

Criminal Justice  
Policy Advisory Commission (CJPAC)  
**Transition Document**

*Prepared by:  
Criminal Justice Policy and Planning Division  
Office of Policy and Management*

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## Chairman's Message

In July of 2006, the Prison and Jail Overcrowding Commission was transitioned, by statute, to the Criminal Justice Policy Advisory Commission. The Commission was given greater jurisdiction, and new members were added to better reflect the variety of state agencies that play a role in the state's criminal justice system. The great value of the Criminal Justice Policy Advisory Commission lies in the opportunities it presents for criminal justice administrators to partner efforts and streamline services. Most of the provisions in the 2008 criminal justice reform statutes were addressed through collaborations among the executive and judicial branches' criminal justice agencies through the Commission. The collective, collaborative actions of the state's criminal justice agencies has resulted in a criminal justice system that makes better evidence based decisions, more quickly, with more information and communication while protecting public safety and fully respecting the rights of victims and offenders.

Over the last several years, Connecticut has also been successful in building a more effective correctional system with a broader range of sanctions and greater use of community supervision that still holds the less dangerous offenders accountable while successfully transitioning them to become productive members of the community. The implementation of this change has resulted in a prison population that has declined nearly 10% since its all time high of 19,900 just several years ago. While many states have struggled with increasing prison populations and increased costs, Connecticut's appropriate use of community supervision options has ensured that prison beds remain available for the most violent criminals and for those who persistently threaten community safety while controlling correctional costs. Also during this time period, statewide incidents of reported crimes and criminal arrests have remained relatively stable. In certain cases, they have actually declined. As we end 2010, criminal arrests statewide have significantly declined since the start of the decade.

While the leadership of each criminal justice agency has been critical in meeting the challenges presented over the last several years, the tremendous effort of improving the criminal justice system has been carried out by the front line, professional staff of each agency and our nonprofit partners. The value of their work on a daily basis cannot be overstated, and I am confident that the challenges outlined in this document can be met with the continued efforts of that staff.

Brian Austin, Jr., Esq.  
Undersecretary, Criminal Justice Policy and Planning  
Office of Policy and Management  
Chairman, Criminal Justice Policy Advisory Commission

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## **Criminal Justice Policy Advisory Commission Mandate**

The Criminal Justice Policy Advisory Commission (formerly known as the Prison and Jail Overcrowding Commission) was established under CGS§18-87j. The Criminal Justice Policy Advisory Commission is chaired by the Under Secretary of Criminal Justice Policy and Planning Division (CJPPD) of the Office of Policy and Management.

Per CGS§18-87j, the Criminal Justice Policy Advisory Commission has been enacted to perform the following mission:

- Develop and recommend policies for preventing prison and jail overcrowding;
- Examine the impact of statutory provisions and current administrative policies on prison and jail overcrowding and recommend legislation to the Governor and the General Assembly;
- Research and gather relevant statistical data and other information concerning the impact of efforts to prevent prison and jail overcrowding and make such information available to criminal justice agencies and members of the General Assembly;
- Advise the Under Secretary of the Criminal Justice Policy and Planning Division on policies and procedures to promote more effective and cohesive state criminal justice and juvenile justice systems and to develop and implement the statutorily mandated comprehensive reentry strategy (pursuant to C.G.S. Section 18-81w);
- Assist the Under Secretary of the Criminal Justice Policy and Planning Division in developing the recommendations to be included in the annual report and presentation made by the division pursuant to C.G.S. Section 4-68p, specifying the actions necessary to promote an effective and cohesive criminal justice system;

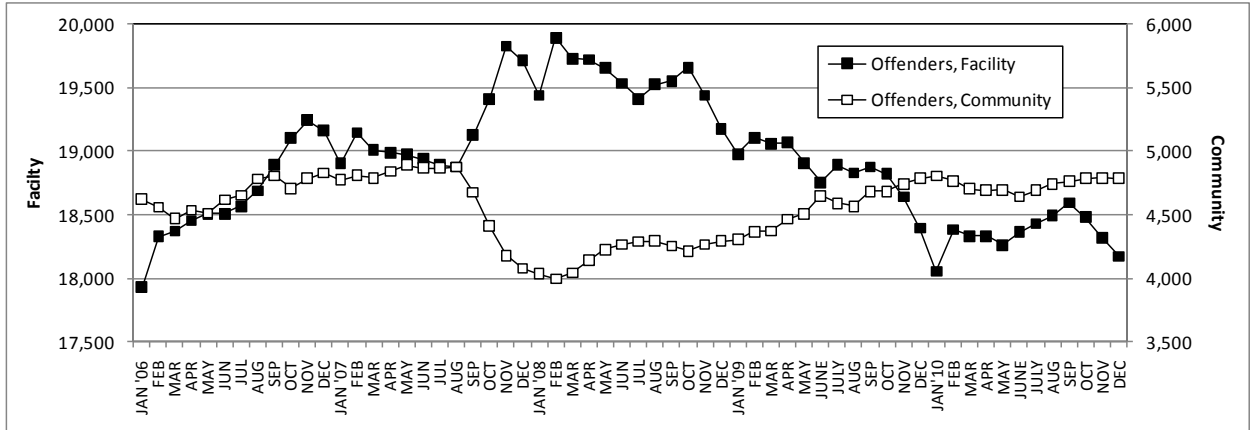
The Criminal Justice Policy Advisory Commission (CJPAC) also has two (2) statutorily mandated subcommittees and three (3) working groups to assist in carrying out its mission:

1. By Statute – Behavioral Health Subcommittee
2. By Statute – Correctional Staff Health and Safety Subcommittee
3. Working Group – Prison and Jail Overcrowding and Reentry Issues
4. Working Group – Victim Issues
5. Working Group – Research Work Group

The Criminal Justice Policy Advisory Commission (CJPAC) meets monthly approximately nine times a year. Subcommittees and working groups meet as needed. Commission members are listed in Appendix 1.

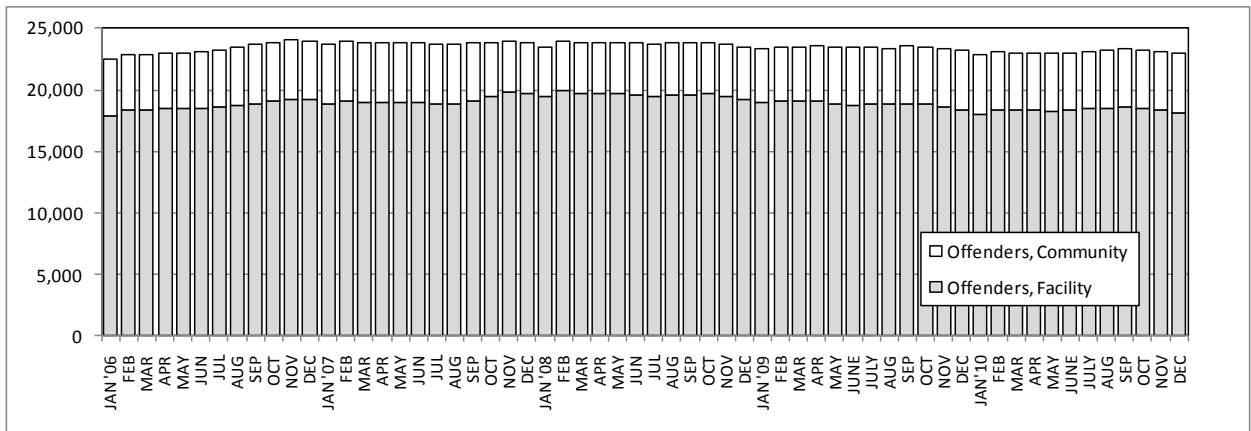
## Overview: Prison Population, Crime Rates, and Arrests

**Chart 1: Offender Populations: Facility and Community Supervision**



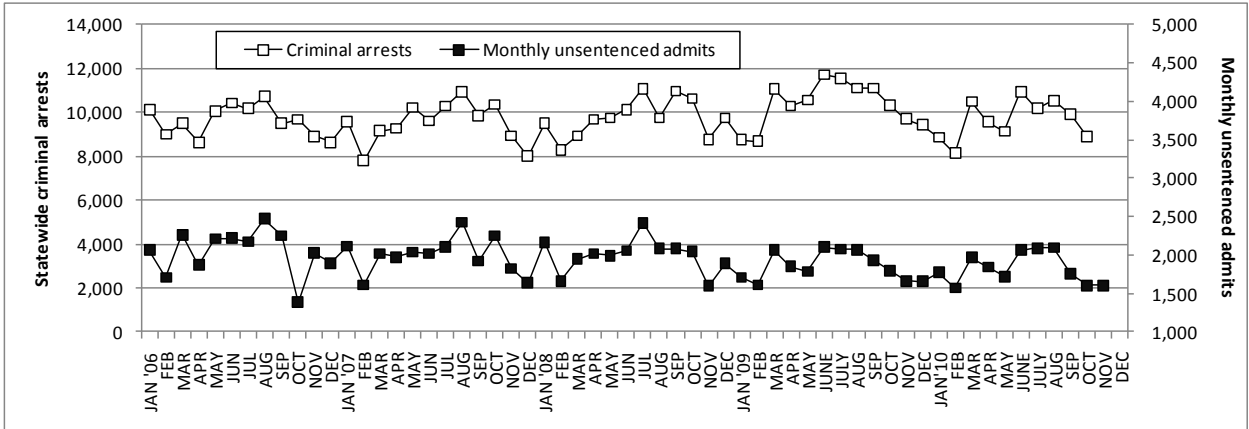
- The period from January 2006 to December 2010 saw the prison population rise to almost 20,000 offenders before returning to a moderate level of about 18,000.
- The rapid spike in the prison population that began in September 2007 was directly related to changes in the policies and procedures governing discretionary release programs.

**Chart 2: Total Offender Population Supervised by DOC**



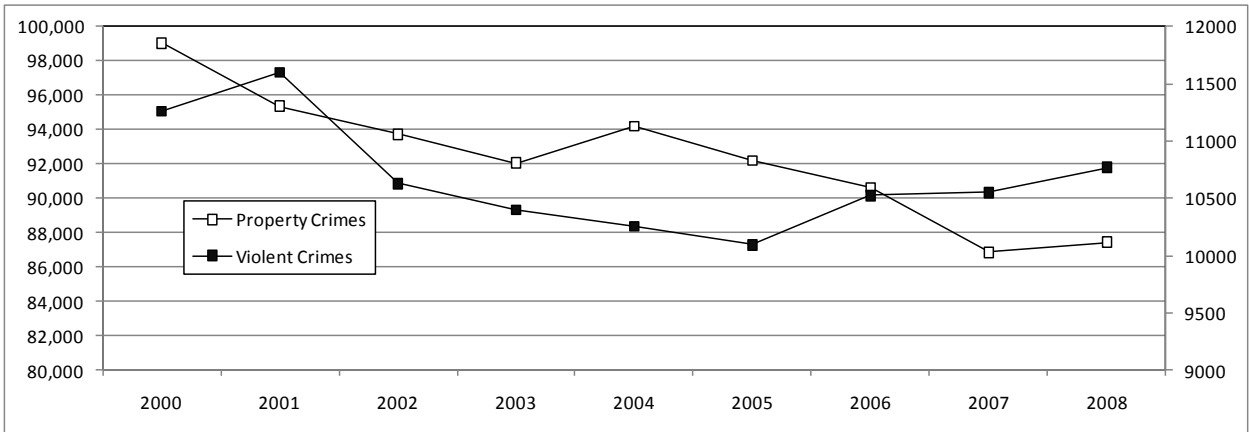
- Although the number of offenders in prison or under community supervision may fluctuate, the total number of offenders in DOC custody has remained relatively stable, within a band of 22,500 to 23,500 offenders, since 2006.

