



Substitute Senate Bill No. 1114

Public Act No. 15-109

AN ACT CONCERNING THE COMMISSION ON RACIAL AND ETHNIC DISPARITY IN THE CRIMINAL JUSTICE SYSTEM AND THE REMOVAL OF THE TERMS "CRIPPLED" AND "DEFECTIVE EYESIGHT" FROM THE GENERAL STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 51-10c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) There is established a Commission on Racial and Ethnic Disparity in the Criminal Justice System. The commission shall consist of the Chief Court Administrator, the Chief State's Attorney, the Chief Public Defender, the Commissioner of Emergency Services and Public Protection, the Commissioner of Correction, the Commissioner of Children and Families, the Child Advocate, the Victim Advocate, the chairperson of the Board of Pardons and Paroles, the chairperson of the African-American Affairs Commission, the chairperson of the Latino and Puerto Rican Affairs Commission, the chairperson of the Asian Pacific American Affairs Commission, or their designees, a representative of municipal police chiefs, a representative of a coalition representing police and correctional officers, six members appointed one each by the president pro tempore of the Senate, the speaker of the House of Representatives, the majority leader of the Senate, the

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majority leader of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, and two members appointed by the Governor. The Chief Court Administrator or said administrator's designee shall serve as chairperson of the commission. The commission shall meet [at such quarterly and at such other times as [it] the chairperson deems necessary.

(b) The mission of the commission shall be to address the overrepresentation of racial and ethnic minorities, with particular attention to African-Americans and Latinos, in the state's criminal justice system, and shall include consideration of the impact of such racial and ethnic disparity on minority communities. The commission shall:

[(1) Develop and recommend policies for reducing the number of African-Americans and Latinos comprising the pretrial and sentenced population of correctional facilities and reducing the number of African-Americans and Latinos who are victimized by crime;

(2) Examine the impact of statutory provisions and current administrative policies on racial and ethnic disparity in the criminal justice system and recommend legislation to the Governor and the General Assembly to reduce such disparity;

(3) Research and gather relevant statistical data and other information concerning the impact of disparate treatment of African-Americans and Latinos in the criminal justice system;

(4) Develop and recommend a training program for personnel in agencies involved in the criminal justice system concerning the impact of disparate treatment of African-Americans and Latinos;

(5) Research and examine the issue of the use of guidelines by courts when sentencing criminal defendants and recommend whether the

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General Assembly should create a sentencing guidelines commission to establish sentencing guidelines for state courts;

(6) Examine the implementation of policies and procedures that are consistent with policies of the American Bar Association intended to ensure that death penalty cases are administered fairly and impartially in accordance with due process, to minimize the risk that innocent persons may be executed and to eliminate discrimination in capital sentencing on the basis of the race of either the victim or the defendant;

(7) Annually prepare and distribute a comprehensive plan to reduce racial and ethnic disparity in the criminal justice system without affecting public safety;

(8) Develop and recommend policies and interventions to reduce the number of African-Americans and Latinos in the juvenile justice system;

(9) Analyze the key stages in the juvenile justice system to determine if any stage disproportionately affects racial or ethnic minorities including the decision to arrest a juvenile, the decision to turn a juvenile over to a detention center, the decision to nonjudicially dispose of the case or to file a petition of delinquency, and the decision to resolve the case by placement on probation, placement in a residential facility or placement at Long Lane School or the Connecticut Juvenile Training School;

(10) Annually prepare and distribute a juvenile justice plan having as its goal the reduction of the number of African-Americans and Latinos in the juvenile justice system, which plan shall include the development of standard risk assessment policies and a system of impartial review, culturally appropriate diversion programs for minority juveniles accused of nonviolent felonies, intensive in-home services to families of pretrial delinquents and youths on probation,

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school programs for juveniles being transferred from detention centers, Long Lane School or the Connecticut Juvenile Training School, the recruitment of minority employees to serve at all levels of the juvenile justice system, the utilization of minority juvenile specialists to guide minority juvenile offenders and their families through the juvenile justice system, and community service options in lieu of detention for juveniles arrested for nonserious offenses;

(11) Develop a curriculum for training of all employees at all levels of the juvenile justice system on issues of cultural competency and strategies to address disproportionate minority confinement;

(12) Submit an annual report to the Governor and the General Assembly concerning:

(A) The number of African-Americans and Latinos comprising the pretrial and sentenced population of correctional facilities;

(B) The progress being made toward reducing the number of African-Americans and Latinos comprising the pretrial and sentenced population of correctional facilities;

(C) The adequacy of legal representation for indigent defendants;

(D) The adequacy of the number of residential and nonresidential treatment slots available for African-Americans and Latinos;

(E) The adequacy of the number of court interpreters; and

(F) Such other information as the commission deems appropriate.]

(1) Sponsor conferences, forums and educational and training programs on the causes, effects and implications of racial and ethnic disparity in the state's criminal justice system;

(2) Collaborate with national, state and local organizations and

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institutions to identify strategies for reducing racial and ethnic disparity in the state's criminal justice system;

(3) Develop, evaluate and recommend promising and emerging policies and practices, including any legislation to implement such policies and practices;

(4) Determine whether any statutory provision negatively impacts the racial and ethnic disparity in the state's criminal justice system and recommend statutory changes to the Governor and General Assembly to reduce such impact;

(5) Make recommendations to the Governor, the General Assembly and state and local agencies and organizations on the implementation of any such strategy, policy, practice or legislative change; and

(6) Assess the impact of any implementation of such strategies, policies, practices or legislative changes.

(c) [The] Not later than January 15, 2017, and biennially thereafter, the commission shall report, in accordance with the provisions of section 11-4a, to the Governor and the General Assembly [, not later than January first of each year, concerning additional resources that should be made available to reduce racial and ethnic disparity in the criminal justice system without affecting public safety] concerning the activities and accomplishments of the commission. Such report shall cover the time period since the previous report.

Sec. 2. Section 7-126 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

Each city, town, borough or school district is authorized to transport [crippled] children with physical disabilities and children having such [defective eyesight] visual impairments as to require transportation, from within their residences to places where medical, surgical or other

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treatment is to be given them, and to retransport such children from within such places to within their residences, and such transportation is declared to be in the line of governmental duty.

Sec. 3. Section 19a-49 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The Department of Public Health shall establish and administer a program of services for children and adults suffering from cystic fibrosis, and for such purpose shall have the same powers as are conferred on it by section 19a-50, as amended by this act. [in the case of crippled children.]

Sec. 4. Subsection (a) of section 19a-50 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) The Department of Public Health is designated as the state agency to (1) administer a program of services for children [who are crippled] with physical disabilities or who are suffering from conditions which lead to [crippling] such disabilities or suffering from cardiac defect or damage, and [to] (2) receive and administer federal funds which may become available for such services. [; and the] The Commissioner of Public Health is authorized to extend and improve, as far as practicable, such services for locating such children and for providing medical, surgical, corrective and other services and care, and facilities for diagnosis, clinical services, hospitalization and aftercare for such children. The Commissioner of Public Health shall have final administrative responsibility for all activities on behalf of such children as are provided for by this section and shall have charge of the disbursement of all funds to be used for such purposes, whether by state or federal grant or appropriation, and said commissioner is authorized, in addition to the powers conferred herein, to cooperate with the federal government or any authority thereunder respecting

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the exercise of powers herein granted.

Sec. 5. Subdivision (2) of section 19a-175 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(2) "Patient" means an injured, ill [, crippled] or physically handicapped person requiring assistance and transportation;

Approved June 22, 2015