



**Governor Ned Lamont
State of Connecticut**



FACT SHEET
2019 Legislative Session

**SENATE BILL 880
AN ACT INCREASING FAIRNESS AND TRANSPARENCY
IN THE CRIMINAL JUSTICE SYSTEM**

Summary of Proposal:

This proposal increases fairness and transparency as people enter and exit Connecticut's criminal justice system.

It requires the Office of Policy and Management and the Division of Criminal Justice, in consultation with the Judicial Branch, the Department of Correction, and the Criminal Justice Information System Governing Board, to report information that is currently or will soon be available in existing data systems as well as in a prosecutor case management system and cross-system information sharing system, and sets timelines accordingly. That information will improve state policymakers' empirical understanding of the front-end of the criminal justice system and inform efforts of the Criminal Justice Commission, the body that appoints Connecticut's prosecutors. The data analysis will provide information about opportunities to increase prosecutor-led diversion, understand factors contributing to racial and ethnic and racial disproportionality, and improve communities' confidence in system transparency.

The proposal also charges the Chief Public Defender with establishing a pilot program to provide representation to indigent people awaiting parole revocation hearings. Although defendants who qualify for appointed counsel may be represented at trial, counsel is not provided at scale to the population appearing at parole violation hearings. People at parole violation hearings navigate a complicated process that is even more confusing if they are without means, incarcerated, or have mental health or substance addiction disorders. This investment builds on several years of planning by the DOC and BOPP in partnership with Yale Law School to improve the parole revocation process and increases fairness in our system. The pilot program requires the Chief Public Defender to collect and report information that will increase system transparency and our empirical understanding of parole violation hearings in Connecticut.

Reason for Proposal:

The proposal addresses critical gaps in our ability to make informed decisions that would lower recidivism, avoid cost, and increase public safety.

Currently—due largely to resource, information-technology, and personnel constraints—few data are collected, analyzed, and reported from state's attorneys' offices across Connecticut. Along with impeding efforts to manage cases in state's attorneys' offices efficiently, the lack of data limits attempts

Contacts:

Governor's Office • Office of Policy and Management • State Capitol

www.governor.ct.gov • @GovNedLamont

at the state policy level to support data-driven prosecutorial decision-making. Example of such decision-making efforts include: targeting resources and training for prosecutors, identifying trends, setting goals, and measuring success. In the community, the lack of available data—in contrast to what is available from police departments, supervision, and incarceration—reduces transparency in the criminal justice system.

The bill's intention is to pull case-level information stored in various data systems and avoid specialized collection. To that end, after introduction of the legislation, work with criminal justice stakeholders will resume to revise data reporting requirements to focus the list of necessary data and reduce burdens on agencies providing the data. To avoid requiring the collection of sensitive information, the proposal does require the collection of data related to crime victims. New language may be added based on further input from victims and their advocates.

Significant Impacts:

The Governor's proposed budget recommends funding for the Office of the Chief Public Defender of \$250,000 to hire two attorneys, one social worker, and one paralegal for the pilot project to provide appointed counsel at parole violation hearings.

The proposed budget also recommends continued support for a case management system for prosecutors as well as \$8.9 million in new capital funding for the Criminal Justice Information System (CJIS). CJIS' Connecticut Information Sharing System enables credentialed criminal justice professionals to share electronic information instantly. Information would be collected from both systems to report data starting in 2021.

Section Detail

Secs. 1-2 require the increased collection, analysis, presentation of data covering the screening and charging of defendants, court proceedings, pretrial processes, and sentencing. The Office of Policy and Management ("OPM") is to begin immediately collecting and analyzing existing prosecutorial data within the criminal justice system, and must present an analysis of that existing data to the Criminal Justice Commission no later than July 1, 2020. Starting in 2021, the Division of Criminal Justice, in consultation with the Department of Correction, the Judicial Branch, and the Criminal Justice Information System Governing Board, to provide detailed data to OPM relating to four domains: defendants in criminal cases, alleged offenses and court proceedings, pretrial release determinations including bail and bond payments, and sentencing. OPM is to incorporate that new data into its analysis and presentation in July 2021, and annually thereafter.

Sec. 3 requires the Chief Public Defender to establish a pilot program for the provision of legal representation services to people at parole violation hearings to ensure that parolees who are indigent have help navigating the violation hearing process and to report to OPM on information relating to this pilot program.