



WORKING DRAFT

General Assembly

Raised Bill No.

No. 4

10010_____JUD

Referred to Committee on

Introduced by:
(JUD)

***AN ACT CONCERNING HOME INVASION, CAREER CRIMINALS,
COMMUNITY SUPERVISION AND INFORMATION SHARING
RESOURCES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-101 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2008*):

3 (a) A person is guilty of burglary in the first degree when [he] such
4 person (1) enters or remains unlawfully in a building with intent to
5 commit a crime therein and [: (1) He] (A) such person is armed with
6 explosives or a deadly weapon or dangerous instrument, or [(2)] (B) in
7 the course of committing the offense, [he] such person intentionally,
8 knowingly or recklessly inflicts or attempts to inflict bodily injury on
9 [anyone] another person, or (2) commits a home invasion.

10 (b) An act shall be deemed "in the course of committing" the offense
11 if it occurs in an attempt to commit the offense or flight after the
12 attempt or commission.

13 (c) Burglary in the first degree is a class B felony [provided] and any
14 person found guilty under [subdivision (1) of subsection (a)] this

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15 section shall be sentenced to a term of imprisonment of which five
16 years of the sentence imposed may not be suspended or reduced by
17 the court.

18 Sec. 2. Section 53a-100 of the general statutes is repealed and the
19 following is substituted in lieu thereof (*Effective January 1, 2008*):

20 (a) The following definitions are applicable to this part: (1)
21 "Building" in addition to its ordinary meaning, includes any
22 watercraft, aircraft, trailer, sleeping car, railroad car or other structure
23 or vehicle or any building with a valid certificate of occupancy. Where
24 a building consists of separate units, such as, but not limited to
25 separate apartments, offices or rented rooms, any unit not occupied by
26 the actor is, in addition to being a part of such building, a separate
27 building; (2) "dwelling" means a building which is usually occupied by
28 a person lodging therein at night, whether or not a person is actually
29 present; (3) "night" means the period between thirty minutes after
30 sunset and thirty minutes before sunrise; [and] (4) "public land" means
31 a state park, state forest or municipal park or any other publicly-
32 owned land that is open to the public for active or passive recreation.

33 (b) The following [definition is] definitions are applicable to sections
34 53a-101 to 53a-106, inclusive, as amended by this act: (1) A person
35 "enters or remains unlawfully" in or upon premises when the
36 premises, at the time of such entry or remaining, are not open to the
37 public and when the actor is not otherwise licensed or privileged to do
38 so; and (2) a person "commits a home invasion" when such person
39 enters a dwelling while a person other than a participant in the crime
40 is actually present in the dwelling with intent to commit a crime
41 therein and such dwelling, at the time of such entry, is not open to the
42 public and the actor is not otherwise licensed or privileged to enter
43 such dwelling.

44 Sec. 3. Section 53a-102 of the general statutes is repealed and the
45 following is substituted in lieu thereof (*Effective January 1, 2008*):

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46 (a) A person is guilty of burglary in the second degree when such
47 person [(1)] enters or remains unlawfully in a dwelling [at night] with
48 intent to commit a crime therein, [or (2) enters or remains unlawfully
49 in a dwelling, while a person other than a participant in the crime is
50 actually present in such dwelling, with intent to commit a crime
51 therein.]

52 (b) Burglary in the second degree is a class C felony.

53 Sec. 4. Subsection (b) of section 54-125a of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective*
55 *January 1, 2008*):

56 (b) (1) No person convicted of any of the following offenses, which
57 was committed on or after July 1, 1981, shall be eligible for parole
58 under subsection (a) of this section: Capital felony, as provided in
59 section 53a-54b, felony murder, as provided in section 53a-54c, arson
60 murder, as provided in section 53a-54d, murder, as provided in section
61 53a-54a, or aggravated sexual assault in the first degree, as provided in
62 section 53a-70a. (2) A person convicted of (A) an offense, other than an
63 offense specified in subdivision (1) of this subsection, where the
64 underlying facts and circumstances of the offense involve the use,
65 attempted use or threatened use of physical force against another
66 person, or (B) a violation of subdivision (2) of subsection (a) of section
67 53a-101, as amended by this act, shall be ineligible for parole under
68 subsection (a) of this section until such person has served not less than
69 eighty-five per cent of the definite sentence imposed.

