



General Assembly

January Session, 2021

Raised Bill No. 6463

LCO No. 2825



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE DEPARTMENT OF CORRECTION, A REENTRY EMPLOYMENT ADVISORY COMMITTEE, PUBLIC SAFETY COMMITTEES IN MUNICIPALITIES WHERE A CORRECTIONAL FACILITY IS LOCATED, THE DISCLOSURE OF RECORDS, THE PROTECTION OF PERSONAL DATA RELATING TO AN EMPLOYEE OF THE DEPARTMENT OF CORRECTION AND THE PROVISION OF DEBIT CARDS TO INCARCERATED PERSONS AT THE TIME OF RELEASE.

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

1 Section 1. Section 18-82 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Commissioner of Correction shall appoint and may remove the
4 following administrators, all of whom shall serve at the pleasure of the
5 commissioner and shall be exempt from the classified service: All
6 correctional wardens, including any warden with oversight of a district,
7 a correctional institution, parole and community services, population
8 management, programs and treatment, security and academy training
9 or staff development. Such wardens shall possess skill and experience
10 in correctional administration. The commissioner may designate a
11 deputy warden to serve as director of reentry services.

12 Sec. 2. (NEW) (*Effective July 1, 2021*) (a) There is established a reentry
13 employment advisory committee that shall advise the Commissioner of
14 Correction on alignment of education and job training programs offered
15 by the Department of Correction with the needs of employers in the
16 community, including, but not limited to (1) the vocational education
17 curricula used by Unified School District #1, established under section
18 18-99a of the general statutes, (2) the types of licenses and certifications
19 that employers are looking for in job applicants, (3) the availability of
20 apprenticeships for incarcerated and formerly incarcerated individuals
21 in the community, and (4) the types of products and services that should
22 be offered by institution industries established and maintained
23 pursuant to section 18-88 of the general statutes.

24 (b) (1) The reentry employment advisory committee shall consist of:

25 (A) The Commissioner of Correction, or the commissioner's designee;

26 (B) The superintendent of Unified School District #1;

27 (C) The superintendent of institution industries within the
28 Department of Correction; and

29 (D) One representative appointed by the Commissioner of Correction
30 from each of the following:

31 (i) An association representing businesses and industries in this state;

32 (ii) An association representing construction industries in this state;

33 (iii) The state affiliate of a national organization representing human
34 resource professionals;

35 (iv) A state council of building and construction trades;

36 (v) The Technical Education and Career System established pursuant
37 to section 10-95 of the general statutes; and

38 (vi) A regional workforce development board established pursuant
39 to section 31-3k of the general statutes.

40 (2) In addition to the membership provided for under subdivision (1)
41 of this subsection, the Commissioner of Correction may appoint up to
42 three additional members.

43 (c) The Commissioner of Correction shall appoint a chairperson from
44 amongst the membership of the reentry employment advisory
45 committee. The committee shall meet not fewer than two times per year,
46 and at such other times as the committee deems necessary.

47 Sec. 3. Section 18-81h of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2021*):

49 (a) [The Department of Correction shall establish a public safety
50 committee in each] Each municipality in which a correctional facility is
51 located may establish a public safety committee. Each committee
52 established under this subsection shall be composed of the warden [or
53 superintendent] of the correctional facility that is located in the
54 municipality, or the warden's designee, and representatives appointed
55 by the chief elected official of the municipality. Each committee shall
56 meet not less than [quarterly] annually and at such other times as the
57 committee deems necessary to review correctional safety and security
58 issues and reentry efforts for offenders which affect the host
59 municipality. If a public safety committee is established in accordance
60 with the provisions of this subsection, the warden of the correctional
61 facility located in the municipality shall attend at least one meeting of
62 such committee on an annual basis.

63 (b) On or before November 1, 1995, and annually thereafter, each
64 public safety committee established under subsection (a) of this section
65 shall submit a report, in accordance with the provisions of section 11-4a,
66 to the chairpersons and ranking members of the joint standing
67 [committee] committees of the General Assembly having cognizance of
68 matters relating to public safety and the judiciary which outlines issues
69 of concern in each municipality in which a correctional facility is located
70 and makes recommendations to mitigate such concerns.