**Chart 3: Criminal Arrests and Prison Admissions of Unsented Offenders**



- Although crime rates and arrest rates are not synonymous, increases in crime can exert an upward impact on total arrests as police departments seek to respond public perceptions of more crime.
- Despite seasonal fluctuations, the total number of criminal arrests reported in Connecticut each month has not changed significantly since 2006.
- Unsented prison admissions - like arrests - are another indicator that may be used a proxy for increasing crime. Similar to the total number of arrests, these prison admissions have remained steady since 2006.

**Chart 4: Reported Crimes in Connecticut, 2000 - 2008**



- Uniform crime report data for Connecticut is only available through 2008. This data indicates that property crime declined by almost 15% between 2000 and 2008.
- Although the number of violent crimes reported in Connecticut began to increase in 2005, most of that increase did not continue past 2005. Anecdotal evidence suggests that the violent crime rate has been relatively stable for the last two years and rates remain lower than the beginning of the decade.

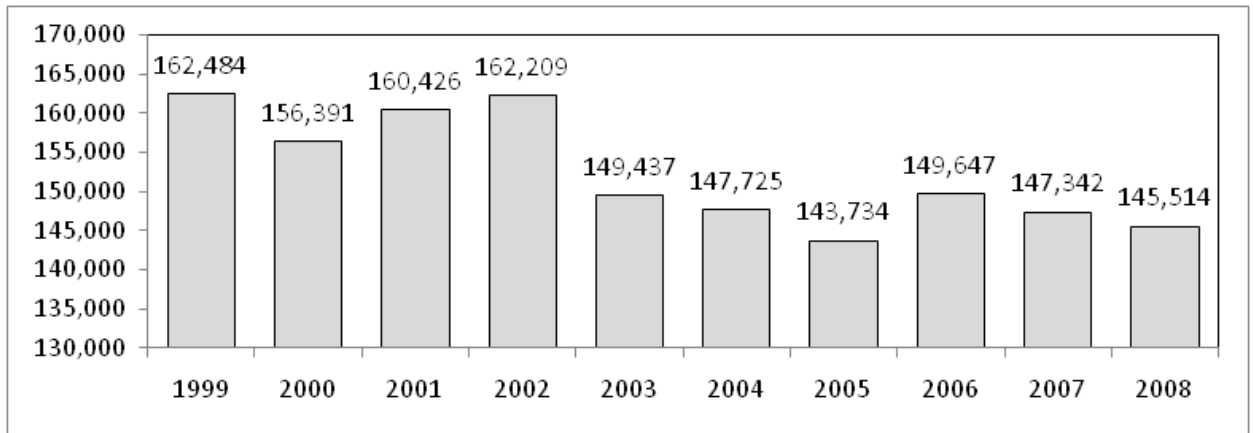
**Table 1: Uniform Crime Data for Connecticut: 2006 and 2008**

<b>UCR Crime in Connecticut</b>								
	<b>Number</b>		<b>Rate/100K</b>		<b>Clearances</b>		<b>Clearance Rate</b>	
	2006	2008	2006	2008	2006	2008	2006	2008
Murder	135	128	3.9	3.7	81	82	60%	64%
Rape	714	685	20.4	19.6	295	249	41%	36%
Robbery	4,460	4,049	127.3	115.6	1,126	1,145	25%	28%
Aggravated Assault	5,216	5,906	148.8	168.7	3,281	3,850	63%	65%
Burglary	15,549	15,122	443.7	431.9	2,308	2,393	15%	16%
Larceny	64,807	63,497	1849.1	1813.6	11,375	12,527	18%	20%
MV Theft	10,271	8,823	293.1	252	1,041	849	10%	10%
Violent	10,525	10,768	300.3	307.5	4,783	5,326	45%	49%
Property	90,627	87,442	2585.8	2497.5	14,724	15,769	16%	18%
Total index crimes	101,152	98,210	2886.1	2805	19,507	21,095	19%	21%

- Between 2006 and 2008, violent crime rate has remained relatively stable. In the same time frame, property crime rate has declined moderately.

**Chart 5: Total Annual Arrests in Connecticut: 1999-2008**

Source: Department of Public Safety, NIBRS data



- According to data collected by the State Police, there has been a remarkable decline in arrest rates within the last decade.

## Program Outcomes and Successes

### SUMMARY

No.	Agency	Program/Organization
1	Multi-Agency	CJPAC Research Workgroup
2	JUD	Probation Transition Program (PTP)
3	DMHAS JUD DOC	Advanced Supervision And Intervention Support Team (ASIST) Program
4	JUD	Technical Violation Unit (TVU)
5	DMHAS	Community Recovery Engagement Support and Treatment Center (CREST) Program
6	JUD	Mental Health Case Management Project
7	JUD	Women Offender Case Management Model
8	DMHAS	Jail Diversion (JD) and Women's Jail Diversion (JDW)
9	DMHAS	Crisis Intervention Team (CIT)
10	JUD	Bail Services Research
11	JUD	Family Violence Education Program
12	DMHAS	Connecticut Offender Re-Entry Program (CORP)
13	DMHAS	Alternative Drug Intervention (ADI)
14	DMHAS	Transitional Case Management



## 1) CJPAC RESEARCH WORKGROUP

The CJPAC Research Working Group provides a significant contribution to the understanding of multi-agency, systemic issues in criminal justice. The CJPAC Research Workgroup is a group of research, operations and data professionals from key Criminal Justice agencies that meet regularly to discuss: collaborative interagency research projects, share and identify appropriate data resources, and assist in the development of the Annual Correctional Population Forecast Report, the Annual Connecticut Recidivism Study, the Monthly Correctional Indicators Report; the group provides input on a wide variety of empirical research on special topics for the Governor's Office, the Legislature, and other criminal justice agencies, as well as for federal agencies and national planning groups. The CJPAC Research Workgroup is facilitated by the Office of Policy and Management, CJPPD Research, Analysis & Evaluation Unit.

### Major Research Findings

#### *The 2010 Annual Recidivism Report*

- Offenders discharged after completing the terms of their community-supervised parole or transitional supervision returned to prison at significantly lower rates (24.7% for parole and 27.9% for transitional supervision) than offenders who were released directly from a prison facility (36.9%)
- An offender's violation of probation (VOP) history is a predictor of increased recidivism; offenders who had a history of two or more VOP convictions prior to their 2005 release or discharge, almost 50% returned to prison for a new sentence within 36 months; offenders with no history of probation violation prior to their release, only 27.3% returned within 36 months.
- Offenders with highest TPAI scores returned to prison to serve a new sentence at a 50% rate within three years; offenders with the lowest scores returned at a 19% rate.
- Over 80% of offenders who were under the age of 21 were rearrested within three years; of 1,395 offenders who were younger than 21 and were released or discharged in 2005, only 240 were not rearrested within three years.

## 2) PROBATION TRANSITION PROGRAM (PTP)

The PTP targets inmates who have probation sentences following their prison sentence and subsequent release from the Department of Correction (DOC). The overarching goal is to reduce the technical violation rate of split sentence probationers by helping them re-enter their community following prison release.

### Program Outcomes

An evaluation by Central Connecticut State University found that split-sentenced probationers in the PTP had statistically lower technical violation rates and were statistically less likely to be sentenced to prison for technical violations than similar groups of probationers.

- The percentage of technical violations was reduced
  - 15% in pilot sites and 26% in comparison group (a 73% decrease)
  - 11% in expansion sites and 16% in comparison group (a 31% decrease)

- The percentage of technical violators going to prison was reduced
  - 8% in pilot sites and 23% in comparison group (a 65% decrease)
  - 5% in expansion sites and 11% in comparison group (an 55% decrease)
- Public safety was not compromised by the decrease in technical violations
- Key components appeared to be lower caseloads and greater scrutiny of technical violations

### 3) **ADVANCED SUPERVISION AND INTERVENTION SUPPORT TEAM (ASIST) PROGRAM**

ASIST is the product of a unique collaboration among the Judicial Branch Court Support Services Division, the Department of Correction, and the Department of Mental Health and Addiction Services, which combines criminal justice supervision, treatment, temporary housing, and support services for persons with mental illness in seven locations. The program was developed to make existing Alternative to Incarceration Centers an accessible diversionary option to persons with significant psychiatric disorders. The ASIST clinician forms a stable case management link that coordinates the services delivered by the AIC/LMHA partnership, and closely monitors the impact of these services on client functioning and quality of life.

#### **Program Outcomes**

In SFY 2010, 136 (86%) of 158 participants completed the program successfully and were not incarcerated.

### 4) **TECHNICAL VIOLATION UNIT (TVU)**

The purpose of the TVU is to provide a last chance for probationers who are at risk for technical violation and subsequent incarceration. TVU officers are given reduced caseloads, technical resources, and preference for client services so they can spend more time working with troubled clients and better address their criminogenic needs than probation officers with regular caseloads.

#### **Program Outcomes**

An evaluation by Central Connecticut State University found that “the overall percentage of TVU participants arrested or technically violated was 55%. While this percentage appears to be high, it is important to point out that 100% of TVU participants would have been technically violated if not for their participation in the TVU. We were encouraged by these results in our evaluation of the pilot program and still believe that the TVU played a significant role in decreasing CSSD’s technical violation rate.”

### 5) **COMMUNITY RECOVERY ENGAGEMENT SUPPORT AND TREATMENT CENTER (CREST) PROGRAM**

CREST serves up to 30 individuals in New Haven who would not otherwise be diverted from or released from incarceration if not accepted into the program. The intensive day reporting program provides daily monitoring and structured skill building and recovery support services for participants. Services are provided in collaboration with clinical services at the DMHAS-operated Connecticut Mental Health Center to ensure comprehensive, individualized treatment. The DMHAS Division of Forensic Services regularly analyzes the CREST Program data.

### **Program Outcomes**

In SFY10, 35 (76%) of 46 discharging participants completed the program successfully and were not incarcerated.

## **6) MENTAL HEALTH CASE MANAGEMENT PROJECT**

In response to concerns over the growing mental health needs of offenders, the Judicial Branch's Court Support Services Division (CSSD) developed and piloted the Mental Health Case Management Project (MHCM). The MHCM project established a specialized unit of ten Mental Health Officers (MHOs) spread over eight probation offices. These probation officers supervised only probationers with Severe Mental Illness (SMI) and had caseloads of 35 clients.

### **Program Outcomes**

- An evaluation by Central Connecticut State University found that the project significantly reduced arrest rates, "the results of the evaluation suggest that the MHCM project significantly reduced recidivism..."
- ...MHCM probationers had a **new arrest rate 25% lower** than that of the matched comparison group."

