



M. JODI RELL  
GOVERNOR

STATE OF CONNECTICUT  
EXECUTIVE CHAMBERS

June 7, 2010

The Honorable Susan Bysiewicz  
Secretary of the State  
18-20 Trinity Street  
Hartford, CT 06106

Dear Madam Secretary:

I am hereby returning without my signature House Bill 5248, *An Act Establishing a Sentencing Commission*.

House Bill 5248 establishes a permanent nonpartisan sentencing commission to review criminal justice and sentencing policies on an ongoing basis. The commission is charged with establishing and maintaining a sentencing database, evaluating current sentencing statutes, conducting trend analyses and identifying areas of disparity.

While I appreciate the need for review of our sentencing statutes and practices, given our State's ongoing economic challenges, this is simply the wrong time to create yet another state entity. Although the bill provides that the commission shall be established "within existing budgetary resources," the legislative Office of Fiscal Analysis notes that "given the ongoing nature of the bill's Commission and the scope and potential intensity of work involved in the carrying out of its duties, it is estimated that the OPM would require an additional position with an estimated FY 11 salary of \$65,000 and funding of approximately \$20,000 in FY 11 to contract for outside expertise in developing the database." OFA also notes that fringe benefits associated with the new position would be \$44,395 in FY 12.

Along with OPM and the General Assembly, I have spent much of the last year examining our state budget to find ways to save money so that we would not have to increase the burden borne by our already struggling taxpayers. Some of the cuts we have made were painful; none were easy. In light of that experience, and knowing that our next Governor will have to repeat that painstaking process, I simply cannot sign into law another bill that will expand our state government.

I would also note that some of the duties assigned to this commission have always been done by the Judiciary Committee as part of its policymaking role. It is the distinct role of the legislature to make and evaluate public policy, so to assign such functions as evaluating existing sentencing statutes, policies and practices and evaluating the impact of pre-trial, sentencing, diversion, incarceration and post-release supervision programs to an appointed body appears to be an improper delegation of legislative responsibilities. I believe that the Judiciary Committee is the appropriate body to carry out these functions, as they have done in the past.

For these reasons, and pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut and Article III of the Amendments to the Constitution of the State of Connecticut, I am returning House Bill 5248, *An Act Establishing a Sentencing Commission*, without my signature.

Very truly yours,

A handwritten signature in cursive script, reading "M. Jodi Rell". The signature is written in dark ink and is positioned above the printed name and title.

M. Jodi Rell  
Governor