



Agency Legislative Proposal – 2024 Session

Document Name:

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Naming Format: AGENCY ACRONYM PROPOSAL NUMBER - TOPIC

Please insert a copy of the fully drafted bill at the end of this document (required for review)

Legislative Liaison	David McCluskey
Division Requesting This Proposal	Commissioner's Office
Drafter	Director of Legal Affairs Nicole Anker

Title of Proposal	An Act Concerning the Department of Correction
Statutory Reference, if any	C.G.S. 18-8100, 18-85 and C.G.S. 54-53
Brief Summary and Statement of Purpose	This proposal makes three revisions to statutes affecting the Department of Correction.

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 makes revisions to Section 18-8100 concerning communications in correctional facilities. One change reflects current practice and the other allows the commissioner to restrict phone usage for inmates on administrative segregation status, security risk group status or special needs status.



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Section 2 makes revisions to Section 18-85 concerning the compensation of inmates. The changes made last year to this section of the statute must be revised in order that inmates' compensation is not inadvertently reduced from their current levels.

Section 3 makes revisions to Section 54-53 concerning release by correctional officials. C.G.S 54-66 was recently changed so that people could post a cash bail of 7% instead of 10% for certain crimes. The problem with 7% is that it leads to amounts that are fractions of dollars, meaning DOC must accept coins (and transmit those coins to the court the next day), which is problematic. Rounding down the bail amount to the nearest whole dollar eliminates this problem.

BACKGROUND

Origin of Proposal ☒ **New Proposal** ☐ **Resubmission**

If this is a resubmission, please share the prior bill number, the reason the bill did not move forward, and any changes made or conversations had since it was last proposed:
N/A

Please consider the following, if applicable:

How does this proposal connect to the 10-year vision for the agency's mission?	N/A
How will we measure if the proposal successfully accomplishes its goals?	Inmate phone calls will not cause disruption or other problems, inmate pay will be correctly determined and bail process will proceed normally.
Have there been changes in federal/state laws or regulations that make this	Yes. All 3 proposals address recent state changes – 2 legislative, the other by the Judicial Branch - affecting inmate phone calls, inmate compensation and bail.



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legislation necessary?	
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	Not really possible or useful to compare since most states do not have unified correctional systems and inmate phone calls, inmate compensation and bail systems are all unique for every jurisdiction.
Have certain constituencies called for this proposal?	No.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

☒ Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

☐ Check here if this proposal does NOT have a fiscal impact



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State	Section 2 of the proposal makes bail process more efficient.
Municipal (Include any municipal mandate that can be found within legislation)	N/A
Federal	N/A
Additional notes	N/A

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

No.

INSERT FULLY DRAFTED BILL HERE



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REVISIONS TO C.G.S. 18-8100

(a) The Commissioner of Correction shall not use the provision of voice communication service or any other communication service to persons who are in the custody of the commissioner and confined in a correctional facility to supplant in-person contact visits any such person may be eligible to receive.

(b)

(1) On and after July 1, 2022, the commissioner shall provide voice communication service to persons who are in the custody of the commissioner and confined in a correctional facility. The commissioner may supplement such voice communication service with any other communication service, including, but not limited to, video communication and electronic mail services. Any such communication service shall be provided free of charge to such persons and any communication, whether initiated or received through any such service, shall be free of charge to the person initiating or receiving the communication.

(2) Each person in the custody of the commissioner and confined in a correctional facility shall be eligible to use the voice communication service described in subdivision (1) of this subsection for [at least ninety minutes] six calls lasting up to fifteen minutes each on each day of such person's confinement, provided the provisions of this subdivision shall not be interpreted to interfere with the standard operations of the facility in which such person is confined or to impact the ability of the commissioner to restrict the number or length of phone calls for any individual on administrative segregation status, security risk group status, or special needs status.

(c) On and after July 1, 2022, the state shall not receive revenue for the provision of any communication service to any person in the custody of the commissioner and confined in a correctional facility.

Revision to C.G.S. 18-85

(a) The Commissioner of Correction, after consultation with the Commissioner of Administrative Services and the Secretary of the Office of Policy and Management, shall establish a schedule of compensation for services performed on behalf of the state by inmates of any institution or facility of the department. Such schedule shall (1) recognize degrees of merit, diligence and skill in order to encourage inmate incentive and industry, and (2) establish a pay [range] rate of not less than [five] one dollar[s] per [week]day [, but not greater than ten dollars per week]with higher rates based on skill level and other factors at the discretion of the Commissioner or designee.

(b) Compensation so earned shall be deposited, under the direction of the Commissioner of Correction, in an account in a savings bank or state bank and trust company in this state or an account administered by the State Treasurer. Any compensation so earned shall be paid to the inmate on the inmate's release from incarceration in the form of a debit card, except that the commissioner may, while the inmate is in custody, disburse any compensation earned by such inmate in accordance with the following priorities:

(1) Federal taxes due; (2) restitution or payment of compensation to a crime victim ordered by any court of competent jurisdiction; (3) payment of a civil judgment rendered in favor of a crime victim by any court of competent jurisdiction; (4) victims compensation through the criminal injuries account administered by the Office of Victim Services; (5) state taxes due; (6) support of the inmate's dependents, if any; (7) the inmate's necessary travel expense to and from work and other incidental expenses; (8) costs of such inmate's incarceration under section 18-85a and regulations adopted in accordance with said section; and (9) payment to the clerk of the court in which an inmate, confined in a correctional facility only for payment of a fine, was convicted, such portion of such compensation as is necessary to pay such fine. Any interest that accrues shall be credited to any institutional fund established for the welfare of



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inmates. Compensation under this section shall be in addition to any compensation received or credited under section 18-50.

REVISION TO C.G.S. 54-53

Each person detained in a community correctional center pursuant to the issuance of a bench warrant of arrest or for arraignment, sentencing or trial for an offense not punishable by death shall be entitled to bail and shall be released from such institution upon entering into a recognizance, with sufficient surety, or upon posting cash bail, rounded down to the nearest whole dollar, as provided in section 54-66, for the detained person's appearance before the court having cognizance of the offense, to be taken by any person designated by the Commissioner of Correction at the institution where the person is detained. The person so designated shall deliver the recognizance or cash bail to the clerk of the appropriate court before the opening of the court on the first court day thereafter. When cash bail in excess of ten thousand dollars is received for a detained person accused of a felony, where the underlying facts and circumstances of the felony involve the use, attempted use or threatened use of physical force against another person, the person so designated shall prepare a report that contains (1) the name, address and taxpayer identification number of the detained person, (2) the name, address and taxpayer identification number of each person offering the cash bail, other than a person licensed as a professional bondsman under chapter 533 or a surety bail bond agent under chapter 700f, (3) the amount of cash received, and (4) the date the cash was received. Not later than fifteen days after receipt of such cash bail, the person so designated shall file the report with the Department of Revenue Services and mail a copy of the report to the state's attorney for the judicial district in which the alleged offense was committed and to each person offering the cash bail.