## **7) WOMEN OFFENDER CASE MANAGEMENT MODEL**

In 2007, CSSD was chosen as one of only two programs nationally to implement and evaluate this new case management approach. As a result, CSSD Adult Probation has been piloting a Women Offender Case Management Model (WOCMM) demonstration project for the past three years in four Connecticut probation offices: Bridgeport, Hartford, New Britain and New Haven. The National Institute of Corrections has offered site training, process and outcome evaluation, and technical assistance. The WOCMM probation teams started accepting clients in early 2007.

### **Program Outcomes**

- An evaluation by Orbis Partners, a research group out of Canada, indicates that the WOCMM clients experienced an **overall reduction in recidivism of 26% for new arrests for a 12-month period** following start of probation as a result of this new approach...
- ...and that there have been demonstrated increases in human and social capital (across measures of health and well-being, social supports, etc.).

## **8) JAIL DIVERSION (JD) AND WOMEN'S JAIL DIVERSION (JDW)**

This program provides assessment, referrals to treatment, and compliance reporting for defendants with mental illness who are diverted by the court. JDW specifically provides treatment for women with psychiatric consequences of trauma who are diverted by the New Haven, New Britain, and Bristol Courts.

### **Program Outcomes**

JD staff screen approximately 4,000 defendants every year. Approximately 50-55% of these defendants are diverted from prison by the court every year as a result. In SFY10, 69 (74%) of 94 discharging JDW participants completed the program successfully and were not incarcerated.

## 9) **CRISIS INTERVENTION TEAM (CIT)**

Crisis Intervention Teams are a partnership program between the local police and the community provider network that provides training to law enforcement personnel and provides for a joint response to crisis in the community involving persons with behavioral health disorders. The goal of CIT is to reduce the need for arrest in favor of referrals to appropriate treatment resources. CIT provides trained clinicians in four areas (Hartford, New Haven, Norwich, Stamford, Bridgeport, and Waterbury) to work collaboratively with CIT trained officers, providing Mental Health evaluation and recommendations when responding to crisis calls.

### **Program Outcomes**

In SFY10, 229 professionals attended the 5-day, 40-hour CIT training including 203 police officers and police staff. In the same year, DMHAS CIT clinicians assisted police with over 1,000 cases.

## 10) **BAIL SERVICES RESEARCH**

The Judicial Branch has partnered with CCSU faculty over the past seven years to develop and validate assessment tools for use by bail commissioners. Three distinct products have resulted from this partnership:

- 2003 Case Data Record
- 2005 Bail Decision Aid
- 2008 Financial Bond Guideline

### **Program Outcomes**

These projects were an important part of the Judicial Branch's efforts to develop a more systematic and consistent bail determination process ultimately resulting in:

- Increased number of defendant's released on non-financial bonds
- Increased use of the service provider network
- A decrease in the number of failures to appear
- More consistent and equitable financial bond recommendations

## 11) **FAMILY VIOLENCE EDUCATION PROGRAM (FVEP)**

The Family Violence Education Program has historically been utilized at or beyond capacity. Despite internal efforts to meet the referral demands of the program by increasing FVEP programming statewide there continues to be a significant waitlist for offenders.

### **Program Outcomes**

- During 2009, the court demand for the Family Violence Education Program resulted in 1,814 defendants waiting nine or more weeks before entering the program;
- Offenders who waited nine weeks or more had a FV re-arrest rate ranging from 6 to 15 percent; those who waited eight weeks or less had a FV re-arrest rate ranging from 1 to 4 percent;
- Offenders who waited nine weeks or less to enter into the FVEP had a greater likelihood of completing the program.

- To address the immediate issue of victim safety, CSSD funding was diverted from other programs to increase FVEP group cycles statewide from 177 to 229 in FY 09/10 (January to June). This measure resulted in an average wait time to enter program that was reduced to 48 days in the most recent quarter ending September of 2010.

## **12) CONNECTICUT OFFENDER REENTRY PROGRAM (CORP)**

The CORP program provides re-entry services to sentenced inmates with serious mental illness returning to six locations. Services include pre-release (6-18 months) engagement, independent living skills groups, discharge planning, and post-release temporary housing, treatment services, and case management. The purpose of this program is to prevent repeat criminal behavior and support a successful re-integration into the community.

### **Program Outcomes**

CORP serves 70-100 clients at any one time and admits approximately 45-55 inmates every year. Rearrest/reincarceration during the 12 months after release from the Department of Correction is approximately 18%, compared to approximately 50% for similar individuals who do not participate in CORP.

## **13) ALTERNATIVE DRUG INTERVENTION (ADI)**

ADI provides intensive outpatient substance abuse treatment to 100 to 120 New Haven residents per year. It is the successor to the New Haven Drug Court, providing intensive case management, basic needs, employment, education and linkage to 12-Step groups.

### **Program Outcomes**

In SFY10, 89 (82%) of 108 discharging participants completed the program successfully and were not incarcerated.

## **14) TRANSITIONAL CASE MANAGEMENT**

DMHAS, in partnership with DOC, established the transitional case management programs for inmates with significant histories of substance abuse who are discharging to Hartford and Waterbury. The program includes: early notification of community providers of a potential inmate discharge; joint pre-release development of a recovery-oriented re-entry plan among the community case manager, DOC counselor, and the individual; and transitional case management by the community case manager to oversee implementation of the plan and to provide initial support and encouragement to the individual upon release.

### **Program Outcomes**

In SFY10, 128 (82%) of 152 discharging participants completed the program successfully and were not incarcerated.

## Criminal Justice System Enhancements

### SUMMARY

No.	Agency	Issue	Status
1	Multi-Agency	Provided Inter-Agency Training to Improve Services and Offender Outcomes	On-Going
2	DOC JUD BOPP DMHAS OPM	Reduced Operations and Personnel Costs Via Video Technology	On-Going
3	DOC DPS OPM	Expanded DNA Forensic Evidence Collected from Convicted Felons	On-Going
4	DPS Municipalities OPM	Improved the Technology Infrastructure and Information Systems for Local Police Departments and State Police	On-Going
5	JUD DCJ DPS OPM	Established a Sexual Assault Forensic Examiner (SAFE) Program	On-Going
6	OPM	Expanded 24/7 Services for Victims in Domestic Violence Shelters	On-Going
7	Multi-Agency	Improved Information Exchanges Between Criminal Justice Agencies	On-Going
8	JUD	Implemented "Defendant to comply with conditions of original probation" while VOP pending requirement	Completed
9	JUD	Improved Access to Court Warrant Information	On-Going
10	JUD	Enhanced Warrant Service Program	On-Going
11	OPM JUD DOC DMHAS	Provision of Siting Incentives for Community-based Criminal Justice Facilities	Challenge

12	Multi-Agency	Impact of Heavy Caseloads and Crowded Court Dockets	Challenge
13	Multi-Agency	Capacity To Perform An Results Based Accountability (RBA) Analysis Of The Connecticut Criminal Justice System As A Whole Rather Than As Separate Agencies	Challenge
14	Multi-Agency	Determination of Variables and Factors Affecting Dispositions	Challenge
15	DPS	Maintenance of DNA Forensic Analysis Program at Department of Public Safety	Challenge

## Accomplishments

- 1. Provided Inter-Agency Training to Improve Services and Offender Outcomes:** OPM worked with the criminal justice agencies to conduct four cross-training events to build collaborative approaches to service delivery. These training events marked Connecticut’s first ever coordinated effort to bring multiple criminal justice agencies together to learn the about the basic operation and policies of each agency. The cross-training events provided opportunities for the agencies to address challenges and determine how to collaboratively address the needs of the offender population while improving supervision of offenders and controlling costs. The events drew more than 900 attendees from state agencies and private providers, as well as the participation of legislative leaders.
- 2. Reduced Operations and Transportation Costs for Offender Hearings via Video Technology:** OPM allocated \$1.7 million of federal grant funds to install an inter-agency video conferencing system to enable the criminal justice agencies to conduct hearings via video technology. These video hearings generate substantial savings and operational efficiencies by reducing expenditures for state agency supervision personnel and related transportation costs. By the end of October 2010, DOC had conducted 4000 hearings, an average of 400 video conferences per month.
- 3. Expanded DNA Forensic Evidence Collected from Convicted Felons:** OPM allocated \$2 million in federal grant funds to DOC and DPS to accelerate the collection and analysis of DNA from incarcerated felons. DOC hired temporary staff to collect DNA from 3,460 inmates. DPS used the funds to preserve ten positions at the Forensic Lab. In less than ten months, the lab analyzed 21,000 convicted offender DNA samples and entered the data into a national crime data bank. Given that many crimes are committed by repeat offenders, having DNA evidence more widely available will help police and prosecutors to apprehend offenders and decrease the risk of re-victimization of the community.
- 4. Improved the Technology Infrastructure and Information Systems for Local Police Departments and State Police.** OPM distributed \$4.2 million of ARRA federal funds to

local governments to purchase new communications technology and information management systems that will improve the police's ability to investigate and control crime. OPM provided \$900,000 for local police and State Police to conduct statewide narcotic investigations and \$127,000 for traffic enforcement equipment. OPM allocated \$1 million in ARRA federal funds to help local governments install Automated Fingerprinting Information Systems (AFIS) to enable police to electronically transmit fingerprints to the State Police Bureau of Identification (SPBI) and the Federal Bureau of Investigation (FBI). The AFIS will enable police to conduct criminal background searches and exchange offender data much more efficiently, which will help solve cases in Connecticut as well as other states.

5. **Established a Sexual Assault Forensic Examiner (SAFE) program:** OPM provided \$1 million in ARRA federal funds to the Judicial Branch Office of Victim Services to create a pilot program with centrally coordinated staff to provide 24/7 "on call" forensic exams for sexual assaults victims at six participating hospitals. An advisory committee of prosecutors, police, forensic experts, medical professionals and victim advocates assisted the Office of Victim Services in planning the pilot project. A coordinated pool of qualified examiners will provide victims with the appropriate level of care, as well as ensure that evidence is collected according to a uniform procedure leading to better investigations and successful prosecution of offenders.
6. **Expanded 24/7 Services for Victims in Domestic Violence Shelters:** OPM provided \$1 million in federal funding for the Connecticut Coalition Against Domestic Violence (CCADV) to expand staff coverage at domestic violence shelters in five sites. The expanded coverage will enable victims and their children to receive a more comprehensive set of services when first arriving at the shelter.
7. **Improved Information Exchanges Between Criminal Justice Agencies:** New legislation has been enacted amending section 51-286f of the general statutes to improve the process for providing transcripts of sentencing proceedings to the Board of Pardons and Paroles; DOC and the Judicial Branch entered into a Memorandum of Agreement in April 2008 to access juvenile records for the purpose of decision making and increased public safety. The JEB (Judicial Electronic Bridge) opened in April 2008 allows electronic access by DOC and BOPP, as well as state and local police, to records and electronic requests for records.
8. **Implemented "Defendant to comply with conditions of original probation" while VOP pending requirement (Sec. 36 of P.A. 08-01):** Amended by P.A. 08-12, June Regular Session, Sec. 5 and Sec. 6. Revised language has been implemented.
9. **Improved Access to Court Warrant Information (Sec. 21 of P.A. 08-01):** Section 21 of P.A. 08-01 required the Judicial Branch to make Violation of Probation information available on its website, which was implemented in October 2008. The website has received several hundred hits per month. P.A. 10-43 expanded P.A. 08-01 by authorizing the Internet publication of court records for persons who are wanted for failure to appear and failure to satisfy a criminal court judgment. A new process is being developed to make these records available to the public on the Judicial Branch website; the National Instant Criminal Background Check System (NICS) Improvement



Amendments Act of 2007, Pub. L. 110-180 (NICS Act) encourages states to make warrants available to the FBI for background investigations concerning firearms and explosives. A new computer system was implemented to automatically enter criminal court warrants in the NICS Denied Person File to prevent fugitives from possessing firearms and explosives.

