



General Assembly

February Session, 2022

***Raised Bill No. 307***

LCO No. 2371



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING PROSECUTORIAL ACCOUNTABILITY AND PRIORITY GIVEN TO CASES PROSECUTED.***

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

1 Section 1. Subsection (h) of section 51-275a of the 2022 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2022*):

4 (h) The commission shall be [within the Division of Criminal Justice.  
5 Said division shall provide staff] an autonomous body within the  
6 Executive Department. The Office of Policy and Management shall  
7 provide administrative support for the commission.

8 Sec. 2. Subsection (b) of section 51-278 of the 2022 supplement to the  
9 general statutes is repealed and the following is substituted in lieu  
10 thereof (*Effective October 1, 2022*):

11 (b) (1) (A) The Criminal Justice Commission shall appoint (i) two  
12 deputy chief state's attorneys as assistant administrative heads of the  
13 Division of Criminal Justice, one of whom shall be deputy chief state's  
14 attorney for operations and one of whom shall be deputy chief state's

15 attorney for personnel, finance and administration, who shall assist the  
16 Chief State's Attorney in his duties, and (ii) one deputy chief state's  
17 attorney who shall be appointed by the commission, as provided in  
18 subdivision (8) of this subsection, to serve as Inspector General in  
19 accordance with section 51-277e, who shall receive his or her  
20 prosecutorial powers as a designee of the Chief State's Attorney. The  
21 term of office of a deputy chief state's attorney shall be four years from  
22 July first in the year of appointment and until the appointment and  
23 qualification of a successor unless sooner removed by the Criminal  
24 Justice Commission. The Criminal Justice Commission shall designate  
25 one deputy chief state's attorney appointed under subparagraph (A)(i)  
26 of this subsection who shall, in the absence or disqualification of the  
27 Chief State's Attorney, exercise the powers and duties of the Chief  
28 State's Attorney until such Chief State's Attorney resumes his duties. For  
29 the purposes of this subparagraph, the Criminal Justice Commission  
30 means the members of the commission other than the Chief State's  
31 Attorney. (B) The Criminal Justice Commission shall appoint a state's  
32 attorney for each judicial district, who shall act therein as attorney on  
33 behalf of the state. The Criminal Justice Commission shall also appoint,  
34 from candidates recommended by the appropriate state's attorney and  
35 deemed qualified by the commission, as many assistant state's attorneys  
36 and deputy assistant state's attorneys on a full-time or part-time basis  
37 for each judicial district as the criminal business of the court, in the  
38 opinion of the Chief State's Attorney, may require, and the commission  
39 shall also appoint, from candidates recommended by the Chief State's  
40 Attorney and deemed qualified by the commission, as many assistant  
41 state's attorneys and deputy assistant state's attorneys as are necessary,  
42 in the opinion of the Chief State's Attorney, to assist the Chief State's  
43 Attorney. Assistant state's attorneys and deputy assistant state's  
44 attorneys, respectively, shall assist the state's attorneys for the judicial  
45 districts and the Chief State's Attorney in all criminal matters and, in the  
46 absence from the district or disability of the state's attorney or at his  
47 request, shall have and exercise all the powers and perform all the duties  
48 of state's attorney. At least three such assistant state's attorneys or  
49 deputy assistant state's attorneys shall be designated by the Chief State's

50 Attorney to handle all prosecutions in the state of housing matters  
51 deemed to be criminal. Any assistant or deputy assistant state's attorney  
52 so designated should have a commitment to the maintenance of decent,  
53 safe and sanitary housing and, to the extent practicable, shall handle  
54 housing matters on a full-time basis. At least one assistant state's  
55 attorney shall be designated by the Chief State's Attorney to handle all  
56 prosecutions in the state of environmental matters deemed to be  
57 criminal. Any assistant state's attorney so designated should have a  
58 commitment to protecting the environment and, to the extent  
59 practicable, shall handle environmental matters on a full-time basis. (C)  
60 The Chief State's Attorney may promote any assistant state's attorney,  
61 or deputy assistant state's attorney who assists him, and the appropriate  
62 state's attorney may promote any assistant state's attorney or deputy  
63 assistant state's attorney who assists such state's attorney in the judicial  
64 district. The Chief State's Attorney shall notify the Criminal Justice  
65 Commission of any such promotion.

