

House Republican Press Release

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Rep. Miller: Change Affordable Housing Law to Help Fight Violent Crime



Requiring Affordable Housing Appeals to be Expedited Diverts Judges from Criminal Cases

With concern about violent crime spiking in the wake of several high-profile home invasions over the past 12 months and the recent mugging of a prominent community activist in Hartford, state Representative Lawrence G. Miller today called for changes in the state's affordable housing law to free up more judges to try criminal cases.

"Connecticut families are justifiably concerned about whether they can be safe in their homes in the wake of last summer's home invasion murders in Cheshire and similar crimes elsewhere in the state over the past 12 months," said Representative Miller, R-122nd District. "The vicious mugging of Hartford community activist Nicholas Carbone – which occurred in broad daylight while he was walking to a restaurant – underscored the urgent need for a crackdown on violent criminals who prey on seniors, women and families."

"With the state now facing a projected \$150 million budget deficit in 2009, Governor Rell this week ordered cuts in state department and agency budgets totaling about \$140 million to deal with the looming financial crisis," Representative Miller said. "The governor also ordered a freeze on most new state government hiring, which more than likely will prevent any significant expansion in the number of Superior Court judges available to preside over criminal trials over the next year or so."

"During the 2008 legislative session, the Connecticut General Assembly passed a measure – one that I cosponsored – that will double and triple sentences for repeat violent felony offenders," Representative Miller said. "However, for that new law to do what it was intended to do – to put persistent violent offenders behind bars for years at a time, where they cannot threaten law-abiding citizens – we will need more judges assigned to their trials, and trying their cases should be the Judicial Branch's top priority."

"Unfortunately, one of the barriers standing in the way of speedy trials for dangerous offenders is the state's Affordable Housing Act, which requires courts hearing appeals from affordable housing developers seeking to overturn decisions by local land use boards to 'expedite' their appeals," Representative Miller said. "Currently, 12 of the Judicial Branch's 179 Superior Court judges are assigned to hear affordable housing appeal cases in addition to other cases pending before them. Because affordable housing

appeals must be expedited, that can mean serious criminal cases are postponed to accommodate disgruntled developers.”

“Should affordable housing appeals be assigned a higher priority on our court dockets than alleged home invasions, murders, rapes and violent street robberies?” Representative Miller asked. “I don’t think so, and that’s why I will be introducing legislation during the 2009 legislative session to change the affordable housing law so that cases involving serious threats to public safety are expedited and affordable housing appeals are assigned to civil courts and receive the same consideration given to developers appealing adverse decisions by land use boards for other kinds of projects.”

“Most affordable housing proposals are rejected by local land use boards for the same reasons other projects are denied – they impact wetlands and watercourses, violate local zoning ordinances, cannot be supported by existing water and sewage lines, or aggravate traffic congestion problems,” Representative Miller said. “Towns like Stratford that are contesting appeals by developers whose affordable housing projects have been denied for sound reasons are spending hundreds of thousands of dollars fighting appeals that under normal circumstances would be considered frivolous and thrown out.”

“The liberal Democrats who control both chambers of the state legislature promised the people of Connecticut last year – and throughout the 2008 legislative session - that they would support tough anti-crime measures,” Representative Miller said. “They passed legislation aimed at persistent dangerous felony offenders – but the new law will not be effective unless we make prosecuting violent criminals under it a top priority for our courts and that we find enough judges to preside over those cases.”

“I challenge the state legislature’s liberal Democrat majorities to make prosecuting dangerous repeat offenders a higher priority for our courts than affordable housing appeals,” Representative Miller said. “They can show they meant what they said earlier this year about cracking down on violent crime by passing my bill to reform the state’s affordable housing law. My proposal will take more violent offenders off the streets by freeing up more judges to preside at their trials and will obviate the need to hire more jurists at a time when the economy is weakening and revenues are declining.”