10. **Enhanced Warrant Service Program (Sec. 5 of P.A. 08-51):** There are currently 4,670 unserved VOP warrants on adult probation caseloads, down 46 percent from a high of 7,890 in September 2007. The Paperless Re-Arrest Warrant Network (PRAWN) has contributed significantly to this reduction in outstanding VOP warrants; nine (9) officers originally appropriated were removed in the final state budget. In December 2009, CSSD assigned five (5) officers from supervision caseloads to warrant service. Average warrant service caseloads were reduced to 260 from over 400.

## Challenges

11. **Provision of Siting Incentives for Community-based Criminal Justice Facilities:** Pursuant to PA 08-01, OPM chaired a multidisciplinary committee to study “the manner in which the state may effectively provide incentives to municipalities to allow the siting of community-based facilities such as halfway houses and transitional and supportive housing for offenders released into the community”. State agencies face significant challenges in siting these services including: communities’ fear of re-victimization, impact on properties values, lack of confidence in the quality and competence of a facility, and a mistrust of the state agencies that fund the facility. The committee’s 12/31/2008 report identified eight recommendations for incentives for municipalities to voluntarily allow the siting of facilities within their communities.
12. **Impact of Heavy Caseloads and Crowded Court Dockets:** CJPAC has focused on providing alternatives to incarceration at both the pretrial and sentencing stage and providing for reduction in recidivism and earlier release of sentenced prisoners by developing effective reentry strategies. The circumstances that exist during the decision making points at the beginning of the process when prosecutors make charging decisions and make decisions regarding bail and sentencing recommendations, and when courts are presented with bail and sentencing recommendations and arguments by prosecutors, defense attorneys, defendants, bail commissioners, victims, and others, have a major impact on the decisions that lead to the effective, fair and cost efficient use of incarceration and the programs that are alternatives to incarceration.
13. **Capacity To Perform a Results Based Accountability (RBA) Analysis of the Connecticut Criminal Justice System as a Whole Rather Than as Separate Agencies:** The Appropriations Committee now requires that all Agencies prepare their budget presentations in the RBA format. This requires Agencies to examine their programs in detail and think of creative efficiencies to “do less with more” in this economic downturn. Because of the unique configuration and collaborative relationships of CJPAC Agencies, it may be possible to perform an RBA analysis of the Connecticut Criminal Justice System as a whole rather than as separate entities.

14. **Determination of Variables and Factors Affecting Dispositions:** The Office of the Victim Advocate is requesting that the CJPAC conduct a study as to the number of trials held in the state of CT, the average active life of a criminal case from arrest to disposition, the number of plea bargain dispositions in the state, and the variables and factors affecting dispositions.
  
15. **Maintenance of DNA Forensic Analysis Program at Department of Public Safety:** In order to sustain laboratory positions at the Department of Public Safety, Division of Scientific Services, additional funding is needed. These positions have been instrumental in processing backlogged no-suspect cases and convicted offender processing, as well as rush/overflow cases from those cases involving suspects in the Biology and Trace Sections.

## Parole Board Enhancements

### SUMMARY

No.	Agency	Issue	Status
1	Multi-Agency	Enhanced the Collection of Comprehensive Information for Parole Release Decisions	On-Going
2	BOPP DOC	Developed and Utilized a Risk Assessment Strategy	On-Going
3	BOPP	Improved Victim Rights and Notifications By Integrating Two Victim Service Advocates into the Board and Becoming Part of the SAVIN system	On-Going
4	BOPP DOC OPM	Implemented an Automated Case Notes Enhancement Project	On-Going
5	BOPP DOC	Integrated Video Conferencing Capability into the Board's Hearing Schedule	On-Going
6	BOPP	Became a National Parole Resource Center Learning Site	On-Going
7	BOPP	Implemented Regular and Ongoing Board Member Training	On-Going
8	BOPP	Implemented Structured Decision Making Training Program for Board Members (National Parole Board of Canada initiative)	On-Going
9	BOPP	Increased the number of Board of Pardons and Parole (BOPP) members to twenty (20)	Completed
10	BOPP	Hired a Staff Psychologist for the Board	Completed
11	BOPP	Cleared backlogged hearings and assisted in P.A. 08-01 implementation activities	Completed
12	BOPP	Potential Transition of Parole Board Members	Challenge
13	Multi-Agency	Collection of Comprehensive Information for Parole Release Decisions	Challenge

## Accomplishments

- 1. Enhanced the Collection of Comprehensive Information for Parole Release Decisions:** As a result of Public Act 08-01, the Board does not hold hearings on an inmate's suitability for parole unless there is a certification that a reasonable effort has been made to obtain all pertinent information, including the pre-sentence investigation report, sentencing transcripts, and police reports, and that such information has been obtained or is unavailable. Procedures have been put in place to obtain this information from other agencies and ensure certification of the case. The Board continues to work on improving the system so that all information will be sent electronically.
- 2. Developed and Utilized a Risk Assessment Strategy:** The BOPP is in the process of adopting the Treatment and Programs Assessment Instrument (TPAI) currently administered by the Department of Correction (DOC), along with a battery of additional assessment tools designed to determine criminogenic needs, including: the Addiction Severity Index, the Criminal Sentiments Scale, and the Hostile Interpretations Questionnaire. Consideration is being given to the use of a stand-alone assessment tool such as the Ohio Risk Assessment System, which assesses both risk to recidivate and criminogenic need, both upon intake and again at re-entry review.
- 3. Improved Victim Rights and Notifications By Integrating Two Victim Service Advocates into the Board and Becoming Part of the SAVIN System:** As a result of the PA 08-01 reforms, two victim service advocates continue to be assigned to the BOPP from the Judicial Branch, Office of Victim Services. For the period July 1, 2009 through September 30, 2010 a total of 1286 victims have been served in the parole hearing process. In addition, the BOPP will be brought on board with the SAVIN system by December 31, 2010. Training on this system by Judicial Branch staff is scheduled for the agency in December.
- 4. Implemented an Automated Case Notes Enhancement Project:** The BOPP and DOC are in the process of upgrading their existing information technology system known as Case Notes. OPM provided BOPP with a \$600,000 JAG ARRA grant which will allow greater efficiency by automating many of the manual tasks currently completed by staff in addition to converting all parole files to an electronic format. The project is expected to be completed in 2011.
- 5. Integrated Video Conferencing Capability into the Board's Hearing Schedule:** The availability of video conferencing equipment in all DOC facilities has allowed for the Board to conduct a full two thirds of their monthly parole release hearings utilizing this technology. The recent addition of video conferencing equipment in a fourth Parole & Community Services Division district office will aid in the flow of parole release hearings. A total of 1763 release hearings have been held from January 1, 2010 through mid-November 2010 via video conferencing. This has allowed a greater number of cases to be heard each month.
- 6. Became a National Parole Resource Center Learning Site:** The National Parole Resource Center (NPRC), funded by the Bureau of Justice Assistance (BJA) in partnership with the National Institute of Corrections (NIC), has awarded the BOPP an opportunity

for intensive technical assistance to improve the BOPP's processes. Through this technical assistance, BOPP envisions gaining insight and guidance with establishing state-of-the-art empirically-based policies and practices that will establish a cohesive framework for decision-making and condition-setting. In working toward this vision, the Board is working with a site liaison to assess current policies and practices as the paroling authority and establish an overall strategic plan. NPRC liaisons met with the Board and management staff for a full day of training and discussion on November 30, 2010.

7. **Implemented Regular and Ongoing Board Member Training:** Board member training is ongoing and is conducted on a weekly basis since March 2010. Emphasis has been placed on familiarization with cooperating agencies and their programs and goals, specialized populations, and the use of evidence-based practices in our process.
8. **Implemented Structured Decision Making Training Program for Board Members (National Parole Board of Canada initiative):** The Board has been selected to participate in a Structured Decision Making training program for panel members. The purpose of this training is to assist Parole Board Members in practicing a standardized decision framework. This practice has been developed for use by the National Parole Board of Canada and the Correctional Service of Canada. It incorporates information that is highlighted by research and evidence-based practice in risk assessment and release decision making. The content areas and strategies provide a framework for panel members to follow. By considering specific domain areas, decision makers reflect a quality decision, thereby providing a clear, empirically-based rationale for their decision. Initial meetings with a representative of the National Parole Board of Canada began in early December 2010.
9. **Increased the number of Board of Pardons and Parole (BOPP) members to twenty (20):** In response to 2008 and 2010 legislation, the total number of Board members has been increased to twenty, with two additional members assigned to the Pardons Board, for a total of seven members assigned exclusively to that area. BOPP is fully staffed with five full-time members. Each Parole Review Board is staffed by at least one full-time Board member.
10. **Hired a Staff Psychologist for the Board:** A Staff Psychologist has been hired to assist the Board in all aspects of mental health diagnostic, treatment, and risk management issues, as well as conduct case consultations for medical releases, mental health disorders, and offender needs.
11. **Cleared Backlogged Hearings and Assisted in P.A. 08-01 implementation activities:** The OPM provided \$925,000 in Justice Assistance Grant (JAG) grant funds to the BOPP to hire additional temporary staff to assist in clearing backlogged hearings created by the new requirements of the 2008 reforms and assist in the implementation of the new information requirements of the reforms. The backlog of cases created by the implementation of the reforms has been successfully cleared.

## Challenges

12. **Potential Transition of Parole Board Members:** The Board of Pardons and Paroles is very concerned with the challenges created by these various reappointment configurations. All Board members terms expire with the term of the Governor until a new member is appointed. Any replacements of Board members should be timed to have the least negative impact. Should all five full-time Board members be replaced at the same time with no overlap the agency would require a significant period of time for orientation and training of the newly appointed Board members during which it would be impossible to conduct parole release and revocation hearings. This may result in an increase in the prison population if Board hearings are delayed.
13. **Collection of Comprehensive Information for Parole Release Decisions:** Although the certification process in place has dramatically improved the collection of information for parole release decisions, there are still identified gaps with some types of records for specific offenders, especially historically. This process needs to be continually enhanced and improved upon in order to obtain as much accurate and timely information as possible before a parole release decision is made.

