

CRIMINAL JUSTICE POLICY ADVISORY COMMISSION (CJPAC)

Minutes

FOR

Thursday, September 27, 2012 MEETING

Legislative Office Building Room 2A

300 Capitol Avenue, Hartford, CT 06106

Members Present: Chairman Mike Lawlor, *Undersecretary, Criminal Justice Policy and Planning Division, OPM*; Barbara Claire, *Department of Children and Families*; Patricia Rehmer, *Commissioner, Department of Mental Health and Addiction Services*; Dan Bannish, *Director of Behavioral Health, Department of Corrections*; Tina Greaves, *Director of Victim Advocacy for Connecticut Sexual Assault Crisis Services*; Dennis Murphy, *Deputy Commissioner, Department of Labor*; Kevin Kane, *Chief State's Attorney*; Patrick Carroll, *Deputy Chief Court Administrator*; Bill Carbone, *Executive Director, Court Support Services, Judicial Branch*; Laurie Deneen, *Public Member*; Rick Healy, *Public Member*; Scott Kaupin, *Mayor, Town of Enfield*; James Kenney, *Chief, Vernon Police Department/Connecticut Police Chiefs Association*; Claudette Beaulieu, *Deputy Commissioner, Department of Social Services*; Cheryl Cepelak, *Deputy Commissioner, Department of Corrections*; Rueben Bradford, *Commissioner, Department of Emergency Services and Public Protection*; John DeFeo, *Executive Director, Board of Pardons and Paroles*

I. Welcome and Policy Update

The meeting was called to order at 9:17 a.m. Chairman Lawlor began by stating that the general theme of the CJPAC meeting would focus on the Risk-Reduction Earned Credits.

II. Approval of Minutes

A motion to accept the minutes was moved and seconded. Minutes were accepted unanimously

III. Introductions

Members introduced themselves and what agency they represented.

IV. Commission Correspondence

There was no commission correspondence.

V. Presentation by DOC & OPM: Risk Reduction Earned Credit

Chairman Lawlor introduced the format of the presentation to the members. Chairman Lawlor stated that he would present the initial slides, followed by Director of the Connecticut Statistical

Analysis Center for the Office of Policy and Management Ivan Kuzyk, who will provide statistical updates, and Director of the Department of Offender Classification and Population Management for the Department of Corrections Karl Lewis, who will provide technical details regarding how the Risk-Reduction Earned Credits (RREC) is administered.

Chairman Lawlor explained the overall purpose and goals of the. Seeking to reduce the overall crime rate and to reduce recidivism, the RREC program was enacted to enroll inmates in programs that could provide offenders with new skills and opportunities for success so that they do not repeat their crimes. Chairman Lawlor cited a report on seven states produced by the Council of State Government's Justice Center, which stated that over the past few years, these seven states initiated data-based practices that seek to reduce crime through reducing offender recidivism. The results of these new practices and policies resulted in the reduction of crime, inmate population, and recidivism within each of these seven states.

At its peak, inmate population in the state of Connecticut was at 19,900 inmates in February of 2008, during the aftermath of the Cheshire home invasion. But since February of 2008, there has been a gradual decrease in the total prison population as a result of decreases in returning offenders and new offenders entering the system. Chairman Lawlor explained that in 2009, Commissioner of the Department of Corrections explained that the state should seek to adopt a system that incentivizes inmates to engage in evidence-based programs.

Chairman Lawlor then presented a data chart which outlines the decreasing trend in sentenced inmates being admitted to the corrections system, noting that there is a 14% decrease over the past four years. Chairman Lawlor also noted that based upon a chart that tracked month-to-month arrests between 2011 and 2012, that August of 2012 had a 13% drop in arrests compared to August of 2011, and that 2011 overall has experienced a historically low level of arrests. Chairman Lawlor indicated that as a result of the current figures, 2012 could prove to have even lower levels of arrests in the state than 2011.

Chairman Lawlor then listed through the other programs that have been in place for several years, explaining that most programs have seen steady levels or drops in their usage as a result of decreased prison populations, except for the Special Parole program. This non-discretionary program has gone up because it is being seen as an important option during the sentencing process for post-release supervision is ensured. The array of programs are explained by Chairman Lawlor as the direct result of utilizing data-based risk assessments incorporated into the discretionary decisions made by members of the Department of Corrections. The adoption of RREC is at the most basic level an additional mechanism that provides additional insight into an individual offender.

