



General Assembly

February Session, 2012

**Amendment**

LCO No. 3040

**\*SB0028003040SR0\***

Offered by:  
SEN. RORABACK, 30<sup>th</sup> 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. Section 18-98e of the 2012 supplement to the general  
4      statutes is repealed and the following is substituted in lieu thereof  
5      (*Effective from passage and applicable to an inmate's eligibility to earn risk*  
6      *reduction credits on or after said date*):

7      (a) Notwithstanding any provision of the general statutes, any  
8      person sentenced to a term of imprisonment for a crime committed on  
9      or after October 1, 1994, and committed to the custody of the  
10     Commissioner of Correction on or after said date, except a person  
11     sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,  
12     53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-59, 53a-59a, 53a-  
13     60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, [or] 53a-70b, 53a-72b,  
14     53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-100aa, 53a-101, 53a-102,  
15     53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135, 53a-136, 53a-

16 167c, 53a-179b, 53a-179c or 53a-181c, may be eligible to earn risk  
17 reduction credit toward a reduction of such person's sentence, in an  
18 amount not to exceed five days per month, at the discretion of the  
19 Commissioner of Correction for conduct as provided in subsection (b)  
20 of this section occurring on or after April 1, 2006.

21 (b) An inmate may earn risk reduction credit for adherence to the  
22 inmate's offender accountability plan, for participation in eligible  
23 programs and activities, and for good conduct and obedience to  
24 institutional rules as designated by the commissioner, provided (1)  
25 good conduct and obedience to institutional rules alone shall not  
26 entitle an inmate to such credit, and (2) the commissioner or the  
27 commissioner's designee may, in his or her discretion, cause the loss of  
28 all or any portion of such earned risk reduction credit for any act of  
29 misconduct or insubordination or refusal to conform to recommended  
30 programs or activities or institutional rules occurring at any time  
31 during the service of the sentence or for other good cause. If an inmate  
32 has not earned sufficient risk reduction credit at the time the  
33 commissioner or the commissioner's designee orders the loss of all or a  
34 portion of earned credit, such loss shall be deducted from any credit  
35 earned by such inmate in the future.

36 (c) The award of risk reduction credit earned for conduct occurring  
37 prior to July 1, 2011, shall be phased in consistent with public safety,  
38 risk reduction, administrative purposes and sound correctional  
39 practice, at the discretion of the commissioner, but shall be completed  
40 not later than July 1, 2012.

41 (d) Any credit earned under this section may only be earned during  
42 the period of time that the inmate is sentenced to a term of  
43 imprisonment and committed to the custody of the commissioner and  
44 may not be transferred or applied to a subsequent term of  
45 imprisonment. In no event shall any credit earned under this section be  
46 applied by the commissioner so as to reduce a mandatory minimum  
47 term of imprisonment such inmate is required to serve by statute.

48 (e) The commissioner shall adopt policies and procedures to  
49 determine the amount of credit an inmate may earn toward a  
50 reduction in his or her sentence and to phase in the awarding of  
51 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage and applicable to an inmate's eligibility to earn risk reduction credits on or after said date</i>	18-98e