66 (2) On and after July 1, 1985, the Chief State's Attorney, deputy chief  
67 state's attorneys, state's attorneys, assistant state's attorneys and deputy  
68 assistant state's attorneys shall receive salaries in accordance with a  
69 compensation plan approved by the Department of Administrative  
70 Services.

71 (3) Each state's attorney who, on June 30, 1973, was included in the  
72 provisions of sections 51-49, 51-287 and 51-288 may elect to continue to  
73 be so included and, each state's attorney, incumbent on July 1, 1978, who  
74 was an assistant state's attorney, chief prosecuting attorney or deputy  
75 chief prosecuting attorney on June 30, 1973, may elect to be included in  
76 sections 51-49, 51-287 and 51-288, and, in each such case, the  
77 Comptroller shall deduct from his salary five per cent thereof as  
78 contributions for the purposes of sections 51-49, 51-287 and 51-288,  
79 provided any person who has so elected may thereafter elect to  
80 participate in chapter 66 and thereupon his past contributions to the  
81 State's Attorneys' Retirement Fund shall be transferred to the State  
82 Employees Retirement Fund and he shall be credited with all prior  
83 service. All other persons appointed under the provisions of this section

84 shall be subject to the provisions of chapter 66.

85 (4) Each Chief State's Attorney, deputy chief state's attorney or state's  
86 attorney who (A) is ineligible to elect under subdivision (3) of this  
87 subsection, (B) is not subject to the provisions of chapter 66, and (C) had  
88 vested under the State Employees Retirement Fund, prior to his  
89 appointment to such office, shall vest under the State's Attorneys'  
90 Retirement Fund upon reappointment to any such office by the Criminal  
91 Justice Commission.

92 (5) The several state's attorneys shall each hold office for [eight] five  
93 years from July first and until the appointment and qualification of a  
94 successor unless sooner removed for just cause by the Criminal Justice  
95 Commission. Beginning July 1, 2023, the commission shall biennially  
96 evaluate the performance of each state's attorney in accordance with  
97 section 51-280, as amended by this act.

98 (6) When any vacancy in the office of the Chief State's Attorney or the  
99 office of a state's attorney is to be filled, the commission shall make its  
100 appointment from the various recommendations of the Chief State's  
101 Attorney or the appropriate state's attorney. The commission shall  
102 determine how many recommendations it shall require for each  
103 appointment.

104 (7) Each deputy chief state's attorney and state's attorney incumbent  
105 on the date of certification by the Secretary of the State of the  
106 constitutional amendment concerning appointment of state's attorneys,  
107 shall serve the term for which he had been appointed prior to said date.

108 (8) When any appointment of a deputy chief state's attorney to serve  
109 as Inspector General in accordance with section 51-277e is to be made,  
110 the commission shall make such appointment by majority vote. In the  
111 event that there is a tie vote for such appointment, the chairperson of  
112 the commission shall select the nominee from amongst the candidates  
113 in the tie position and said candidate shall be appointed to serve as  
114 Inspector General.

115 Sec. 3. Subsection (c) of section 51-278b of the general statutes is  
116 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
117 *2022*):

118 (c) The Criminal Justice Commission may discipline for just cause  
119 after due notice and hearing by reprimand, demotion or suspension  
120 with or without pay from his office up to fifteen days, a chief state's  
121 attorney, deputy chief state's attorney or state's attorney. A  
122 recommendation for discipline may be initiated by the Chief State's  
123 Attorney. The Chief State's Attorney may discipline any assistant state's  
124 attorney or deputy assistant state's attorney who assists him or the  
125 appropriate state's attorney may discipline any assistant state's attorney  
126 or deputy assistant state's attorney who assists him, for just cause after  
127 due notice and hearing by reprimand, demotion or suspension with or  
128 without pay from his office up to fifteen days.

