

Mollie S. Burke
Testimony before House Judiciary Committee
13 March 2015

H. 221

Bill summary by Michele Childs, amended by Mollie Burke

This bill proposes to:

1. Prohibit sentencing a juvenile to life without parole. P. 6
2. Amend conditions of pre-trial release to eliminate condition of release to a responsible adult and permit monetary bail only in cases where the court finds the defendant is a flight risk. P. 8
3. Expand administrative probation to all nonviolent misdemeanors and permit a court to order it for nonviolent felonies. P. 17
4. Permit restrictions on a offender from engaging in any legal behavior as a condition of probation of parole only if the condition is substantially related to reducing risk to the safety of a victim or witness. P. 22
5. Expand parole eligibility for persons with a serious medical condition, persons over the age of 65, and persons sentenced for an offense committed as a juvenile. P. 26
6. Prohibit revocation of parole for violation of conditions that are not new crimes. P. 29
7. Least restrictive conditions when imposing furlough for otherwise legal behaviors. P. 32
8. Furlough report required on ways to make it more successful and to reduce furlough violations based on otherwise legal behavior. P. 33
9. Extend jurisdiction over a child who has been adjudicated delinquent until six months beyond the child's 18th birthday if the offense for which the child has been adjudicated delinquent is a nonviolent misdemeanor and the child was 16 years old when he or she committed the offense. P. 34
10. Require all alleged drug possession offenses involving a defendant who was under 18 at the time of the alleged offense to be filed in the Family Division of the Superior Court. P. 36
11. Establish that a parent's incarceration or substance abuse cannot serve as as the sole basis for terminating that parent's parental rights. P. 38

12. Increase the monetary threshold to \$3,000 for the distinctions between misdemeanor and felony larceny crimes and to \$500 between misdemeanor and felony embezzlement. PP. 40-41

13. Require the Commissioner of Health to convene a working group comprised of health care professionals knowledgeable in the field of substance abuse for the purpose of making recommendations to the General Assembly regarding the quantities of drugs that constitute personal use. P. 44