



General Assembly

January Session, 2015

Raised Bill No. 1129

LCO No. 5861



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT ESTABLISHING A PILOT PROGRAM TO IDENTIFY AND TRACK THE HOMELESS, ADDICTED OR MENTALLY ILL PERSONS ENTERING THE JUSTICE SYSTEM AND CONCERNING THE EARNED RISK REDUCTION CREDIT PROGRAM.

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

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) The Chief Court
2 Administrator shall establish a pilot program to serve the geographical
3 area courts for New Haven, New London and Norwich in the judicial
4 districts of New Haven and New London in identifying and tracking
5 the homeless, addicted or mentally ill persons entering the criminal
6 justice system.

7 (b) The office of the state's attorney for each such judicial district
8 shall screen in order to identify and track persons arrested who are
9 homeless, drug addicted or mentally ill for intensive assistance, and
10 shall refer such persons to diversion programs, counseling, treatment,
11 housing assistance and reentry programs in an effort to stabilize such
12 person and prevent future arrests of such person, provided the office
13 retains the discretion to dispose of any case in any manner, with a

14 focus on alternatives to incarceration and that the court shall maintain
15 jurisdiction over the cases to ensure compliance with any ordered
16 treatment or counseling.

17 (c) The Chief Court Administrator shall establish policies and
18 procedures to implement the pilot program required by this section
19 and, on or before February 1, 2017, shall submit a report to the joint
20 standing committee of the General Assembly having cognizance of
21 matters relating to judiciary, in accordance with section 11-4a of the
22 general statutes, concerning the implementation of the pilot program.

23 Sec. 2. Section 18-98e of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective October 1, 2015*):

25 (a) Notwithstanding any provision of the general statutes, any
26 person sentenced to a term of imprisonment for a crime committed on
27 or after October 1, 1994, and committed to the custody of the
28 Commissioner of Correction on or after said date, except a person
29 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,
30 53a-55, 53a-55a, 53a-59c, 53a-70a, 53a-70c or 53a-100aa, or is a
31 persistent dangerous felony offender or persistent dangerous sexual
32 offender pursuant to section 53a-40, may be eligible to earn risk
33 reduction credit toward a reduction of such person's sentence, in an
34 amount not to exceed five days per month, at the discretion of the
35 Commissioner of Correction for conduct as provided in subsection (b)
36 of this section occurring on or after April 1, 2006.

37 (b) An inmate may earn risk reduction credit for adherence to the
38 inmate's offender accountability plan, for participation in eligible
39 programs and activities, and for good conduct and obedience to
40 institutional rules as designated by the commissioner, provided (1)
41 good conduct and obedience to institutional rules alone shall not
42 entitle an inmate to such credit, and (2) the commissioner or the
43 commissioner's designee may, in his or her discretion, cause the loss of
44 all or any portion of such earned risk reduction credit for any act of

45 misconduct or insubordination or refusal to conform to recommended
46 programs or activities or institutional rules occurring at any time
47 during the service of the sentence or for other good cause. If an inmate
48 has not earned sufficient risk reduction credit at the time the
49 commissioner or the commissioner's designee orders the loss of all or a
50 portion of earned credit, such loss shall be deducted from any credit
51 earned by such inmate in the future.

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

57 (d) Any credit earned under this section may only be earned during
58 the period of time that the inmate is sentenced to a term of
59 imprisonment and committed to the custody of the commissioner and
60 may not be transferred or applied to a subsequent term of
61 imprisonment. In no event shall any credit earned under this section be
62 applied by the commissioner so as to reduce a mandatory minimum
63 term of imprisonment such inmate is required to serve by statute.

64 (e) Prior to release of any inmate whose sentence is being reduced
65 due to risk reduction credits earned pursuant to this section, the
66 warden of the correctional facility from which such inmate is to be
67 released, shall review such inmate's records and verify that the inmate
68 earned the risk reduction credits being applied to reduce such inmate's
69 sentence.

70 [(e)] (f) The commissioner shall adopt policies and procedures to
71 determine the amount of credit an inmate may earn toward a
72 reduction in his or her sentence and to phase in the awarding of
73 retroactive credit authorized by subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>October 1, 2015</i>	18-98e

Statement of Purpose:

To create a pilot program to identify and track the homeless, addicted or mentally ill persons entering the criminal justice system, with the intention of referring them to treatment and assistance as an alternative to incarceration and to reduce recidivism and to add to the list of crimes for which an inmate is sentenced and becomes ineligible to earn risk reduction credits and to require the warden to review and verify an inmate's record, if risk reduction credits are being applied to reduce such inmate's sentence.

[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.]