



House of Representatives

General Assembly

File No. 226

February Session, 2004

House Bill No. 5598

House of Representatives, March 24, 2004

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING COMMUNITY PLACEMENT OF OFFENDERS.

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

1 Section 1. Subsection (e) of section 18-100 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2004*):

4 (e) If the Commissioner of Correction deems that the purposes of
5 this section may thus be more effectively carried out, [he] the
6 commissioner may transfer any person from one correctional
7 institution to another or to any public or private nonprofit halfway
8 house, group home or mental health facility [with the concurrence of
9 the warden, superintendent or person in charge of the facility to which
10 said person is being transferred] or, after satisfactory participation in a
11 residential program, to any approved community or private residence.
12 Any inmate so transferred shall remain under the jurisdiction of said
13 commissioner.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Correction, Dept.	GF - Savings	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill, which would result in potential savings, authorizes the Department of Correction (DOC) to transfer an offender to an approved community or private residence upon satisfactory participation in a residential program regardless of the amount of time in that program. The department would make any determinations of "satisfactory participation."

Average annual cost for a halfway house bed is \$20,000 and the average annual cost of incarceration is \$26,000. Authorizing DOC to utilize a single slot for as many offenders as possible is anticipated to maximize the use of that bed. The number of offenders that would be impacted by this proposal is unknown at this time.

OLR Bill Analysis

HB 5598

AN ACT CONCERNING COMMUNITY PLACEMENT OF OFFENDERS**SUMMARY:**

This bill authorizes the Department of Correction (DOC) to transfer an inmate on work or education release to an approved community or private residence if the person already participated satisfactorily in a residential program. The law allows DOC to transfer someone to a different correctional institution, public or private nonprofit halfway house, group home, or mental health facility as part of this program. The bill eliminates a requirement that the warden, superintendent, or facility head concur with DOC's decision before transferring a person to that facility. By law, a transferred inmate remains under DOC jurisdiction.

EFFECTIVE DATE: October 1, 2004

BACKGROUND***Work and Education Release Programs***

The work and education release law allows DOC to arrange for continued employment of an inmate who is self-employed or regularly employed. DOC can also attempt to secure suitable employment or attendance at an educational institution. A prisoner's employment must (1) not displace employed workers, involve skills or trades that have a surplus of labor in the locality, or impair an existing contract and (2) have pay and employment conditions that are not less than those for similar work in the locality.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 38 Nay 0