Chairman Lawlor discussed the case of Frankie Resto a participant of the RREC program who has been charged in the robbery of a gas station and the murder of the owner. Seeking to compare Mr. Resto's time served to his peers prior to their release, an analysis was undertaken that sought out every inmate released in 2008 of the same crime or same level of crime as Mr. Resto, as well as the same risk assessment level that he had at the time of his release. Forty-two inmates met the criteria in 2008, which was chosen for the study because it was observed as an especially conservative year as a result of the Cheshire home invasion in 2007. Based upon the data provided, Mr. Resto served roughly 91 percent of his entire sentence (75 months), and that he was also at the very high end of this group of 42, meaning he served more time than a majority of his peers. Chairman Lawlor noted the wide range of sentences when comparing the inmates, as some served as little as one year for their crime and well below the 85 percent because they were not incorporated into the new program.

Chairman Lawlor concluded by reiterating the policy purpose of the RREC, and the improvements made to institutional programs over the past year. Chairman Lawlor noted that these improvements parallel those made by a wide range of states with varying political leanings, inferring that the state is joining a trend that will reduce recidivism and overall crime within the state of Connecticut through non-partisan policies. Chairman Lawlor introduced Ivan Kuzyk to present specific data that indicates recidivism has indeed decline in Connecticut.

Ivan Kuzyk, Office of Policy and Management's Statistical Analysis Center, began his presentation by stating that this report was a joint effort by himself and Karl Lewis, the Director of the Department of Offender Classification and Population Management at the Department of Corrections, who would be joining Ivan Kuzyk later. He stated the purpose of the report was to provide the public and the commission with a very direct explanation of the operation and implementation of the RREC.

He explained that almost half of all inmates which exit the system on a monthly basis are doing so through a discretionary program that required the inmate to enroll in a program that would lead them away from becoming repeat offender. It was highlighted that RREC is applied to offenders who were either already in community programs and those who have been placed in institutions. Ivan Kuzyk mentioned that 8,900 inmates have been eligible for RREC between October of 2010 and September of 2012. Out of the 8,900, only 8,700 earned at least one day of earned credit. The average number of of days awarded to offenders was 60 days, and the median was 32 days, meaning half of all offenders were awarded less than 30 days of early release. He went on to explain that 19 percent received one to two months, 10 percent between two and three months, and the remainder receiving more than three months. Ivan Kuzyk noted

that offenders that were in community programs were on likely to receive more credit than those who were held in an institution.

Karl Lewis introduced himself to the commission and explained his part in the presentation. His goal was to explain to the commission and the public viewing the presentation exactly how the Department of Corrections put the RREC program into operation. Karl Lewis provided the commission a brief historical perspective of the state's sentencing structure over the past three decades, noting the gradual increase in stringency for inmates to receive credit or reductions in their sentences. He also felt it important to note that the RREC is the most restrictive in terms of the amount of credit available and the eligibility criteria compared to any other program in effect at the DOC. Karl Lewis continued with a slide that summarized how the implementation has affected the environment of the corrections system since it was rolled out. He highlighted that when compared the 2010-2011, 2011-2012 has so far seen inmate-on-inmate assaults reduce by 11 percent, disciplinary reports decline 6 percent, program participation increase and waiting lists decrease, the number of program sessions increase, and that the overall prison population decline continue to decline.

Karl Lewis concluded his presentation with a final update to the process, in which the DOC is establishing a Discharge Review Board that will have a number of functions that reflect their review and observation of the RREC effectiveness thus far. The primary directive of the Discharge Review Board is to act as a third review of all inmates being discharged from facilities two weeks prior to the inmate's release date. The board will also ensure that all credit has been applied correctly, that all programs have been accurately credited, ensure that all non-compliance and disciplinary action has resulted in appropriate penalties, review relevant victim impact information and suspend or reduce credit as appropriate, ensure that dangerous offenders who are not in compliance with an Offender Accountability Plan, or who present a continued threat to public safety, receive negative RREC adjustments, and integrate the Statewide Collaborative Offender Risk Evaluation System (SCORES) into the discharge review process. Karl Lewis stated he was available to answer any question the board may have, and had brought along other members of the DOC to assist him in answering questions.

