



Senate

General Assembly

File No. 485

January Session, 2021

Substitute Senate Bill No. 889

Senate, April 15, 2021

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE CRIMINAL JUSTICE POLICY AND PLANNING DIVISION AND THE PUBLICATION OF REPORTS AND PRESENTATIONS BY THE OFFICE OF POLICY AND MANAGEMENT.

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

1 Section 1. Section 4-68m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) There is established a Criminal Justice Policy and Planning
4 Division within the Office of Policy and Management. The division shall
5 be under the direction of an undersecretary.

6 (b) The division shall [develop a plan to] promote a more effective
7 and cohesive state criminal justice system [and, to accomplish such plan,
8 shall] by:

9 (1) [~~Conduct~~] Conducting an in-depth analysis of the criminal justice
10 system;

11 (2) [~~Determine~~] Determining the long-range needs of the criminal

12 justice system and [recommend] recommending policy priorities for the
13 system;

14 (3) [Identify] Identifying critical problems in the criminal justice
15 system and [recommend] recommending strategies to solve those
16 problems;

17 (4) [Assess] Assessing the cost-effectiveness of the use of state and
18 local funds in the criminal justice system;

19 (5) [Recommend] Recommending means to improve the deterrent
20 and rehabilitative capabilities of the criminal justice system;

21 (6) [Advise and assist] Advising and assisting the General Assembly
22 in developing plans, programs and proposed legislation for improving
23 the effectiveness of the criminal justice system;

24 (7) [Make] Making computations of daily costs and [compare]
25 comparing interagency costs on services provided by agencies that are
26 a part of the criminal justice system;

27 (8) [Review] Reviewing the program inventories and cost-benefit
28 analyses submitted pursuant to section 4-68s and [consider] considering
29 incorporating such inventories and analyses in its budget
30 recommendations to the General Assembly;

31 (9) [Make] Making population computations for use in planning for
32 the long-range needs of the criminal justice system;

33 (10) [Determine] Determining long-range information needs of the
34 criminal justice system and [acquire] acquiring that information;

35 (11) [Cooperate] Cooperating with the Office of the Victim Advocate
36 by providing information and assistance to the office relating to the
37 improvement of crime victims' services;

38 (12) [Serve] Serving as the liaison for the state to the United States
39 Department of Justice on criminal justice issues of interest to the state
40 and federal government relating to data, information systems and

41 research;

42 (13) [Measure] Measuring the success of community-based services
43 and programs in reducing recidivism;

44 (14) [Develop and implement] Developing and implementing a
45 comprehensive reentry strategy as provided in section 18-81w; and

46 (15) [Engage] Engaging in other activities consistent with the
47 responsibilities of the division.

48 (c) In addition to the division's other duties under this section, the
49 division may perform any function described in subsection (b) of this
50 section to promote an effective and cohesive juvenile justice system.

51 (d) In the performance of its duties under this section, the division
52 shall collaborate with the Department of Correction, the Board of
53 Pardons and Paroles, the Department of Mental Health and Addiction
54 Services and the Department of Emergency Services and Public
55 Protection and consult with the Chief Court Administrator, the
56 executive director of the Court Support Services Division of the Judicial
57 Branch, the Chief State's Attorney and the Chief Public Defender.

58 (e) (1) At the request of the division, the Department of Correction,
59 the Board of Pardons and Paroles, the Department of Mental Health and
60 Addiction Services, the Department of Emergency Services and Public
61 Protection, the Chief Court Administrator, the executive director of the
62 Court Support Services Division of the Judicial Branch, the Chief State's
63 Attorney and the Chief Public Defender shall provide the division with
64 information and data needed by the division to perform its duties under
65 subsection (b) of this section.

66 (2) The division shall have access to individualized records
67 maintained by the Judicial Branch and the agencies specified in
68 subdivision (1) of this subsection as needed for research purposes. The
69 division, in collaboration with the Judicial Branch and the agencies
70 specified in subdivision (1) of this subsection, shall develop protocols to
71 protect the privacy of such individualized records consistent with state

72 and federal law. The division shall use such individualized records for
73 statistical analyses only and shall not use such records in any other
74 manner that would disclose the identity of individuals to whom the
75 records pertain.