70 Sec. 5. Section 53a-40 of the general statutes is repealed and the
71 following is substituted in lieu thereof (*Effective from passage*):

72 (a) A persistent dangerous felony offender is a person who:

73 (1) (A) Stands convicted of manslaughter, arson, kidnapping,
74 robbery in the first or second degree, [or] assault in the first degree or
75 burglary in the first degree, and (B) has been, prior to the commission

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76 of the present crime, convicted of and imprisoned under a sentence to
77 a term of imprisonment of more than one year or of death, in this state
78 or in any other state or in a federal correctional institution, for any of
79 the following crimes: (i) The crimes enumerated in subparagraph (A)
80 of this subdivision or an attempt to commit any of said crimes; or (ii)
81 murder, sexual assault in the first or third degree, aggravated sexual
82 assault in the first degree or sexual assault in the third degree with a
83 firearm, or an attempt to commit any of said crimes; or (iii) prior to
84 October 1, 1975, any of the crimes enumerated in section 53a-72, 53a-75
85 or 53a-78 of the general statutes, revision of 1958, revised to 1975, or
86 prior to October 1, 1971, in this state, assault with intent to kill under
87 section 54-117, or any of the crimes enumerated in sections 53-9, 53-10,
88 53-11, 53-12 to 53-16, inclusive, 53-19, 53-21, 53-69, 53-78 to 53-80,
89 inclusive, 53-82, 53-83, 53-86, 53-238 and 53-239 of the general statutes,
90 revision of 1958, revised to 1968, or any predecessor statutes in this
91 state, or an attempt to commit any of said crimes; or (iv) in any other
92 state, any crimes the essential elements of which are substantially the
93 same as any of the crimes enumerated in subparagraph (A) of this
94 subdivision or this subparagraph; or

95 (2) (A) Stands convicted of sexual assault in the first or third degree,
96 aggravated sexual assault in the first degree or sexual assault in the
97 third degree with a firearm, and (B) has been, prior to the commission
98 of the present crime, convicted of and imprisoned under a sentence to
99 a term of imprisonment of more than one year or of death, in this state
100 or in any other state or in a federal correctional institution, for any of
101 the following crimes: (i) Murder, manslaughter, arson, kidnapping,
102 robbery in the first or second degree or assault in the first degree, or an
103 attempt to commit any of said crimes; or (ii) prior to October 1, 1971, in
104 this state, assault with intent to kill under section 54-117, or any of the
105 crimes enumerated in sections 53-9, 53-10, 53-11, 53-12 to 53-16,
106 inclusive, 53-19, 53-21, 53-69, 53-78 to 53-80, inclusive, 53-82, 53-83 and
107 53-86 of the general statutes, revision of 1958, revised to 1968, or any
108 predecessor statutes in this state, or an attempt to commit any of said
109 crimes; or (iii) in any other state, any crimes the essential elements of

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110 which are substantially the same as any of the crimes enumerated in
111 subparagraph (A) of this subdivision or this subparagraph.

112 (b) A persistent dangerous sexual offender is a person who (1)
113 stands convicted of sexual assault in the first or third degree,
114 aggravated sexual assault in the first degree or sexual assault in the
115 third degree with a firearm, and (2) has been, prior to the commission
116 of the present crime, convicted of and imprisoned under a sentence to
117 a term of imprisonment of more than one year, in this state or in any
118 other state or in a federal correctional institution, for (A) any of the
119 crimes enumerated in subdivision (1) of this subsection, or (B) prior to
120 October 1, 1975, any of the crimes enumerated in section 53a-72, 53a-75
121 or 53a-78 of the general statutes, revision of 1958, revised to 1975, or
122 prior to October 1, 1971, in this state, any of the crimes enumerated in
123 section 53-238 or 53-239 of the general statutes, revision of 1958,
124 revised to 1968, or any predecessor statutes in this state, or an attempt
125 to commit any of said crimes, or (C) in any other state, any crimes the
126 essential elements of which are substantially the same as any of the
127 crimes enumerated in subdivision (1) of this subsection or this
128 subdivision.

129 (c) A persistent serious felony offender is a person who (1) stands
130 convicted of a felony, and (2) has been, prior to the commission of the
131 present felony, convicted of and imprisoned under an imposed term of
132 more than one year or of death, in this state or in any other state or in a
133 federal correctional institution, for a crime. This subsection shall not
134 apply where the present conviction is for a crime enumerated in
135 subdivision (1) of subsection (a) of this section and the prior conviction
136 was for a crime other than those enumerated in subsection (a) of this
137 section.

138 (d) A persistent serious sexual offender is a person, other than a
139 person who qualifies as a persistent dangerous sexual offender under
140 subsection (b) of this section, who qualifies as a persistent serious
141 felony offender under subsection (c) of this section and the felony of

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142 which such person presently stands convicted is a violation of
143 subdivision (2) of subsection (a) of section 53-21, or section 53a-70, 53a-
144 70a, 53a-70b, 53a-71, 53a-72a or 53a-72b and the prior conviction is for
145 a violation of section 53-21 of the general statutes, revised to January 1,
146 1995, involving sexual contact, committed prior to October 1, 1995, a
147 violation of subdivision (2) of section 53-21 of the general statutes,
148 committed on or after October 1, 1995, and prior to October 1, 2000, a
149 violation of subdivision (2) of subsection (a) of section 53-21 or a
150 violation of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b.

151 (e) A persistent larceny offender is a person who (1) stands
152 convicted of larceny in the third degree in violation of the provisions of
153 section 53a-124 in effect prior to October 1, 1982, or larceny in the
154 fourth, fifth or sixth degree, and (2) has been, at separate times prior to
155 the commission of the present larceny, twice convicted of the crime of
156 larceny.