129 Sec. 4. Section 51-279a of the 2022 supplement to the general statutes  
130 is repealed and the following is substituted in lieu thereof (*Effective July*  
131 *1, 2022*):

132 (a) The Division of Criminal Justice Advisory Board is established,  
133 comprised of a nonvoting member designated by the Criminal Justice  
134 Commission, the Chief State's Attorney or his designee and the state's  
135 attorney for each judicial district or his designee. The board shall [meet  
136 at least once a month to advise on state-wide prosecutorial standards  
137 and guidelines and other policy matters, including peer review and  
138 resolution of conflicts. The board shall adopt such rules as it deems  
139 necessary for the conduct of its internal affairs.] develop uniform written  
140 policies for the Division of Criminal Justice on or before November 1,  
141 2023. The uniform policies shall be for the purpose of ensuring  
142 standardized processes across the judicial districts, eliminating bias and  
143 reducing disparities between the judicial districts. Such policies shall  
144 comprise uniform processes for the following subject areas:

145 (1) Preliminary criminal case decisions, including:

146 (A) Initiation of charges;

147 (B) Charging juveniles as adults;

148 (C) The standard of proof required to initiate and maintain charges;  
149 and

150 (D) Investigatory and discovery materials to be reviewed before  
151 charging;

152 (2) Pretrial discovery, concerning:

153 (A) Facilitation of prompt and complete initial discovery to the  
154 defense;

155 (B) Ongoing discovery to the defense when new evidence is made  
156 known to the state's attorney's office;

157 (C) Disclosure of complete files by a law enforcement agency to the  
158 state's attorney's office; and

159 (D) Provision of discovery materials prior to entering into a plea  
160 agreement and prior to the beginning of a trial;

161 (3) Plea agreements;

162 (4) Post-sentence recommendations, including:

163 (A) Factors for recommending termination of post-sentence  
164 supervised or conditional release;

165 (B) Factors for recommending pardons and other post-sentence relief;  
166 and

167 (C) The process for review of convictions and sentences challenged  
168 as unlawful;

169 (5) Compliance with and enforcement of the state constitutional  
170 rights of victims;

171 (6) Case management and staffing, including transfer, continuance  
172 and staffing standards;

173 (7) The use of a grand jury for investigations;

174 (8) Circumstances and procedures for deviating from the policies  
175 created by the advisory board pursuant to this subsection;

176 (9) A uniform assessment tool for conducting annual performance  
177 evaluations for all deputy assistant state's attorneys, assistant state's  
178 attorneys, senior assistant state's attorneys, supervisory assistant state's  
179 attorneys and any other prosecuting attorneys; and

180 (10) Uniform prosecutorial ethics standards in addition to those  
181 pertaining to all attorneys, including:

182 (A) Adoption of a comprehensive code of ethics for state's attorneys  
183 in accordance with national best practices;

184 (B) Establishment of a process for tracking oversight of ethical  
185 compliance by prosecuting attorneys within the state's attorney's  
186 judicial district;

187 (C) Adoption of a process for tracking, monitoring and correcting  
188 ethical complaints against or ethical violations by prosecuting attorneys  
189 within the state's attorney's judicial district; and

190 (11) Any other rules the advisory board deems necessary for the  
191 conduct of its internal affairs.

192 (b) Not later than sixty days after the advisory board has developed  
193 uniform policies in accordance with subsection (a) of this section, but in  
194 no event after August 15, 2023, the members of the Criminal Justice  
195 Commission shall review and approve the uniform policies developed  
196 by the advisory board, if such policies address each subdivision of  
197 subsection (a) of this section. If the commission determines that such  
198 policies do not address one or more subdivisions of subsection (a) of this  
199 section, the commission shall submit a written report to the advisory  
200 board detailing which subdivisions of subsection (a) of this section need  
201 to be addressed in revised uniform policies. The advisory board shall  
202 revise the uniform policies to address each such subdivision and shall

203 submit the revised uniform policies to the commission not later than ten  
204 days after receipt of such written report. Not later than thirty days after  
205 receipt of such revised uniform policies, the commission shall review  
206 and approve the revised uniform policies if such policies address each  
207 subdivision of subsection (a) of this section. If such revised uniform  
208 policies do not address each subdivision of subsection (a) of this section,  
209 the commission shall submit a written report to the advisory board and  
210 the advisory board shall further revise the uniform policies, in  
211 accordance with the provisions of this subsection.

