



General Assembly

February Session, 2004

Amendment

LCO No. 5087

HB0566805087HDO

Offered by:

REP. DYSON, 94th Dist.

REP. LAWLOR, 99th Dist.

REP. DIAMANTIS, 79th Dist.

To: Subst. House Bill No. 5668

File No. 501

Cal. No. 347

"AN ACT CONCERNING THE MERGER OF THE DEPARTMENT OF CORRECTION AND THE BOARD OF PAROLE AND THE CARRYING OF HANDGUNS BY EMPLOYEES OF THE DEPARTMENT OF CORRECTION."

1 Strike sections 1 and 2 in their entirety and insert the following in
2 lieu thereof and renumber the remaining sections accordingly:

3 "Section 1. Section 1-24 of the general statutes, as amended by
4 section 1 of public act 03-278, is repealed and the following is
5 substituted in lieu thereof (*Effective from passage*):

6 The following officers may administer oaths: (1) The clerks of the
7 Senate, the clerks of the House of Representatives and the chairpersons
8 of committees of the General Assembly or of either branch thereof,
9 during its session; (2) state officers, as defined in subsection (t) of
10 section 9-1, judges and clerks of any court, family support magistrates,
11 judge trial referees, justices of the peace, commissioners of the Superior

12 Court, notaries public, town clerks and assistant town clerks, in all
13 cases where an oath may be administered, except in a case where the
14 law otherwise requires; (3) commissioners on insolvent estates,
15 auditors, arbitrators and committees, to parties and witnesses, in all
16 cases tried before them; (4) assessors and boards of assessment
17 appeals, in cases coming before them; (5) commissioners appointed by
18 governors of other states to take the acknowledgment of deeds, in the
19 discharge of their official duty; (6) the moderator of a school district
20 meeting, in such meeting, to the clerk of such district, as required by
21 law; (7) the first selectman, in any matter before the board of
22 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner
23 and assistant medical examiners of the Office of the Medical Examiner,
24 in any matter before them; (9) registrars of vital statistics, in any matter
25 before them; (10) any chief inspector or inspector appointed pursuant
26 to section 51-286; (11) registrars of voters, deputy registrars, assistant
27 registrars, and moderators, in any matter before them; (12) special
28 assistant registrars, in matters provided for in subsections (b) and (c) of
29 section 9-19b and section 9-19c; (13) the Commissioner of Public Safety
30 and any sworn member of any local police department or the Division
31 of State Police within the Department of Public Safety, in all affidavits,
32 statements, depositions, complaints or reports made to or by any
33 member of any local police department or said Division of State Police
34 or any constable who is under the supervision of said commissioner or
35 any of such officers of said Division of State Police and who is certified
36 under the provisions of sections 7-294a to 7-294e, inclusive, and
37 performs criminal law enforcement duties; (14) judge advocates of the
38 United States Army, Navy, Air Force and Marine Corps, law
39 specialists of the United States Coast Guard, adjutants, assistant
40 adjutants, acting adjutants and personnel adjutants, commanding
41 officers, executive officers and officers whose rank is lieutenant
42 commander or major, or above, of the armed forces, as defined in
43 section 27-103, as amended, to persons serving with or in the armed
44 forces, as defined in said section, or their spouses; (15) investigators,
45 deputy investigators, investigative aides, secretaries, clerical assistants,
46 social workers, social worker trainees, paralegals and certified legal

47 interns employed by or assigned to the Public Defender Services
48 Commission in the performance of their assigned duties; (16) bail
49 commissioners employed by the Judicial Department in the
50 performance of their assigned duties; (17) juvenile matter investigators
51 employed by the Division of Criminal Justice in the performance of
52 their assigned duties; (18) the chairperson of the Connecticut Siting
53 Council or the chairperson's designee; (19) the presiding officer at an
54 agency hearing under section 4-177b; (20) family relations counselors
55 employed by the Judicial Department and support enforcement
56 officers and investigators employed by the Department of Social
57 Services Bureau of Child Support Enforcement and the Judicial
58 Department, in the performance of their assigned duties; (21) the
59 chairperson, vice-chairperson and members of the Board of Parole,
60 [parole officers and parole supervisors] in the performance of their
61 assigned duties; and (22) the Commissioner of Correction or the
62 commissioner's designee.