157 (f) A persistent felony offender is a person who (1) stands convicted
158 of a felony other than a class D felony, and (2) has been, at separate
159 times prior to the commission of the present felony, twice convicted of
160 a felony other than a class D felony.

161 (g) It shall be an affirmative defense to the charge of being a
162 persistent offender under this section that (1) as to any prior conviction
163 on which the state is relying the defendant was pardoned on the
164 ground of innocence, and (2) without such conviction, the defendant
165 was not two or more times convicted and imprisoned as required by
166 this section.

167 (h) When any person has been found to be a persistent dangerous
168 felony offender, [and the court is of the opinion that such person's
169 history and character and the nature and circumstances of such
170 person's criminal conduct indicate that extended incarceration and
171 lifetime supervision will best serve the public interest,] the court, in
172 lieu of imposing the sentence of imprisonment authorized by section
173 53a-35 for the crime of which such person presently stands convicted,

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174 or authorized by section 53a-35a if the crime of which such person
175 presently stands convicted was committed on or after July 1, 1981,
176 shall sentence such person to a term of imprisonment of not more than
177 forty years and, if such person has, at separate times prior to the
178 commission of the present crime, been twice convicted of and
179 imprisoned for any of the crimes enumerated in subparagraph (B) of
180 subdivision [(2)] (1) of subsection (a) of this section, sentence such
181 person to a term of imprisonment of not more than life.

182 (i) When any person has been found to be a persistent dangerous
183 sexual offender, [and the court is of the opinion that such person's
184 history and character and the nature and circumstances of such
185 person's criminal conduct indicate that extended incarceration and
186 lifetime supervision will best serve the public interest,] the court, in
187 lieu of imposing the sentence of imprisonment authorized by section
188 53a-35a for the crime of which such person presently stands convicted,
189 shall sentence such person to a term of imprisonment and a period of
190 special parole pursuant to subsection (b) of section 53a-28 which
191 together constitute a sentence of imprisonment for life, as defined in
192 section 53a-35b.

193 (j) When any person has been found to be a persistent serious felony
194 offender, [and the court is of the opinion that such person's history and
195 character and the nature and circumstances of such person's criminal
196 conduct indicate that extended incarceration will best serve the public
197 interest,] the court, in lieu of imposing the sentence of imprisonment
198 authorized by section 53a-35 for the crime of which such person
199 presently stands convicted, or authorized by section 53a-35a if the
200 crime of which such person presently stands convicted was committed
201 on or after July 1, 1981, may impose the sentence of imprisonment
202 authorized by said section for the next more serious degree of felony.

203 (k) When any person has been found to be a persistent serious
204 sexual offender, [and the court is of the opinion that such person's
205 history and character and the nature and circumstances of such

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206 person's criminal conduct indicate that extended incarceration will best
207 serve the public interest,] the court, in lieu of imposing the sentence of
208 imprisonment authorized by section 53a-35a for the crime of which
209 such person presently stands convicted, may impose a sentence of
210 imprisonment and a period of special parole pursuant to subsection (b)
211 of section 53a-28 which together constitute the maximum sentence
212 specified by section 53a-35a for the next more serious degree of felony.

213 (l) When any person has been found to be a persistent larceny
214 offender, [and the court is of the opinion that such person's history and
215 character and the nature and circumstances of such person's criminal
216 conduct indicate that extended incarceration will best serve the public
217 interest,] the court, in lieu of imposing the sentence authorized by
218 section 53a-36 for the crime of which such person presently stands
219 convicted, may impose the sentence of imprisonment for a class D
220 felony authorized by section 53a-35, if the crime of which such person
221 presently stands convicted was committed prior to July 1, 1981, or
222 authorized by section 53a-35a, if the crime of which such person
223 presently stands convicted was committed on or after July 1, 1981.

224 (m) When any person has been found to be a persistent felony
225 offender, [and the court is of the opinion that such person's history and
226 character and the nature and circumstances of such person's criminal
227 conduct indicate that extended incarceration will best serve the public
228 interest,] the court, in lieu of imposing the sentence authorized by
229 section 53a-35a for the crime of which such person presently stands
230 convicted, may impose the sentence of imprisonment authorized by
231 said section for the next more serious degree of felony; provided the
232 sentence imposed may not be less than three years, and provided
233 further three years of the sentence so imposed may not be suspended
234 or reduced by the court.

235 Sec. 6. Subsection (b) of section 53a-40a of the general statutes is
236 repealed and the following is substituted in lieu thereof (*Effective from*
237 *passage*):

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238 (b) When any person has been found to be a persistent offender of
239 crimes involving bigotry or bias, [and the court is of the opinion that
240 such person's history and character and the nature and circumstances
241 of such person's criminal conduct indicate that an increased penalty
242 will best serve the public interest,] the court shall: (1) In lieu of
243 imposing the sentence authorized for the crime under section 53a-35a
244 if the crime is a felony, impose the sentence of imprisonment
245 authorized by said section for the next more serious degree of felony,
246 or (2) in lieu of imposing the sentence authorized for the crime under
247 section 53a-36 if the crime is a misdemeanor, impose the sentence of
248 imprisonment authorized by said section for the next more serious
249 degree of misdemeanor, except that if the crime is a class A
250 misdemeanor the court shall impose the sentence of imprisonment for
251 a class D felony as authorized by section 53a-35a.

