



General Assembly

**Amendment**

February Session, 2006

LCO No. 5696

**\*HB0578105696HDO\***

Offered by:

REP. LAWLOR, 99<sup>th</sup> Dist.

REP. FARR, 19<sup>th</sup> Dist.

To: Subst. House Bill No. 5781

File No. 503

Cal. No. 338

**"AN ACT CONCERNING CERTIFICATES OF EMPLOYABILITY AND REHABILITATION."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 18-81w of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2006*):

5 (a) The [Departments of Correction, Mental Health and Addiction  
6 Services and Social Services and the Labor Department, the Board of  
7 Pardons and Paroles and the judicial branch shall collaborate to]  
8 Criminal Justice Policy and Planning Division within the Office of  
9 Policy and Management shall develop and implement a  
10 comprehensive reentry strategy that provides a continuum of custody,  
11 care and control for offenders who are being supervised in the  
12 community, especially those offenders who have been discharged from  
13 the custody of the Department of Correction, and assists in  
14 maintaining the prison population at or under the authorized bed

15 capacity. The reentry strategy shall support the rights of victims,  
16 protect the public and promote the successful transition of offenders  
17 from incarceration to the community by (1) maximizing any available  
18 period of community supervision for eligible and suitable offenders,  
19 (2) identifying and addressing barriers to the successful transition of  
20 offenders from incarceration to the community, (3) ensuring sufficient  
21 criminal justice resources to manage offender caseloads, (4) identifying  
22 community-based supervision, treatment, educational and other  
23 services and programs that are proven to be effective in reducing  
24 recidivism among the population served by such services and  
25 programs, and (5) establishing employment initiatives for offenders  
26 through public and private services and partnerships by reinvesting  
27 any savings achieved through a reduction in prison population.

28 (b) The success of the reentry strategy shall be measured by: (1) The  
29 rates of recidivism and community revictimization, (2) the number of  
30 inmates eligible for release on parole, transitional supervision,  
31 probation or any other release program, (3) the number of inmates  
32 who make the transition from incarceration to the community in  
33 compliance with a discharge plan, (4) prison bed capacity ratios, (5) the  
34 adequacy of the network of community-based treatment, vocational,  
35 educational, supervision and other services and programs, and (6) the  
36 reinvestment of any savings achieved through a reduction in prison  
37 population into reentry and community-based services and programs.

38 (c) Not later than January 1, [2005] 2007, and annually thereafter, the  
39 [Department of Correction] Criminal Justice Policy and Planning  
40 Division within the Office of Policy and Management shall submit a  
41 report, in accordance with the provisions of section 11-4a, on the  
42 success of the reentry strategy based on the measures set forth in  
43 subsection (b) of this section to the joint standing committees of the  
44 General Assembly having cognizance of matters relating to  
45 corrections, public safety and appropriations and the budgets of state  
46 agencies.

47 Sec. 2. Section 4-68m of the 2006 supplement to the general statutes

48 is repealed and the following is substituted in lieu thereof (*Effective July*  
49 *1, 2006*):

50 (a) There is established a Criminal Justice Policy and Planning  
51 Division within the Office of Policy and Management. The division  
52 shall be under the direction of an undersecretary.

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

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

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

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

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

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

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

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

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

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

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

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

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

84 (13) Develop and implement a comprehensive reentry strategy as  
85 provided in section 18-81w, as amended by this act; and

86 ~~[(13)]~~ (14) Engage in other activities consistent with the  
87 responsibilities of the division.

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

91 (d) In the performance of its duties under this section, the division  
92 shall collaborate with the Department of Correction, the Board of  
93 Pardons and Paroles, the Department of Mental Health and Addiction  
94 Services and the Department of Public Safety and consult with the  
95 Chief Court Administrator, the executive director of the Court Support  
96 Services Division of the judicial branch, the Chief State's Attorney and  
97 the Chief Public Defender.

98 (e) (1) At the request of the division, the Department of Correction,  
99 the Board of Pardons and Paroles, the Department of Mental Health  
100 and Addiction Services, the Department of Public Safety, the Chief  
101 Court Administrator, the executive director of the Court Support  
102 Services Division of the judicial branch, the Chief State's Attorney and  
103 the Chief Public Defender shall provide the division with information  
104 and data needed by the division to perform its duties under subsection

105 (b) of this section.

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

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

120 (f) Not later than January 15, 2007, the division shall submit the plan  
121 developed pursuant to subsection (b) of this section to the Governor  
122 and, in accordance with the provisions of section 11-4a, to the joint  
123 standing committees of the General Assembly having cognizance of  
124 matters relating to criminal justice, public safety and appropriations  
125 and the budgets of state agencies. Not later than January 15, 2009, and  
126 biennially thereafter, the division shall update such plan and submit  
127 such updated plan to the Governor and said legislative committees.

