



**DIVISION OF PUBLIC DEFENDER SERVICES**  
**State of Connecticut**

OFFICE OF CHIEF PUBLIC DEFENDER  
55 FARMINGTON AVENUE, 8<sup>TH</sup> FLOOR  
HARTFORD, CT 06105

ATTORNEY TASHUN BOWDEN-LEWIS  
CHIEF PUBLIC DEFENDER  
TEL: (860) 509-6429  
FAX: (860) 509-6499

May 3, 2023

Justice Andrew J. McDonald, Chair  
Rules Committee of the Superior Court  
P.O. Box 150474  
Hartford, CT 06115-0474  
Attn: Counsel to the Committee  
Via email: RulesCommittee@jud.ct.gov

**Re: Proposed Amendments to Rules 38-4 and 38-8**

Dear Justice McDonald:

As Chief Public Defender and a member of the Sentencing Commission, I support the proposed amendments to current **Rules 38-4, Release by Judicial Authority** and **38-8, Ten Percent Cash Bail**. The amendments would decrease the percentage of the cash bond required in certain cases. Specifically, the amendment would (1) reduce from 10% to 7% of the surety bond, the cash amount a defendant would be required to deposit with the clerk; and (2) increase from \$20,000 to \$50,000, the amount of surety bonds for which 7% may be posted. Pursuant to the amendments, the court would retain discretion to permit a 7% cash bail in cases in which the surety bond exceeded \$50,000.

The amendments would assist in reducing the incarceration of this agency's indigent clients during the pretrial proceedings because of a lack of financial resources. By reducing the financial burden on our clients, who would be permitted to remain in the community during the pendency of their case, this office strongly believes that our clients are highly likely to receive significantly less punitive outcomes in their cases than similarly situated individuals who are held due to an inability to afford a bond.

Therefore, I respectfully request that the Rules Committee act favorably on these proposed changes. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'TaShun Bowden-Lewis'.

TaShun Bowden-Lewis  
Chief Public Defender