2022
Raised H.B. 5390 – An Act Repealing Statutory Provisions that Impose Liability on an Individual for Repayment of Costs Incurred when the Individual was Incarcerated

Mission Statement of the Division of Public Defender Services

Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us.

We are committed to holistic representation that recognizes clients as individuals, fosters trust and prevents unnecessary and wrongful convictions.

The Office of Chief Public Defender (OCPD) supports H.B. 5390 (LCO 2779), as the bill would remove counterproductive collateral consequences which hamper individuals’ successful rehabilitation and return to the community after incarceration.

Incarceration and other consequences of criminal conviction are considered to serve such valid purposes as protecting society, deterring similar offenses, and rehabilitating the individual who is convicted. However, absent reliable data supporting such purposes, sentences and collateral consequences may needlessly hamper an individual’s ability to be an engaged, productive member of society and provide for themselves and their loved ones.¹

Such is the case with burdening an individual with costs incurred during their incarceration, a policy that allows the State to take from the *just compensation* of individuals – already marginalized – working to recover from harm, build a better life, and leave something to their children. Too many cases, including that of Ms. Tianna Leboy, whose settlement *with the State itself* had to include a waiver of the State’s right, lest she receive nothing, show that the policy is broken.²

As a society, we share a moral, social, and economic interest in the success of returning citizens. This demands that we stop the counterproductive extraction from such individuals – particularly given the historical context of the U.S. criminal legal system and the persistent disparities therein.³ This office requests that the Committee vote favorably on this bill. Thank you.

¹ *Welcome to the NICCC, National Inventory of Collateral Consequences of Conviction*, <https://niccc.nationalreentryresourcecenter.org/> (visited March 24, 2022).

² *CT pays \$250,000 to woman who gave birth in a prison cell*, <https://ctmirror.org/2020/12/12/ct-pays-250000-to-woman-who-gave-birth-in-a-prison-cell/> (visited March 24, 2022).

³ See, e.g., *Slavery to Mass Incarceration*, Equal Justice Initiative, https://www.youtube.com/watch?v=r4e_djVSag4 (visited March 24, 2022).