



# House of Representatives

General Assembly

**File No. 799**

*January Session, 2005*

Substitute House Bill No. 6976

*House of Representatives, May 24, 2005*

The Committee on Appropriations reported through REP. MERRILL of the 54th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING CRIMINAL JUSTICE PLANNING.***

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

1 Section 1. (NEW) (*Effective July 1, 2006*) (a) There is established a  
2 Criminal Justice Policy and Planning Division within the Office of  
3 Policy and Management. The division shall be under the direction of  
4 an undersecretary who, notwithstanding the provisions of subsection  
5 (b) of section 4-65a of the general statutes, shall be appointed by the  
6 Governor with the advice and consent of the General Assembly.

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

10 (1) Conduct an in-depth analysis of the criminal justice system;

11 (2) Determine the long-range needs of the criminal justice system  
12 and recommend policy priorities for the system;

13 (3) Identify critical problems in the criminal justice system and  
14 recommend strategies to solve those problems;

15 (4) Assess the cost-effectiveness of the use of state and local funds in  
16 the criminal justice system;

17 (5) Recommend means to improve the deterrent and rehabilitative  
18 capabilities of the criminal justice system;

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

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

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

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

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

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

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

38 (13) Compare the prison population projections contained in the  
39 2000 Annual Report of the Prison and Jail Overcrowding Commission  
40 to the actual prison population on the effective date of this section and  
41 determine the amount of savings inuring to the benefit of the state on

42 account of the actual prison population being less than such projected  
43 prison population, and make recommendations as to the manner in  
44 which a portion of such cost savings may be reinvested in community-  
45 based services and programs and community supervision by  
46 probation and parole officers in order to maintain that reduction in  
47 projected prison population; and

48 (14) Engage in other activities consistent with the responsibilities of  
49 the division.

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

53 (d) In the performance of its duties under this section, the division  
54 shall collaborate with the Department of Correction, the Board of  
55 Pardons and Paroles, the Department of Mental Health and Addiction  
56 Services and the Department of Public Safety and consult with the  
57 Chief Court Administrator, the executive director of the Court Support  
58 Services Division of the Judicial Branch, the Chief State's Attorney and  
59 the Chief Public Defender.

60 Sec. 2. (NEW) (*Effective July 1, 2006*) In setting the priorities for the  
61 research projects of the division, the undersecretary shall consult with  
62 the Governor, the president pro tempore of the Senate, the speaker of  
63 the House of Representatives and the chairpersons and ranking  
64 members of the joint standing committees of the General Assembly  
65 having cognizance of matters relating to criminal justice and  
66 appropriations and the budgets of state agencies.

67 Sec. 3. (NEW) (*Effective July 1, 2006*) Each month the division shall  
68 determine the following information: (1) The number and percentage  
69 of inmates released on parole or other community supervision; and (2)  
70 the number of inmates released to and from a halfway house or other  
71 community-based program or service.

72 Sec. 4. (NEW) (*Effective July 1, 2006*) Not later than January fifteenth

73 of each year, the division shall report to the Governor, the Prison and  
74 Jail Overcrowding Commission and the joint standing committees of  
75 the General Assembly having cognizance of matters relating to  
76 criminal justice and appropriations and the budgets of state agencies,  
77 in accordance with section 11-4a of the general statutes, on the number  
78 and percentage of inmates released on parole or other community  
79 supervision in the preceding calendar year and the projected prison  
80 bed capacity and prison population for the next fiscal year.

81 Sec. 5. (NEW) (*Effective July 1, 2006*) Not later than February  
82 fifteenth of each year, the division shall submit a report, in accordance  
83 with section 11-4a of the general statutes, and make a presentation to  
84 the joint standing committees of the General Assembly having  
85 cognizance of matters relating to criminal justice and appropriations  
86 and the budgets of state agencies concerning its activities and  
87 recommendations under section 1 of this act and specifying the actions  
88 necessary to promote an effective and cohesive criminal justice system.

89 Sec. 6. Section 18-87j of the general statutes is repealed and the  
90 following is substituted in lieu thereof (*Effective July 1, 2006*):

91 There is established a Commission on Prison and Jail Overcrowding  
92 which shall be within the Office of Policy and Management for  
93 administrative purposes only. The commission shall consist of the  
94 undersecretary of the Criminal Justice Policy and Planning Division of  
95 the Office of Policy and Management, the Chief Court Administrator,  
96 the Commissioner of Correction, the Commissioner of Public Safety,  
97 the Chief State's Attorney, the Chief Public Defender, the  
98 Commissioner of Mental Health and Addiction Services and the  
99 chairperson of the Board of Pardons and Paroles, or their designees,  
100 the executive director of the Court Support Services Division or other  
101 designee of the Chief Court Administrator and the following members,  
102 each of whom shall be appointed by the Governor: Three government  
103 officials, a police chief, two persons representing offender and victim  
104 services within the private community and two public members. [The  
105 Governor shall appoint a chairperson from among the members of the

106 commission.] The undersecretary of the Criminal Justice Policy and  
107 Planning Division shall serve as chairperson of the commission. The  
108 commission shall meet at such times as it deems necessary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section
Sec. 2	<i>July 1, 2006</i>	New section
Sec. 3	<i>July 1, 2006</i>	New section
Sec. 4	<i>July 1, 2006</i>	New section
Sec. 5	<i>July 1, 2006</i>	New section
Sec. 6	<i>July 1, 2006</i>	18-87j

**APP**      *Joint Favorable Subst.*

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:

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### **OFA Fiscal Note**

#### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 06 \$</b>	<b>FY 07 \$</b>
Policy & Mgmt., Off.	GF - See Below	None	See Below

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill creates the Criminal Justice Policy Planning Division within the Office of Policy and Management (OPM) to develop a plan for a more cohesive state criminal justice system, beginning in FY 07. It is anticipated that implementation of this bill will require seven additional positions and associated expenses in both years of the biennium. The budget bill, sHB 6671, as favorably reported by the Appropriations Committee, contains funds in FY07 for this purpose in a newly established agency rather than the Office of Policy and Management.

