

Senate, April 7, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING ESCAPE FROM CUSTODY.

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

1 Section 53a-169 of the general statutes is
2 repealed and the following is substituted in lieu
3 thereof:

4 (a) A person is guilty of escape in the first
5 degree (1) if he escapes from a correctional
6 institution or (2) if he escapes from any public
7 or private, nonprofit halfway house, group home or
8 mental health facility or community residence to
9 which he was transferred pursuant to subsection
10 (e) of section 18-100 OR SECTION 18-100c or from
11 his abode to which he was released pursuant to
12 subsection (f) of section 18-100 and he is in the
13 custody of the Commissioner of Correction or is
14 required to be returned to the custody of said
15 commissioner upon his release from such facility
16 or (3) if he escapes from a work detail or school
17 on the premises of the correctional institution or
18 (4) if he fails to return from a furlough
19 authorized under section 18-101a or (5) if he
20 fails to return from work release or education
21 release as authorized under sections 18-90a and
22 18-100 or (6) if he escapes from a hospital for
23 mental illness in which he has been confined under
24 the provisions of section 17a-582, 17a-584,

25 17a-593, 17a-594 or 17a-596 or (7) if, while under
26 the jurisdiction of the Psychiatric Security
27 Review Board, but not confined to a hospital for
28 mental illness, he leaves the state without
29 authorization of the board.

30 (b) Escape in the first degree is a class C
31 felony.

32 JUD COMMITTEE VOTE: YEA 35 NAY 0 JF

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SB 609

STATE IMPACT	Potential Future Cost, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Criminal Justice Agencies

EXPLANATION OF ESTIMATES:

STATE IMPACT: The expansion of the penalty for first degree escape to include those on transitional supervision would result in increased pressures on the criminal justice system. Over the long term, these pressures would lead to a need for increased criminal justice resources, especially for incarceration and community supervision. On 12/31/97, 60 individuals were incarcerated with escape in the first degree as their primary charge. Although direct cost quantification is problematic, it should be noted that sHB 5021 (the revised Appropriations Act for FY 1998-99 as favorably reported by Appropriations) includes \$5.4 million to address overcrowding in the state's prisons and jails. In addition, the Public Defender Services Commission is currently under suit by the American Civil Liberties Union relating to the adequacy of funding for public defenders. Increases in criminal penalties will at some point require additional funds for criminal justice agencies in order to maintain adequate enforcement of other criminal laws.

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OLR BILL ANALYSIS

SB 609

AN ACT CONCERNING ESCAPE FROM CUSTODY

SUMMARY: This bill makes running away from any approved community correction program first-degree escape. Although the bill uses the term "community correction program," it is referring to the Department of Correction's (DOC) transitional supervision program.

By law, inmates sentenced to two years or less can be released by the DOC commissioner to transitional supervision after they have served 50% of their sentences. These inmates are supervised by DOC employees in much the same way that parolees are supervised by parole officers.

Inmates released to half-way houses, group homes, mental health facilities, and on work or education release or furloughs are already subject to first-degree escape if they run away.

First-degree escape is a class C felony punishable by a fine of up to \$10,000, imprisonment for one to 10 years, or both.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report
Yea 35 Nay 0