VI. Agency Updates

Mike Lawlor, Undersecretary, Criminal Justice Policy and Planning Division (CJPPD), (OPM)- announced that on December 17, The Commission on Racial and Ethnic Disparity in the Criminal Justice System is sponsoring a day-long conference at the Central Connecticut State University, with Marc Maur of the Sentencing Project as their featured speaker. The target audience for this conference is criminal justice professionals. Chairman Lawlor indicated to the

commission and the public if they or anyone they knew would be interested, they should visit the commission's website for further information.

Bill Carbone, Executive Director, Court Support Services Division (CSSD) (Judicial Branch)- announced that the state was awarded \$200,000 in federal funds to recruit mentors and provide additional mentoring services for juvenile offenders. This funding, in tandem with \$500,000 directed by the state will be used in the next year for the process of implementing an agreement with the Governor's Prevention Partnership to recruit mentors for juvenile probationers that will stay with them throughout their probation and for one year after their probation period has ended. These mentors will be thoroughly screened and trained during the recruiting process. Bill Carbone believes this new opportunity is an exciting chance for the state to redirect the lives of young offenders to a positive role model who lead them away from committing further crime. With this program being funded in part by the federal government, they will provide some oversight on the program and coordinate a study that reviews recidivism amongst juveniles who receive mentoring compared to those that do not.

Judge Patrick Carroll, Deputy Chief Court Administrator- explained that earlier this year the state's Bond Commission approved funding to implement the judicial branch's Digital Audio Recording Project. The project is expected to provide courts across the state digital recording equipment so that they may record all court proceedings. This expansion of access will also help the Criminal Justice agency, DOC, and Board of Pardons and Paroles receive court records for their use. Ultimately this project will work to provide greater transparency of the justice system and improve efficiencies within the judicial branch. Patrick Carroll also announced that the judicial branch has been functioning with 23 judicial vacancies, with a shortage of judges in every district throughout the state. The judicial branch has cut down the amount of time a judge trial referee may work by 15 percent, but allows them to provide hours of volunteer service to the court system. The judicial branch has worked hard to coordinate their efforts to make up for the shortage of judges, sharing them between districts depending on the caseloads of those districts. Patrick Carroll state there is also a severe shortage of court personnel, specifically court reporting monitors and clerks. A more detailed report on the shortages will be provided next month for the commission.

Kevin Kane, Chief States Attorney- discussed that a presentation to on law enforcement and prevention efforts in Hartford and cities in southeastern Connecticut will be presented at the next meeting. Chairman Lawlor added that with planned announcement in New Haven, this topic would most certainly be up for discussion by the time the commission holds their next meeting. The trending declines in gun violence in many cities across the state are a positive improvement that will be monitored through the end of the year.

Dennis Murphy, Deputy Commissioner, Department of Labor- announced a small pilot-program with the Hartford Community Court that diverts citizens into career counseling, resume writing and working with the courts to assist them in finding employment.

Tina Greaves, Director of Victim Advocacy for Connecticut Sexual Assault Crisis Services (CONNSACS)- thanked the commission for presenting this report, as it would be helpful to her and other victim advocates. She suggested that moving forward there should be further discussion of providing greater access for victims to information regarding inmates enrolled in the RREC program so they may contact the DOC with any questions or concerns. Chairman Lawlor invited Karl Lewis and Monica Renaldi (Director of Programs and Treatment for the DOC) to provide information to Tina Greaves. Monica Rinaldi explained they have a victim advocate unit at the DOC that fields phone calls. She noted that they are currently working to develop a sheet for victims about the RREC program and that the Victim Services office is open for phone calls regarding specific inmates. Chairman Lawlor commented that the letter that required by statute to be sent out to victims last September did not provide enough concrete information about RREC, but efforts are being undertaken to dispel myths and aid victims with their inquiries.

Tina Greaves also announced that in the past fiscal year CONNSACS served about 7,000 victims. Chairman Lawlor commented that CONNSACS has done a great work in shining a light on these crimes and reducing the stigma that is often associated with being a victim of sexual assault.

