



An Act Concerning Racial Disparity In The Criminal Justice System.

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

1 (NEW) (a) There is established a Commission on Racial and Ethnic
2 Disparity in the Criminal Justice System. The commission shall consist
3 of the Chief Court Administrator, the Chief State's Attorney, the Chief
4 Public Defender, the Commissioner of Public Safety, the Commissioner
5 of Correction, the Commissioner of Children and Families, the Child
6 Advocate, the Victim Advocate, the chairperson of the Board of Parole,
7 the chairperson of the African-American Affairs Commission, the
8 chairperson of the Latino and Puerto Rican Affairs Commission, or
9 their designees, a representative of municipal police chiefs, a
10 representative of a coalition representing police and correctional
11 officers, six members appointed one each by the president pro tempore
12 of the Senate, the speaker of the House of Representatives, the majority
13 leader of the Senate, the majority leader of the House of
14 Representatives, the minority leader of the Senate and the minority
15 leader of the House of Representatives, and two members appointed
16 by the Governor. The Chief Court Administrator or said
17 administrator's designee shall serve as chairperson of the commission.
18 The commission shall meet at such times as it deems necessary.

19 (b) The commission shall:

20 (1) Develop and recommend policies for reducing the number of
21 African-Americans and Latinos comprising the pretrial and sentenced
22 population of correctional facilities and reducing the number of
23 African-Americans and Latinos who are victimized by crime;

24 (2) Examine the impact of statutory provisions and current
25 administrative policies on racial and ethnic disparity in the criminal
26 justice system and recommend legislation to the Governor and the
27 General Assembly to reduce such disparity;

28 (3) Research and gather relevant statistical data and other
29 information concerning the impact of disparate treatment of African-
30 Americans and Latinos in the criminal justice system;

31 (4) Develop and recommend a training program for personnel in
32 agencies involved in the criminal justice system concerning the impact
33 of disparate treatment of African-Americans and Latinos;

34 (5) Research and examine the issue of the use of guidelines by courts
35 when sentencing criminal defendants and recommend whether the
36 General Assembly should create a sentencing guidelines commission
37 to establish sentencing guidelines for state courts;

38 (6) Examine the implementation of policies and procedures that are
39 consistent with policies of the American Bar Association intended to
40 ensure that death penalty cases are administered fairly and impartially
41 in accordance with due process, to minimize the risk that innocent
42 persons may be executed and to eliminate discrimination in capital
43 sentencing on the basis of the race of either the victim or the defendant;

44 (7) Annually prepare and distribute a comprehensive plan to reduce
45 racial and ethnic disparity in the criminal justice system without
46 affecting public safety;

47 (8) Develop and recommend policies and interventions to reduce
48 the number of African-Americans and Latinos in the juvenile justice
49 system;

50 (9) Analyze the key stages in the juvenile justice system to
51 determine if any stage disproportionately affects racial or ethnic
52 minorities including the decision to arrest a juvenile, the decision to
53 turn a juvenile over to a detention center, the decision to nonjudicially
54 dispose of the case or to file a petition of delinquency, and the decision
55 to resolve the case by placement on probation, placement in a
56 residential facility or placement at Long Lane School or the
57 Connecticut Juvenile Training School;

58 (10) Annually prepare and distribute a juvenile justice plan having
59 as its goal the reduction of the number of African-Americans and
60 Latinos in the juvenile justice system, which plan shall include the
61 development of standard risk assessment policies and a system of
62 impartial review, culturally appropriate diversion programs for
63 minority juveniles accused of nonviolent felonies, intensive in-home
64 services to families of pretrial delinquents and youth on probation,
65 school programs for juveniles being transferred from detention centers,
66 Long Lane School or the Connecticut Juvenile Training School, the
67 recruitment of minority employees to serve at all levels of the juvenile
68 justice system, the utilization of minority juvenile specialists to guide
69 minority juvenile offenders and their families through the juvenile
70 justice system, and community service options in lieu of detention for
71 juveniles arrested for nonserious offenses;

72 (11) Develop a curriculum for training of all employees at all levels
73 of the juvenile justice system on issues of cultural competency and
74 strategies to address disproportionate minority confinement;

75 (12) Submit an annual report to the Governor and the General
76 Assembly concerning:

77 (A) The number of African-Americans and Latinos comprising the
78 pretrial and sentenced population of correctional facilities;

79 (B) The progress being made toward reducing the number of
80 African-Americans and Latinos comprising the pretrial and sentenced
81 population of correctional facilities;

- 82 (C) The adequacy of legal representation for indigent defendants;
 - 83 (D) The adequacy of the number of residential and nonresidential
84 treatment slots available for African-Americans and Latinos;
 - 85 (E) The adequacy of the number of court interpreters; and
 - 86 (F) Such other information as the commission deems appropriate.
- 87 (c) The commission shall report to the General Assembly, not later
88 than January first of each year, concerning additional resources that
89 should be made available to reduce racial and ethnic disparity in the
90 criminal justice system without affecting public safety.

PS Committee Vote: Yea 22 Nay 0 JFS C/R JUD
JUD Committee Vote: Yea 40 Nay 0 JFS
GAE Committee Vote: Yea 21 Nay 0 JF