



General Assembly

Amendment

February Session, 2012

LCO No. 3828

SB0045303828SR0

Offered by:
SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. 453 File No. 533 Cal. No. 382

"AN ACT CONCERNING CERTIFICATES OF RELIEF FROM BARRIERS RESULTING FROM CONVICTION OF A CRIME."

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4 statutes is repealed and the following is substituted in lieu thereof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 October 1, 2012*):

6 (a) Notwithstanding any provision of the general statutes, any
7 person sentenced to a term of imprisonment for a crime committed on
8 or after October 1, 1994, and committed to the custody of the
9 Commissioner of Correction on or after said date, except a person
10 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,
11 53a-70a or 53a-100aa, may be eligible to earn risk reduction credit
12 toward a reduction of such person's sentence, in an amount not to
13 exceed five days per month, at the discretion of the Commissioner of
14 Correction for conduct as provided in subsection (b) of this section
15 occurring on or after April 1, 2006.

16 (b) An inmate may earn risk reduction credit for adherence to the
17 inmate's offender accountability plan, for participation in eligible
18 programs and activities, and for good conduct and obedience to
19 institutional rules as designated by the commissioner, provided (1)
20 good conduct and obedience to institutional rules alone shall not
21 entitle an inmate to such credit, [and] (2) the commissioner or the
22 commissioner's designee may, in his or her discretion, cause the loss of
23 all or any portion of such earned risk reduction credit for any act of
24 misconduct or insubordination or refusal to conform to recommended
25 programs or activities or institutional rules occurring at any time
26 during the service of the sentence or for other good cause, and (3) such
27 risk reduction credit is earned by an inmate who is sentenced to a term
28 of incarceration prior to October 1, 2012. If an inmate has not earned
29 sufficient risk reduction credit at the time the commissioner or the
30 commissioner's designee orders the loss of all or a portion of earned
31 credit, such loss shall be deducted from any credit earned by such
32 inmate in the future.

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

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

45 (e) The commissioner shall adopt policies and procedures to
46 determine the amount of credit an inmate may earn toward a
47 reduction in his or her sentence and to phase in the awarding of
48 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>October 1, 2012</i>	18-98e