252 Sec. 7. Subsection (b) of section 53a-40d of the general statutes is
253 repealed and the following is substituted in lieu thereof (*Effective from*
254 *passage*):

255 (b) When any person has been found to be a persistent offender of
256 crimes involving assault, stalking, trespass, threatening, harassment,
257 criminal violation of a protective order or criminal violation of a
258 restraining order, [and the court is of the opinion that such person's
259 history and character and the nature and circumstances of such
260 person's criminal conduct indicate that an increased penalty will best
261 serve the public interest,] the court shall, in lieu of imposing the
262 sentence authorized for the crime under section 53a-36 or section 53a-
263 35a, as applicable, impose the sentence of imprisonment authorized by
264 said section 53a-36 or section 53a-35a for the next more serious degree
265 of misdemeanor or felony, except that if the crime is a class A
266 misdemeanor the court shall impose the sentence of imprisonment for
267 a class D felony, as authorized by section 53a-35a.

268 Sec. 8. Subsection (b) of section 53a-40f of the general statutes is
269 repealed and the following is substituted in lieu thereof (*Effective from*

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270 *passage*):

271 (b) When any person has been found to be a persistent operating
272 while under the influence felony offender, [and the court is of the
273 opinion that his history and character and the nature and
274 circumstances of his criminal conduct indicate that extended
275 incarceration will best serve the public interest,] the court, in lieu of
276 imposing the sentence authorized by section 53a-35a for the crime of
277 which such person presently stands convicted, may impose the
278 sentence of imprisonment authorized by said section for the next more
279 serious degree of felony.

280 Sec. 9. Subsection (b) of section 53a-300 of the general statutes is
281 repealed and the following is substituted in lieu thereof (*Effective from*
282 *passage*):

283 (b) When any person has been found guilty of an act of terrorism,
284 [and the court is of the opinion that such person's history and character
285 and the nature and circumstances of such person's criminal conduct
286 indicate that an increased penalty will best serve the public interest,]
287 the court shall, in lieu of imposing the sentence authorized for the
288 crime under section 53a-35a, impose the sentence of imprisonment
289 authorized by said section for the next more serious degree of felony.

290 Sec. 10. Subsection (b) of section 54-64a of the general statutes is
291 repealed and the following is substituted in lieu thereof (*Effective from*
292 *passage*):

293 (b) (1) When any arrested person charged with the commission of a
294 class A felony, a class B felony, except a violation of section 53a-86 or
295 53a-122, a class C felony, except a violation of section 53a-87, 53a-152
296 or 53a-153, or a class D felony under sections 53a-60 to 53a-60c,
297 inclusive, section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136
298 or 53a-216, or a family violence crime, as defined in section 46b-38a, is
299 presented before the Superior Court, said court shall, in bailable
300 offenses, promptly order the release of such person upon the first of

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301 the following conditions of release found sufficient to reasonably
302 assure the appearance of the arrested person in court and that the
303 safety of any other person will not be endangered: (A) Upon such
304 person's execution of a written promise to appear without special
305 conditions, (B) upon such person's execution of a written promise to
306 appear with nonfinancial conditions, (C) upon such person's execution
307 of a bond without surety in no greater amount than necessary, (D)
308 upon such person's execution of a bond with surety in no greater
309 amount than necessary. In addition to or in conjunction with any of the
310 conditions enumerated in subparagraphs (A) to (D), inclusive, of this
311 subdivision, the court may, when it has reason to believe that the
312 person is drug-dependent and where necessary, reasonable and
313 appropriate, order the person to submit to a urinalysis drug test and to
314 participate in a program of periodic drug testing and treatment. The
315 results of any such drug test shall not be admissible in any criminal
316 proceeding concerning such person.

317 (2) The court may, in determining what conditions of release will
318 reasonably assure the appearance of the arrested person in court and
319 that the safety of any other person will not be endangered, consider the
320 following factors: (A) The nature and circumstances of the offense, (B)
321 such person's record of previous convictions, (C) such person's past
322 record of appearance in court after being admitted to bail, (D) such
323 person's family ties, (E) such person's employment record, (F) such
324 person's financial resources, character and mental condition, (G) such
325 person's community ties, (H) the number and seriousness of charges
326 pending against the arrested person, (I) the weight of the evidence
327 against the arrested person, (J) the arrested person's history of
328 violence, (K) whether the arrested person has previously been
329 convicted of similar offenses while released on bond, and (L) the
330 likelihood based upon the expressed intention of the arrested person
331 that such person will commit another crime while released.

332 (3) When imposing conditions of release under this subsection, the
333 court shall state for the record any factors under subdivision (2) of this

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334 subsection that it considered and the findings that it made as to the
335 danger, if any, that the arrested person might pose to the safety of any
336 other person upon the arrested person's release that caused the court
337 to impose the specific conditions of release that it imposed.