## Information Technology Projects

### SUMMARY

No.	Agency	Issue	Status
1	DCJ OPM	Initiated the design and implementation of a Case Management System for the Division of Criminal Justice	On-Going
2	BOPP DOC OPM	Implemented Case Notes Enhancement Project	On-Going
3	Multi-Agency	Began implementation of Connecticut Information Sharing System (CISS)	On-Going
4	DOC	Upgraded Offender-Based Information System	On-Going
5	JUD	Implemented criminal case look-ups on the internet	On-Going
6	JUD	Initiated development of the Paperless Electronic Record Keeping System (PERKS)	On-Going
7	JUD	Implemented Electronic Citations Initiative	On-Going
8	JUD	Implemented Electronic Payments of Infractions and Violations	On-Going
9	JUD	Implemented Stalking and Domestic Violence Project	On-Going
10	JUD BOPP DOC	Created the Judicial Electronic Bridge	Completed
11	DCJ	Sustainability of existing legacy IT systems in addition to standard upgrades and new implementation of CISS Project	Challenge
12	Multi-Agency	Replacement of Judicial Branch's Criminal Motor Vehicle System	Challenge
13	Multi-Agency	Development of Electronic Booking System and Criminal Court E-Filing System	Challenge
14	Multi-Agency	Development of Statewide NICS Reporting System	Challenge

## Accomplishments

1. **Initiated The Design and Implementation of a Case Management System for the Division of Criminal Justice:** The Division of Criminal Justice hired a full-time Information Technology Manager and has been provided \$3,500,000 in funding for the design and implementation of a Case Management System for all 50 of its locations. DCJ has begun a significant infrastructure upgrade to modernize its overall IT infrastructure and for development and implementation of a first ever case management system. This initiative will take several years to complete and is being funded by a \$3,500,000 grant from the Office of Policy and Management (OPM). Once completed, it is expected that DCJ will be able to fully participate in CJIS information sharing activities.
2. **Implemented Case Notes Enhancement Project:** The Board of Pardons and Parole has begun the implementation of its Information Technology Enhancement Project with \$600,000 in funding. The BOPP and DOC are in the process of upgrading their existing information technology system known as Case Notes. OPM provided BOPP with a \$600,000 JAG ARRA grant which will allow greater efficiency by automating many of the manual tasks currently completed by staff in addition to convert all parole files to an electronic format. The project is expected to be completed in 2011.
3. **Began Implementation of Connecticut Information Sharing System (CISS):** The Criminal Justice Information Sharing (CJIS) Governing Board has designed a blueprint for its Connecticut Information Sharing System (CISS). After significant input from the entire criminal justice community was provided to the CJIS Governing Board, a Request for Proposals was issued on October 1<sup>st</sup>. All proposals are due by December 17<sup>th</sup> and the state evaluation team expects to recommend a vendor to the Governing Board in late February 2011. Section 42 of PA 09-02, September special session, authorizes the bonding of \$8 million to the CJIS project in fiscal year 2011 to begin the implementation of the state-wide information sharing system.
4. **Upgraded Offender-Based Information System:** The DOC Offender Based Information Replacement System project has moved into the design phase. The final vendor has been selected and negotiations will begin once funding is confirmed.

### **The Judicial Branch has created a variety of improvements to its information technology capabilities including the following:**

5. **Implemented Criminal Case Look-ups on the Internet:** This system provides criminal justice agencies with online access to pending criminal cases and criminal conviction information (through Judicial Branch web site).
6. **Initiated Development of The Paperless Electronic Record Keeping System (PERKS):** This system will provide for paperless, fully electronic case processing of infraction cases. It will be utilized by clerks, prosecutors and magistrates for faster case processing. Redundant data entry will be eliminated, allowing for better use of resources and more accuracy. Prosecutors will have instant access to the most current motor vehicle record of each defendant, thereby enabling more informed decision making. Case dispositions from the



courtroom will be immediately available in the clerk's office for collection of fines without the need to wait for a paper file to be delivered.

7. **Implemented Electronic Citations Initiative:** Motor vehicle infraction/violation tickets can now be produced electronically on the roadside by police. This has sped up the process, which diminishes officer and motorist exposure at the roadside. In addition, since the data is fed directly into the system, it eliminates the duplicate manual entry of data from paper tickets or citations.
8. **Implemented Electronic Payments of Infractions and Violations:** The Judicial Branch recently enabled the on-line credit/debit card payment of infraction/violation fines. This will eliminate duplicate entry and a variety of tasks at the Centralized Infraction Bureau. Additionally, e-payment has the potential of reducing bad checks and the subsequent time consuming process of bad check recovery, and may also reduce the number of cases in which people fail to respond to tickets they have been issued. Expansion of this initiative to allow recipients of infraction tickets to electronically plead not guilty should be pursued.
9. **Implemented Stalking and Domestic Violence Project:** The Protection Order Registry (POR) is being reprogrammed to provide more real-time information to criminal justice agencies across the nation from all civil and criminal court cases involving protection orders. To meet this objective, the Judicial Branch is collaborating with the Department of Public Safety to rewrite the automated data exchange between POR and COLLECT using global justice standards.
10. **Created the Judicial Electronic Bridge (JEB).** This electronic exchange allows the Board of Pardons and Parole and the Department of Correction, as well as the state and local police, to access electronically a variety of documents including sentencing transcripts and presentence investigation reports (PSI). Information that was previously only available in paper form is now available to the decision makers electronically at their desk.

## Challenges

11. **Sustainability of existing legacy IT systems in addition to standard upgrades and new implementation of CISS Project:** Significant funds and staff resources will be needed to continue the upgrade of existing agency legacy IT systems and the implementation of the CISS Project. The State of Connecticut is at a critical juncture with regards to improving its criminal justice information technology capabilities. Progress has been made over the past several years to address the criminal justice system's IT needs, but more agency staff and resources will be needed to continue this progress. The CISS project alone is estimated to need another approximately \$30 million dollars in bond funds and staff resources over the next several years to complete and maintain it.
12. **Replacement of the Judicial Branch's Criminal Motor Vehicle System (CR/MVS):** The CR/MVS is a cornerstone of all CJIS activities. Fully 80% of the information that currently populates the Offender Based Tracking System (OBTS) and will ultimately populate the new CISS integrated criminal justice information sharing system will come from the Judicial Branch's CR/MV System. In accordance with C.G.S. § 54-142s, the Connecticut Justice

Information System (CJIS) Governing Board is charged with implementing computer systems that will facilitate the immediate, seamless, and comprehensive sharing of information between the CJIS agencies. The Governing Board is preparing to take a major step in this area by developing the CJIS Information Sharing System (CISS) to serve as the hub for data exchanges between current systems. However, one cornerstone of CJIS information, the Criminal Motor Vehicle System (CRMVS), must be replaced to ensure that all new CJIS systems are operating with the timeliest, accurate, and complete criminal court records. .

13. **Development of an Electronic Booking System and Criminal Court E-Filing System:** The current system of manual booking and paper court filings is a major impediment to efficiency, accuracy and cost-savings. In 2009, approximately 375,000 new cases were manually entered in CRMVS from paperwork submitted by law enforcement agencies. Downstream records may be compromised due to errors and delays associated with duplicative data entry tasks. In 2009, more than 375,000 cases were disposed in CRMVS, and disposition records were distributed to municipal law enforcement agencies and other regulatory agencies including DMV, DEP, and the DPS Special Licensing and Firearms Unit. To offset resource reductions across the criminal justice community and improve the accuracy, completeness, and timeliness of criminal records, electronic sharing of data must be improved within the criminal justice community.
14. **Development of a Statewide NICS Reporting System:** The NICS (National Instant Criminal Background Check System) Act requires the states to develop a comprehensive, long-term plan for making various categories of records available to the NICS national security concerns related to the possession of firearms and explosives. Currently, many of the categories of records are not created electronically or indexed in a manner that supports routine reporting to external agencies. A statewide computer system for NICS records would improve the accuracy, completeness, and timeliness of records that are available for background investigation concerning firearms and explosives.

## Re-Entry Issues

### SUMMARY

No.	Agency	Issue	Status
1	DOC	Expanded funding for Reentry and Diversionary Services in Bridgeport, Hartford, and New Haven	On-Going
2	Multi-Agency	Merged the statewide reentry and assessment strategies into a single document	On-Going
3	DOC	Sustained Funding for Halfway House Beds	On-Going
4	DOC BOPP JUD	Implemented Risk Assessment Strategy	On-Going
5	DOC BOPP OPM	Implemented Additional Assessments Activity	On-Going
6	JUD DOC	Provided Further Opportunities for Prison Diversion	On-Going
7	DOC	Provided GPS Monitoring for 450 Additional Parolees	Completed
8	DOC	Restored Reentry Furlough	Completed
9	JUD	Increased the number of Diversionary Beds	Completed
10	Multi-Agency	Evaluation of effectiveness of current re-entry strategies	Challenge
11	JUD DOC DMHAS	Enhancement of treatment and program resources to help maintain and reduce DOC pretrial and sentenced population	Challenge
12	JUD DOC DMHAS	Strengthening of community-based supervision in support of recidivism reduction	Challenge
13	JUD DOC	Enabling Legislation Needs for Prison Diversion Projects	Challenge

## Accomplishments

1. **Expanded Funding for Re-entry and Diversionary Services in Bridgeport, Hartford, and New Haven:** Public Act 08-1 provided \$725,000 to the Department of Correction to expand the funding of a contract with the Family Reentry Fresh Start Program in Bridgeport. The program is designed to serve up to 300 male offenders discharging into the Greater Bridgeport area. Prior to release, offenders receive substance abuse counseling, employment services, job training, housing assistance, and mentoring.
2. **Merged the Statewide Reentry and Assessment Strategies into a Single Document:** The Prison and Jail Overcrowding and Reentry Working Group of the CJPAC is currently working to merge the statewide reentry and assessment strategies into a single document to better reflect the cohesiveness of the strategic goals.
3. **Sustained Funding for Halfway House Beds:** DOC has made significant efforts throughout the past 2 years to redesign and implement a network of community services that addresses the current needs of offenders, while providing informed and standardized care across the state. In SFY 2010, these efforts resulted in the ability of DOC to serve more offenders in shorter periods of time while ensuring the availability of outpatient services as a continuum of care once stays in a residential program have been completed.
4. **Implemented Risk Assessment Strategy:** The DOC, BOPP, and CSSD Judicial Branch developed a collaborative risk assessment in strategy for use in assessment of recidivism risk of offenders and to assist in assignment of interventions to lower that risk. The DOC is utilizing the Level of Service Inventory- revised version (LSI-R) in the Parole and Community Services Division. This is the same instrument being utilized by Probation, thus ensuring consistency in the criminal justice system.
5. **Implemented Additional Assessments Activity:** DOC is currently working closely with the BOPP and OPM to cross-validate a number of assessment tools. Initial review indicates the TPAI scores are consistent with result from the Salient Factor Risk Assessment (SFRA) used by the BOPP. Additional cross validation is being planned, which may allow the BOPP to substitute use of the SFRA with the TPAI, a much simpler and time effective tool. Through grant funding, the agency is in the process of piloting the Criminal Sentiments Scale (CSS), the Hostile Interpretation Questionnaire (HIQ), and the Hare Psychopathy Scale assessments. Work also continues to enhance trauma informed, gender responsive and youth specific assessments and programs at York Correctional Institution and Manson Youth Institution. Specific programs and treatment supervisors are assigned to assist facility staff, along with community partners, with development of age and gender appropriate services.
6. **Provided Further Opportunities for Prison Diversion:** At the request of the General Assembly's Appropriations Committee, during the 2010 legislative session the Judicial Branch put forth recommendations for three new programs aimed at reducing the DOC sentenced population. The Judicial Branch was funded for 50 positions, including new probation officers, to implement these programs beginning in 2011 which target the following individuals:

- a. Pretrial detainees interviewed by Jail Re-interview Staff or CSSD pretrial staff who are incarcerated awaiting a residential drug treatment placement. The program goal is to present the court with an alternative recommendation for 250 members of this target population who would otherwise be incarcerated;
  - b. Persons for whom there is an agreed upon plea to a sentence of two (2) years or less prison time. The program goal will be to assess 10% of the 11,000 with the expectation that half or 550 fewer defendants would be sentenced to DOC annually; and
  - c. Incarcerated offenders serving two (2) years or less and identified by the DOC as completing at least 90 days of their sentence in addition to complying with institutional rules and completing necessary treatment programs. The program goal is to successfully facilitate the sentence modification process for 15% of the target population resulting in 585 fewer inmates in DOC on any given day.
7. **Provided GPS Monitoring for 450 Additional Parolees:** The Department of Correction's (DOC) Parole and Community Services Division continues to successfully incorporate electronic monitoring technology into its overall offender supervision strategy. During the course of FY '09/'10, a total of 676 GPS units and 3,318 RF units were utilized. These figures represent a 50% increase in GPS utilization and 27% increase in RF utilization when compared to the previous fiscal year. Approximately 207 offenders are currently monitored with GPS and 650 with RF.
8. **Restored Re-entry Furlough:** Public Act 09-07 restored reentry furloughs for up to 45 days. The DOC reintroduced the incentive in November 2009, using an enhanced supervisory model. From November 2009 to November 2010, there were 377 offenders placed on reentry furlough, with only 3 criminal violations of this status. This represents a total of 8,711 bed days saved, with an excellent record of success, for a total cost savings of approximately \$241,381.
9. **Increased the Number of Diversionary Beds (Sec. 18 of P.A. 08-01):** Seventy-five beds were funded and purchased.

## Challenges

10. **Evaluation of the Effectiveness of Current Re-Entry Strategies:** The extent of the effectiveness of diversionary programs and the benefits imparted onto participants is still being explored. There is a need to evaluate the strengths and weaknesses of each system, particularly whether there should be an increased utilization of Parole, which provides an immediate ability to impose sanctions for non-compliance and greater flexibility in length of resumed incarceration. In order to understand the impact of the criminal justice system on public safety, future research should be focused on broader themes, such as reported crimes and clearance rates.
11. **Enhancement of Treatment And Program Resources To Help Maintain and Reduce DOC Pretrial and Sentenced Population:** The Jail Re-interview program is a key component of the

system and is supported by both residential treatment beds and outpatient services in the community. The program interviews over 15,000 defendants annually, resulting in over 10,000 releases from DOC pretrial facilities. There are two critical issues necessary to sustain the effectiveness of this program:

- a. Treatment beds: Without an opening for a residential treatment bed, pretrial defendants remain incarcerated and sentenced offenders are at a higher risk of technical violation or recidivism; and
- b. Out-patient services in the community: As more defendants are released via the Jail Re-interview program, the need for out-patient service increases.

**12. Strengthening of Community-Based Supervision in Support of Recidivism Reduction:** Five key components of recidivism have been identified: (1) Manageable Caseloads, (2) Timely Access to Services, (3) Increased Training, (4) Increased use of Technology and (5) Ongoing Monitoring and Evaluation. In order to successfully reduce recidivism, collaboration between criminal justice agencies, particularly regarding the sharing of resources, needs to be continually enhanced and improved upon.

**13. Enabling Legislation Needs for Prison Diversion Projects:** Legislation is needed to provide the authority for the Judicial Branch to establish the new Intensive Probation Supervision Units to supervise individuals in the community in lieu of incarceration, per the prison diversion programs funded in the 2010 legislative session.

## Special Offender Populations

### SUMMARY

No.	Agency	Issue	Status
1	DMHAS DOC CSSD	Developed And Expanded Specialized “Diversion” Services For Offenders With Mental Illness	On-Going
2	DMHAS DOC CSSD	Developed The CORP Reentry Services For Sentenced Offenders With Serious Mental Illness	On-Going
3	DMHAS	Developed Primary Prevention Program For Adults With Serious Mental Illness	On-Going
4	DMHAS DOC CSSD	Developed And Expanded Intervention And Treatment Services For Offenders With Addictions	On-Going
5	DMHAS DOC CSSD	Established Inter-Agency Policies And Practices To Coordinate Re-Entry And Continuity Of Care For Discharging Inmates	On-Going
6	JUD	Expedited Evaluation & Pre-Release Services For Sex Offenders	On-Going
7	JUD	Implemented Mandated Pre-Sentence Investigations For Sex Offenders	On-Going
8	JUD	Improved Monitoring And Supervision Of Sex Offenders	On-Going
9	JUD	Strengthened The Criminal Justice System’s Response To Domestic Violence	On-Going
10	OCPD	Provided Intervention Services For Domestic Violence Offenders	On-Going
11	JUD DOC	Expanded Residential Treatment For Sex Offenders	Proposed/Planned
12	DMHAS DOC	Safe, Affordable, Appropriate Housing and Housing Services	Challenge
13	DMHAS DOC	Medical/Mental Health Housing: Nursing Homes	Challenge
14	DOC	Transitional Services for Sex Offenders	Challenge
15	Multi-Agency	Integrated Electronic Medical Record	Challenge

## Accomplishments

1. **Developed and Expanded Specialized “Diversion” Services for Offenders with Mental Illness:** DMHAS, DOC and CSSD collaborate on initiatives to provide intervention and treatments services for individuals with serious mental illness. These services divert the individual from involvement in the criminal justice system by addressing their mental illness and delivering services in a more effective approach. Recidivism is reduced and more costly criminal justice sanctions are avoided.
    - a. **ASIST Program:** Combines criminal justice supervision, treatment, temporary housing, and support services for persons with mental illness in seven locations.
    - b. **CREST Program:** Provides a day reporting center for New Haven residents with serious mental illness that includes support, supervision, and treatment services.
    - c. **Jail Diversion Program (JD):** Provides assessment, referrals to treatment, and compliance reportings for defendants with mental illnesses who are diverted by the court.
    - d. **Supervised Diversionary Program (SDP):** Provides a diversion option for defendants with mental illness. Successful completion of the period of supervision results in dismissal of the charges. This program employs eight probation officers to supervise individuals with mental illness and avoid involvement with the criminal justice system.
    - e. **Women’s Jail Diversion:** Provides treatment services for women with psychiatric consequences of trauma who are diverted by the New Haven, New Britain, and Bristol courts.
    - f. **Crisis Intervention Team (CIT):** Provides training to police officers and others on dealing with persons with mental illness to reduce arrest, and injuries,
    - g. **Specialized Housing Services:** Provides rental subsidies and permanent supportive housing services for criminal justice-involved adults with serious mental illness.
  2. **Developed the CORP Reentry Services for Sentenced Offenders With Serious Mental Illness:** CT Offender Reentry Program (CORP) provides services to sentenced inmates with serious mental illness returning to six locations, including pre-release (6-18 months) engagement, independent living skills, discharge planning, post-release temporary housing, treatment services, and case management.
  3. **Developed Primary Prevention Program for Adults with Serious Mental Illness:** A pilot curriculum to reduce risk of involvement in the criminal justice system was developed for clients in the ASIST Program in DMHAS’ forensic hospital for Restoration to Competency to Stand Trial treatment, and in one DMHAS-funded Local Mental Health Authority.
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4. **Developed and Expanded Intervention and Treatment Services for Offenders With Addictions:** DMHAS, DOC and CSSD collaboratively manage programs that provide substance abuse treatment services to reduce involvement in the criminal justice system.
  - a. **Alternative Drug Intervention:** Provides comprehensive treatment and support services for defendants with addictions who are diverted by the New Haven court (formerly handled by New Haven Drug Court).
  - b. **Access to Recovery III (ATR III):** Funds treatment services, support services, and basic needs to those with no insurance and/or limited income. In 2010, DMHAS received its third federal ATR grant to build on the success of the earlier grants. CSSD and DOC clients have been a significant proportion of ATR I and ATR II and will be a target population for ATR III.
  - c. **Transitional Case Management:** Provides a re-entry program for sentenced men with addictions returning to four locations and includes: pre-release (3-4 months) engagement, discharge planning, and post-release temporary housing; substance abuse treatment; and case management.
  - d. **Recovery Supports Program:** Provides recovery supports to adults who received SAGA Medical coverage and who were engaged in mental health, co-occurring, or substance abuse services. Following conversion of SAGA Medical to the Medicaid for Low Income Adults program, DMHAS continues to provide recovery supports.
5. **Established Inter-Agency Policies and Practices to Coordinate Re-entry and Continuity of Care for Discharging Inmates:** Representatives from DMHAS, DOC, UConn Correctional Managed Health Care, CSSD, Probation, Parole, and Board of Pardons and Paroles meet on a monthly basis to identify and resolve communication issues, referral processes, and discharge of inmates with complex needs and/or high risk. DMHAS, DOC, and UConn Correctional Managed Health Care established a referral process for sentenced inmates with serious mental illness to develop discharge plans in collaboration with community mental health agencies.
6. **Expedited Evaluation & Pre-Release Services for Sex Offenders:** CSSD provided sex offender therapist services to conduct reevaluations of sex offenders three to six months prior to release to probation from incarceration.
7. **Implemented Mandated Pre-Sentence Investigations for Sex Offenders:** CSSD assigned six supervising probation officers to write Pre-Sentence Investigations.
8. **Improved Sex Offender Supervision:** The Judicial Branch hired 27 new Probation officers to reduce individual officer caseloads and allow for more intensive supervision of offenders. Polygraph services and GPS surveillance were implemented to increase oversight of offenders. CSSD also funds a sex offender day reporting program in New Haven and Hartford to monitor homeless sex offenders.
9. **Strengthened the Criminal Justice System's Response to Domestic Violence:** CSSD piloted a GPS program to monitor high risk pre-trial domestic violence offenders. This pilot is

currently being conducted in three sites; an outcome evaluation report will address the viability of statewide implementation.

10. **Provided Intervention Services for Domestic Violence Offenders:** The Office of the Chief Public Defender received \$200,000 in federal grant funds for a pilot project to provide intervention services for domestic violence offenders. The funds will support two temporary social worker positions to assess and coordinate the service needs of offenders in the court-sanctioned diversionary domestic violence education programs. These services will help the offenders achieve maximum benefit from the pretrial domestic violence programming.
11. **Expanded Residential Treatment for Sex Offenders:** DOC and Judicial awarded a contract to establish a residential treatment facility for sex offenders. Site development is underway, but pending litigation may delay implementation.