63 Sec. 2. Subsection (a) of section 1-217 of the general statutes is
64 repealed and the following is substituted in lieu thereof (*Effective from*
65 *passage*):

66 (a) No public agency may disclose, under the Freedom of
67 Information Act, the residential address of any of the following
68 persons:

69 (1) A federal court judge, federal court magistrate, judge of the
70 Superior Court, Appellate Court or Supreme Court of the state, or
71 family support magistrate;

72 (2) A sworn member of a municipal police department or a sworn
73 member of the Division of State Police within the Department of Public
74 Safety;

75 (3) An employee of the Department of Correction;

76 (4) An attorney-at-law who represents or has represented the state
77 in a criminal prosecution;

78 (5) An attorney-at-law who is or has been employed by the Public
79 Defender Services Division or a social worker who is employed by the
80 Public Defender Services Division;

81 (6) An inspector employed by the Division of Criminal Justice;

82 (7) A firefighter;

83 (8) An employee of the Department of Children and Families;

84 (9) A member [or employee] of the Board of Parole;

85 (10) An employee of the judicial branch; or

86 (11) A member or employee of the Commission on Human Rights
87 and Opportunities.

88 Sec. 3. Subsection (e) of section 14-10 of the general statutes is
89 repealed and the following is substituted in lieu thereof (*Effective from*
90 *passage*):

91 (e) In the event (1) a federal court judge, federal court magistrate or
92 judge of the Superior Court, Appellate Court or Supreme Court of the
93 state, (2) a member of a municipal police department or a member of
94 the Division of State Police within the Department of Public Safety, (3)
95 an employee of the Department of Correction, (4) an attorney-at-law
96 who represents or has represented the state in a criminal prosecution,
97 or (5) a member [or employee] of the Board of Parole submits a written
98 request and furnishes such individual's business address to the
99 commissioner, such business address only shall be disclosed or
100 available for public inspection to the extent authorized by this section.

101 Sec. 4. Section 18-100d of the general statutes is repealed and the
102 following is substituted in lieu thereof (*Effective from passage*):

103 Notwithstanding any other provision of the general statutes, any
104 person convicted of a crime committed on or after October 1, 1994,
105 shall be subject to supervision by personnel of the Department of

106 Correction [or the Board of Parole] until the expiration of the
107 maximum term or terms for which [he] such person was sentenced.

108 Sec. 5. Subsection (g) of section 46a-152 of the general statutes is
109 repealed and the following is substituted in lieu thereof (*Effective from*
110 *passage*):

111 (g) Nothing in this section shall be construed as limiting the justified
112 use of physical force by a local, state or federal law enforcement official
113 or an employee of the [Board of Parole] Department of Correction
114 responsible for the supervision of persons released on parole while in
115 the performance of such official's or employee's duties.

116 Sec. 6. Subsection (b) of section 51-5c of the general statutes is
117 repealed and the following is substituted in lieu thereof (*Effective from*
118 *passage*):

119 (b) (1) The following information contained in the registry of
120 protective orders shall not be subject to disclosure and may be
121 accessed only in accordance with this section, unless otherwise
122 ordered by the court: (A) Any information that would identify a
123 person protected by an order contained in the registry; (B) any
124 information that is confidential pursuant to state or federal law,
125 including, but not limited to, any information that is confidential
126 pursuant to a court order; and (C) any information entered in the
127 registry pursuant to an ex parte order prior to a hearing by a court
128 having jurisdiction over the parties and the subject matter.

129 (2) Any employee of the Judicial Department authorized by policies
130 and procedures adopted by the Chief Court Administrator shall have
131 access to such information. The Chief Court Administrator may grant
132 access to such information to personnel of the Department of Public
133 Safety, the Department of Correction, [the Board of Parole,] the
134 Psychiatric Security Review Board, the Division of Criminal Justice,
135 any municipal or tribal police department within this state or any other
136 agency, organization or person determined by the Chief Court
137 Administrator, pursuant to policies and procedures adopted by the

138 Chief Court Administrator, to have a legitimate interest in the
139 information contained in the registry. Any person who obtains such
140 information pursuant to this subdivision may use and disclose the
141 information only in the performance of such person's duties.

142 (3) Except as provided in subsection (c) of this section, the
143 information contained in the registry shall be provided to and may be
144 accessed through the Connecticut on-line law enforcement
145 communications teleprocessing system maintained by the Department
146 of Public Safety. Nothing in this section shall be construed to permit
147 public access to the Connecticut on-line law enforcement
148 communications teleprocessing system.