338 Sec. 11. Section 53a-39 of the general statutes is repealed and the
339 following is substituted in lieu thereof (*Effective from passage*):

340 (a) At any time during the period of a definite sentence of three
341 years or less, the sentencing court or judge may, after hearing and for
342 good cause shown, reduce the sentence, order the defendant
343 discharged, or order the defendant discharged on probation or
344 conditional discharge for a period not to exceed that to which the
345 defendant could have been originally sentenced.

346 (b) At any time during the period of a definite sentence of more than
347 three years, upon agreement of the defendant and the state's attorney
348 to seek review of the sentence, the sentencing court or judge may, after
349 hearing and for good cause shown, reduce the sentence, order the
350 defendant discharged, or order the defendant discharged on probation
351 or conditional discharge for a period not to exceed that to which the
352 defendant could have been originally sentenced.

353 (c) The Commissioner of Correction, the chairperson of the Board of
354 Pardons and Paroles or the executive director of the Court Support
355 Services Division of the Judicial Branch may apply to the sentencing
356 court or judge for review of the sentence, in accordance with the
357 provisions of subsection (a) or (b) of this section, of a defendant
358 convicted and confined for the commission of a nonviolent offense if
359 said commissioner, chairperson or executive director believes that such
360 offender could be more suitably supervised in the community. For the
361 purposes of this section, "nonviolent offense" means an offense that
362 does not involve the use, attempted use or threatened use of physical
363 force against another person.

364 [(c)] (d) The provisions of this section shall not apply to any portion

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365 of a sentence imposed that is a mandatory minimum sentence for an
366 offense which may not be suspended or reduced by the court.

367 [(d)] (e) At a hearing held by the sentencing court or judge under
368 this section, such court or judge shall permit any victim of the crime to
369 appear before the court or judge for the purpose of making a statement
370 for the record concerning whether or not the sentence of the defendant
371 should be reduced, the defendant discharged or the defendant
372 discharged on probation or conditional discharge pursuant to
373 subsection (a) or (b) of this section. In lieu of such appearance, the
374 victim may submit a written statement to the court or judge and the
375 court or judge shall make such statement a part of the record at the
376 hearing. For the purposes of this subsection, "victim" means the victim,
377 the legal representative of the victim or a member of the deceased
378 victim's immediate family.

379 Sec. 12. (NEW) (*Effective from passage*) (a) The Secretary of the Office
380 of Policy and Management shall design and implement a
381 comprehensive, state-wide information technology system to be
382 known as the SHIELD Criminal Justice Information System to facilitate
383 the immediate, seamless and comprehensive sharing of information
384 between all state agencies, departments, boards and commissions
385 having any cognizance over matters relating to law enforcement and
386 criminal justice, and local police departments and law enforcement
387 officials.

388 (b) The SHIELD shall be developed with the approval of a Criminal
389 Justice Information System Commission consisting of eleven members
390 as follows: The Secretary of the Office of Policy and Management, the
391 chairpersons of the joint standing committee of the General Assembly
392 on judiciary or their designees, the Chief State's Attorney, the
393 Commissioner of Correction, the Commissioner of Public Safety, the
394 Commissioner of Mental Health and Addiction Services, the
395 Commissioner of Children and Families, the chairperson of the Board
396 of Pardons and Paroles, a chief of a municipal police department

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397 appointed by the Connecticut Police Chiefs Association and the Chief
398 Information Officer of the Department of Information Technology.

399 (c) The SHIELD shall include, without limitation, a central tracking
400 and information database, a central electronic document repository
401 and centralized analytical tools, as provided in subsections (d) to (f),
402 inclusive, of this section, all of which shall be developed with state-of-
403 the-art technology, as provided in subsection (g) of this section.

404 (d) The SHIELD shall include a central, integrated criminal justice
405 tracking and information database that provides:

406 (1) Complete biographical information and vital statistics for all
407 offenders and former offenders still living; and

408 (2) Tracking information for all offenders in the criminal justice
409 system, from investigation through incarceration and release, and
410 seamless integration with any electronic monitoring systems, global
411 positioning systems (GPS) and any offender registries.

412 (e) The SHIELD shall include a central, integrated electronic
413 repository of criminal justice records and documents that provides:

414 (1) Access to all state and local police reports, presentence
415 investigations and reports, psychological and medical reports, criminal
416 records, incarceration and parole records, and court records and
417 transcripts, whether such records and documents normally exist in
418 electronic or hard copy form; and

419 (2) Access to scanning and processing facilities to ensure that such
420 records and documents are integrated into the system and updated
421 immediately.

422 (f) The SHIELD shall include centralized analytical tools, bundled
423 together in a custom-designed enterprise system that includes:

424 (1) Analytical tools that empower and enhance criminal case

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425 assessment, sentencing and plea bargain analysis and pardon, parole,
426 probation and release decisions;

427 (2) Analytical tools that empower and enhance forecasting
428 concerning recidivism and future offenses for each individual
429 offender; and

430 (3) Collaborative functionality that enable seamless cross-
431 department communication, information exchange, central note-taking
432 and comment capabilities for each offender.