71 Sec. 4. Section 4-190 of the general statutes is repealed and the

72 following is substituted in lieu thereof (*Effective October 1, 2021*):

73 As used in this chapter:

74 (1) "Agency" means each state or municipal board, commission,
75 department or officer, other than the legislature, courts, Governor,
76 Lieutenant Governor, Attorney General or town or regional boards of
77 education, which maintains a personal data system.

78 (2) "Attorney" means an attorney at law empowered by a person to
79 assert the confidentiality of or right of access to personal data under this
80 chapter.

81 (3) "Authorized representative" means a parent, or a guardian or
82 conservator, other than an attorney, appointed to act on behalf of a
83 person and empowered by such person to assert the confidentiality of
84 or right of access to personal data under this chapter.

85 (4) "Automated personal data system" means a personal data system
86 in which data is stored, in whole or part, in a computer or in computer
87 accessible files.

88 (5) "Computer accessible files" means any personal data which is
89 stored on-line or off-line, which can be identified by use of electronic
90 means, including but not limited to microfilm and microfilm devices,
91 which includes but is not limited to magnetic tape, magnetic film,
92 magnetic disks, magnetic drums, internal memory utilized by any
93 processing device, including computers or telecommunications control
94 units, punched cards, optically scannable paper or film.

95 (6) "Maintain" means collect, maintain, use or disseminate.

96 (7) "Manual personal data system" means a personal data system
97 other than an automated personal data system.

98 (8) "Person" means an individual of any age concerning whom
99 personal data is maintained in a personal data system, or a person's
100 attorney or authorized representative.

101 (9) "Personal data" means any information about a person's
102 education, finances, medical or emotional condition or history,
103 employment or business history, family or personal relationships,
104 reputation or character which because of name, identifying number,
105 mark or description can be readily associated with a particular person.
106 "Personal data" shall not be construed to make available to a person any
107 record described in subdivision (3) or (18) of subsection (b) of section 1-
108 210.

109 (10) "Personal data system" means a collection of records containing
110 personal data.

111 (11) "Record" means any collection of personal data, defined in
112 subdivision (9), which is collected, maintained or disseminated.

113 Sec. 5. Subsection (g) of section 17a-28 of the general statutes is
114 repealed and the following is substituted in lieu thereof (*Effective October*
115 *1, 2021*):

116 (g) The department shall disclose records, subject to subsections (b)
117 and (c) of this section, without the consent of the person who is the
118 subject of the record, to:

119 (1) The person named in the record or such person's authorized
120 representative, provided such disclosure shall be limited to information
121 (A) contained in the record about such person or about such person's
122 biological or adoptive minor child, if such person's parental rights to
123 such child have not been terminated; and (B) identifying an individual
124 who reported abuse or neglect of the person, including any tape
125 recording of an oral report pursuant to section 17a-103, if a court
126 determines that there is reasonable cause to believe the reporter
127 knowingly made a false report or that the interests of justice require
128 disclosure;

129 (2) An employee of the department for any purpose reasonably
130 related to the performance of such employee's duties;

131 (3) A guardian ad litem or attorney appointed to represent a child or
132 youth in litigation affecting the best interests of the child or youth;

133 (4) An attorney representing a parent, guardian or child in a petition
134 filed in the Superior Court pursuant to section 17a-112 or 46b-129,
135 provided (A) if such records do not pertain to such attorney's client or
136 such client's child, such records shall not be further disclosed to another
137 individual or entity by such attorney except pursuant to the order of a
138 court of competent jurisdiction, (B) if such records are confidential
139 pursuant to federal law, such records shall not be disclosed to such
140 attorney or such attorney's client unless such attorney or such attorney's
141 client is otherwise entitled to such records, and (C) nothing in this
142 subdivision shall limit the disclosure of records under subdivision (3) of
143 this subsection;

