



General Assembly

Amendment

February Session, 2012

LCO No. 3027

SB0028003027SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. COLEMAN, 2nd Dist.

REP. DONOVAN, 84th Dist.
REP. SHARKEY, 88th Dist.
REP. FOX, 146th Dist.

To: Subst. Senate Bill No. 280

File No. 111

Cal. No. 113

"AN ACT REVISING THE PENALTY FOR CAPITAL FELONIES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) The Commissioner of
4 Correction shall place an inmate on special circumstances high security
5 status and house the inmate in administrative segregation until a
6 reclassification process is completed under subsection (b) of this
7 section, if (1) the inmate is convicted of the class A felony of murder
8 with special circumstances committed on or after the effective date of
9 this section under the provisions of section 53a-54b of the general
10 statutes, as amended by this act, in effect on or after the effective date
11 of this section, and sentenced to a term of life imprisonment without
12 the possibility of release, or (2) the inmate is in the custody of the
13 Commissioner of Correction for a capital felony committed prior to the
14 effective date of this section under the provisions of section 53a-54b of

15 the general statutes in effect prior to the effective date of this section
16 for which a sentence of death is imposed in accordance with section
17 53a-46a of the general statutes, as amended by this act, and such
18 inmate's sentence is (A) reduced to a sentence of life imprisonment
19 without the possibility of release by a court of competent jurisdiction,
20 or (B) commuted to a sentence of life imprisonment without the
21 possibility of release.

22 (b) The commissioner shall establish a reclassification process for
23 the purposes of this section. The reclassification process shall include
24 an assessment of the risk an inmate described in subsection (a) of this
25 section poses to staff and other inmates, and an assessment of whether
26 such risk requires the inmate's placement in administrative segregation
27 or protective custody. If the commissioner places such inmate in
28 administrative segregation pursuant to such assessment, the
29 commissioner shall require the inmate to complete the administrative
30 segregation program operated by the commissioner.

31 (c) (1) The commissioner shall place such inmate in a housing unit
32 for the maximum security population if, after completion of such
33 reclassification process, the commissioner determines such placement
34 is appropriate, provided the commissioner (A) maintains the inmate
35 on special circumstances high security status, (B) houses the inmate
36 separate from inmates who are not on special circumstances high
37 security status, and (C) imposes conditions of confinement on such
38 inmate which shall include, but not be limited to, conditions that
39 require (i) that the inmate's movements be escorted or monitored, (ii)
40 movement of the inmate to a new cell at least every ninety days, (iii) at
41 least two searches of the inmate's cell each week, (iv) that no contact be
42 permitted during the inmate's social visits, (v) that the inmate be
43 assigned to work assignments that are within the assigned housing
44 unit, and (vi) that the inmate be allowed no more than two hours of
45 recreational activity per day.

46 (2) The commissioner shall conduct an annual review of such
47 inmate's conditions of confinement within such housing unit and the

48 commissioner may, for compelling correctional management or safety
 49 reasons, modify any condition of confinement, subject to the
 50 requirements of subparagraphs (A) to (C), inclusive, of subdivision (1)
 51 of this subsection.

52 (d) Not later than January 2, 2013, and annually thereafter, the
 53 commissioner shall submit a report to the General Assembly, in
 54 accordance with section 11-4a of the general statutes, regarding the
 55 number of inmates in such classification as of December first of the
 56 year prior to the year in which the report is due, the location of each
 57 such inmate, and the specific conditions of confinement imposed on
 58 each such inmate pursuant to this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section