



General Assembly

Substitute Bill No. 6463

January Session, 2021



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 Section 18-82 of the general statutes is repealed and the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 workforce council established pursuant to Executive Order
37 Number 4 of Governor Ned Lamont; 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 who shall be representatives of business or
43 business associations.

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

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 Section 18-81h of the general statutes is repealed and the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

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

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

72 Sec. 4. Section 4-190 of the general statutes is repealed and the
73 following is substituted in lieu thereof (*Effective October 1, 2021*):

74 As used in this chapter:

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

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

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

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

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

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

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

99 (8) "Person" means an individual of any age concerning whom

100 personal data is maintained in a personal data system, or a person's
101 attorney or authorized representative.

102 (9) "Personal data" means any information about a person's
103 education, finances, medical or emotional condition or history,
104 employment or business history, family or personal relationships,
105 reputation or character which because of name, identifying number,
106 mark or description can be readily associated with a particular person.
107 "Personal data" shall not be construed to make available to a person any
108 record described in subdivision (3) or (18) of subsection (b) of section 1-
109 210.

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

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

114 Sec. 5. Subsection (g) of section 17a-28 of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective October*
116 *1, 2021*):

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

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

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

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

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

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

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

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

155 (8) The Chief State's Attorney or the Chief State's Attorney's designee
156 for purposes of investigating or prosecuting (A) an allegation related to
157 child abuse or neglect, (B) an allegation that an individual made a false
158 report of suspected child abuse or neglect, (C) an allegation that a
159 mandated reporter failed to report suspected child abuse or neglect in
160 accordance with section 17a-101a, provided such prosecuting authority

161 shall have access to records of a child charged with the commission of a
162 delinquent act, who is not being charged with an offense related to child
163 abuse, only while the case is being prosecuted and after obtaining a
164 release, or (D) an allegation of fraud in the receipt of public or private
165 benefits, provided no information identifying the subject of the record
166 is disclosed unless such information is essential to such investigation or
167 prosecution;

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

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

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

193 (12) The Office of Early Childhood for the purpose of (A) determining
194 the suitability of a person to care for children in a facility licensed
195 pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining the
196 suitability of such person for licensure; (C) an investigation conducted
197 pursuant to section 19a-80f; (D) notifying the office when the
198 Department of Children and Families places an individual licensed or
199 certified by the office on the child abuse and neglect registry pursuant
200 to section 17a-101k; or (E) notifying the office when the Department of
201 Children and Families possesses information regarding an office
202 regulatory violation committed by an individual licensed or certified by
203 the office;

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

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

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

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

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

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

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

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

239 (21) A local or regional board of education, provided the records are
240 limited to educational records created or obtained by the state or
241 Connecticut Unified School District #2, established pursuant to section
242 17a-37;

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

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

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

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

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

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

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

285 (29) The birth-to-three program's referral intake office for the purpose

286 of (A) determining eligibility of, (B) facilitating enrollment for, and (C)
287 providing services to (i) substantiated victims of child abuse and neglect
288 with suspected developmental delays, and (ii) newborns impacted by
289 withdrawal symptoms resulting from prenatal drug exposure; [and]

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

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

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

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

313 Sec. 7. Section 18-85 of the general statutes is repealed and the
314 following is substituted in lieu thereof (*Effective January 1, 2022*):

315 (a) The Commissioner of Correction, after consultation with the
316 Commissioner of Administrative Services and the Secretary of the Office

317 of Policy and Management, shall establish a schedule of compensation
318 for services performed on behalf of the state by inmates of any
319 institution or facility of the department. Such schedule shall recognize
320 degrees of merit, diligence and skill in order to encourage inmate
321 incentive and industry.

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

345 Sec. 8. Section 18-81bb of the general statutes is repealed. (*Effective*
346 *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>January 1, 2022</i>	18-85
Sec. 8	<i>October 1, 2021</i>	Repealer section

Statement of Legislative Commissioners:

In Section 2(b)(1)(D)(v), "established by the Governor" was changed to "established pursuant to Executive Order Number 4 of Governor Ned Lamont" for clarity.

JUD *Joint Favorable Subst.*