212 (c) Upon approval of the policies by the Criminal Justice Commission  
213 pursuant to subsection (b) of this section, the advisory board shall vote  
214 to adopt the uniform polices on or before November 1, 2023. Upon  
215 adoption of the uniform policies and not later than November 1, 2023,  
216 the advisory board shall post the adopted uniform policies on the  
217 Division of Criminal Justice's Internet web site.

218 (d) (1) Not later than five years after the initial adoption of the policies  
219 approved pursuant to subsection (b) of this section, and every five years  
220 thereafter, the advisory board shall:

221 (A) Review the policies;

222 (B) Post on the Division of Criminal Justice's Internet web site notices  
223 concerning the time, date and place of any meeting of the advisory  
224 board for the purpose of making revisions to the uniform policies;

225 (C) Hold a public meeting with opportunity for public testimony  
226 regarding the review or revision of uniform policies; and

227 (D) Revise uniform policies, if necessary.

228 (2) Upon any such revisions, the advisory board shall submit such  
229 revised uniform policies to the Criminal Justice Commission, which  
230 shall review the revised uniform policies and approve such revised  
231 uniform policies in accordance with subsection (b) of this section. Not  
232 later than thirty days after such approval by the commission, the



233 advisory board shall vote to adopt the uniform policies. Not later than  
234 thirty days after the adoption of such revised uniform policies, the  
235 advisory board shall post the adopted revised uniform policies on the  
236 Division of Criminal Justice's Internet web site.

237 (e) The advisory board shall meet at least quarterly to review the  
238 policies adopted pursuant to subsection (b) of this section and to advise  
239 on other standards, guidelines and policy matters.

240 (f) Each state's attorney shall adopt and make available to the  
241 prosecuting attorneys within the state's attorney's judicial district the  
242 uniform policies adopted in accordance with subsection (c) of this  
243 section not later than November 1, 2023. Each state's attorney shall  
244 implement the policies within that judicial district and direct all  
245 prosecuting attorneys within the judicial district to comply with such  
246 policies. Each state's attorney shall adopt and implement any revision  
247 to the policies adopted in accordance with subsection (d) of this section.

248 (g) The advisory board shall establish a methodology for the state's  
249 attorney of each judicial district to monitor and track information  
250 regarding compliance with the uniform or revised uniform policies  
251 adopted in accordance with subsection (c) or (d) of this section.

252 *Sec. 5. (Effective December 1, 2022)* (a) There is established a task force  
253 on Uniform Policies for Prosecutorial Recommendations which shall be  
254 in the Legislative Department. The task force shall examine (1) various  
255 methods used by criminal justice systems in other jurisdictions  
256 developed to ensure that recommendations made by prosecutors to the  
257 courts on matters of sentencing and pretrial release, including, but not  
258 limited to, bail, that conform to standards designed to eliminate bias and  
259 disparities and which avoid rigid or formulaic prescriptive systems, and  
260 (2) any other issue regarding standardizing practices and outcomes  
261 between and among the judicial districts that the task force deems  
262 appropriate.

263 (b) The task force shall consist of the following members:

264 (1) The Chief State's Attorney, or the designee of the Chief State's  
265 Attorney;

266 (2) The Chief Public Defender, or the designee of the Chief Public  
267 Defender; and

268 (3) The Chief Court Administrator, or the designee of the Chief Court  
269 Administrator.

270 (c) The Chief Court Administrator, or the designee of the Chief Court  
271 Administrator shall be the chairperson of the task force and shall  
272 schedule the first meeting of the task force, which shall be held not later  
273 than sixty days after the effective date of this section. The task force shall  
274 meet between February 1, 2023, and August 1, 2023, to examine issues  
275 in accordance with subsection (a) of this section.

276 (d) The administrative staff of the joint standing committee of the  
277 General Assembly having cognizance of matters relating to the judiciary  
278 shall serve as administrative staff of the task force.

279 (e) On or before January 1, 2024, the task force shall submit a report,  
280 in accordance with the provisions of section 11-4a of the general statutes,  
281 on its findings in accordance with subsection (a) of this section and its  
282 recommendations as to which method or methods should be adopted  
283 by the Division of Criminal Justice to the joint standing committee of the  
284 General Assembly having cognizance of matters relating to the  
285 judiciary. The task force shall terminate on the date it submits such  
286 report or December 31, 2024, whichever is later.

