



Lamont-Bysiewicz Transition Policy Committee Reporting Template

Committee Name: Criminal Justice Committee

Co-Chairs: James Forman, Jr., Cathy Malloy, Sarah Russell

Please address the following questions using this template in a memo not to exceed 2 pages. You are welcome to submit appendices or other attachments in addition to the memo. Please see the attached memos for more details on our Committee's recommendations.

1. How do you propose the Lamont Administration should prioritize the policy goals in this area, and on what timeframe?

A. Upon taking office, the Governor-elect should appoint leaders to key positions who share his commitment to ending mass incarceration and eliminating racial disparities (e.g., the Commissioner of Correction, Under Secretary for Criminal Justice at OPM, and members of the Criminal Justice Commission and the Board of Pardons and Paroles). The Administration should continue the Earned Risk Reduction Program, support expansion of successful prison programs including college education, vocational training, and the TRUE/WORTH units, facilitate the work of more volunteers in prison (including formerly incarcerated people), and create a citizen's advisory board to advise the Department of Correction on issues of concern. The Administration should prioritize the goal of obtaining DMV identification for every person leaving prison, and create a new position of Director of Reentry—a person who would maximize collaboration among state agencies, municipalities, nonprofits, and community groups focused on supporting successful reentry. The efforts already underway to reform the parole revocation system should continue and accelerate.

B. The Governor-elect should introduce criminal justice reform bills at the start of the 2019 legislative session including: (1) a bill expanding the authority and increasing the autonomy of the Criminal Justice Commission and requiring prosecutors to collect and publicly report data about charging, plea deals, and more (this data will help guide future reform efforts); (2) Clean Slate legislation providing for the automatic erasure of misdemeanor and some felony convictions after a person has been crime-free for a period of time; (3) a bill expanding the scope of Connecticut's anti-discrimination laws to prohibit discrimination on the basis of a criminal record (subject to narrow exceptions); and (4) Raise the Age legislation phasing 18-year-old emerging adults into the juvenile justice system and allowing 19- and 20-year olds to access youthful offender status in the adult court. The Governor-elect should also support legislative efforts aimed at reducing the number of people deported as a result of criminal justice contact, giving parolees (and perhaps prisoners) the right to vote, changing the sex offender registry to a risk-based system, and legalizing marijuana.

C. As a longer-term goal, the Governor-elect should support efforts to bring our charging system in line with the practices of the vast majority of other states and jurisdictions—where prosecutors review cases after arrest and determine what (if any) charges should be filed in court. (In CT, by contrast, charges selected by the police are sent directly to the court clerk's office, and the case is then placed on the docket. A pilot program—the Early Screening and Intervention Program— is underway now in some of our courts and provides for early screening of cases by prosecutors in low-level cases). The Governor-elect should also appoint a working group tasked with recommending a design for a pretrial justice system that reduces the number of people held in pretrial detention and removes money bail as means of detaining people.

2. Which goals are achievable in the first 100 days of the Administration?

The goals described in (A) above are achievable within the first 100 days. Within this time period, the Governor-elect can also introduce legislation described in (B) and appoint working groups focused on achieving the goals described in (C).

3. Which goals will require legislation to move forward? Which items can be advanced through the actions of the Administration alone? What is the fiscal impact of these legislative or executive actions?

The goals described in (A) require only executive action, whereas those described in (B) require legislative action. Some of these actions are entirely free—such as appointing smart-on-crime leaders to key positions in government, expanding the authority/autonomy of the Criminal Justice Commission, utilizing volunteers for prison programs, accelerating parole revocation reforms, prohibiting discrimination against people with records, and reducing the number of people deported because of criminal-justice contact. Although some other actions we recommend will have an initial cost, all of these reforms will result ultimately in savings to the state, as the reforms are focused on lowering incarceration rates, reducing recidivism, strengthening communities, and helping those with records obtain education, jobs, and housing. As costs are saved, it is important to employ a justice reinvestment strategy to ensure that a significant portion of the savings from reduced corrections and related criminal justice spending are invested in strategies that can decrease crime, reduce recidivism, and help restore communities devastated by mass incarceration. According to the Council on State Governments, more than 38 states have used this approach to avoid hundreds of millions of dollars in corrections spending and shift a portion of savings into other priorities, including increasing access to community mental health and substance addiction treatment, programs to reduce recidivism, victim services, and more.

4. Are there specific challenges you can identify with regard to achieving the Lamont Administration's goals, and how would you suggest to address those?

Tough-on-crime attitudes of the 1980s and 1990s have not disappeared entirely in Connecticut. These attitudes must be countered by strong smart-on-crime leadership from the top on down. Data should guide us, and justice-involved individuals and their families can place a human face on the urgency of reform. Support for reform exists on both sides of the aisle and among a diverse range of people in the state. Policymakers must understand that some spending is necessary to maximize long-term savings, and justice reinvestment is required to keep crime rates low.

5. How will implementation of policy in this area create jobs and spur economic growth?

Preparing people in prison for life after incarceration, and helping them when they return to communities, enables people to support themselves and their families and will spur economic growth. Clean Slate legislation will help remove barriers to full participation in the economy, as will erasure of marijuana convictions. Marijuana legalization would create new jobs in the regulated industry.

6. Are there opportunities for cost savings for CT state government in the context of implementing this policy?

Yes. There are major opportunities for cost savings through reducing the number of people prosecuted in our courts, incarcerated in our prisons, and placed under criminal-justice supervision. Closing more prisons would result in large cost savings.

7. What examples of success from other states, countries, or the private sector in this policy area should the Administration study?

Our attached memos provide numerous examples of success from other places. In most other jurisdictions, prosecutors review cases before charges are filed in court. Prosecutors with reform agendas have been elected nationwide including in Boston and Philadelphia, and states such as Florida have recently required data collection/reporting by prosecutors. The prison system in Germany, which places human dignity at the core of its policies, provide a model for reform of our prisons. Pennsylvania recently passed bipartisan Clean Slate legislation, and Vermont is moving towards inclusion of 18- and 19-year-olds in its juvenile justice system. Ten states and (D.C.) have now legalized marijuana: Legislation in California addresses erasure of marijuana convictions and distribution of tax revenue and licenses to communities disproportionately impacted by past drug policies. There is a national movement away from money bail, and New Jersey and New Mexico have undergone recent statewide bail reform. All other New England states allow parolees to vote and states such as Minnesota have a risk-based sex offender registry.

8. Are there any other issues/considerations you would like to highlight with regard to this policy area? (See attached memos)