## Challenges

12. **Safe, Affordable, Appropriate Housing and Housing Services:** CT has an insufficient supply of housing that is safe, affordable, and appropriate for individuals who are trying to recover from psychiatric and/or substance use disorders. As a result, many of these people are homeless or in unstable housing and are living in locations that expose them to victimization, criminal activity, and re-traumatization. These circumstances significantly increase the likelihood of criminal justice involvement. In some communities across Connecticut, community opposition has prevented such housing from being established.
13. **Medical/Mental Health Housing: Nursing Homes:** Historically, nursing homes have been reluctant to accept offender populations. DOC has worked with DSS, OPM, and DPH in addressing the issue. Offenders requiring full nursing home care due to severe strokes or incapacitating medical conditions that mediate any public safety concerns are being referred to BOPP for Medical Parole consideration and placement in nursing home care. There are some inmates with organic conditions that no nursing home will take due to behaviors that require frequent and expensive staffing. As the population ages, the agencies must develop new process and services to address these issues. Discharging inmates who will not be accepted by nursing homes are sometimes admitted to DMHAS' Connecticut Valley Hospital for lack of any alternative. This is a very expensive and inappropriate option that uses a hospital bed that could be better used for other individuals.
14. **Transitional Services for Sex Offenders:** The need for transitional services for sex offenders is high; there are few community resources for housing or services willing to accept individuals with sex offense convictions. Conversely, many sex offenders are successfully supervised on parole. Stable housing and a period of supervised community transition are far more likely to result in positive outcomes than discharging these individuals to homeless shelters, which is often the only option.

15. **Integrated Electronic Medical Record:** To promote a more efficient and effective system of care related to addiction, medical, dental and mental health treatments an electronic, confidential information system is essential. As health care costs rise so too will the pressure to implement an efficient cross agency electronic health care information system that can enhance and streamline care for a population that often has high needs and a history of limited consistent access to health care.

## Victims Issues

### SUMMARY

No.	Agency	Issue	Status
1	JUD	Enhanced Victim Notification through the Creation of a Statewide Automated Victim Information and Notification (SAVIN)	On-Going
2	JUD BOPP	Assigned Two Victim Services Advocates to the Board of Pardons and Parole	On-Going
3	JUD OPM DCJ DPS	Implemented Sexual Assault Forensic Examiners (SAFE) program	On-Going
4	JUD DOC OPM	Enhanced Services To Primary and Secondary Sexual Assault Victims	Completed
5	Multi-Agency	Enhanced Services To Tertiary Victims Of Sexual Assault	Completed
6	OVA	Implementation of Victim Notification As It Relates To The Constitutional Rights Of Crime Victims	Challenge
7	OVA	Implementation of a Statewide Model Police Policies and Procedures on Handling Domestic Violence Offenses	Challenge
8	OCSA JUD OVA	Increased Victim Services during Court Proceedings	Challenge
9	OCSA JUD	Review of Current Habeas Corpus Laws	Challenge

## Accomplishments

1. **Enhanced Victim Notification Through the Creation of Statewide Automated Victim Information and Notification (SAVIN) System:** SAVIN, designed and implemented by the Office of Victim Services (OVS) in the Judicial Branch, is a free and confidential service that provides crime victims, victim advocates, and other concerned citizens with automated notification about specific criminal court related events. The first phase of the SAVIN was publicly launched on October 25, 2010. The second phase of this project began in November 2010 and will focus on providing crime victims with information pertaining to orders of protection. The third phase of the project, projected to occur in 2011, will focus on the inclusion of events from probation, the Department of Correction, and the Psychiatric Security Review Board.
2. **Assigned Two Victim Services Advocates to the Board of Pardons and Parole:** Two OVS Victim Services Advocates (VSA) were assigned to the Board of Pardons and Paroles in the spring of 2008. The two VSAs provide full-time assistance to victims who appear before or submit a written statement to the Board.
3. **Implemented Sexual Assault Forensic Examiners (SAFE) program:** Public Act 09-03 authorized OVS to establish a program to train SAFEs and make them available to adult and adolescent victims of sexual assault who present for care at participating pilot program hospitals. A SAFE Advisory Committee was established to assist OVS in the development and implementation of the SAFE program. The Office of Policy and Management provided \$1 million dollars in ARRA federal grant funds to the Judicial Branch to launch the program.
4. **Enhanced Services To Primary and Secondary Sexual Assault Victims:** Through collaboration with the Judicial Branch (Court Support Services Division) and the Department of Correction (Parole), specialized Victim Advocates are part of the sex offender supervision teams throughout the state. In 2007, the program was expanded statewide to provide services to sexual assault victims whose offenders are on probation or parole. This initiative placed Connecticut on the cutting edge of victim centered approaches to sex offender management, being the first and only state to have adopted this type of programming.
5. **Enhanced Services to Tertiary Victims of Sexual Assault:** CONNSACS created and launched unique support groups for tertiary victims, where they are able to process their personal and family challenges of being in the life of a sex offender who is on probation/parole.

## Challenges

6. **Implementation of Victim Notification As It Relates To The Constitutional Rights Of Crime Victims:** The Connecticut state constitution affords crime victims certain enumerated rights, which include: the right to communicate with the prosecution, to be notified of and attend all court proceedings and the right to make a statement to the court prior to the acceptance of a plea and at sentencing. These participatory rights are all predicated on a crime victim receiving timely and accurate notification. The Office of the Victim Advocate requests that

the CJPAC consider studying the issue of victim notification as it relates to the constitutional rights of crime victims.

7. **Implementation of a Statewide Model Police Policies and Procedures on Handling Domestic Violence Offenses:** The Office of the Victim Advocate is requesting that the CJPAC study the issue of creating and implementing a statewide police model policies and procedures for the response to incidents of domestic violence in Connecticut.
8. **Increased Victim Services During Court Proceedings:** The availability of resources for victims during court proceedings can be improved with the addition of more victim advocates, funding, and privacy. Each court currently has only one victim advocate, which is not adequate, especially for a large court. In addition, there is often not funding to effectively treat victims with serious injuries or long-term medical or psychological issues. Finally, a victim's feeling of safety during a trial could be enhanced with the addition of a private room specifically for their use. Privacy can be further enhanced for victims by sealing and protecting information/documentation that was collected but not introduced as evidence FOIA after the conclusion of a case. Similarly, in sexual assault cases, the medical examiners reports could be protected from FOIA, particularly in the case of minors.
9. **Review of Current Habeas Corpus Laws:** Currently, an extensive amount of manpower and paperwork is utilized to meet the provisions of the Habeas Corpus laws. A review of the current laws and how they can be revised to reduce inefficiencies and still preserve individual rights would decrease the time and energy spent processing these claims.

## Commission Members

### CRIMINAL JUSTICE POLICY ADVISORY COMMISSION

CGS§18-87j

<b>MEMBERS</b>	
<p style="text-align: center;">Hon. Brian Austin, Jr., Esq Undersecretary Criminal Justice Policy and Planning Division Office of Policy and Management</p>	<p style="text-align: center;">Laurie Deneen, Esq Public Member</p>
<p style="text-align: center;">Hon. Judge Patrick L. Carroll, III Deputy Chief Court Administrator</p>	<p style="text-align: center;">Richard P. Healey, Esq Public Member</p>
<p style="text-align: center;">Hon. James M. Thomas Acting Commissioner Department of Public Safety</p>	<p style="text-align: center;">Nancy Kushins Executive Director CT Sexual Assault Crisis Center (CONNSACS) Victim Services</p>
<p style="text-align: center;">Hon. Claudette J. Beaulieu Deputy Commissioner Department of Social Services</p>	<p style="text-align: center;">Rev. Shelley Copeland, Exec Director Capitol Region Conference of Churches Offender Services</p>
<p style="text-align: center;">Hon. Susan I. Hamilton, Esq Commissioner Department of Children and Families</p>	<p style="text-align: center;">James L. Kenny, Chief of Police Vernon Police Department Vernon, CT</p>
<p style="text-align: center;">Hon. Linda Agnew Commissioner Department of Labor</p>	<p style="text-align: center;">J. Robert Galvin, MD, MPH, JD Government Official</p>
<p style="text-align: center;">Hon. George A. Coleman Deputy Commissioner Department of Education</p>	<p style="text-align: center;">Hon. Amalia Vazquez Bzdyra Commissioner Connecticut Department of Public Utility Control</p>
<p style="text-align: center;">Hon. Kevin T. Kane, Esq Chief State's Attorney</p>	<p style="text-align: center;">Leo Arnone Acting Commissioner Department of Corrections</p>
<p style="text-align: center;">Hon. Susan O. Storey, Esq Chief Public Defender</p>	<p style="text-align: center;">Patricia Rehmer Commissioner Department of Mental Health and Addiction Services</p>
<p style="text-align: center;">Hon. Robert Farr, Chairman Board of Pardons and Paroles</p>	<p style="text-align: center;">Hon. Scott Kaupin Mayor Town of Enfield, CT</p>
<p style="text-align: center;">William H. Carbone, Executive Director Court Support Services Division Judicial Branch</p>	

# ORIGINAL SUBMISSIONS

The following documents represent the submissions received from the Criminal Justice Policy Advisory Commission members that were used to prepare this report. These documents are presented in their original, unedited states.

- Board of Pardons and Paroles
- Department of Correction
- Department of Mental Health and Addiction Services
- Division of Criminal Justice
- Judicial Branch
- Office of the Chief Public Defender
- Office of the Victim Advocate
- Connecticut Sexual Assault Crisis Center (CONNSACS)
- Richard P. Healey, Esq, Public Member



The intention of this report is to provide updated information on the continuing implementation of provisions related to the Board of Pardons and Paroles as delineated in Public Act 08-01 An Act Concerning Criminal Justice Reform and Public Act 08-51 An Act Concerning Persistent Dangerous Felony Offenders and Providing Additional Resources to the Criminal Justice System. Areas to be commented upon include agency changes and enhancements, the use of video-conferencing and risk assessment strategies, and victim notification. Updates will reflect changes that have occurred since the January 2010 Progress Report: Implementation of 2008 Criminal Justice Reforms.

### **Board of Pardons & Paroles Changes and Enhancements**

- In response to 2010 legislation the total number of board members has been increased to twenty, with two additional members assigned to the Pardons Board, for a total of seven assigned exclusively to that area.
- Board member training is ongoing and is conducted on a weekly basis since March 2010. Emphasis has been placed on familiarization with cooperating agencies and their programs and goals, specialized populations and the use of evidence based practices in our process.
- The Board has utilized the services of a Staff Psychologist broadly in the following areas: Perform general violence and sexual violence risk assessments and risk management recommendation evaluations to assist Board Members' Decision-Making and Stipulation consideration process; perform comprehensive mental health evaluations for both violence risk and mental health, substance use treatment, and risk management considerations based on a thorough review of pertinent file information; consultation with Parole Officers and/or Board Members to clarify mental health, diagnostic, treatment, and risk management issues; conduct local research, including outcome and exploratory analyses, investigating factors predictive of and/or differentiating between Parole failures and successes; facilitate communication, gathering and sharing of information, and continuity of care by serving as mental health/risk management liaison between Board of Pardons and Paroles and the Departments of Correction, Probation, Parole & Community Services Division, and DMHAS; provide training to members of the Board and Parole Officer regarding mental health, risk assessment and management; and conduct case consultations for medical releases, mental health disorders, offender needs.