Dr. Dan Bannish, Director of Behavior Health, Department of Correction- stated he had no updates to report on, but asked if there was any data available on changes in the amount of time offenders are in an unsentenced status over the past few years in relation to recidivism.

Barbara Claire, Department of Children and Families- announced there have been recent improvements to CJTS (The Connecticut Juvenile Training School) to provide mentoring services for juveniles seeking vocational or secondary education. DCF hired a pupil services specialist to help coordinate and manage the current program. It was announced a partnership has been developed with Middlesex Community College to provide online credit and non-credit courses for students at CJTS to take.

John DeFeo, Executive Director, Board of Pardons and Paroles- Board of Pardons and Paroles Case Notes tracking database is in the process of being incorporated into the CJIS Offender Based Tracking System. The program went live at the Osborn Correctional Institution

as of Monday September 24. In the next few weeks the program will also go live at other correctional institutions. John DeFeo added that this will increase the availability of roughly 400 counselors to the state institutions. He indicated this new coordination will improve the overall process of tracking offenders and work towards ultimately reducing recidivism.

Rueben Bradford, Commissioner, Department of Emergency Services and Public

Protection (DESPP)- Division of Emergency Services and Homeland Security staff is in the process of being relocated from Hartford to the DESPP headquarters in Middletown. The process should be completed by the January 1, 2013.

Effective October 1, Michael Wolf will be the interim director of the Division of Scientific Services lab until a permanent director is selected. Commissioner Bradford anticipates a new permanent director will be established by January 1, 2013.

DESPP's Division of State Police has finalized the consolidation of the western district dispatch centers, and they are moving forward with consolidating eastern district dispatch functions in Danielson, Montville, Tolland, and Colchester.

Cheryl Cepelak, Deputy Commissioner, Department of Corrections-

announced that the PJOC (Prison and Jail Overcrowding Commission) held their monthly meeting last week and discussed the issue of RREC. The subcommittee would be holding their next meeting on October 17.

Claudette Beaulieu, Deputy Commissioner, Department of Social Services-

announced that in August, DSS reviewed 479 applications for Medicaid assistance from inmates prior to their release from prison. She estimated that 400 applications will be received for review for the month of September. DSS plans to coordinate with the DOC and UCONN to expand a prescription voucher pilot. The program provides a 30-day prescription voucher for inmates of York and Willard correctional institutions when they are released. The voucher program will be in effect at Osborn Correctional Institution and Corrigan-Ragdowski Correctional Center in November. Claudette also announced that DSS is working with CSSD (Court Support Services Division) on helping enable members the probation population to Medicaid if they qualify. They ran into some logistical issues that have been finally worked out and are going through the process of having legal authority to provide these services. Chairman Lawlor noted how this system is an important function, as many inmates suffer from mental health problems and are provided medication during their time in prison, but may not be able to afford it when they exit their probationary period. This program helps continue providing this assistance at a much lower cost and helps reduce recidivism among inmates with mental health problems. Claudette also

believes this will help reduce overall medical expenses by reducing the number of emergency visits by former inmates with chronic illness.

Scott Kaupin, Mayor of Enfield- thanked the agencies that assisted the Town of Enfield with a national motorcycle ride held in August. The town received assistance from state and federal levels of law enforcement to ensure the weekend was safe for all participants and spectators.

I. Behavioral Health Sub-Committee

No announcements were made by the Behavior Health Sub-Committee.

II. PJOC subcommittee

Cheryl Cepelak of the Department Corrections announced the next meeting would be held on October 17.

III. Public Comment

House Minority Leader Lawrence Cafero (R-142 District) provided testimony to the commission. In his testimony, Representative Cafero indicated the concern he and his colleagues had regarding the RREC.

Chairman Lawlor began by addressing some of Representative Cafero's concerns. Chairman Lawlor noted that the system known as RREC was new, but that most of the programs incorporated into RREC that required enrollment to receive credit had been in place since 2006, when the Offender Accountability Program was first implemented.

IV. Other Business

Chairman Lawlor indicated the commission would take up the suggestion made by Kevin Kane to discuss the urban violence initiatives in Hartford and other cities at the next CJPAC meeting.

V. Adjournment

The meeting was adjourned at 12:15 p.m. The next meeting will take place on 10/25/2012.