144 (5) The Attorney General, any assistant attorney general or any other
145 legal counsel retained to represent the department during the course of
146 a legal proceeding involving the department or an employee of the
147 department;

148 (6) The Child Advocate or the Child Advocate's designee;

149 (7) The Chief Public Defender or the Chief Public Defender's designee
150 for purposes of ensuring competent representation by the attorneys
151 with whom the Chief Public Defender contracts to provide legal and
152 guardian ad litem services to the subjects of such records and for
153 ensuring accurate payments for services rendered by such attorneys;

154 (8) The Chief State's Attorney or the Chief State's Attorney's designee
155 for purposes of investigating or prosecuting (A) an allegation related to
156 child abuse or neglect, (B) an allegation that an individual made a false
157 report of suspected child abuse or neglect, (C) an allegation that a
158 mandated reporter failed to report suspected child abuse or neglect in
159 accordance with section 17a-101a, provided such prosecuting authority
160 shall have access to records of a child charged with the commission of a
161 delinquent act, who is not being charged with an offense related to child
162 abuse, only while the case is being prosecuted and after obtaining a

163 release, or (D) an allegation of fraud in the receipt of public or private
164 benefits, provided no information identifying the subject of the record
165 is disclosed unless such information is essential to such investigation or
166 prosecution;

167 (9) A state or federal law enforcement officer, including a military law
168 enforcement authority under the United States Department of Defense,
169 for purposes of investigating (A) an allegation related to child abuse or
170 neglect, (B) an allegation that an individual made a false report of
171 suspected child abuse or neglect, or (C) an allegation that a mandated
172 reporter failed to report suspected child abuse or neglect in accordance
173 with section 17a-101a;

174 (10) A foster or prospective adoptive parent, if the records pertain to
175 a child or youth currently placed with the foster or prospective adoptive
176 parent, or a child or youth being considered for placement with the
177 foster or prospective adoptive parent, and the records are necessary to
178 address the social, medical, psychological or educational needs of the
179 child or youth, provided no information identifying a biological parent
180 is disclosed without the permission of such biological parent;

181 (11) The Governor, when requested in writing in the course of the
182 Governor's official functions, the joint standing committee of the
183 General Assembly having cognizance of matters relating to human
184 services, the joint standing committee of the General Assembly having
185 cognizance of matters relating to the judiciary or the joint standing
186 committee of the General Assembly having cognizance of matters
187 relating to children, when requested in writing by any of such
188 committees in the course of such committee's official functions, and
189 upon a majority vote of such committee, provided no name or other
190 identifying information is disclosed unless such information is essential
191 to the gubernatorial or legislative purpose;

192 (12) The Office of Early Childhood for the purpose of (A) determining
193 the suitability of a person to care for children in a facility licensed
194 pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining the

195 suitability of such person for licensure; (C) an investigation conducted
196 pursuant to section 19a-80f; (D) notifying the office when the
197 Department of Children and Families places an individual licensed or
198 certified by the office on the child abuse and neglect registry pursuant
199 to section 17a-101k; or (E) notifying the office when the Department of
200 Children and Families possesses information regarding an office
201 regulatory violation committed by an individual licensed or certified by
202 the office;

203 (13) The Department of Developmental Services, to allow said
204 department to determine eligibility, facilitate enrollment and plan for
205 the provision of services to a child who is a client of said department
206 and who is applying to enroll in or is enrolled in said department's
207 behavioral services program. At the time that a parent or guardian
208 completes an application for enrollment of a child in the Department of
209 Developmental Services' behavioral services program, or at the time that
210 said department updates a child's annual individualized plan of care,
211 said department shall notify such parent or guardian that the
212 Department of Children and Families may provide records to the
213 Department of Developmental Services for the purposes specified in this
214 subdivision without the consent of such parent or guardian;

215 (14) Any individual or entity for the purposes of identifying resources
216 that will promote the permanency plan of a child or youth approved by
217 the court pursuant to sections 17a-11, 17a-111b and 46b-129;

218 (15) A state agency that licenses or certifies a person to educate, care
219 for or provide services to children or youths;

