

CONNECTICUT

STATISTICAL INFORMATION

Current Governor: M. Jodi Rell
Term of Office: July 2004 - Jan. 2007

Legislative Term: Feb. - May

Total Inmate Pop.

(As of 1/1/05): 18,001 **White: 28.7% Black: 43.5% Latino/a: 27.1% Other: <1%**

Death Row Pop.

(As of 5/20/05): 6 **White: 2 Black: 3 Latino/a: 1 Other: 0**

EXECUTIONS:

Since 1976: 1 **White: 1 Black: 0 Latino/a: 0 Other: 0**
(As of 5/20/05)

Carried out in 2003: 0

Carried out in 2004: 0

Carried out in 2005: 1
(through 5/19/05)

INMATES REMOVED FROM DEATH ROW BETWEEN 1973 AND 2004

(does not include those executed by the state or those who died of natural causes):

Total Number: 1

Sentence/Conviction overturned (minus exonerations): 1

Sentence reduced: 0

Exonerations: 0

Other: 0

RELATED STATUTORY PROVISIONS:

Life without Parole: yes

Prohibits the execution of juvenile offenders: yes

Prohibits the execution of mentally retarded offenders: yes

Prohibits the execution of mentally ill offenders: no

CURRENT STATUS OF THE MORATORIUM:

Moratorium: no

Study: yes

Status: In *July 2001*, the legislature created the Commission on the Death Penalty to study issues of fairness, equity, disparity, cost, and judicial and administrative process in the imposition of the death penalty in Connecticut. The commission submitted its findings and its recommendations on *Jan. 8, 2003*, but indicated that they should be viewed only as an incremental step and that further research and examination of the system is needed. The Commission found that 86% of the crimes resulting in a death sentence involved a white victim and that 89% of the 166 capital prosecutions since the state reinstated the death penalty in 1973 came from just six judicial districts, 40% from Hartford alone. The recommendations include: Passing legislation which provides that no person can be executed if the sentence was sought or imposed based on the race, ethnicity, gender, religion, sexual orientation, age, or socio-economic status of the defendant or the victim; Creating a committee of State's Attorneys to review any decision by a local prosecutor to seek the death penalty; Passing a law that requires the

State Supreme Court to review all death sentences for geographic sentencing bias; Creating a Capital Defense Support Unit to provide support services to Special Public Defenders and increasing their hourly pay; Videotaping or audiotaping all custodial interrogations of murder suspects and conducting blind lineup identifications; Adopting witness identification procedures designed to eliminate false identifications; and Reinstating a proportionality review of any death sentence to ensure that it is not excessive or disproportionate to the sentence imposed in other similar cases. The General Assembly is scheduled to vote on the report in the 2003 legislative session.

HISTORY OF LEGISLATION ADDRESSING ABA ISSUES

Moratorium/Study: Current: *2005*: One bill failed that would have ended the use of the death penalty in the state's criminal justice system (HB5030). One bill failed to repeal the death sentence as an authorized penalty for persons who commit certain murders (HB6012). One bill failed that would have abolished the death penalty as an acceptable form of punishment and establish a sentence of life imprisonment without the possibility of parole as the maximum criminal penalty (SB127). Another bill failed that would have abolished the death penalty except when a person already serving a sentence of life imprisonment without the possibility of parole commits a capital felony (SB527).

Previous Years: *2001*: One bill introduced would have abolished the death penalty; One bill introduced would have placed a moratorium on the imposition of the death penalty and would have introduced a study of the state death penalty system; One bill introduced would have prohibited the execution of the mentally retarded and placed a moratorium on executions while the commission reviewed the imposition of the death penalty; One bill signed into law established aggravating circumstances for capital cases, exempted mentally retarded from the death penalty, and established a study commission on the death penalty; One bill introduced would have created a death penalty advisory committee within the Division of Criminal Justice to review death penalty cases and make recommendations concerning their prosecution, with input from the families of the victims; *1999*: One bill died that would have extended aggravating circumstances that would require the death penalty; One bill died that would have placed a moratorium on executions until the state adopted specific substantive and procedural safeguards recommended by the ABA.

Capital Offenses and

Procedures:

Current: None.

Previous Years: None.

Aggravating and

Mitigating

Circumstances:

Current: 2005: Two bills failed that would have made certain revisions to the penalty phase procedure in capital felony trials including specifying the burden of persuasion to establish aggravating and mitigating factors, specifying the process for determining the existence of mitigating factors, specifying the level of certitude necessary for a finding that aggravating factors outweigh mitigating factors, specifying the sentence imposed when a jury deadlocks, requiring the court to instruct the jury as to the consequences of their verdict or failure to reach a verdict, granting the defendant a right of allocution and authorizing a victim impact statement to be made prior to the return of a verdict (HB6488, SB895).

Previous Years: None.

DNA Testing and

Preservation of

Material Evidence:

Current: None.

Previous Years: 2003: One bill was signed by the Governor into effect which expands the state's DNA data bank to include DNA samples from all convicted felons (HB5251 which became incorporated into HB5022). Another bill was signed by the Governor into effect which adopts procedure to lessen the likelihood of innocent persons being convicted of a crime; ensures that wrongfully convicted persons have an opportunity to establish their innocence by providing for the electronic recording of interrogations, preservation of DNA evidence, post conviction DNA testing and sequential identification procedures; establishes an advisory commission to review cases in which an innocent person has been wrongfully convicted (HB6700).

Crime Labs and

Medical Examiner

Offices:

Current: None.

Previous Years: None.

Counsel

Qualifications,

Training, and

Competency:

Current: None.

Previous Years: None.

Counsel

Compensation:

Current: None.

Previous Years: None.

Judges and Juries:

Current: None

Previous Years: None.

Racial and Ethnic Minorities:

Current: 2005: One bill failed that would have implemented recommendations of the Commission on Racial and Ethnic Disparity in the Juvenile Justice System (HB6288).

Previous Years: 2003: One bill seeking to adopt the 21 recommendations of Connecticut Commission on the Death Penalty (HB6612) (See Recommendations above under Study).

Juvenile Offenders:

Current: 2005: One bill failed that would reduce disproportionate minority representation in the juvenile justice system by providing for cultural competency planning, and by implementing a pilot program in one urban area of the state providing for a community mapping system, objective criteria for decision making in the juvenile justice process and a continuum of treatment, supervision and placement options and alternatives to incarceration (SB172).

Previous Years: None.

Current: None.

Mental Retardation, Mental Disability and Mental Competency:

Previous Years: 2001 : See moratorium 2001 information.

Special Notes:

2005: One bill failed that would require when feasible the electronic recording in its entirety of any interrogation of a person under investigation for or accused of a capital felony or a class A or B felony (SB1281). Two other bills failed that would require the videotaping of custodial interrogations of persons under investigation for or accused of the commission of a capital felony or a class A or B felony (SB771, SB604).

ORGANIZATIONS THAT HAVE PASSED MORATORIUM RESOLUTIONS

Connecticut Bar Association, June 1998

City of Hartford

City of New Haven

****Last Updated on June 27, 2005**