76 (3) Any information or data provided to the division pursuant to this
77 subsection that is confidential in accordance with state or federal law
78 shall remain confidential while in the custody of the division and shall
79 not be disclosed.

80 [(f) Not later than January 15, 2007, the division shall submit the plan
81 developed pursuant to subsection (b) of this section to the Governor
82 and, in accordance with the provisions of section 11-4a, to the joint
83 standing committees of the General Assembly having cognizance of
84 matters relating to criminal justice, public safety and appropriations and
85 the budgets of state agencies. Not later than February 15, 2009, and
86 biennially thereafter, the division shall update such plan and submit
87 such updated plan to the Governor and said legislative committees.]

88 (f) The Office of Policy and Management shall make any report or
89 presentation by the division publicly available on the office's Internet
90 web site, including those required pursuant to sections 4-68n, as
91 amended by this act, 4-68o, as amended by this act, and 4-68p, as
92 amended by this act.

93 Sec. 2. Section 4-68n of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective October 1, 2021*):

95 The Criminal Justice Policy and Planning Division within the Office
96 of Policy and Management shall [development] develop population
97 projections for the correctional system for planning purposes and issue
98 a report on such projections not later than February fifteenth of each
99 year. The Office of Policy and Management shall make such report
100 publicly available on the office's Internet web site.

101 Sec. 3. Section 4-68o of the general statutes is repealed and the
102 following is substituted in lieu thereof (*Effective October 1, 2021*):

103 (a) The Criminal Justice Policy and Planning Division within the
104 Office of Policy and Management shall develop a reporting system that
105 is able to track trends and outcomes related to policies designed to
106 reduce prison overcrowding, improve rehabilitation efforts and
107 enhance reentry strategies for offenders released from prison.

108 (b) The reporting system shall, at a minimum, track on a monthly
109 basis: (1) The number of admissions to prison (A) directly from courts,
110 (B) on account of parole revocation, and (C) on account of probation
111 revocation, (2) the number of releases on parole and to other forms of
112 community supervision and facilities, (3) the rate of granting parole, (4)
113 the number of probation placements and placements to probation
114 facilities, (5) the prison population, and (6) the projected prison
115 population.

116 (c) The reporting system shall, at a minimum, track on an annual
117 basis: (1) Recidivism of offenders released from prison, (2) recidivism of
118 offenders on probation, [and] (3) recidivism of offenders participating
119 in programs designed to reduce prison overcrowding, improve
120 rehabilitation efforts and enhance reentry strategies for offenders
121 released from prison, and (4) recidivism of offenders who received
122 earned risk reduction credits pursuant to section 18-98e. The division
123 shall measure recidivism in accordance with a nationally-accepted
124 methodology.

125 [(d) The reporting system shall define outcomes for major programs
126 and annually report these outcomes and delineate strategies to measure
127 outcomes when information is not yet available to measure the
128 effectiveness of particular programs.

129 (e) The division shall publish the first monthly report not later than
130 November 1, 2006.]

131 (d) The division shall monthly report the reporting system's tracking
132 pursuant to subsection (b) of this section. The Office of Policy and
133 Management shall make such report publicly available on the office's
134 Internet web site.

135 [(f)] (e) The division shall publish [the first annual outcome report not
136 later than January 1, 2007, and shall publish] an annual outcome report
137 not later than February fifteenth of each year thereafter. The Office of
138 Policy and Management shall make such report publicly available on
139 the office's Internet web site. Such report may be included as part of the
140 report submitted under section 4-68p, as amended by this act.

