



General Assembly

Amendment

January Session, 2015

LCO No. 7258



Offered by:

SEN. FASANO, 34th Dist.

SEN. WITKOS, 8th Dist.

To: Subst. Senate Bill No. 1114

File No. 742

Cal. No. 433

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 18-98e of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2015*):

5 (a) Notwithstanding any provision of the general statutes, any
6 person sentenced to a term of imprisonment for a crime committed on
7 or after October 1, 1994, and committed to the custody of the
8 Commissioner of Correction on or after said date, except a person
9 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,
10 53a-55, 53a-55a, 53a-59c, 53a-70a, 53a-70c or 53a-100aa, or is a
11 persistent dangerous felony offender or persistent dangerous sexual
12 offender pursuant to section 53a-40, may be eligible to earn risk
13 reduction credit toward a reduction of such person's sentence, in an

14 amount not to exceed five days per month, at the discretion of the
15 Commissioner of Correction for conduct as provided in subsection (b)
16 of this section occurring on or after April 1, 2006.

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

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

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

44 (e) Prior to release of any inmate whose sentence is being reduced
45 due to risk reduction credits earned pursuant to this section, the

46 warden of the correctional facility from which such inmate is to be
 47 released, shall review such inmate's records and verify that the inmate
 48 earned the risk reduction credits being applied to reduce such inmate's
 49 sentence.

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

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2015	18-98e