



## Agency Legislative Proposal - 2020 Session

**Document Name:** DOC 2020 Legislative Proposals Submission

(If submitting electronically, please label with date, agency, and title of proposal – 092620\_SDE\_TechRevisions)

State Agency: CT Department of Correction
<b>Liaison:</b> David McCluskey <b>Phone:</b> 860-692-7510 <b>E-mail:</b> David.Mccluskey@ct.gov
Lead agency division requesting this proposal: Commissioner’s Office
Agency Analyst/Drafter of Proposal: David McCluskey

<b>Title of Proposal:</b> An Act Concerning the Department of Correction
<b>Statutory Reference:</b> C.G.S. 18-81bb and 18-18h
<b>Proposal Summary:</b> This proposal makes several unrelated changes and additions to statute affecting the Department of Correction.

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

The 1st proposal increases the likelihood of federal Department of Justice Adult Reentry and Employment funds. The second proposal is in response to negative State Auditors findings. The third proposal makes the serving of process more efficient for both the State Marshals and Department of Correction employees. The fourth proposal provides the same safety and security exemption for the CT Personal Data Act as is already under the Freedom of Information statute. The fifth and final proposal removes an obsolete provision which prevents the Department of Correction’s Unified School District # 1 from accessing federal Adult Education dollars.

◇ Origin of Proposal       New Proposal       Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

### PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

**Agency Name:** State Marshall Commission/Department of Administrative Services  
**Agency Contact (name, title, phone):** Atty. Erin Choquette, Legal & Policy Director, 860-713-5276  
**Date Contacted:** [Click here to enter text.](#)

Approve of Proposal     YES     NO     Talks Ongoing

**Summary of Affected Agency's Comments**

[Click here to enter text.](#)

Will there need to be further negotiation?     YES     NO

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

N/A

**State**

All 5 proposals have marginal revenue impact, cost avoidance.

**Federal**

N/A

**Additional notes on fiscal impact**

[Click here to enter text.](#)



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

The first proposal has the potential to improve the curricula of DOC's vocational education programming; improve the operations of DOC's Correctional Enterprises; and increase the number of occupational certificates and employment opportunities for inmates. The second proposal reflects current practice and avoid unnecessary operational changes. The third proposal improves the serving of process by State Marshalls to DOC employees. The fourth proposal provides additional safety and security to DOC employees and DOC operations. The fifth and final proposal does not affect policy/programming directly.

◇ **EVIDENCE BASE**

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

None of the five proposals have significant measureable data impact.

**Insert fully drafted bill here**

Section 1.

(New)

(Effective July 1, 2020):

There is established a Reentry Employment Advisory Committee which shall assist the Unified School District #1, as defined in C.G.S. 18-99a, in the review and development of its vocational education curricula as well as potential licenses, certifications and apprenticeships. The Advisory Committee shall also assist Institutional Industries, as defined in C.G.S. 18-88, in the review and development of its products and services as well as potential licenses and certifications. The Committee shall be consist of: a representative of the Connecticut Business and Industry Association, a representative of the Connecticut Construction Industries Association, a representative of the Connecticut Society for Human Resource Management Human Resource Council, a representative of the Connecticut State Building and Construction Trades Council, AFL-CIO, a representative of the Department of Labor, a representative of the Connecticut Technical Education and Career System, a representative from one of the Regional Workforce Development Boards, the Department of Correction director of Reentry Services, superintendent of Unified School District # 1, and the superintendent of institution industries. The Committee shall meet as needed, but no less than twice a year.

Section 2

Section 18-81h of the general statutes is repealed and the following is substituted in lieu thereof

(Effective October 1, 2020):



**Sec. 18-81h. Public safety committees established in municipalities with correctional facilities. Report.** (a) [The Department of Correction shall] EACH MUNICIPALITY IN WHICH A CORRECTIONAL FACILITY IS LOCATED MAY establish a public safety committee [in each municipality in which a correctional facility is located]. Each committee shall be composed of the warden or [superintendent] DESIGNEE of the correctional facility and representatives appointed by the chief elected official of the municipality. Each committee shall meet AS NEEDED BUT not less than [quarterly] ANNUALLY to review correctional safety and security issues AND REENTRY EFFORTS which affect the host municipality.