433 (g) The SHIELD shall be developed with state-of-the-art relational
434 database technology and other appropriate software applications and
435 hardware, and shall be:

436 (1) Completely accessible by any authorized criminal justice official
437 through the Internet;

438 (2) Completely integrated with state and local police and law
439 enforcement departments, the Office of the Chief State's Attorney, the
440 Judicial Branch, the Department of Correction, the Department of
441 Public Safety, the Board of Pardons and Paroles and organizations
442 under contract with the state to provide community-based services
443 and programs for offenders released into the community, and their
444 information systems and database applications;

445 (3) Indexed and cross-referenced by offender name, residence,
446 community, criminal offense and any other data points necessary for
447 the effective administration of the state's criminal justice system;

448 (4) Fully text searchable for all records;

449 (5) Secure and protected by high-level security and controls;

450 (6) Accessible to the public subject to appropriate privacy
451 protections and controls; and

452 (7) Monitored and administered by the Department of Information

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453 Technology, provided major software and hardware needs may be
454 provided and serviced by private, third-party vendors.

455 (h) Not later than July 1, 2008, and not later than January first and
456 July first of each year thereafter, the Criminal Justice Information
457 System Commission shall submit a report, in accordance with section
458 11-4a of the general statutes, to the joint standing committees of the
459 General Assembly having cognizance of matters relating to criminal
460 justice and appropriations and the budgets of state agencies
461 concerning the status of the design and implementation of the SHIELD
462 Criminal Justice Information System. In conjunction with the report
463 submitted not later than January first of each year, the commission
464 shall also make a presentation to said committees during the ensuing
465 regular session concerning the status of the design and implementation
466 of the SHIELD and a specific itemization of the additional resources, if
467 any, that are needed to achieve such design and implementation.

468 Sec. 13. (*Effective from passage*) (a) For the purposes described in
469 subsection (b) of this section, the State Bond Commission shall have
470 the power, from time to time, to authorize the issuance of bonds of the
471 state in one or more series and in principal amounts not exceeding in
472 the aggregate one hundred ten million dollars.

473 (b) The proceeds of the sale of said bonds, to the extent of the
474 amount stated in subsection (a) of this section, shall be used by the
475 Department of Correction for the planning and construction of a one
476 thousand bed medium security correctional institution.

477 (c) All provisions of section 3-20 of the general statutes, or the
478 exercise of any right or power granted thereby, which are not
479 inconsistent with the provisions of this section are hereby adopted and
480 shall apply to all bonds authorized by the State Bond Commission
481 pursuant to this section, and temporary notes in anticipation of the
482 money to be derived from the sale of any such bonds so authorized
483 may be issued in accordance with said section 3-20 and from time to
484 time renewed. Such bonds shall mature at such time or times not

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485 exceeding twenty years from their respective dates as may be provided
486 in or pursuant to the resolution or resolutions of the State Bond
487 Commission authorizing such bonds. None of said bonds shall be
488 authorized except upon a finding by the State Bond Commission that
489 there has been filed with it a request for such authorization which is
490 signed by or on behalf of the Secretary of the Office of Policy and
491 Management and states such terms and conditions as said commission,
492 in its discretion, may require. Said bonds issued pursuant to this
493 section shall be general obligations of the state and the full faith and
494 credit of the state of Connecticut are pledged for the payment of the
495 principal of and interest on said bonds as the same become due, and
496 accordingly and as part of the contract of the state with the holders of
497 said bonds, appropriation of all amounts necessary for punctual
498 payment of such principal and interest is hereby made, and the State
499 Treasurer shall pay such principal and interest as the same become
500 due.

501 Sec. 14. (*Effective from passage*) The planning and construction of a
502 medium security correctional institution for which the issuance of
503 bonds is authorized under section 13 of this act shall be deemed a
504 "correctional facility project" as defined in section 4b-55 of the general
505 statutes, and the provisions of sections 4b-58 and 4b-91 of the general
506 statutes as said sections pertain to a correctional facility project shall be
507 applicable to the planning and construction of such institution.

508 Sec. 15. (*Effective from passage*) (a) For the purposes described in
509 subsection (b) of this section, the State Bond Commission shall have
510 the power, from time to time, to authorize the issuance of bonds of the
511 state in one or more series and in principal amounts not exceeding in
512 the aggregate one hundred fifty million dollars.

513 (b) The proceeds of the sale of said bonds, to the extent of the
514 amount stated in subsection (a) of this section, shall be used by the
515 Department of Public Works for the purpose of the planning and
516 construction of a one thousand two hundred bed medical and mental

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517 health facility for persons committed to the custody of the
518 Commissioner of Correction.

