

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-111—sHB 5499

Judiciary Committee

**AN ACT CONCERNING THE CRIMINAL JUSTICE COMMISSION AND
THE DIVISION OF CRIMINAL JUSTICE**

SUMMARY: This act allows the Criminal Justice Commission to reprimand and suspend the chief state’s attorney, rather than only being able to remove him, as under prior law. (While the chief state’s attorney is a commission member, he is not included in the commission for these purposes.)

The act also prohibits (1) the chief state’s attorney, deputy chief state’s attorneys, and state’s attorneys from being an elected officer of the state or any political subdivision and (2) full-time assistant state’s attorneys and deputy assistant state’s attorneys from being an elected state officer.

The act also makes technical changes.

EFFECTIVE DATE: October 1, 2022

REPRIMANDS AND SUSPENSION

By law, the Criminal Justice Commission may investigate the chief state’s attorney when it has reason to believe or has the opinion that he is guilty of misconduct, material neglect of duty, or incompetence in conducting his office. Existing law requires the commission to prepare a written statement of the charges against the chief state’s attorney and summon the official to appear before the commission to show why he should not be removed from office. The act generally applies this process to reprimands and suspensions, whether with or without pay.

As under existing law, the chief state’s attorney has the right to appear with counsel and witnesses and be fully heard. As under the law for removals, if the commission finds that evidence warrants a reprimand or suspension after the hearing, it must make the order in writing.

BACKGROUND

Criminal Justice Commission

The state constitution establishes the Criminal Justice Commission and charges it with appointing a state’s attorney for each judicial district and other attorneys as prescribed by law (Ct. Const., Art. XXIII; CGS § 51-278). It consists of seven members: the chief state’s attorney and six members appointed by the governor and confirmed by the General Assembly. Two of the appointed members must be Superior Court judges.