



General Assembly

January Session, 2015

Raised Bill No. 1114

LCO No. 5450



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE COMMISSION ON RACIAL AND ETHNIC
DISPARITY IN THE CRIMINAL JUSTICE SYSTEM.***

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

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 Section 51-10c of the general statutes is repealed and the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

3 (a) There is established a Commission on Racial and Ethnic
4 Disparity in the Criminal Justice System. The commission shall consist
5 of the Chief Court Administrator, the Chief State's Attorney, the Chief
6 Public Defender, the Commissioner of Emergency Services and Public
7 Protection, the Commissioner of Correction, the Commissioner of
8 Children and Families, the Child Advocate, the Victim Advocate, the
9 chairperson of the Board of Pardons and Paroles, the chairperson of
10 the African-American Affairs Commission, the chairperson of the
11 Latino and Puerto Rican Affairs Commission, the chairperson of the
12 Asian Pacific American Affairs Commission, or their designees, a
13 representative of municipal police chiefs, [a representative of a
14 coalition representing police and correctional officers,] six members
15 appointed one each by the president pro tempore of the Senate, the

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

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

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

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

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

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

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

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

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

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

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

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

68 (10) Annually prepare and distribute a juvenile justice plan having
69 as its goal the reduction of the number of African-Americans and
70 Latinos in the juvenile justice system, which plan shall include the
71 development of standard risk assessment policies and a system of
72 impartial review, culturally appropriate diversion programs for
73 minority juveniles accused of nonviolent felonies, intensive in-home
74 services to families of pretrial delinquents and youths on probation,
75 school programs for juveniles being transferred from detention centers,
76 Long Lane School or the Connecticut Juvenile Training School, the

77 recruitment of minority employees to serve at all levels of the juvenile
78 justice system, the utilization of minority juvenile specialists to guide
79 minority juvenile offenders and their families through the juvenile
80 justice system, and community service options in lieu of detention for
81 juveniles arrested for nonserious offenses;

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

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

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

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

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

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

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

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

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

100 (2) Collaborate with national, state and local organizations and
101 institutions to identify strategies for reducing racial and ethnic
102 disparity in the state's criminal justice system;

103 (3) Develop, evaluate and recommend promising and emerging

104 policies and practices, including any legislation to implement such
105 policies and practices;

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	51-10c

Statement of Purpose:
To enhance the effectiveness of the Commission on Racial and Ethnic Disparity in the Criminal Justice System by making such commission more inclusive and narrowing the focus of the commission.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]