141 Sec. 4. Section 4-68p of the general statutes is repealed and the
142 following is substituted in lieu thereof (*Effective October 1, 2021*):

143 Not later than [February] October fifteenth of each year, the Criminal
144 Justice Policy and Planning Division within the Office of Policy and
145 Management shall submit a report to the Governor and the joint
146 standing committee of the General Assembly having cognizance of
147 matters relating to the judiciary, in accordance with section 11-4a, [and
148 make a presentation to the joint standing committees of the General
149 Assembly having cognizance of matters relating to criminal justice and
150 appropriations and the budgets of state agencies concerning its activities
151 and recommendations under section 4-68m and specifying the actions
152 necessary to promote an effective and cohesive criminal justice system.
153 The report shall estimate the amount of savings inuring to the benefit of
154 the state on account of the actual prison population being less than
155 projected prior to the adoption of prison overcrowding reduction
156 policies and make recommendations as to the manner in which a
157 portion of such cost savings may be reinvested in community-based
158 services and programs and community supervision by probation and
159 parole officers in order to maintain that reduction in projected prison
160 population. Beginning with the report to be submitted and the
161 presentation to be made not later than February 15, 2008, the division
162 shall include an assessment of the status of the development and
163 implementation of the reentry strategy under section 18-81w]
164 containing data analysis of state criminal justice system trends,
165 including, if available, the number of reported crimes and arrests, and
166 the size of the populations on probation, parole, special parole and in
167 prison. The Office of Policy and Management shall make such report
168 publicly available on the office's Internet web site.

169 Sec. 5. Subsection (a) of section 18-87k of the general statutes is
170 repealed and the following is substituted in lieu thereof (*Effective October*
171 *1, 2021*):

172 (a) The Criminal Justice Policy Advisory Commission shall: (1)
173 Develop and recommend policies for preventing prison and jail
174 overcrowding; (2) examine the impact of statutory provisions and
175 current administrative policies on prison and jail overcrowding and
176 recommend legislation to the Governor and the General Assembly; (3)
177 research and gather relevant statistical data and other information
178 concerning the impact of efforts to prevent prison and jail overcrowding
179 and make such information available to criminal justice agencies and
180 members of the General Assembly; (4) advise the undersecretary of the
181 Criminal Justice Policy and Planning Division on policies and
182 procedures to promote more effective and cohesive state criminal justice
183 and juvenile justice systems and to develop and implement the offender
184 reentry strategy as provided in section 18-81w; (5) monitor
185 developments throughout the state's criminal justice system; [and, not
186 later than February 15, 2009, and annually thereafter, report to the
187 Governor and the General Assembly on the effectiveness of the state's
188 reentry strategy, outcomes achieved under the reentry strategy and the
189 level of integration and coordination of the information technology
190 systems used by the criminal justice agencies and other system-wide
191 issues identified by the commission; (6) not later than February 15, 2009,
192 and annually thereafter, sponsor for all members of the criminal justice
193 community a full-day review of the criminal justice system in the state
194 including progress that has been made within the past year and
195 challenges to be met, which review shall be facilitated by the
196 undersecretary of the Criminal Justice Policy and Planning Division; (7)]
197 (6) identify specific needs for reentry services in geographic areas
198 throughout the state; [(8)] (7) identify institution-based and community-
199 based programs and services that effectively address offender needs
200 and reduce recidivism including, but not limited to, education and
201 training, employment preparation and job bank, transitional health care,
202 family support, substance abuse, domestic violence and sexual offender
203 programs and services; [(9) develop a guide to best practices in the

204 provision of reentry services; (10) develop and annually update a plan
205 to ensure the availability of reentry services, which plan may include
206 establishment of community reentry centers;] and [(11)] (8) assist the
207 undersecretary of the Criminal Justice Policy and Planning Division in
208 developing the recommendations included in the report and
209 presentation made by the division pursuant to section 4-68p, as
210 amended by this act.