519 (c) All provisions of section 3-20 of the general statutes, or the
520 exercise of any right or power granted thereby, which are not
521 inconsistent with the provisions of this section are hereby adopted and
522 shall apply to all bonds authorized by the State Bond Commission
523 pursuant to this section, and temporary notes in anticipation of the
524 money to be derived from the sale of any such bonds so authorized
525 may be issued in accordance with said section 3-20 and from time to
526 time renewed. Such bonds shall mature at such time or times not
527 exceeding twenty years from their respective dates as may be provided
528 in or pursuant to the resolution or resolutions of the State Bond
529 Commission authorizing such bonds. None of said bonds shall be
530 authorized except upon a finding by the State Bond Commission that
531 there has been filed with it a request for such authorization which is
532 signed by or on behalf of the Secretary of the Office of Policy and
533 Management and states such terms and conditions as said commission,
534 in its discretion, may require. Said bonds issued pursuant to this
535 section shall be general obligations of the state and the full faith and
536 credit of the state of Connecticut are pledged for the payment of the
537 principal of and interest on said bonds as the same become due, and
538 accordingly and as part of the contract of the state with the holders of
539 said bonds, appropriation of all amounts necessary for punctual
540 payment of such principal and interest is hereby made, and the State
541 Treasurer shall pay such principal and interest as the same become
542 due.

543 Sec. 16. (*Effective from passage*) The planning and construction of a
544 medical and mental health facility for which the issuance of bonds is
545 authorized under section 15 of this act shall be deemed a "correctional
546 facility project" as defined in section 4b-55 of the general statutes, and
547 the provisions of sections 4b-58 and 4b-91 of the general statutes as
548 said sections pertain to a correctional facility project shall be applicable
549 to the planning and construction of such facility.

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550 Sec. 17. (NEW) (*Effective from passage*) The Board of Pardons and
551 Paroles and the Court Support Services Division of the Judicial Branch
552 shall jointly examine the feasibility of making information concerning
553 persons released into the community on probation or parole available
554 to the public on the Internet. Such information shall include the name
555 and address of the person, the offense or offenses of which the person
556 was convicted, the term of imprisonment and term of probation or
557 parole to which the person was sentenced and the name of the person's
558 probation or parole officer and contact information for such officer.
559 Such information shall be searchable by name and address. The board
560 and division shall report their findings and recommendations to the
561 joint standing committee of the General Assembly on judiciary in
562 accordance with section 11-4a of the general statutes not later than
563 February 6, 2008.

564 Sec. 18. (NEW) (*Effective from passage*) The Department of Correction,
565 the Board of Pardons and Paroles and the Court Support Services
566 Division of the Judicial Branch shall determine the number of persons
567 released into the community on probation, parole or any other
568 supervised release program who pose a risk to the safety of the public
569 to the extent that such person should be subject to electronic
570 monitoring by use of a global positioning system, and what, if any,
571 additional resources are needed by each such agency to ensure that
572 such persons are so monitored while in the community. The
573 department, board and division shall each submit a report of its
574 findings and recommendations to the joint standing committee of the
575 General Assembly on judiciary in accordance with section 11-4a of the
576 general statutes not later than February 6, 2008.

577 Sec. 19. (NEW) (*Effective from passage*) The Court Support Services
578 Division of the Judicial Branch shall make available on the Internet (1)
579 information concerning all outstanding arrest warrants for violation of
580 probation including the name, address and photographic image of the
581 probationer named in such warrant, and (2) a quarterly report listing
582 by court of issuance all outstanding arrest warrants for violation of

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583 probation including the name and address of the probationer named in
584 each such warrant and the date of issuance of such warrant.

585 Sec. 20. (*Effective from passage*) The Judicial Branch shall hire an
586 additional twenty-five probation officers for purposes of executing
587 arrest warrants for violation of probation.

588 Sec. 21. (NEW) (*Effective from passage*) The Judicial Branch shall
589 ensure that there is a domestic violence victim advocate available in
590 each geographical area and judicial district courthouse to provide
591 assistance to victims of domestic violence at court proceedings.

592 Sec. 22. (NEW) (*Effective from passage*) The Office of Victim Services
593 shall assign two victim advocates to provide full-time assistance to
594 victims who appear before a panel of the Board of Pardons and Paroles
595 or submit a written statement to such panel, as authorized by section
596 54-126a of the general statutes.

597 Sec. 23. Section 54-124a of the general statutes is amended by adding
598 subsection (o) as follows (*Effective from passage*):

599 (NEW) (o) The Board of Pardons and Paroles shall employ at least
600 one forensic psychologist to assist the board in its parole release
601 decisions.

602 Sec. 24. (*Effective from passage*) The Department of Correction shall
603 contract for an additional one hundred beds in staff secure residential
604 sex offender treatment facilities.

605 Sec. 25. (*Effective from passage*) The Court Support Services Division
606 of the Judicial Branch shall contract for an additional one hundred
607 beds in staff secure residential sex offender treatment facilities.

608 Sec. 26. (NEW) (*Effective from passage*) The Department of Correction
609 shall establish a special overtime staffing program for nurses and
610 mental health staff in all correctional facilities for the purpose to
611 reducing the use of mandatory overtime and improving the

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612 recruitment and retention of nursing and mental health staff. Such
613 program shall allow nursing and mental health staff at a correctional
614 facility to volunteer in advance for unfilled shifts that would otherwise
615 cause the department to mandate that certain staff work overtime to
616 fill such shifts.