220 (16) A judge or employee of a Probate Court who requires access to
221 such records in order to perform such judge's or employee's official
222 duties;

223 (17) A judge of the Superior Court for purposes of determining the
224 appropriate disposition of a child adjudicated as delinquent or a child
225 who is a member of a family with service needs;

226 (18) A judge of the Superior Court in a criminal prosecution for
227 purposes of in camera inspection whenever (A) the court has ordered
228 that the record be provided to the court; or (B) a party to the proceeding
229 has issued a subpoena for the record;

230 (19) A judge of the Superior Court and all necessary parties in a
231 family violence proceeding when such records concern family violence
232 with respect to the child who is the subject of the proceeding or the
233 parent of such child who is the subject of the proceeding;

234 (20) The Auditors of Public Accounts, or their representative,
235 provided no information identifying the subject of the record is
236 disclosed unless such information is essential to an audit conducted
237 pursuant to section 2-90;

238 (21) A local or regional board of education, provided the records are
239 limited to educational records created or obtained by the state or
240 Connecticut Unified School District #2, established pursuant to section
241 17a-37;

242 (22) The superintendent of schools for any school district for the
243 purpose of determining the suitability of a person to be employed by
244 the local or regional board of education for such school district pursuant
245 to subsection (a) of section 10-221d;

246 (23) The Department of Motor Vehicles for the purpose of criminal
247 history records checks pursuant to subsection (e) of section 14-44,
248 provided information disclosed pursuant to this subdivision shall be
249 limited to information included on the Department of Children and
250 Families child abuse and neglect registry established pursuant to section
251 17a-101k, subject to the provisions of sections 17a-101g and 17a-101k
252 concerning the nondisclosure of findings of responsibility for abuse and
253 neglect;

254 (24) The Department of Mental Health and Addiction Services for the
255 purpose of treatment planning for young adults who have transitioned
256 from the care of the Department of Children and Families;

257 (25) The superintendent of a public school district or the executive
258 director or other head of a public or private institution for children
259 providing care for children or a private school (A) pursuant to sections
260 17a-11, 17a-101b, 17a-101c, 17a-101i, 17a-111b and 46b-129, or (B) when
261 the Department of Children and Families places an individual
262 employed by such institution or school on the child abuse and neglect
263 registry pursuant to section 17a-101k;

264 (26) The Department of Social Services for the purpose of (A)
265 determining the suitability of a person for payment from the
266 Department of Social Services for providing child care; (B) promoting
267 the health, safety and welfare of a child or youth receiving services from
268 either department; or (C) investigating allegations of fraud provided no
269 information identifying the subject of the record is disclosed unless such
270 information is essential to any such investigation;

271 (27) The Court Support Services Division of the Judicial Branch, to
272 allow the division to determine the supervision and treatment needs of
273 a child or youth, and provide appropriate supervision and treatment
274 services to such child or youth, provided such disclosure shall be limited
275 to information that identifies the child or youth, or a member of such
276 child's or youth's immediate family, as being or having been (A)
277 committed to the custody of the Commissioner of Children and Families
278 as delinquent, (B) under the supervision of the Commissioner of
279 Children and Families, or (C) enrolled in the voluntary services program
280 operated by the Department of Children and Families;

281 (28) The Court Support Services Division of the Judicial Branch for
282 the purpose of sharing common case records to track recidivism of
283 juvenile offenders;

284 (29) The birth-to-three program's referral intake office for the purpose
285 of (A) determining eligibility of, (B) facilitating enrollment for, and (C)
286 providing services to (i) substantiated victims of child abuse and neglect
287 with suspected developmental delays, and (ii) newborns impacted by
288 withdrawal symptoms resulting from prenatal drug exposure; [and]

289 (30) The Department of Public Health for the purpose of notification
290 when the Commissioner of Children and Families places an individual
291 licensed or certified by the Department of Public Health on the child
292 abuse and neglect registry established pursuant to section 17a-101k; and

293 (31) The Department of Correction, for the purpose of determining
294 the supervision and treatment needs of a child or youth, and providing
295 appropriate supervision and treatment services to such child or youth.