287 Sec. 6. Section 51-279c of the general statutes is repealed and the  
288 following is substituted in lieu thereof (*Effective October 1, 2022*):

289 The Chief State's Attorney shall establish a formal training program  
290 for all newly-appointed prosecuting attorneys consisting of not less than  
291 five days and an ongoing training program for all prosecuting attorneys  
292 consisting of not less than two days each year. Such training programs  
293 shall commence January 1, 1998. On and after July 1, 2023, all such

294 training programs shall include training on (1) racial bias, including  
295 implicit bias; (2) systemic collateral consequences of arrest, charging and  
296 incarceration; (3) available conviction and sentencing alternatives; (4)  
297 victim interview techniques; (5) mental illness and trauma; and (6)  
298 reentry strategies for offenders released into the community. At least  
299 one day of each training program for newly-appointed prosecuting  
300 attorneys and such ongoing training programs shall be held in a state  
301 correctional facility.

302       Sec. 7. Section 51-280 of the 2022 supplement to the general statutes  
303 is repealed and the following is substituted in lieu thereof (*Effective*  
304 *October 1, 2022*):

305       (a) The [Chief State's Attorney and each state's attorney] Office of  
306 Policy and Management shall biennially prepare a [merit and]  
307 performance [rating] report for each state's attorney [, assistant state's  
308 attorney and deputy assistant state's attorney and shall submit the  
309 biennial merit and performance rating conducted pursuant to the policy  
310 of the Division of Criminal Justice for each state's attorney to the  
311 Criminal Justice Commission for its consideration at the time for  
312 reappointing such attorneys to any new term or terms. As part of any  
313 such biennial merit and performance rating process, the commission  
314 may call a state's attorney before the commission for questions  
315 concerning any issue raised in a biennial merit and performance rating.]  
316 based upon data collected pursuant to section 51-286j, as amended by  
317 this act. The Office of Policy and Management shall provide the  
318 performance report for the state's attorneys for New Britain, Ansonia-  
319 Milford, Middlesex, Stamford-Norwalk, Hartford and Waterbury to the  
320 Criminal Justice Commission on or before July 1, 2023, and every two  
321 years thereafter. The Office of Policy and Management shall provide the  
322 performance report for the state's attorneys for Danbury, Fairfield,  
323 Litchfield, New Haven, New London, Tolland and Windham to the  
324 Criminal Justice Commission on or before July 1, 2024, and every two  
325 years thereafter. The commission shall provide each performance report  
326 to the state's attorney who is the subject of the performance report and  
327 to the Commission on Human Rights and Opportunities and post such

328 report on the Internet web site for the Division of Criminal Justice on the  
329 same date that the performance report is provided to the commission.

330 (b) The performance report for each state's attorney required  
331 pursuant to subsection (a) of this section shall include, but need not be  
332 limited to, the following categories of data for the judicial district that  
333 the state's attorney oversees for the evaluation period:

334 (1) The disparity, if any, in outcomes for different demographic  
335 groups involved in the criminal justice process, in:

336 (A) Arrests, including citations, summonses, custody arrests,  
337 warrants and on-site arrests;

338 (B) Diversionary program applications, successful completions and  
339 failures to complete;

340 (C) Nonjudicial sanctions;

341 (D) Plea agreements, including agreements involving probation,  
342 agreements involving imprisonment, other agreements and  
343 prosecutors' last best offer;

344 (E) Trial dispositions, including dispositions involving probation,  
345 dispositions involving prison and other dispositions;

346 (F) Sentence lengths;

347 (G) Court fees or fines; and

348 (H) Restitution amounts ordered;

349 (2) The efficient, timely and consistent administration of criminal  
350 cases, as measured by the:

351 (A) Total number of cases dismissed, not prosecuted and nolle, and  
352 cases dismissed, not prosecuted and nolle as a percentage of total cases  
353 charged;

354 (B) Total number of cases resolved by plea agreement and cases  
355 resolved by plea agreement as a percentage of total cases charged;

