
OLR Bill Analysis

sSB 521

AN ACT CONCERNING THE ADMINISTRATION OF THE DEPARTMENT OF CORRECTION.

SUMMARY

This bill makes various changes in the statutes governing the Department of Correction (DOC). Principally, it:

1. establishes a "First Chance Trust Fund" administered by the Criminal Justice Policy Advisory Commission (CJPAC), to provide grants to programs benefitting at-risk youth in distressed municipalities, funded by an optional 1% withholding on certain state contracts (§§ 2-4);
2. requires DOC employment applicants to submit to a pre-employment psychological examination (§ 1);
3. requires the DOC commissioner, within available appropriations, to establish a wellness initiative for employees who interact with inmates at correctional facilities (§ 5);
4. makes CJPAC, instead of the DOC commissioner, primarily responsible for quarterly reporting to the legislature about earned risk reduction credits awarded to reduce any inmate's sentence (§ 6);
5. requires the DOC commissioner or his designee, instead of the warden at the correctional facility from where an inmate will be released, to review the inmate's records and verify that the inmate earned any risk reduction credits being applied to reduce his or her sentence (§ 7);
6. allows, instead of requires, the DOC commissioner to approve the establishment and maintenance of an optical shop to

produce prescription eyeglasses for inmates (§ 8);

7. adds benefit corporations to the entities that may purchase articles, materials, or products produced or manufactured by correctional institution industries (i.e., Correctional Enterprises of Connecticut) (§ 9);
8. eliminates the law, which was never implemented, that required the DOC commissioner to establish inmate discharge saving accounts and makes conforming changes (§§ 10–14); and
9. makes other minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2018, except the provisions related to the First Chance Trust Fund and wellness initiative are effective July 1, 2018.

§§ 2-4 — FIRST CHANCE TRUST FUND

The bill establishes the “First Chance Trust Fund” as a separate nonlapsing fund. CJPAC, which is within the Office of Policy and Management (OPM), must administer the fund and use it to provide grants to evidence-based programs that benefit at-risk youth living in distressed municipalities (see BACKGROUND).

Sources of Funding

The bill permits CJPAC to accept, on the fund’s behalf:

1. private donations,
2. any funds a state agency receives from a withholding imposed on a state contract (as described below), and
3. any bequest or gift of personal property (CJPAC may hold and use the property for the purposes the bequest or gift specifies).

The bill also allows CJPAC to apply for federal, state, private, and nonprofit foundation funding to further the fund’s purposes.

The bill requires the OPM secretary to adopt regulations in

accordance with the Uniform Administrative Procedures Act to implement these provisions.

Contract Withholding

The bill requires the OPM secretary, in consultation with the DOC and administrative services commissioners and the state contracting standards board, to develop a mechanism that allows a state agency to assess a 1% withholding on any state contract with a total price greater than \$1 million that is entered into, modified, or renewed on or after July 1, 2018. The bill exempts contracts with nonprofit agencies that otherwise satisfy the criteria. Any funds withheld through this mechanism must be deposited into the First Chance Trust Fund.

In developing the withholding mechanism, the OPM secretary must solicit and consider feedback from contractors regarding limitations on the types of contracts that would be subject to the withholding. The secretary may offer recommendations on any statutory and regulatory changes needed to effectuate the withholding.

§ 1 — PRE-EMPLOYMENT PSYCHOLOGICAL EXAMINATIONS

Under the bill, DOC must require employment applicants to submit to a pre-employment psychological examination. The exam must be administered to the applicant, at his or her expense, after the department's other employment testing and selection process is complete, but prior to an employment offer. The commissioner must determine the appropriate examination for DOC to use for this purpose.

Existing law, unchanged by the bill, requires DOC employment applicants to submit to state and national criminal history records checks.

§ 5 — EMPLOYEE WELLNESS PROGRAM

This bill requires the DOC commissioner, within available appropriations, to establish a wellness initiative for department employees who interact with inmates at correctional facilities. The initiative must include the following:

1. employee assistance and peer support programs,
2. stress management training and critical incident stress response,
3. military peer support,
4. an employee safety and health committee,
5. periodic wellness fairs, and
6. other programs that have demonstrated effectiveness in addressing the needs of employees who interact with inmates.

The commissioner or his designee may apply for federal, state, or private nonprofit funding to support and advance the initiative's objectives.

§ 6 — EARNED RISK REDUCTION CREDITS REPORT

Under the bill, beginning by January 1, 2019, CJPAC must report quarterly to the General Assembly, after consulting with the DOC commissioner, on any earned risk reduction credits awarded to reduce an inmate's sentence. Currently, the commissioner is responsible for reporting this information, after consulting with CJPAC. By law, the report includes such things as how many inmates were released early due to receiving credits, the inmates' crimes, the amount of credits received, and recidivism data.

BACKGROUND

Distressed Municipalities

The Department of Economic and Community Development commissioner annually scores and ranks municipalities based on demographic and economic distress criteria and designates the 25 municipalities with the highest scores as distressed (CGS § 32-9p). The criteria are based on:

1. per capita income;
2. poverty rate;

3. unemployment rate;
4. change in population, employment rate, and per capita income;
5. the percentage of housing units built before 1939;
6. the percentage of residents with at least a high school diploma;
and
7. the adjusted equalized net grand list per capita.

The commissioner can also designate a municipality as distressed for two years if it suffers a major plant closing, relocation, or layoff. A municipality that drops off the list retains the distressed municipality designation for five years, unless it elects to terminate its designation.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0 (04/03/2018)