149 Sec. 7. Section 53a-22 of the general statutes is repealed and the
150 following is substituted in lieu thereof (*Effective from passage*):

151 (a) For purposes of this section, a reasonable belief that a person has
152 committed an offense means a reasonable belief in facts or
153 circumstances which if true would in law constitute an offense. If the
154 believed facts or circumstances would not in law constitute an offense,
155 an erroneous though not unreasonable belief that the law is otherwise
156 does not render justifiable the use of physical force to make an arrest
157 or to prevent an escape from custody. A peace officer or an authorized
158 official of the Department of Correction [or the Board of Parole] who is
159 effecting an arrest pursuant to a warrant or preventing an escape from
160 custody is justified in using the physical force prescribed in
161 subsections (b) and (c) of this section unless such warrant is invalid
162 and is known by such officer to be invalid.

163 (b) Except as provided in subsection (a) of this section, a peace
164 officer or authorized official of the Department of Correction [or the
165 Board of Parole] is justified in using physical force upon another
166 person when and to the extent that he reasonably believes such to be
167 necessary to: (1) Effect an arrest or prevent the escape from custody of
168 a person whom he reasonably believes to have committed an offense,
169 unless he knows that the arrest or custody is unauthorized; or (2)

170 defend himself or a third person from the use or imminent use of
171 physical force while effecting or attempting to effect an arrest or while
172 preventing or attempting to prevent an escape.

173 (c) A peace officer or authorized official of the Department of
174 Correction [or the Board of Parole] is justified in using deadly physical
175 force upon another person for the purposes specified in subsection (b)
176 of this section only when he reasonably believes such to be necessary
177 to: (1) Defend himself or a third person from the use or imminent use
178 of deadly physical force; or (2) effect an arrest or prevent the escape
179 from custody of a person whom he reasonably believes has committed
180 or attempted to commit a felony which involved the infliction or
181 threatened infliction of serious physical injury and if, where feasible,
182 he has given warning of his intent to use deadly physical force.

183 (d) Except as provided in subsection (e) of this section, a person who
184 has been directed by a peace officer or authorized official of the
185 Department of Correction [or the Board of Parole] to assist such peace
186 officer or official to effect an arrest or to prevent an escape from
187 custody is justified in using reasonable physical force when and to the
188 extent that he reasonably believes such to be necessary to carry out
189 such peace officer's or official's direction.

190 (e) A person who has been directed to assist a peace officer or
191 authorized official of the Department of Correction [or the Board of
192 Parole] under circumstances specified in subsection (d) of this section
193 may use deadly physical force to effect an arrest or to prevent an
194 escape from custody only when: (1) He reasonably believes such to be
195 necessary to defend himself or a third person from what he reasonably
196 believes to be the use or imminent use of deadly physical force; or (2)
197 he is directed or authorized by such peace officer or official to use
198 deadly physical force, unless he knows that the peace officer or official
199 himself is not authorized to use deadly physical force under the
200 circumstances.

201 (f) A private person acting on his own account is justified in using

202 reasonable physical force upon another person when and to the extent
203 that he reasonably believes such to be necessary to effect an arrest or to
204 prevent the escape from custody of an arrested person whom he
205 reasonably believes to have committed an offense and who in fact has
206 committed such offense; but he is not justified in using deadly physical
207 force in such circumstances, except in defense of person as prescribed
208 in section 53a-19.

209 Sec. 8. Subsection (a) of section 53a-167c of the general statutes, as
210 amended by section 1 of public act 03-6 and section 126 of public act
211 03-19, is repealed and the following is substituted in lieu thereof
212 (*Effective from passage*):

213 (a) A person is guilty of assault of public safety or emergency
214 medical personnel when, with intent to prevent a reasonably
215 identifiable peace officer, firefighter or employee of an emergency
216 medical service organization, as defined in section 53a-3, emergency
217 room physician or nurse, employee of the Department of Correction,
218 [employee or] member of the Board of Parole, probation officer,
219 employee of the judicial branch assigned to provide pretrial secure
220 detention and programming services to juveniles accused of the
221 commission of a delinquent act, employee of the Department of
222 Children and Families assigned to provide direct services to children
223 and youth in the care or custody of the department or employee of a
224 municipal police department assigned to provide security at the police
225 department's lockup and holding facility from performing his or her
226 duties, and while such peace officer, firefighter, employee, physician,
227 nurse, member or probation officer is acting in the performance of his
228 or her duties, (1) such person causes physical injury to such peace
229 officer, firefighter, employee, physician, nurse, member or probation
230 officer, or (2) such person throws or hurls, or causes to be thrown or
231 hurled, any rock, bottle, can or other article, object or missile of any
232 kind capable of causing physical harm, damage or injury, at such peace
233 officer, firefighter, employee, physician, nurse, member or probation
234 officer, or (3) such person uses or causes to be used any mace, tear gas
235 or any like or similar deleterious agent against such peace officer,

