

CONNECTICUT APPELLATE COURT

State v. Jeffrey Z.

AC 48167 (Conn. App. June 30, 2026) · No. AC 48167 · Decided June 30, 2026

SUMMARY

The Connecticut Appellate Court affirmed the denial of Jeffrey Z.'s motion to terminate lifetime sex-offender registration and his petition to restrict dissemination of registration information. The court held that the registration requirement was a mandatory, nonpunitive regulatory consequence rather than a negotiable term of the plea agreement, and that retroactive application of the lifetime-registration requirement did not violate due process. The court also upheld findings that the defendant's conviction involved a sexually violent offense and that he was ineligible for restricted dissemination because he had served jail time.

CASE DETAILS

COURT	Connecticut Appellate Court
WRITING FOR THE COURT	Sheldon, J.; Clark, J.; Wilson, J.
JURISDICTION	Connecticut Appellate Court
DECIDED	June 30, 2026
DOCKET	AC 48167
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed from the Superior Court's denial of his motion to terminate lifetime sex-offender registration and his alternative petition to restrict dissemination of his registration information under General Statutes § 54-255 (c) (5).
STANDARD OF REVIEW	Statutory interpretation and applicability are reviewed de novo. Factual findings are reviewed for clear error. Evidentiary rulings, including judicial notice, are reviewed for abuse of discretion. The court also reviewed the denial of the statutory dissemination petition under the applicable statutory and evidentiary standards.
PRECEDENTIAL VALUE	published
PARTIES	Jeffrey Z., defendant v. State of Connecticut

TOPICS

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QUESTIONS PRESENTED

1. Whether lifetime sex-offender registration violated the defendant's plea agreement and due process rights under *Santobello v. New York*.
2. Whether the record established that the defendant's third-degree sexual-assault conviction was under § 53a-72a (a) (1), a sexually violent offense requiring lifetime registration.
3. Whether the trial court was required by horizontal stare decisis or equity to follow another judge's decisions granting similar termination motions filed by the defendant's codefendants.
4. Whether the defendant remained eligible to seek restriction of dissemination under § 54-255 (c) (5) after serving seven weeks of presentence confinement that was credited as time served.
5. Whether the trial court abused its discretion or violated due process by taking judicial notice of the available 1998 violation-of-probation transcript.

HOLDINGS

1. The lifetime registration requirement did not breach any prosecutorial promise and did not violate due process because sex-offender registration is a mandatory, nonpunitive regulatory consequence rather than a negotiable sentencing term.
2. The trial court's implied finding that the defendant was convicted under § 53a-72a (a) (1), rather than the familial-sexual-intercourse exception in subdivision (2), was not clearly erroneous.
3. The trial court was not bound by decisions of another trial judge in separate cases involving the defendant's codefendants, and the requested termination remedy was unavailable under the amended statute for a person convicted of a sexually violent offense.
4. Seven weeks of presentence confinement that was credited as time served constituted jail time served as a result of the conviction under § 54-255 (c) (5) (A), disqualifying the defendant from petitioning for restricted dissemination.
5. The trial court did not abuse its discretion in taking judicial notice of the available 1998 violation-of-probation transcript because the defendant had notice of the transcript and an opportunity to address its contents.

KEY QUOTATIONS

“Sex offender registration is not a variable sentencing factor; see State v. Waterman, supra, 264 Conn. 489; and, as such, it cannot be a negotiable term of the plea agreement.” (Part I A)

“The seven weeks the defendant spent in jail while awaiting sentencing was contemplated as part of his eventual sentence.” (Part II C)

FACTUAL BACKGROUND

The defendant pleaded guilty to third-degree sexual assault and risk of injury to a child based on his participation with two other teenage boys in the sexual assault of a teenage girl. He initially became subject to a ten-year registration requirement under the 1997 version of General Statutes § 54-102r. Later legislation repealed that statute and required lifetime registration for persons convicted of sexually violent offenses, and the defendant continuously registered for more than twenty-eight years. The record showed that he spent approximately seven weeks in jail between his change of plea and sentencing, which was treated as time served as part of his sentence.

PROCEDURAL HISTORY

The defendant pleaded guilty in 1996 to sexual assault in the third degree and risk of injury to a child arising from the sexual assault of a minor. In 1997, the Superior Court imposed five years of incarceration, execution suspended after time served, followed by three years of probation. In 2024, after more than twenty-eight years of registration, the defendant sought termination of registration and restriction of public dissemination; the Superior Court denied both requests, and the Connecticut Appellate Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Santobello v. New York, 404 U.S. 257, 92 S. Ct. 495, 30 L. Ed. 2d 427 (1971)
- State v. Montanez, 149 Conn. App. 32, 39-40, 88 A.3d 575, cert. denied, 311 Conn. 955, 97 A.3d 985 (2014)
- State v. Nelson, 23 Conn. App. 215, 219, 579 A.2d 1104, cert. denied, 216 Conn. 826, 582 A.2d 205 (1991), cert. denied, 499 U.S. 922, 111 S. Ct. 1315, 113 L. Ed. 2d 248 (1991)
- Martinez v. Commissioner of Correction, 105 Conn. App. 65, 72, 936 A.2d 665, cert. denied, 285 Conn. 917, 943 A.2d 475 (2008)
- State v. Pentland, 296 Conn. 305, 314, 994 A.2d 147 (2010)
- State v. Kelly, 256 Conn. 23, 94, 770 A.2d 908 (2001)
- State v. Little, 127 Conn. App. 336, 354, 14 A.3d 1036, cert. denied, 302 Conn. 928, 28 A.3d 343 (2011)
- State v. Boysaw, 99 Conn. App. 358, 363, 365, 913 A.2d 1112 (2007)
- State v. Waterman, 264 Conn. 484, 489-91, 825 A.2d 63 (2003)
- State v. Lutters, 270 Conn. 198, 215-16, 853 A.2d 434 (2004)
- Gay & Lesbian Law Students Assn. v. Board of Trustees, 236 Conn. 453, 473-74, 673 A.2d 484 (1996)
- State v. Nosik, 245 Conn. 196, 205, 715 A.2d 673, cert. denied, 525 U.S. 1020, 119 S. Ct. 547, 142 L. Ed. 2d 455 (1998)
- State v. Peeler, 321 Conn. 375, 441, 140 A.3d 811 (2016) (Zarella, J., dissenting)
- McCarthy v. McCarthy, 55 Conn. App. 326, 332, 752 A.2d 1093, cert. denied, 252 Conn. 923, 752 A.2d 1081 (2000)

- State v. Denya, 294 Conn. 516, 531, 986 A.2d 260 (2010)
- Commissioner of Correction v. Gordon, 228 Conn. 384, 390-91, 636 A.2d 799 (1994)
- State v. Lyons, 203 Conn. App. 551, 573-74, 248 A.3d 727 (2021)
- Rogalis, LLC v. Vazquez, 210 Conn. App. 548, 557, 270 A.3d 120 (2022)
- Zabaneh v. Dan Beard Associates, LLC, 105 Conn. App. 134, 142, 937 A.2d 706, cert. denied, 286 Conn. 916, 945 A.2d 979 (2008)
- State v. Webber, 225 Conn. App. 16, 29-30, 315 A.3d 320, cert. denied, 349 Conn. 915, 315 A.3d 301 (2024)
- Rodriguez v. United States, 111 F. Supp. 2d 112, 114 (D. Conn. 2000)
- Spina v. Department of Homeland Security, 470 F.3d 116, 127-28 (2d Cir. 2006)

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