(b) On or before November 1, 1995, and annually thereafter, each public safety committee shall submit a report to the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to public safety AND JUDICIARY which outlines issues of concern in each municipality in which a correctional facility is located and makes recommendations to mitigate such concerns.

Section 18-81bb is repealed.

#### Section 3

Section 52-54 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

**Sec. 52-54. Service of summons.** The service of a writ of summons shall be made by the officer reading it and the complaint accompanying it in the hearing of the defendant or by leaving an attested copy thereof with him or at his usual place of abode. When service is made by leaving an attested copy at the defendant's usual place of abode, the officer making service shall note in his return the address at which such attested copy was left.

(NEW)

IN ANY CIVIL ACTION COMMENCED AGAINST ANY EMPLOYEE OF THE DEPARTMENT OF CORRECTION THAT RESULTS FROM THEIR ACTIONS OR INACTIONS AS A DEPARTMENT OF CORRECTION EMPLOYEE MAY BE SERVED UPON A PERSON DESIGNATED BY THE COMMISSIONER OF CORRECTION AT THE CORRECTIONAL FACILITY WHERE THAT EMPLOYEE IS ASSIGNED, WHO SHALL ACT AS THE AGENT OF THE EMPLOYEE NAMED IN THE COMPLAINT. SERVICE UPON THE AGENT SHALL BE DEEMED TO BE SERVICE UPON THE EMPLOYEE.

#### Section 4

Section 4-190 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

As used in this chapter:

- (1) "Agency" means each state or municipal board, commission, department or officer, other than the legislature, courts, Governor, Lieutenant Governor, Attorney General or town or regional boards of education, which maintains a personal data system.
- (2) "Attorney" means an attorney at law empowered by a person to assert the confidentiality of or right of access to personal data under this chapter.
- (3) "Authorized representative" means a parent, or a guardian or conservator, other than an attorney, appointed to act on behalf of a person and empowered by such person to assert the confidentiality of or right of access to personal data under this chapter.
- (4) "Automated personal data system" means a personal data system in which data is stored, in whole or part, in a computer or in computer accessible files.



- (5) "Computer accessible files" means any personal data which is stored on-line or off-line, which can be identified by use of electronic means, including but not limited to microfilm and microfilm devices, which includes but is not limited to magnetic tape, magnetic film, magnetic disks, magnetic drums, internal memory utilized by any processing device, including computers or telecommunications control units, punched cards, optically scannable paper or film.
- (6) "Maintain" means collect, maintain, use or disseminate.
- (7) "Manual personal data system" means a personal data system other than an automated personal data system.
- (8) "Person" means an individual of any age concerning whom personal data is maintained in a personal data system, or a person's attorney or authorized representative.
- (9) "Personal data" means any information about a person's education, finances, medical or emotional condition or history, employment or business history, family or personal relationships, reputation or character which because of name, identifying number, mark or description can be readily associated with a particular person. "Personal data" shall not be construed to make available to a person any record described in **subdivision (3) SUBDIVISION (18) of subsection (b) of section 1-210**.
- (10) "Personal data system" means a collection of records containing personal data.
- (11) "Record" means any collection of personal data, defined in subdivision (9), which is collected, maintained or disseminated.

#### Section 5

Section 10-73b of the general statutes is repealed and the following is substituted in lieu thereof  
(Effective October 1, 2020):

**Sec. 10-73b. Grants for adult education services or programs conforming to state plan.** Any local or regional board of education [, except a state-operated school district,] which provides programs or services of adult education which conform to the state plan approved under the provisions of the federal Adult Education Act of 1974 and which are approved by the State Board of Education, shall be eligible to receive grants under this section as specified in the state plan. The State Board of Education may expend in any fiscal year for administration of programs established pursuant to this section not more than five per cent of any state funds granted to said board for such programs.