236 firefighter, employee, physician, nurse, member or probation officer, or
237 (4) such person throws or hurls, or causes to be thrown or hurled, any
238 paint, dye or other like or similar staining, discoloring or coloring
239 agent or any type of offensive or noxious liquid, agent or substance at
240 such peace officer, firefighter, employee, physician, nurse, member or
241 probation officer, or (5) such person throws or hurls, or causes to be
242 thrown or hurled, any bodily fluid including, but not limited to, urine,
243 feces, blood or saliva at such peace officer, firefighter, employee,
244 physician, nurse, member or probation officer.

245 Sec. 9. Subsection (d) of section 54-102g of the general statutes, as
246 amended by section 1 of public act 03-242, is repealed and the
247 following is substituted in lieu thereof (*Effective from passage*):

248 (d) Any person who has been convicted of a criminal offense against
249 a victim who is a minor, a nonviolent sexual offense or a sexually
250 violent offense, as those terms are defined in section 54-250, or a
251 felony, and is serving a period of probation or parole, and who has not
252 submitted to the taking of a blood or other biological sample pursuant
253 to subsection (a), (b) or (c) of this section, shall, prior to discharge from
254 the custody of the Court Support Services Division or the [Board of
255 Parole] Department of Correction and at such time as said division or
256 [board] department may specify, submit to the taking of a blood or
257 other biological sample for DNA (deoxyribonucleic acid) analysis to
258 determine identification characteristics specific to the person.

259 Sec. 10. Section 54-125g of the general statutes is repealed and the
260 following is substituted in lieu thereof (*Effective from passage*):

261 Notwithstanding the provisions of sections 18-100d, 54-124c and 54-
262 125a, any person who has six months or less to the expiration of the
263 maximum term or terms for which such person was sentenced, may be
264 allowed to go at large on parole provided such person agrees (1) to be
265 subject to supervision by personnel of the [Board of Parole]
266 Department of Correction for a period of one year, and (2) to be
267 retained in the institution from which such person was paroled for a

268 period equal to the unexpired portion of the term of his or her sentence
269 if such person is found to have violated the terms or conditions of his
270 or her parole. Any person subject to the provisions of subdivision (1)
271 or (2) of subsection (b) of section 54-125a shall only be eligible to go at
272 large on parole under this section after having served ninety-five per
273 cent of the definite sentence imposed.

274 Sec. 11. Section 54-127 of the general statutes is repealed and the
275 following is substituted in lieu thereof (*Effective from passage*):

276 The request of the Commissioner of Correction or any officer of the
277 Department of Correction so designated by the commissioner, or of the
278 Board of Parole [] or its chairman [or any officer of the Board of Parole
279 designated by the chairman] shall be sufficient warrant to authorize
280 any officer of the Department of Correction [or of the Board of Parole,
281 as the case may be,] or any officer authorized by law to serve criminal
282 process within this state, to return any convict or inmate on parole into
283 actual custody; and any such officer, police officer, constable or state
284 marshal shall arrest and hold any parolee or inmate when so
285 requested, without any written warrant.

286 Sec. 12. Subsection (a) of section 54-128 of the general statutes is
287 repealed and the following is substituted in lieu thereof (*Effective from*
288 *passage*):

289 (a) Any paroled [convict or] inmate who has been returned to [the
290 custody of the Commissioner of Correction or] any institution of the
291 Department of Correction for violation of [his] such inmate's parole
292 may be retained in [the institution from which he was paroled] a
293 correctional institution for a period equal to the unexpired portion of
294 the term of [his] such inmate's sentence at the date of the request or
295 order for [his] such inmate's return less any commutation or
296 diminution of [his] such inmate's sentence earned except that the
297 Board of Parole may, in its discretion, determine that [he] such inmate
298 shall forfeit any or all of such earned time, or may be again paroled by
299 said board.

