



Substitute Senate Bill No. 880

Public Act No. 19-59

**AN ACT INCREASING FAIRNESS AND TRANSPARENCY IN THE
CRIMINAL JUSTICE SYSTEM.**

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

Section 1. (NEW) (*Effective July 1, 2019*) (a) Not later than July 1, 2020, and annually thereafter, the Office of Policy and Management shall make a presentation to the Criminal Justice Commission, established under section 51-275a of the general statutes, as amended by this act, on existing prosecutorial data, and report such presentation in accordance with the provisions of section 11-4a of the general statutes to the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary and make such presentation publicly available on the Internet web site of the Office of Policy and Management. The Office of Policy and Management shall include in any such presentation made on or after July 1, 2021, data described in subsection (b) of this section.

(b) Not later than February 1, 2021, and annually thereafter, the Division of Criminal Justice, in consultation with the Judicial Branch, the Department of Correction and the Criminal Justice Information System Governing Board, established under section 54-142 of the general statutes, shall provide to the Office of Policy and Management

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data collected under section 2 of this act for the previous calendar year.

Sec. 2. (NEW) (*Effective July 1, 2019*) (a) The Division of Criminal Justice, in consultation with the Judicial Branch, the Department of Correction and the Criminal Justice Information System Governing Board, established under section 54-142 of the general statutes, shall collect for the purposes of section 1 of this act disaggregated, case level data by docket number pertaining to defendants who are eighteen years of age or older at the time of the commission of an alleged offense under each of the categories described in subdivisions (1) to (13), inclusive, of this subsection, as follows:

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

(2) Arraignments of individuals in custody;

(3) Continuances;

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

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

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

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

(8) Plea agreements, including data on total plea agreements,

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agreements involving probation, agreements involving prison, other agreements and prosecutor's last best offer;

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

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

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

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

(13) The zip code of the defendant's primary residence.

(b) No information collected under this section that personally identifies a victim may be disclosed under section 1 of this act.

Sec. 3. (NEW) (*Effective July 1, 2019*) The Chief Public Defender shall, within available appropriations, establish a pilot program to provide representation to persons at parole revocation hearings. Not later than January 1, 2021, and annually thereafter, the Chief Public Defender shall submit a report to the Secretary of the Office of Policy and Management on cases served as part of such program during the prior calendar year. Such report shall aggregate information, including, but not limited to, the number of public defenders funded through the pilot program, the number of preliminary hearings and final parole revocation hearings served by such public defenders and the associated outcomes of such hearings.

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Sec. 4. (NEW) (*Effective July 1, 2019*) Not later than January 1, 2021, and annually thereafter, the Board of Pardons and Paroles shall report to the Secretary of the Office of Policy and Management and make available on its Internet web site the following information:

(1) Outcomes of preliminary hearings, including whether (A) probable cause of a parole violation was found and that the alleged violation was serious enough to warrant revocation of parole, (B) probable cause of a parole violation was found, but the alleged violation was not serious enough to warrant revocation, and (C) no probable cause of a parole violation was found;

(2) The number of (A) individuals remanded to the custody of the Department of Correction for criminal and technical violations, and (B) individuals held in custody beyond a preliminary hearing pending a final parole revocation hearing;

(3) Outcomes of final parole revocation hearings, including whether there was a recommendation to (A) reinstate parole, or (B) revoke parole; and

(4) Case level data on demographics, including data on race, sex, ethnicity and age.

Sec. 5. Section 51-275a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) There is established a Criminal Justice Commission which shall be composed of the Chief State's Attorney and six members nominated by the Governor and appointed by the General Assembly in accordance with section 4-2, two of whom shall be judges of the Superior Court.

(b) The chairman shall be appointed by the Governor.

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(c) Members shall serve without compensation but shall be reimbursed for actual expenses incurred while engaged in the duties of the commission.

(d) The commission shall post notices concerning the time, date and place of meetings of the commission on an Internet web site operated by the commission.

(e) Any meeting of the commission held pursuant to section 51-278 or section 51-278b, the sole purpose of which is to appoint, reappoint, remove or otherwise discipline the Chief State's Attorney, a deputy chief state's attorney or a state's attorney, shall be held in the Legislative Office Building and shall include an opportunity for public testimony.

[(d)] (f) The commission may adopt such rules as it deems necessary for the conduct of its internal affairs.

[(e)] (g) The commission may adopt regulations in accordance with chapter 54 to carry out its responsibilities under this chapter.

[(f)] (h) The commission shall be within the Division of Criminal Justice. Said division shall provide staff support for the commission.

Approved July 1, 2019