



**Substitute House Bill No. 6976**

**Public Act No. 05-249**

**AN ACT CONCERNING CRIMINAL JUSTICE PLANNING AND  
ELIGIBILITY FOR CRIME VICTIM COMPENSATION.**

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

Section 1. (NEW) (*Effective July 1, 2006*) (a) There is established a Criminal Justice Policy and Planning Division within the Office of Policy and Management. The division shall be under the direction of an undersecretary.

(b) The division shall develop a plan to promote a more effective and cohesive state criminal justice system and, to accomplish such plan, shall:

- (1) Conduct an in-depth analysis of the criminal justice system;
- (2) Determine the long-range needs of the criminal justice system and recommend policy priorities for the system;
- (3) Identify critical problems in the criminal justice system and recommend strategies to solve those problems;
- (4) Assess the cost-effectiveness of the use of state and local funds in the criminal justice system;
- (5) Recommend means to improve the deterrent and rehabilitative

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capabilities of the criminal justice system;

(6) Advise and assist the General Assembly in developing plans, programs and proposed legislation for improving the effectiveness of the criminal justice system;

(7) Make computations of daily costs and compare interagency costs on services provided by agencies that are a part of the criminal justice system;

(8) Make population computations for use in planning for the long-range needs of the criminal justice system;

(9) Determine long-range information needs of the criminal justice system and acquire that information;

(10) Cooperate with the Office of the Victim Advocate by providing information and assistance to the office relating to the improvement of crime victims' services;

(11) Serve as the liaison for the state to the United States Department of Justice on criminal justice issues of interest to the state and federal government relating to data, information systems and research;

(12) Measure the success of community-based services and programs in reducing recidivism; and

(13) Engage in other activities consistent with the responsibilities of the division.

(c) In addition to the division's other duties under this section, the division may perform any function described in subsection (b) of this section to promote an effective and cohesive juvenile justice system.

(d) In the performance of its duties under this section, the division

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shall collaborate with the Department of Correction, the Board of Pardons and Paroles, the Department of Mental Health and Addiction Services and the Department of Public Safety and consult with the Chief Court Administrator, the executive director of the Court Support Services Division of the Judicial Branch, the Chief State's Attorney and the Chief Public Defender.

(e) (1) At the request of the division, the Department of Correction, the Board of Pardons and Paroles, the Department of Mental Health and Addiction Services, the Department of Public Safety, the Chief Court Administrator, the executive director of the Court Support Services Division of the Judicial Branch, the Chief State's Attorney and the Chief Public Defender shall provide the division with information and data needed by the division to perform its duties under subsection (b) of section 1 of this act.

(2) The division shall have access to individualized records maintained by the Judicial Branch and the agencies specified in subdivision (1) of this subsection as needed for research purposes. The division, in collaboration with the Judicial Branch and the agencies specified in subdivision (1) of this subsection, shall develop protocols to protect the privacy of such individualized records consistent with state and federal law. The division shall use such individualized records for statistical analyses only and shall not use such records in any other manner that would disclose the identity of individuals to whom the records pertain.

(3) Any information or data provided to the division pursuant to this subsection that is confidential in accordance with state or federal law shall remain confidential while in the custody of the division and shall not be disclosed.

Sec. 2. (NEW) (*Effective July 1, 2006*) The Criminal Justice Policy and Planning Division within the Office of Policy and Management shall

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develop population projections for the correctional system for planning purposes and issue a report on such projections not later than November first of each year.

Sec. 3. (NEW) (*Effective July 1, 2006*) (a) The Criminal Justice Policy and Planning Division within the Office of Policy and Management shall develop a reporting system that is able to track trends and outcomes related to policies designed to reduce prison overcrowding, improve rehabilitation efforts and enhance reentry strategies for offenders released from prison.

(b) The reporting system shall, at a minimum, track on a monthly basis: (1) The number of admissions to prison (A) directly from courts, (B) on account of parole revocation, and (C) on account of probation revocation, (2) the number of releases on parole and to other forms of community supervision and facilities, (3) the rate of granting parole, (4) the number of probation placements and placements to probation facilities, (5) the prison population, and (6) the projected prison population.

(c) The reporting system shall, at a minimum, track on an annual basis: (1) Recidivism of offenders released from prison, (2) recidivism of offenders on probation, and (3) recidivism of offenders participating in programs designed to reduce prison overcrowding, improve rehabilitation efforts and enhance reentry strategies for offenders released from prison. The division shall measure recidivism in accordance with a nationally-accepted methodology.

(d) The reporting system shall define outcomes for major programs and annually report these outcomes and delineate strategies to measure outcomes when information is not yet available to measure the effectiveness of particular programs.

(e) The division shall publish the first monthly report not later than

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November 1, 2006.

(f) The division shall publish the first annual outcome report not later than January 1, 2007. Such report may be included as part of the report submitted under section 4 of this act.