300 Sec. 13. Subsection (b) of section 54-131d of the general statutes is
301 repealed and the following is substituted in lieu thereof (*Effective from*
302 *passage*):

303 (b) The Board of Parole may require as a condition of release on
304 medical parole periodic diagnoses as described in section 54-131c. If
305 after review of such diagnoses the board finds that a parolee released
306 pursuant to sections 54-131a to 54-131g, inclusive, is no longer so
307 debilitated or incapacitated as to be physically incapable of presenting
308 a danger to society, such parolee shall be returned to [the custody] any
309 institution of the Department of Correction."

310 After the last section, add the following and renumber sections and
311 internal references accordingly:

312 "Sec. 501. Section 18-86b of the general statutes, as amended by
313 section 156 of public act 03-6 of the June 30 special session, is repealed
314 and the following is substituted in lieu thereof (*Effective July 1, 2004*):

315 (a) Notwithstanding the provisions of sections 18-105 to 18-107,
316 inclusive, the Commissioner of Correction is authorized to improve the
317 operation of the state's correctional facilities by entering into contracts
318 with any governmental or private vendor for supervision of not more
319 than five hundred inmates outside the state. Any such governmental
320 or private vendor shall agree to be bound by the provisions of the
321 Interstate Corrections Compact, and any governmental or privately-
322 operated facility to which state inmates are transferred pursuant to a
323 contract under this subsection shall be located in a state which has
324 enacted and entered into the Interstate Corrections Compact.

325 (b) (1) Notwithstanding the provisions of sections 18-105 to 18-107,
326 inclusive, during the fiscal [years] year ending June 30, 2004, [and June
327 30, 2005,] the Commissioner of Correction is authorized to improve the
328 operation of the state's correctional facilities by entering into contracts
329 in accordance with this subsection with any governmental or private
330 vendor for the supervision of not more than an additional two
331 thousand inmates outside the state.

332 (2) If the governmental vendor with which the commissioner has a
333 contract under subsection (a) of this section on August 20, 2003, for the
334 supervision of inmates outside this state is willing to accept additional
335 inmates for supervision, the Commissioner of Correction may,
336 notwithstanding the provisions of section 4a-57, enter into a contract
337 with such governmental vendor for the supervision of such number of
338 additional inmates as such governmental vendor is willing to accept. If
339 the commissioner does not enter into such a contract with such
340 governmental vendor or if, after contracting for the supervision of
341 additional inmates by such governmental vendor, the number of
342 inmates authorized to be supervised outside this state under
343 subdivision (1) of this subsection has not been attained, the
344 commissioner may enter into contracts with any governmental or
345 private vendor for the supervision of all or part of the remaining
346 number of inmates authorized to be supervised outside this state
347 under said subdivision (1).

348 (3) Any such governmental or private vendor shall agree to be
349 bound by the provisions of the Interstate Corrections Compact, and
350 any governmental or privately-operated facility to which state inmates
351 are transferred pursuant to a contract under this subsection shall be
352 located in a state which has enacted and entered into the Interstate
353 Corrections Compact.

354 (c) (1) Notwithstanding the provisions of sections 18-105 to 18-107,
355 inclusive, during the fiscal years ending June 30, 2005, June 30, 2006,
356 and June 30, 2007, the Commissioner of Correction is authorized to
357 improve the operation of the state's correctional facilities by entering
358 into contracts in accordance with this subsection with any
359 governmental or private vendor for the supervision of not more than
360 an additional one thousand inmates outside the state.

361 (2) Any such governmental or private vendor shall agree to be
362 bound by the provisions of the Interstate Corrections Compact, and
363 any governmental or privately-operated facility to which state inmates
364 are transferred pursuant to a contract under this subsection shall be

365 located in a state which has enacted and entered into the Interstate
366 Corrections Compact.

367 (3) Prior to entering into any contract under this subsection, the
368 commissioner shall submit such proposed contract to the joint
369 standing committees of the General Assembly having cognizance of
370 matters relating to appropriations and the budgets of state agencies
371 and to the judiciary for their review and comment.

372 [(c)] (d) A state inmate confined in any governmental or privately-
373 operated facility pursuant to the terms of any contract with the state
374 shall at all times be subject to the authority of the Commissioner of
375 Correction who may at any time remove the inmate for transfer to a
376 state correctional facility or other institution, for transfer to another
377 governmental or privately-operated facility, for release on probation or
378 parole, for discharge or for any other purpose permitted by the laws of
379 this state.