	<b>Positions</b>	<b>FY 07 Funds for Office of Criminal Justice Policy and Planning in sHB 6671</b>
Personal Services	7	\$340,000
Other Expenses		\$64,000
Equipment		\$21,000
<b>TOTAL</b>		<b>\$425,000</b>

**OLR Bill Analysis**

sHB 6976

**AN ACT CONCERNING CRIMINAL JUSTICE PLANNING****SUMMARY:**

This bill creates the Criminal Justice Policy and Planning Division within the Office of Policy and Management (OPM) to develop a plan to promote a more effective and cohesive state criminal justice system. Among other things, it must conduct an in-depth analysis of the criminal justice system, determine the system's long-range needs and make recommendations, identify critical problems, advise the General Assembly, and determine information needs. The bill also authorizes the division to perform any of these functions to promote an effective and cohesive juvenile justice system.

The division is directed by an OPM undersecretary who must be appointed by the governor with the consent of the General Assembly.

The bill requires the division to (1) collaborate with the departments of Correction, Mental Health and Addiction Services, and Public Safety, and the Board of Pardons and Paroles and (2) consult the chief court administrator, chief state's attorney, chief public defender, and Court Support Services Division executive director.

To set research project priorities, the bill requires the undersecretary to consult the governor, Senate president pro tempore, House speaker, and Appropriations and Judiciary committee chairmen and ranking members.

The bill requires the division to report annually by January 15, to the governor, Prison and Jail Overcrowding Commission, and the Appropriations and Judiciary committees on the number and percent of inmates released on parole or other community supervision in the preceding calendar year and the projected prison bed capacity and prison population for the next fiscal year.

Annually, by February 15, it must also report and make a presentation to the Appropriations and Judiciary committees about its activities, recommendations, and specific actions necessary to promote an

effective and cohesive criminal justice system.

The bill also makes the OPM undersecretary a member of the Prison and Jail Overcrowding Commission and makes him the commission's chairman. Under current law, the governor appoints a commission member as chairman.

EFFECTIVE DATE: July 1, 2006

## **PLANNING**

In order to develop its plan for the criminal justice system, the bill requires the division to:

1. conduct an in-depth analysis of the criminal justice system;
2. determine the system's long-range needs and recommend policy priorities;
3. identify critical problems and recommend strategies to solve them;
4. assess the cost effectiveness of the use of state and local funds;
5. recommend ways to improve the deterrent and rehabilitative capabilities of the system;
6. advise and assist the General Assembly in developing plans, programs, and proposed legislation for improving the effectiveness of the system;
7. compute daily costs and compare interagency costs of services provided by agencies;
8. compute populations to plan the system's long-range needs;
9. determine the system's long-range information needs and acquire that information;
10. cooperate with the Office of the Victim Advocate by providing information and assistance to that office related to improving victims' services;



11. act as liaison for the state to the U.S. Department of Justice on criminal justice issues relating to data, information systems, and research;
12. measure the success of community-based services and programs in reducing recidivism;
13. compare the prison population projections in the 2000 Prison and Jail Overcrowding annual report to the actual prison population on July 1, 2005, determine the savings to the state because the actual population is less than the projection, and make recommendations on how to reinvest some of the savings in community-based services and programs and community supervision by probation and parole officers to maintain the reduced prison population; and
14. engage in other activities consistent with its responsibilities.

The bill also authorizes the division to perform any of these functions to promote an effective and cohesive juvenile justice system.

## **MONTHLY DATA**

The bill requires the division to determine monthly (1) the number and percent of inmates released on parole or other community supervision and (2) the number of inmates released to and from halfway houses or other community-based programs or services.

## **BACKGROUND**

### ***Prison and Jail Overcrowding Commission***

Under current law, the commission consists of the (1) following officials or their designees: the chief court administrator; corrections, mental health and addiction services, and public safety commissioners; chief state's attorney; chief public defender; and Board of Pardons and Paroles chairman; (2) Court Support Services executive director or someone the chief court administrator designates; and (3) following gubernatorial appointees: three government officials, a police chief, two people representing offender and victim services in the private community, and two members of the public.

**Legislative History**

On May 3, the House referred the bill (File 590) to the Legislative Management Committee, which favorably reported it on May 6. On May 10, the House referred the bill to the Appropriations Committee. That committee reported a substitute bill on May 16, delaying the effective date one year to July 1, 2006.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report  
Yea 40 Nay 0

Legislative Management Committee

Joint Favorable Report  
Yea 17 Nay 0

Appropriations Committee

Joint Favorable Substitute  
Yea 42 Nay 0