296 Sec. 6. Section 18-81y of the general statutes is repealed and the
297 following is substituted in lieu thereof (*Effective from passage*):

298 The Commissioner of Correction shall establish a lost property board
299 within the Department of Correction to hear and determine any claim
300 by an inmate of a correctional facility who seeks compensation not
301 exceeding three thousand five hundred dollars for lost or damaged
302 personal property. The board shall hear and determine each such claim
303 and may, if it determines the claim is one which in equity and justice the
304 state should pay, award damages. If the board denies a claim in whole
305 or in part, the inmate may, not later than sixty days after such decision,
306 present the claim to the Office of the Claims Commissioner in
307 accordance with section 4-147. The filing of a claim with the lost
308 property board shall toll the time limit for presenting a claim to the
309 Office of the Claims Commissioner pursuant to section 4-148. The
310 Commissioner of Correction [shall] may adopt regulations, in
311 accordance with chapter 54, to implement the provisions of this section.

312 Sec. 7. Section 18-85 of the general statutes is repealed and the
313 following is substituted in lieu thereof (*Effective October 1, 2021*):

314 (a) The Commissioner of Correction, after consultation with the
315 Commissioner of Administrative Services and the Secretary of the Office
316 of Policy and Management, shall establish a schedule of compensation
317 for services performed on behalf of the state by inmates of any
318 institution or facility of the department. Such schedule shall recognize
319 degrees of merit, diligence and skill in order to encourage inmate
320 incentive and industry.

321 (b) Compensation so earned shall be deposited, under the direction
 322 of the Commissioner of Correction, in an account in a savings bank or
 323 state bank and trust company in this state or an account administered
 324 by the State Treasurer. Any compensation so earned shall be paid to the
 325 inmate on the inmate's release from incarceration in the form of a debit
 326 card, except that the commissioner may, while the inmate is in custody,
 327 disburse any compensation earned by such inmate in accordance with
 328 the following priorities: (1) Federal taxes due; (2) restitution or payment
 329 of compensation to a crime victim ordered by any court of competent
 330 jurisdiction; (3) payment of a civil judgment rendered in favor of a crime
 331 victim by any court of competent jurisdiction; (4) victims compensation
 332 through the criminal injuries account administered by the Office of
 333 Victim Services; (5) state taxes due; (6) support of the inmate's
 334 dependents, if any; (7) the inmate's necessary travel expense to and from
 335 work and other incidental expenses; (8) costs of such inmate's
 336 incarceration under section 18-85a and regulations adopted in
 337 accordance with said section; and (9) payment to the clerk of the court
 338 in which an inmate, confined in a correctional facility only for payment
 339 of a fine, was convicted, such portion of such compensation as is
 340 necessary to pay such fine. Any interest that accrues shall be credited to
 341 any institutional fund established for the welfare of inmates.
 342 Compensation under this section shall be in addition to any
 343 compensation received or credited under section 18-50.

344 Sec. 8. Section 18-81bb of the general statutes is repealed. (*Effective*
 345 *October 1, 2021*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	18-82
Sec. 2	<i>July 1, 2021</i>	New section
Sec. 3	<i>October 1, 2021</i>	18-81h
Sec. 4	<i>October 1, 2021</i>	4-190
Sec. 5	<i>October 1, 2021</i>	17a-28(g)
Sec. 6	<i>from passage</i>	18-81y
Sec. 7	<i>October 1, 2021</i>	18-85

Sec. 8	October 1, 2021	Repealer section
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Statement of Purpose:

To (1) revise the duties and composition of public safety committees in municipalities where a correctional facility is located, (2) establish a reentry employment advisory committee, (3) provide added protections for employees of the Department of Correction relating to the disclosure of personal data, (4) require disclosure of certain records by the Department of Children and Families to the Department of Correction, (5) provide for issuance of a debit card to an incarcerated person upon release for easier access to his or her funds, and (6) make minor changes concerning the Department of Correction.

[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.]