



General Assembly

February Session, 2012

Amendment

LCO No. 3045

SB0028003045SR0

Offered by:
SEN. RORABACK, 30th 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4 statutes is repealed and the following is substituted in lieu thereof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-70a or 53a-100aa, may be eligible to earn risk reduction credit
13 toward a reduction of such person's sentence, in an amount not to
14 exceed five days per month, at the discretion of the Commissioner of
15 Correction for conduct as provided in subsection (b) of this section

16 occurring on or after April 1, 2006, except as provided in subdivision
17 (3) of subsection (b) of this section.

18 (b) An inmate may earn risk reduction credit for adherence to the
19 inmate's offender accountability plan, for participation in eligible
20 programs and activities, and for good conduct and obedience to
21 institutional rules as designated by the commissioner, provided (1)
22 good conduct and obedience to institutional rules alone shall not
23 entitle an inmate to such credit, [and] (2) the commissioner or the
24 commissioner's designee may, in his or her discretion, cause the loss of
25 all or any portion of such earned risk reduction credit for any act of
26 misconduct or insubordination or refusal to conform to recommended
27 programs or activities or institutional rules occurring at any time
28 during the service of the sentence or for other good cause, and (3) on
29 and after the effective date of this section, no inmate may earn risk
30 reduction credit under this section without the consent of the crime
31 victim, as defined in section 1-1k, if such inmate is sentenced for a
32 violation of section 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57,
33 53a-59, 53a-59a, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, 53a-
34 70b, 53a-72b, 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-101, 53a-102,
35 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135, 53a-136, 53a-
36 167c, 53a-179b, 53a-179c or 53a-181c. If an inmate has not earned
37 sufficient risk reduction credit at the time the commissioner or the
38 commissioner's designee orders the loss of all or a portion of earned
39 credit, such loss shall be deducted from any credit earned by such
40 inmate in the future.

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

46 (d) Any credit earned under this section may only be earned during
47 the period of time that the inmate is sentenced to a term of
48 imprisonment and committed to the custody of the commissioner and

49 may not be transferred or applied to a subsequent term of
50 imprisonment. In no event shall any credit earned under this section be
51 applied by the commissioner so as to reduce a mandatory minimum
52 term of imprisonment such inmate is required to serve by statute.

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