211 Sec. 6. Section 51-296b of the general statutes is repealed and the
212 following is substituted in lieu thereof (*Effective October 1, 2021*):

213 The Chief Public Defender shall, within available appropriations,
214 establish a pilot program to provide representation to persons at parole
215 revocation hearings. Not later than January 1, 2021, and annually
216 thereafter, the Chief Public Defender shall submit a report to the
217 Secretary of the Office of Policy and Management on cases served as
218 part of such program during the prior calendar year. Such report shall
219 aggregate information, including, but not limited to, the number of
220 public defenders funded through the pilot program, the number of
221 preliminary hearings and final parole revocation hearings served by
222 such public defenders and the associated outcomes of such hearings.
223 The Office of Policy and Management shall make such report publicly
224 available on the office's Internet web site.

225 Sec. 7. Subsection (i) of section 54-1m of the general statutes is
226 repealed and the following is substituted in lieu thereof (*Effective October*
227 *1, 2021*):

228 (i) The Office of Policy and Management shall, within available
229 resources, review the prevalence and disposition of traffic stops and
230 complaints reported pursuant to this section. Not later than July 1, 2014,
231 and annually thereafter, the office shall report the results of any such
232 review, including any recommendations, to the Governor, the General
233 Assembly and any other entity deemed appropriate. The Office of Policy
234 and Management shall make such report publicly available on the
235 office's Internet web site.

236 Sec. 8. Section 54-125j of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective October 1, 2021*):

238 Not later than January 1, 2021, and annually thereafter, the Board of
239 Pardons and Paroles shall report to the [Secretary of the] Office of Policy
240 and Management and the office shall make available on [its] the office's
241 Internet web site the following information:

242 (1) Outcomes of preliminary hearings, including whether (A)
243 probable cause of a parole violation was found and that the alleged
244 violation was serious enough to warrant revocation of parole, (B)
245 probable cause of a parole violation was found, but the alleged violation
246 was not serious enough to warrant revocation, and (C) no probable
247 cause of a parole violation was found;

248 (2) The number of (A) individuals remanded to the custody of the
249 Department of Correction for criminal and technical violations, and (B)
250 individuals held in custody beyond a preliminary hearing pending a
251 final parole revocation hearing;

252 (3) Outcomes of final parole revocation hearings, including whether
253 there was a recommendation to (A) reinstate parole, or (B) revoke
254 parole; and

255 (4) Case level data on demographics, including data on race, sex,
256 ethnicity and age.

257 Sec. 9. Sections 4-68q, 4-68t, 4-68x and 18-98f of the general statutes
258 are repealed. (*Effective October 1, 2021*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	4-68m
Sec. 2	<i>October 1, 2021</i>	4-68n
Sec. 3	<i>October 1, 2021</i>	4-68o
Sec. 4	<i>October 1, 2021</i>	4-68p
Sec. 5	<i>October 1, 2021</i>	18-87k(a)
Sec. 6	<i>October 1, 2021</i>	51-296b

Sec. 7	October 1, 2021	54-1m(i)
Sec. 8	October 1, 2021	54-125j
Sec. 9	October 1, 2021	Repealer section

Statement of Legislative Commissioners:

In Section 2, "development" was replaced with "develop" for accuracy and in Section 3(c), Subdiv. (4) was moved for accuracy.

JUD *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes several changes to the reporting requirements of the Criminal Justice Policy and Planning Division within the Office of Police and Management. This has no fiscal impact, as it is anticipated the agency can meet these requirements with existing resources.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 889*****AN ACT CONCERNING THE CRIMINAL JUSTICE POLICY AND PLANNING DIVISION AND THE PUBLICATION OF REPORTS AND PRESENTATIONS BY THE OFFICE OF POLICY AND MANAGEMENT.*****SUMMARY**

This bill makes various changes and updates to reporting requirements of the Criminal Justice Policy and Planning Division (CJPPD) within the Office of Policy Management (OPM).