128 Sec. 3. Section 4-68p of the 2006 supplement to the general statutes is  
129 repealed and the following is substituted in lieu thereof (*Effective July*  
130 *1, 2006*):

131 Not later than January first of each year, the Criminal Justice Policy  
132 and Planning Division within the Office of Policy and Management  
133 shall submit a report, in accordance with section 11-4a, and make a  
134 presentation to the joint standing committees of the General Assembly  
135 having cognizance of matters relating to criminal justice and  
136 appropriations and the budgets of state agencies concerning its

137 activities and recommendations under section 4-68m and specifying  
138 the actions necessary to promote an effective and cohesive criminal  
139 justice system. The report shall estimate the amount of savings inuring  
140 to the benefit of the state on account of the actual prison population  
141 being less than projected prior to the adoption of prison overcrowding  
142 reduction policies and make recommendations as to the manner in  
143 which a portion of such cost savings may be reinvested in community-  
144 based services and programs and community supervision by  
145 probation and parole officers in order to maintain that reduction in  
146 projected prison population. Beginning with the report to be  
147 submitted and the presentation to be made not later than January 1,  
148 2008, the division shall include an assessment of the status of the  
149 development and implementation of the reentry strategy under section  
150 18-81w, as amended by this act.

151 Sec. 4. Section 18-87j of the 2006 supplement to the general statutes  
152 is repealed and the following is substituted in lieu thereof (*Effective July*  
153 *1, 2006*):

154 There is established a [Commission on Prison and Jail  
155 Overcrowding] Criminal Justice Policy Advisory Commission which  
156 shall be within the Office of Policy and Management for administrative  
157 purposes only. The commission shall consist of the undersecretary of  
158 the Criminal Justice Policy and Planning Division within the Office of  
159 Policy and Management, the Chief Court Administrator, the  
160 Commissioner of Correction, the Commissioner of Public Safety, the  
161 Chief State's Attorney, the Chief Public Defender, the Commissioner of  
162 Mental Health and Addiction Services and the chairperson of the  
163 Board of Pardons and Paroles, or their designees, the executive  
164 director of the Court Support Services Division or other designee of the  
165 Chief Court Administrator and the following members, each of whom  
166 shall be appointed by the Governor: Three government officials, a  
167 police chief, two persons representing offender and victim services  
168 within the private community and two public members. In addition,  
169 the Labor Commissioner and the Commissioner of Social Services, or  
170 their designees, shall be members of the commission with authority to

171 deliberate and vote on matters concerning employment and  
172 entitlement programs available to adult and juvenile offenders who  
173 are reentering the community, and the Commissioner of Children and  
174 Families and the Commissioner of Education, or their designees, shall  
175 be members of the commission with authority to participate and vote  
176 on matters concerning juvenile justice. The undersecretary of the  
177 Criminal Justice Policy and Planning Division shall serve as  
178 chairperson of the commission. The commission shall meet at such  
179 times as it deems necessary.

180 Sec. 5. Section 18-87k of the 2006 supplement to the general statutes  
181 is repealed and the following is substituted in lieu thereof (*Effective July*  
182 *1, 2006*):

183 (a) The [commission] Criminal Justice Policy Advisory Commission  
184 shall: (1) Develop and recommend policies for preventing prison and  
185 jail overcrowding; (2) examine the impact of statutory provisions and  
186 current administrative policies on prison and jail overcrowding and  
187 recommend legislation to the Governor and the General Assembly;  
188 [and] (3) research and gather relevant statistical data and other  
189 information concerning the impact of efforts to prevent prison and jail  
190 overcrowding and make such information available to criminal justice  
191 agencies and members of the General Assembly; (4) advise the  
192 undersecretary of the Criminal Justice Policy and Planning Division on  
193 policies and procedures to promote more effective and cohesive state  
194 criminal justice and juvenile justice systems and to develop and  
195 implement the offender reentry strategy as provided in 18-81w, as  
196 amended by this act; and (5) assist the undersecretary of the Criminal  
197 Justice Policy and Planning Division in developing the  
198 recommendations included in the report and presentation made by the  
199 division pursuant to section 4-68p, as amended by this act.

200 (b) The commission shall establish a subcommittee on corrections  
201 behavioral health composed of the Commissioner of Correction, the  
202 Commissioner of Mental Health and Addiction Services and a  
203 representative of The University of Connecticut Health Center having

204 responsibility for the administration of the contract with the  
205 Department of Correction concerning the provision of health care  
206 services to inmates of the department. The subcommittee shall make  
207 recommendations to the commission concerning the provision of  
208 behavioral health services to inmates of the Department of Correction.

209 Sec. 6. (*Effective July 1, 2006*) (a) There is established a Connecticut  
210 Sentencing Task Force to review criminal justice and sentencing  
211 policies and laws of this state for the purpose of creating a more just,  
212 effective and efficient system of criminal sentencing.