617 Sec. 27. (*Effective from passage*) The Department of Correction shall
618 fill all authorized positions for mental health staff that are vacant on
619 the effective date of this section.

620 Sec. 28. Subsection (k) of section 14-227b of the general statutes is
621 repealed and the following is substituted in lieu thereof (*Effective from*
622 *passage*):

623 (k) Notwithstanding the provisions of subsections (b) to (j),
624 inclusive, of this section, any police officer who obtains the results of a
625 chemical analysis of a blood sample taken from an operator of a motor
626 vehicle involved in an accident who suffered or allegedly suffered
627 physical injury in such accident shall notify the Commissioner of
628 Motor Vehicles and submit to the commissioner a written report if
629 such results indicate that such person had an elevated blood alcohol
630 content, and if such person was arrested for violation of section
631 14-227a in connection with such accident. The report shall be made on
632 a form approved by the commissioner containing such information as
633 the commissioner prescribes, and shall be subscribed and sworn to
634 under penalty of false statement, as provided in section 53a-157b, by
635 the police officer. The commissioner may, after notice and an
636 opportunity for hearing, which shall be conducted in accordance with
637 chapter 54, suspend the motor vehicle operator's license or nonresident
638 operating privilege of such person for [a period of up to ninety days,
639 or, if such person has previously had such person's operator's license
640 or nonresident operating privilege suspended under this section for a
641 period of up to one year] the appropriate period specified in
642 subsection (i) or (j) of this section. Each hearing conducted under this
643 subsection shall be limited to a determination of the following issues:

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644 (1) Whether the police officer had probable cause to arrest the person
645 for operating a motor vehicle while under the influence of intoxicating
646 liquor or drug or both; (2) whether such person was placed under
647 arrest; (3) whether such person was operating the motor vehicle; (4)
648 whether the results of the analysis of the blood of such person indicate
649 that such person had an elevated blood alcohol content; and (5)
650 whether the blood sample was obtained in accordance with conditions
651 for admissibility and competence as evidence as set forth in subsection
652 (j) of section 14-227a. If, after such hearing, the commissioner finds on
653 any one of the said issues in the negative, the commissioner shall not
654 impose a suspension. The fees of any witness summoned to appear at
655 the hearing shall be the same as provided by the general statutes for
656 witnesses in criminal cases, as provided in section 52-260.

657 Sec. 29. (*Effective from passage*) (a) The sum of seven hundred
658 seventy-five thousand dollars is appropriated to the Department of
659 Correction, Community Support Services account, from the General
660 Fund, for the fiscal year ending June 30, 2009, for the purpose of
661 contracting with a nonprofit organization to provide reentry services
662 in the Bridgeport area.

663 (b) The sum of one million dollars is appropriated to the Judicial
664 Department, Alternative Incarceration Program account, from the
665 General Fund, for the fiscal year ending June 30, 2009, for the purpose
666 of contracting with nonprofit organizations to provide reentry services
667 in the Hartford and New Haven areas.

668 (c) For the purposes of this section, "reentry services" means services
669 provided to a person being released from incarceration into the
670 community including, but not limited to, evaluating such person's
671 educational needs, employment skills, counseling needs, mental health
672 and substance abuse treatment needs and child support obligations,
673 assisting such person in obtaining necessary housing, employment,
674 education, treatment and counseling that such person may need upon
675 release and providing such other support services to such person as

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676 deemed necessary.

677 Sec. 30. (*Effective from passage*) Sections 1 to 29, inclusive, of this act
678 shall take effect as indicated therein and in accordance with article
679 twenty-eighth of the amendments to the Constitution of the state upon
680 the declaration by the Governor of an emergency or the existence of
681 extraordinary circumstances and the vote of at least three-fifths of the
682 members of each house of the General Assembly to exceed the
683 authorized limit on state expenditures for the purposes of such
684 emergency or extraordinary circumstances with respect to the
685 expenditures required to implement said sections.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2008</i>	53a-101
Sec. 2	<i>January 1, 2008</i>	53a-100
Sec. 3	<i>January 1, 2008</i>	53a-102
Sec. 4	<i>January 1, 2008</i>	54-125a(b)
Sec. 5	<i>from passage</i>	53a-40
Sec. 6	<i>from passage</i>	53a-40a(b)
Sec. 7	<i>from passage</i>	53a-40d(b)
Sec. 8	<i>from passage</i>	53a-40f(b)
Sec. 9	<i>from passage</i>	53a-300(b)
Sec. 10	<i>from passage</i>	54-64a(b)
Sec. 11	<i>from passage</i>	53a-39
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	54-124a
Sec. 24	<i>from passage</i>	New section

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Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	14-227b(k)
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section

Statement of Purpose:

To classify home invasion as burglary in the first degree, revise persistent offender laws, revise statutory provisions concerning the release and community supervision of offenders, implement a system to share criminal justice information, and provide additional facilities and staff for agencies and organizations supervising or providing services to offenders or assisting victims.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]