Sec. 4. (NEW) (*Effective July 1, 2006*) Not later than January first of each year, the Criminal Justice Policy and Planning Division within the Office of Policy and Management shall submit a report, in accordance with section 11-4a of the general statutes, and make a presentation to the joint standing committees of the General Assembly having cognizance of matters relating to criminal justice and appropriations and the budgets of state agencies concerning its activities and recommendations under section 1 of this act and specifying the actions necessary to promote an effective and cohesive criminal justice system. The report shall estimate the amount of savings inuring to the benefit of the state on account of the actual prison population being less than projected prior to the adoption of prison overcrowding reduction policies and make recommendations as to the manner in which a portion of such cost savings may be reinvested in community-based services and programs and community supervision by probation and parole officers in order to maintain that reduction in projected prison population.

Sec. 5. Section 18-87j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

There is established a Commission on Prison and Jail Overcrowding which shall be within the Office of Policy and Management for administrative purposes only. The commission shall consist of the undersecretary of the Criminal Justice Policy and Planning Division within the Office of Policy and Management, the Chief Court Administrator, the Commissioner of Correction, the Commissioner of Public Safety, the Chief State's Attorney, the Chief Public Defender, the

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Commissioner of Mental Health and Addiction Services and the chairperson of the Board of Pardons and Paroles, or their designees, the executive director of the Court Support Services Division or other designee of the Chief Court Administrator and the following members, each of whom shall be appointed by the Governor: Three government officials, a police chief, two persons representing offender and victim services within the private community and two public members. [The Governor shall appoint a chairperson from among the members of the commission.] The undersecretary of the Criminal Justice Policy and Planning Division shall serve as chairperson of the commission. The commission shall meet at such times as it deems necessary.

Sec. 6. Subsection (a) of section 18-87k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) The commission shall: (1) Develop and recommend policies for preventing prison and jail overcrowding; (2) examine the impact of statutory provisions and current administrative policies on prison and jail overcrowding and recommend legislation to the Governor and the General Assembly; [(3) annually prepare and distribute a comprehensive state criminal justice plan for preventing prison and jail overcrowding which shall include, but not be limited to, the number of persons currently involved in pretrial and postsentencing options predominantly provided through community-based agencies which minimize the number of persons requiring incarceration consistent with protection of public safety, including mediation, restitution, supervisory release and community service plans and the impact on prison populations, local communities and court caseloads. The commission shall take into account any state plans in the related areas of mental health and drug and alcohol abuse in the development of such plan. The commission shall take into account the report of the findings and recommendations of the Alternatives to Incarceration

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Advisory Committee established under section 18-87m in the development of the plan. The plan shall be submitted annually to the Governor and General Assembly on or before January fifteenth; (4)] and (3) research and gather relevant statistical data and other information concerning the impact of efforts to prevent prison and jail overcrowding and make such information available to criminal justice agencies and members of the General Assembly.

Sec. 7. Subsection (a) of section 54-211 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) (1) No order for the payment of compensation shall be made under section 54-210 unless the application has been made within two years after the date of the personal injury or death, and the personal injury or death was the result of an incident or offense listed in section 54-209 which has been reported to the police within five days of its occurrence or, if the incident or offense could not reasonably have been reported within such period, within five days of the time when a report could reasonably have been made. (2) Notwithstanding the provisions of subdivision (1) of this subsection, any person who, before, on or after the effective date of this section, fails to make application for compensation within two years after the date of the personal injury or death as a result of physical, emotional or psychological injuries caused by such personal injury or death may apply for a waiver of such time limitation. [, provided in no event may such application for waiver of the time limitation be filed later than six years after the date of such personal injury or death.] The Office of Victim Services, upon a finding of such physical, emotional or psychological injury, may grant such waiver. (3) Notwithstanding the provisions of subdivision (1) of this subsection, any minor who, before, on or after the effective date of this section, fails to make application for compensation within two years after the date of the personal injury

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or death through no fault of the minor, may apply for a waiver of such time limitation. [ , provided in no event may such application be filed later than two years after such minor attains the age of majority, or seven years after the date of the personal injury or death, whichever is sooner.] The Office of Victim Services, upon a finding that such minor is not at fault, may grant such waiver. (4) Notwithstanding the provisions of subdivision (1) of this subsection, a person who is a dependent of a victim may make application for payment of compensation not later than two years from the date that such person discovers or in the exercise of reasonable care should have discovered that the person upon whom the applicant was dependent was a victim or ninety days after May 26, 2000, whichever is later. Such person shall file with such application a statement signed under penalty of false statement setting forth the date when such person discovered that the person upon whom the applicant was dependent was a victim and the circumstances that prevented such person discovering that the person upon whom the applicant was dependent was a victim until more than two years after the date of the incident or offense. There shall be a rebuttable presumption that a person who files such a statement and is otherwise eligible for compensation [under] pursuant to this chapter is entitled to compensation. (5) Any waiver denied by the Office of Victim Services under this subsection may be reviewed by a victim compensation commissioner, provided such request for review is made by the applicant within thirty days from the mailing of the notice of denial by the Office of Victim Services. If a victim compensation commissioner grants such waiver, the commissioner shall refer the application for compensation to the Office of Victim Services for a determination pursuant to section 54-205.

Approved July 8, 2005