213 (b) The task force shall be composed of the following members:

214 (1) The chairpersons and ranking members of the joint standing  
215 committee of the General Assembly on the judiciary;

216 (2) Two judges of the superior court, each of whom shall have been  
217 a judge for at least ten years and have at least five years experience  
218 presiding over cases in judicial district criminal courts, appointed by  
219 the Chief Court Administrator;

220 (3) Two state's attorneys each of whom shall have at least ten years  
221 experience as a prosecuting attorney and at least five years experience  
222 prosecuting cases in judicial district criminal courts, appointed by the  
223 Chief State's Attorney;

224 (4) Two public defenders each of whom shall have at least ten years  
225 experience as a public defender and at least five years experience  
226 representing defendants in judicial district criminal courts, appointed  
227 by the Chief Public Defender;

228 (5) Two criminal defense lawyers each of whom shall have at least  
229 fifteen years experience representing defendants in criminal cases, one  
230 of whom shall be appointed by the criminal justice section of the  
231 Connecticut Bar Association and one of whom shall be appointed by  
232 the Connecticut Criminal Defense Lawyers Association;

233 (6) The executive director of the Court Support Services Division of

- 234 the Judicial Branch or the executive director's designee;
- 235 (7) The Commissioner of Correction or the commissioner's designee;
- 236 (8) The Chairperson of the Board of Pardons and Paroles or the  
237 chairperson's designee;
- 238 (9) The Commissioner of Mental Health and Addiction Services or  
239 the commissioner's designee;
- 240 (10) The Victim Advocate or the Victim Advocate's designee;
- 241 (11) The undersecretary of the Criminal Justice Policy and Planning  
242 Division within the Office of Policy and Management;
- 243 (12) An assistant attorney general, appointed by the Attorney  
244 General;
- 245 (13) Three municipal police chiefs, one of whom shall represent an  
246 urban area, one of whom shall represent a suburban area and one of  
247 whom shall represent a rural area, appointed by the Connecticut Police  
248 Chiefs Association; and
- 249 (14) Six members of the General Assembly, appointed one each by  
250 the president pro tempore of the Senate, the speaker of the House of  
251 Representatives, the majority leader of the Senate, the majority leader  
252 of the House of Representatives, the minority leader of the Senate and  
253 the minority leader of the House of Representatives.
- 254 (c) The chairpersons of the joint standing committee of the General  
255 Assembly on the judiciary shall serve as chairpersons of the task force.
- 256 (d) The task force shall:
- 257 (1) Identify overarching criminal justice and sentencing goals and  
258 policies;
- 259 (2) Define current sentencing models including sentencing  
260 guidelines, criteria, exemptions and enhancements;

261 (3) Analyze sentencing trends by offense types and offender  
262 characteristics;

263 (4) Review the actual versus intended impact of sentencing policies;

264 (5) Determine the direct and indirect costs associated with  
265 sentencing policies;

266 (6) Review the fines and terms of imprisonment specified for  
267 violations of criminal statutes that are classified or unclassified felonies  
268 or misdemeanors and make recommendations including, but not  
269 limited to: (A) Whether crimes that are currently unclassified should  
270 be classified; (B) whether certain classified crimes should be  
271 reclassified or the penalties for certain unclassified crimes should be  
272 revised in order to make the penalties for similar crimes more uniform;  
273 (C) whether the penalty or type of penalty for certain crimes should be  
274 revised or eliminated where such penalty or type of penalty is no  
275 longer deemed necessary or appropriate or is disproportionate to the  
276 severity of the crime; and (D) whether crimes that are obsolete should  
277 be repealed; and

278 (7) Make any recommendations for the revision of criminal justice  
279 and sentencing policies as deemed necessary.

280 (e) The Criminal Justice Policy and Planning Division within the  
281 Office of Policy and Management shall assist the task force by  
282 providing criminal justice data, analyses and technical assistance  
283 necessary for the task force to carry out its duties.

284 (f) The task force may request any office, department, board,  
285 commission or other agency of the state to supply such reports,  
286 information and assistance as may be necessary or appropriate in  
287 order for the task force to carry out its duties. Each officer or employee  
288 of such office, department, board, commission or other agency of the  
289 state is authorized and directed to cooperate with the task force and to  
290 furnish such reports, information and assistance.

291 (g) The task force shall report its findings and recommendations to  
 292 the joint standing committee of the General Assembly on the judiciary  
 293 in accordance with section 11-4a of the general statutes not later than  
 294 December 1, 2008. The task force shall terminate upon the completion  
 295 of its duties."

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|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                     |             |
| Section 1   | <i>July 1, 2006</i> | 18-81w      |
| Sec. 2  | <i>July 1, 2006</i> | 4-68m       |
| Sec. 3  | <i>July 1, 2006</i> | 4-68p       |
| Sec. 4  | <i>July 1, 2006</i> | 18-87j      |
| Sec. 5  | <i>July 1, 2006</i> | 18-87k      |
| Sec. 6  | <i>July 1, 2006</i> | New section |