356 (C) Total number of continuances granted; and

357 (D) Total number of cases resolved by plea agreement where the  
358 defendant pled guilty or by plea agreement where the defendant pled  
359 guilty or nolo contendere to a lesser charge than that initially charged as  
360 a percentage of total cases resolved by plea agreement;

361 (3) The proportionality of criminal justice outcomes relative to both  
362 offenses and to the community needs, as measured by the:

363 (A) Total number of cases referred for diversionary programs and  
364 cases referred for diversionary programs as a percentage of overall  
365 number of cases;

366 (B) Total number of cases with a defendant under twenty-one years  
367 of age and the percentage of cases where the defendant was charged as  
368 an adult;

369 (C) Total number of median incarceration days for sentences in  
370 misdemeanor cases and for sentences in felony cases;

371 (D) Total number of case convictions with a sentence of probation or  
372 parole for misdemeanor cases and felony cases;

373 (E) Median probation time in misdemeanor cases and felony cases;

374 (F) Percentage of cases for which restitution was ordered as part of  
375 the sentence in misdemeanor cases and felony cases;

376 (G) Total number of sentence modification requests received and  
377 total number of sentence modification requests consented to; and

378 (H) Total number of prison admissions from the judicial district as a  
379 result of convictions;

380 (4) Internal management and functioning of the state's attorney's

381 office, as measured by the:

382 (A) Existence of and compliance with a business plan for the judicial  
383 district;

384 (B) Compliance with the policies created pursuant to section 51-279a,  
385 as amended by this act;

386 (C) Overall percentage of prosecuting attorneys within the state's  
387 attorney's judicial district by race, sex, ethnicity and age, along with  
388 percentage of prosecuting attorneys within leadership positions and  
389 within nonleadership positions by race, sex, ethnicity and age;

390 (D) Overall median number of cases per prosecuting attorney within  
391 the state's attorney's judicial district, along with the number of  
392 misdemeanors and felonies charged per prosecuting attorney;

393 (E) Percentage of all cases dismissed, not prosecuted and nolleed that  
394 resulted from a lack of witness cooperation;

395 (F) Total number of meritorious ethics violations by prosecuting  
396 attorneys within the state's attorney's judicial district; and

397 (G) Median number of hours of professional and legal training  
398 completed by prosecuting attorneys within the state's attorney's judicial  
399 district, including median number of hours of training on the topics  
400 specified in section 51-279c, as amended by this act; and

401 (5) The health of communities impacted by prosecution, as measured  
402 by:

403 (A) Compliance with and enforcement of the state constitutional  
404 rights of victims, as measured pursuant to section 51-279a, as amended  
405 by this act;

406 (B) Number of staff assigned to community-based subdivisions  
407 within the state's attorney's judicial district;

408 (C) Percentage of defendants referred to diversionary programs who

409 successfully complete such programs;

410 (D) Percentage of people who were released from incarceration  
411 within the preceding three years who are homeless or without  
412 permanent or stable dwellings within the state's attorney's judicial  
413 district;

414 (E) Percentage of felony cases dismissed, not prosecuted and nolle  
415 in the highest crime zip code in the judicial district and the percentage  
416 of felony cases dismissed, not prosecuted and nolle in the lowest crime  
417 zip code in the judicial district; and

418 (F) Percentage of felony cases dismissed, not prosecuted and nolle  
419 in the highest median income zip code in the judicial district and the  
420 percentage of felony cases dismissed, not prosecuted and nolle in the  
421 lowest median income zip code in the judicial district.

422 (c) Using the performance report created by the Office of Policy and  
423 Management, the Criminal Justice Commission shall conduct a  
424 performance review of each state's attorney every two years after the  
425 Office of Policy and Management has filed performance reports for that  
426 year, with performance review for the state's attorneys for New Britain,  
427 Ansonia-Milford, Middlesex, Stamford-Norwalk, Hartford and  
428 Waterbury being conducted in even-numbered years and performance  
429 reviews for the state's attorneys for Danbury, Fairfield, Litchfield, New  
430 Haven, New London, Tolland and Windham being conducted in odd-  
431 numbered years. Each performance review shall occur at a regularly  
432 scheduled, duly noticed public meeting and shall include the  
433 opportunity for public comment. The commission shall review the  
434 performance report for each state's attorney, with the state's attorney  
435 given the opportunity to explain any discrepancies between the judicial  
436 districts or between past and present performance.