Principally, the bill:

1. eliminates the requirement for CJPPD to develop a plan to promote a more effective and cohesive state criminal justice system and biennially update the Governor and the Appropriations and Judiciary committees on the plan (§ 1);
2. requires CJPPD to annually track, in its trends and outcomes reporting system, the recidivism of offenders who received earned risk reduction credits (§ 3);
3. eliminates a requirement for the CJPPD reporting system to define outcomes for major programs and annually report them (§ 3);
4. requires CJPPD to conduct a data analysis of state criminal justice system trends and annually report the data and analysis to the Governor and the Judiciary Committee (§ 4);
5. repeals the CJPPD annual report and presentation requirement on promoting an effective and cohesive criminal justice system (§ 4);

6. narrows the Criminal Justice Policy Advisory Commission's (CJPAC's) duties by eliminating certain reporting and presentation requirements and the commission's full-day review of the state's criminal justice system required under current law (§ 5); and
7. requires OPM to make any CJPPD report or presentation available on the office's website, including certain specific reports (§§ 1-4, 6 & 7).

It also makes technical changes and repeals the OPM urban violence reduction grant program and certain CJPPD reporting requirements (§§ 8 & 9).

EFFECTIVE DATE: October 1, 2021

§ 3 — TRENDS AND OUTCOMES REPORTING SYSTEM

Annual Connecticut Recidivism Study

Existing law requires CJPPD to develop a reporting system that tracks trends and outcomes related to policies designed to reduce prison overcrowding, improve rehabilitation efforts, and enhance reentry strategies for offenders released from prison.

Current law requires this reporting system to annually track the recidivism of offenders (1) released from prison; (2) on probation; and (3) participating in programs designed to reduce prison overcrowding, improve rehabilitation efforts and enhance reentry strategies for offenders released from prison. The bill requires the system to also annually track the recidivism of offenders who received earned risk reduction credits.

Major Program Outcomes

The bill also eliminates a requirement for the reporting system to define and annually report outcomes for major programs and delineate strategies to measure outcomes when information needed to measure a program's effectiveness is not yet available.

§ 4 — TRENDS IN CONNECTICUT'S CRIMINAL JUSTICE SYSTEM REPORT

The bill requires CJPPD, by October 15 each year, to submit a report to the Governor and the Judiciary Committee analyzing data on state criminal justice system trends, including, if available, the number of reported crimes and arrests and the size of the populations on probation, parole, special parole, and in prison.

It repeals a requirement under current law for CJPPD to annually submit a report and make a presentation to the Governor and the Judiciary and Appropriations committees on the actions needed to promote an effective and cohesive criminal justice system.

§ 5 — CRIMINAL JUSTICE POLICY ADVISORY COMMISSION (CJPAC)

The bill narrows CJPAC's duties by eliminating requirements for the commission to (1) develop a guide on best practices for providing reentry services and (2) develop and annually update a plan to ensure the availability of reentry services, including establishing community reentry centers.

The bill eliminates a requirement that CJPAC report annually to the governor and the legislature on outcomes achieved under the state's reentry strategy and the coordination of information technology systems used by criminal justice agencies.

It also eliminates a requirement that CJPAC sponsor a full-day review of the criminal justice system in the state for all members of the criminal justice community, facilitated by the CJPPD undersecretary.

§§ 1-4, 6 & 7 — REPORTS AVAILABLE ON OPM'S WEBSITE

The bill requires OPM to make any CJPPD report or presentation available on the office's website, including the division's:

1. annual report on the correctional system population projections for planning purposes (§ 2),
2. monthly report on the reporting system's tracking and annual

- outcome report (§ 3),
- 3. new annual report containing data analysis of state criminal justice system trends (§ 4),
- 4. annual report on the chief public defender’s pilot program to provide representation at parole revocation hearings (§ 6), and
- 5. annual report on the prevalence and disposition of traffic stops and reported complaints (§ 7).

§ 9 — REPEALER

The bill repeals a requirement for OPM, within available appropriations, to administer an urban violence reduction grant program. It also repeals requirements for CJPPD to:

- 1. notify municipalities monthly of outstanding arrest and rearrest warrants for probation violations;
- 2. track, analyze, and annually report to the Judiciary Committee on recidivism rates for children; and
- 3. report to the legislature quarterly on the use of earned risk reduction credits.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable
 Yea 36 Nay 0 (03/29/2021)