380 Sec. 502. (NEW) (*Effective from passage*) Notwithstanding any
381 provision of the general statutes, when sentencing a person convicted
382 of an offense for which there is a mandatory minimum sentence,
383 except a capital felony, class A felony or class B felony or a violation of
384 subsection (c) of section 14-215, subsection (b) of section 14-223,
385 subsection (a) of section 14-227a or subsection (a) of section 21a-278a,
386 section 29-34, 53-202b, 53-202c, 53-202j, 53-202k, subsection (m) of
387 section 53a-40, section 53a-54d, 53a-56a, 53a-60a, 53a-60b, 53a-60c, 53a-
388 61a, 53a-71, 53a-72b, 53a-102a, 53a-103a, 53a-123, 53a-136a, 53a-216 or
389 53a-303 of the general statutes, the court may, upon a showing of good
390 cause by the defendant, depart from the prescribed mandatory
391 minimum sentence, provided the court, at the time of sentencing,
392 states in open court the reasons for imposing the particular sentence
393 and the specific reason for imposing a sentence that departs from the
394 prescribed mandatory minimum sentence.

395 Sec. 503. Subsections (d) and (e) of section 54-125a of the general
396 statutes, as amended by section 3 of substitute house bill 5211 of the

397 current session, are repealed and the following is substituted in lieu
398 thereof (*Effective from passage*):

399 (d) The Board of Parole shall [hold a hearing to determine] cause a
400 reassessment to be made of the suitability for parole release of any
401 person whose eligibility for parole release is not subject to the
402 provisions of subsection (b) of this section upon completion by such
403 person of seventy-five per cent of such person's definite or aggregate
404 sentence. [An employee of the board or, if deemed necessary by the
405 chairperson, a panel of the board shall reassess the suitability for
406 parole release of such person] Such reassessment shall be based on the
407 following standards: (1) Whether there is reasonable probability that
408 such person will live and remain at liberty without violating the law,
409 and (2) whether the benefits to such person and society that would
410 result from such person's release to community supervision
411 substantially outweigh the benefits to such person and society that
412 would result from such person's continued incarceration. [After
413 hearing, if the board determines that continued confinement is
414 necessary, it shall articulate for the record the specific reasons why
415 such person and the public would not benefit from such person
416 serving a period of parole supervision while transitioning from
417 incarceration to the community. The decision of the board under this
418 subsection shall not be subject to appeal.] After such reassessment, the
419 board shall evaluate and determine the suitability of holding a hearing
420 to decide whether such person should be released on parole. If the
421 board determines it would not be suitable to hold such a hearing, it
422 shall provide such person its reasons for such determination.

423 (e) The Board of Parole shall [hold a hearing to determine] cause an
424 assessment to be made of the suitability for parole release of any
425 person whose eligibility for parole release is subject to the provisions
426 of subdivision (2) of subsection (b) of this section upon completion by
427 such person of eighty-five per cent of such person's definite or
428 aggregate sentence. [An employee of the board or, if deemed necessary
429 by the chairperson, a panel of the board shall assess the suitability for
430 parole release of such person] Such assessment shall be based on the

431 following standards: (1) Whether there is reasonable probability that
432 such person will live and remain at liberty without violating the law,
433 and (2) whether the benefits to such person and society that would
434 result from such person's release to community supervision
435 substantially outweigh the benefits to such person and society that
436 would result from such person's continued incarceration. [After
437 hearing, if the board determines that continued confinement is
438 necessary, it shall articulate for the record the specific reasons why
439 such person and the public would not benefit from such person
440 serving a period of parole supervision while transitioning from
441 incarceration to the community. The decision of the board under this
442 subsection shall not be subject to appeal.] After such assessment, the
443 board shall evaluate and determine the suitability of holding a hearing
444 to decide whether such person should be released on parole. If the
445 board determines it would not be suitable to hold such a hearing, it
446 shall provide such person its reasons for such determination.

447 Sec. 504. (*Effective from passage*) To implement the provisions of
448 section 54 of public act 03-1 of the June 30 special session, the
449 Department of Correction shall, not later than October 1, 2004, issue a
450 request for proposals for a Community Justice Center. Such request for
451 proposals shall require such facility to have a capacity of not less than
452 five hundred beds, be located in the city of Hartford, New Haven or
453 Bridgeport and be operated by a not-for-profit corporation that is
454 exempt from taxation under Section 501(c)(3) of the Internal Revenue
455 Code of 1986, or any subsequent corresponding internal revenue code
456 of the United States, as from time to time amended, and has experience
457 in operating such a facility.

458 Sec. 505. (*Effective from passage*) Section 54-124d of the general
459 statutes is repealed."