437 (d) When a state's attorney is being considered for reappointment, the  
438 performance reports created by the Office of Policy and Management  
439 and the performance reviews conducted by the Criminal Justice  
440 Commission may be considered by the Criminal Justice Commission.

441 Sec. 8. Section 51-286j of the general statutes is repealed and the  
442 following is substituted in lieu thereof (*Effective October 1, 2022*):

443 (a) The Division of Criminal Justice, in consultation with the Judicial  
444 Branch, the Department of Correction and the Criminal Justice  
445 Information System Governing Board, established under section 54-142,  
446 shall collect for the purposes of section 4-68ff disaggregated, case level  
447 data by docket number pertaining to defendants who are eighteen years  
448 of age or older at the time of the commission of an alleged offense under  
449 each of the categories described in subdivisions (1) to [(13)] (14),  
450 inclusive, of this subsection, as follows:

451 (1) Arrests, including data on citations, summonses, custody arrests,  
452 warrants and on-site arrests;

453 (2) Arraignments of individuals in custody;

454 (3) Continuances;

455 (4) Diversionary programs, including data on program applications,  
456 program diversions, successful completions by defendants of such  
457 programs, failures by defendants to complete such programs and  
458 people in diversion on the first of the month;

459 (5) Contact between victims and prosecutorial officials, including  
460 data on cases involving victims;

461 (6) Dispositions, including data on pending cases and cases disposed  
462 of;

463 (7) Nonjudicial sanctions, including data on nonjudicial sanctions  
464 applied, successful completion of nonjudicial sanctions, failure of  
465 nonjudicial sanctions and persons on nonjudicial sanction status on the  
466 first of the month;

467 (8) Plea agreements, including data on total plea agreements,  
468 agreements involving probation, agreements involving prison, other  
469 agreements and prosecutor's last best offer;



470 (9) Cases going to trial, including data on cases added per month,  
 471 pending trial cases, plea offers accepted by the court per month, plea  
 472 offers rejected by the court per month, disposition by trial, disposition  
 473 involving probation, disposition involving prison and other  
 474 dispositions;

475 (10) Demographics, including data on race, sex, ethnicity and age;

476 (11) Court fees or fines, including those imposed by the court at the  
 477 disposition of the defendant's case and any outstanding balance the  
 478 defendant may have on such fees or fines;

479 (12) Restitution amounts ordered pursuant to subsection (c) of section  
 480 53a-28, including any amount collected by the court and any amount  
 481 paid to a victim; [and]

482 (13) The zip code of the defendant's primary residence; and

483 (14) Uses of force investigated by the Office of the Inspector General.

484 (b) No information collected under this section that personally  
 485 identifies a victim may be disclosed under section 4-68ff.

486 Sec. 9. Section 51-277c of the general statutes is repealed. (*Effective*  
 487 *October 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	51-275a(h)
Sec. 2	<i>October 1, 2022</i>	51-278(b)
Sec. 3	<i>July 1, 2022</i>	51-278b(c)
Sec. 4	<i>July 1, 2022</i>	51-279a
Sec. 5	<i>December 1, 2022</i>	New section
Sec. 6	<i>October 1, 2022</i>	51-279c
Sec. 7	<i>October 1, 2022</i>	51-280
Sec. 8	<i>October 1, 2022</i>	51-286j
Sec. 9	<i>October 1, 2022</i>	Repealer section

**Statement of Purpose:**

To (1) increase prosecutorial accountability by (A) providing that the Criminal Justice Commission be an autonomous body, (B) requiring biennial performance evaluations of state's attorneys, (C) requiring adoption and implementation of uniform policies, (D) amending training requirements for prosecutors, (E) outlining data upon which state's attorney performance ratings are based, (F) making policies and reports available online, and (G) adding use of force investigations as a category for which case level data is collected, and (2) repeal the requirement that in the investigation and prosecution of crime, priority be given to crimes involving physical violence or the possession of a firearm.

*[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.]*