The board may request a complete psychological evaluation of an inmate whenever, in the opinion of the board, it would be beneficial to the board's decision, such as an inmate convicted

or with a history of a crime involving arson, sexual abuse or personal violence, or of an inmate who has committed assaults or violent acts or for whom there is a question regarding his/her mental status currently or historically while incarcerated and in these cases the services of the Staff Psychologist is also called upon.

- Work resulting from the provision of a \$925,000 Justice Assistance Grant (JAG) in funding through the Office of Policy and Management to clear backlogged hearings and assist in P.A. 08-01 implementation is nearing its anticipated completion by the end of December 2010.
- The Board of Pardons and Paroles and Department of Correction are in the process with \$600,000.00 of grant funding upgrading their existing Case Notes system to allow electronic information sharing with Judicial and State / Local Law Enforcement. This enhancement will provide real-time access to parolee information, increasing public safety. The Case Notes system upgrade will allow greater efficiency by automating many of the manual tasks currently completed by staff in addition to convert all parole files to an electronic format.
- Informed Decision making. As a result of Public Act 08-01, the Board does not hold hearings on an inmate's suitability for parole unless there is a certification that a reasonable effort has been made to obtain all pertinent information, and that such information has been obtained or is unavailable. Procedures have been put in place to obtain this information from other agencies and ensure certification of the case. The Board continues to work on improving the system so that all information will be sent electronically.

#### **Video Conferencing Capability**

- The availability of video conferencing equipment in all DOC facilities has allowed for the Board to conduct a full two thirds of their monthly parole release hearings utilizing this technology. The recent addition of video conferencing equipment in a fourth Parole & Community Services Division district office will aid in the flow of parole release hearings. A total of 1763 release hearings have been held from January 1, 2010 to the present via video conferencing.

#### **Development of a Risk Assessment Strategy**

- The BOPP is in the process of adopting the Treatment and Programs Assessment Instrument (TPAI) currently administered by the Department of Correction (DOC), along with a battery of additional assessment tools designed to determine criminogenic needs. The DOC currently administers the TPAI in an effort to target offenders at high risk to recidivate for programming

while allowing for early release consideration for those posing the lowest risk. Further assessments including that Addiction Severity Index used to identify the severity of substance abuse and level of treatment required; the Criminal Sentiments Scale used to assess the extent of criminal thinking; the Hostile Interpretations Questionnaire which determines the propensity for impulsivity and violence; and various educational assessments are administered in order to target specific need areas for program recommendation. Access to this information is critical to the Board's release decision making process so that lower risk offenders are targeted for earlier release and parole stipulations for all offenders granted parole are imposed with attention being given to criminogenic need. Thus, the Board seeks to work in an information sharing capacity with the Department of Correction, reducing redundancy and staff hours while achieving a common goal in release and program decision making.

- Consideration is being given by the BOPP to the use of a stand-alone assessment tool such as the Ohio Risk Assessment System, which assesses both risk to recidivate and criminogenic need, both upon intake and again at re-entry review, and which would be used solely by the Board.

#### **Victim Rights and Notifications**

- Two victim service advocates continue to be assigned to the BOPP from the Judicial Branch, Office of Victim Services. For the period July 1, 2009 through September 30, 2010 a total of 1286 victims have been served in the parole hearing process; receiving notification of hearings and outcomes, being accompanied at parole hearings where their personal testimony is provided to the Board's panel and/or having their impact statements read into the record by the advocate who has been assigned to work with them.
- It is anticipated that the Board of Pardons & Paroles will be brought on board with the SAVIN system by December 31, 2010. Training on this system by Judicial Branch staff is scheduled for the agency in early December.

## CJPAC Issues in the Coming Administration

### Case Notes Enhancement Project

Case Notes is an existing automated system that supports the consideration of offenders for parole as well as their supervision in the community. The Board of Pardons and Paroles and Department of Correction are in the process with \$600,000.00 of grant funding upgrading their existing Case Notes system to allow electronic information sharing with Judicial and State / Local Law Enforcement. This enhancement will provide real-time access to parolee information, increasing public safety. The Case Notes system upgrade will allow greater efficiency by automating many of the manual tasks currently completed by staff in addition to convert all parole files to an electronic format.

The upgrading of the Case Notes system remains a top priority for the Board of Pardons and Paroles. Currently two Parole and Community Services Managers of a total of eight are serving as Project Manager and Enhancement Training Coordinator, respectively, dedicating the bulk of their time to this work. Additionally, one Parole Officer is assigned full-time to development work, as well as one Information Technology Analyst who might otherwise assist the agency with routine technology issues. This is a considerable dedication of staff given the overall size of the agency and serves to highlight our commitment to project completion. Such involvement places a burden on the agency as a whole where staff hired specifically for technology, research, and development do not exist. It is anticipated that this project will reach completion and will be ready for implementation on or about the month of August 2011.

The final version of the Case Notes system will reduce repetition and redundancy through the various enhancements, thereby increasing user efficiency. Of significant importance is the capacity that the Case Notes system will create for obtaining valuable statistical information regarding the parole eligible population in our state, as well as the functions of the agency. Overall, the information gained through the implementation of this project will serve to increase agency efficiency and productivity while advancing our ability to utilize evidence based practices in our process.

### National Parole Resource Center Learning Site

The National Parole Resource Center (NPRC) is funded by the Bureau of Justice Assistance (BJA) in partnership with the National Institute of Corrections (NIC) and administered by the Center for Effective Public Policy (Center) and its partner, the Association of Paroling Authorities International (APAI). The purpose of the NPRC is to support and shape the future of parole as an increasingly effective stakeholder in the criminal justice system. One goal of the NPRC is to assist paroling authorities and supervision agencies to enhance their practices by building upon the lessons emerging from the research on evidence-based practices, effective decision-making practices, and the effectiveness of collaboration among justice system partners.

The Board of Pardons and Paroles envisions gaining insight and guidance with establishing state-of-the-art empirically-based policies and practices that will establish a cohesive framework for decision-making and condition-setting and utilize the guiding principles of Risk, Need, Responsivity, and Dosage. In

working toward this vision, the Board is working with a site Liaison to assess current policies and practices as the paroling authority and establish an overall strategic plan.

To this end, the NPRC advocates for ten best practice targets that were first introduced to the Board of Pardons and Paroles at a September 2010 meeting. Since that time, three subcommittees were established to review aspects of parole as it relates to the practice targets identified by Board members as priorities for focus in the coming months. The subcommittees include:

- Standard & Special Conditions of Parole/Impact on Violation Process
- Policies and Release Decision-Making Guidelines
- Core Competencies for Parole Board Members

NPRC liaisons are scheduled to meet with the Board and management staff for a full day of training and discussion on November 30, 2010. Emphasis will be placed on core competencies for Board members, agency vision and mission, and interviewing and motivational techniques. Anticipated outcomes of the Learning Site Initiative will be addressed. The Board expects to have the assistance of the NPRC through June 2011 and intends to invest the time and talents of a broad cross section of staff in working toward these goals.

Through this process the Board seeks to develop Standard and Special Conditions of Parole that are designed to maximize successful offender re-entry and assist the supervising entity with offender management. Clarification on agency policy and procedures will provide direction to staff that is designed to minimize confusion and redundancy. Parole release decision-making guidelines will improve the Board's ability to make consistent release decisions across panels and correctional institutions. In developing a set of core competencies for Parole Board members the agency intends to further professionalize their overall functionality.

### **Structured Decision Making Framework**

The Board has been selected to participate in a Structured Decision Making training program for panel members. The purpose of this training is to assist Parole Board Members in practicing a standardized decision framework. This practice has been developed for use by the National Parole Board of Canada and the Correctional Service of Canada. It incorporates information that is highlighted by research and evidence-based practice in risk assessment and release decision making. The content areas and strategies provide a framework for panel members to follow. By considering specific domain areas, decision makers reflect a quality decision, thereby providing a clear, empirically based, rationale for their decision.

Initial meetings with a representative of the National Parole Board of Canada are scheduled for early December 2010. At this time we will begin the process of assessing the necessary information required in order to utilize the framework model and determine its potential efficacy for the agency. Collaboration between staff from the Board of Pardons & Paroles and the National Parole Board of Canada is necessary to take a historical look at a sampling of our recent parole decisions, scoring these cases according to the framework model and comparing the results with the actual decisions made. An additional facet of this project looks at the success of these paroled offenders under supervision. Together a determination of the benefit of a structured decision making process will result. Upon such a determination, it will be necessary to provide training for the Parole Board and associated staff in the application of this tool to cases going forward.

The agency sees these two efforts working in concert with one another toward the end that we will be utilizing the best and most recent methods available to us through research regarding evidence based practices and will be enabled to develop a strategic plan that makes sense for the future. Again, it should

be noted that the agency has enlisted the assistance of available parole officers and managers to do the hands on work of research and development due to a lack of staffing in these areas. At issue is the obvious need for improvements to our system and the difficulty with which this can be accomplished while attempting to conduct business as usual. As such, the agency seeks the support of this Commission in its efforts to provide the State of Connecticut with the best in parole practices.

### **Transition of Parole Board Members**

The Board of Pardons and Paroles is made up of a total of twenty appointed officials including seven part-time Board members who serve exclusively on Pardons panels, five full-time Board members who serve on Parole panels along with seven part-time Board members also assigned to parole release hearing panels, and the Chairman who serves on both Pardon and Parole panels. Parole release panels must consist of a minimum of two full-time members each according to statute. The Board currently conducts on average twenty-eight parole release hearings on thirteen days per month and four parole revocation hearings on four additional days per month. Four days per month are reserved for Board training, staff meetings and related administrative tasks.

PA 08-01 replaced the former seven part time Parole Board members with five new full time and seven new part time Parole Board members. It provided an overlap of four months (February until July 2008) when both Boards served with the new members being trained and the old members holding hearings.

Unfortunately all the new Board members terms expire with the term of the Governor until a new member is appointed. Should all five full-time Board members be replaced at the same time with no overlap the agency would require a significant period of time for orientation and training of the newly appointed Board members during which it would be impossible to conduct parole release and revocation hearings. While fewer replacements will have less impact on the agency, any replacement will affect productivity. If we add the replacement of the Chairman to this list the implications increase as s/he not only orients and trains in current policy and practice, but also determines the policies and practices for the agency.

Experience has shown that the best training ground beyond an understanding of process and materials for Parole Board members is alongside existing Board members. A time of transition provided by the staggering of reappointments is optimal in providing this type of shadowing, although it creates a situation that requires a rolling orientation and training cycle at the same time. Initial training for Board members is conducted by agency staff with expertise in various areas of concern as well as by officials from other collaborating criminal justice agencies. Considerable staff time and preparation goes into the planning and provision of quality training for Board members and a repetitious cycle of training increases this workload while reducing productivity. Repeatedly tapping the resources of collaborating agencies for this process imposes a similar burden on them.

The Board of Pardons & Paroles seeks consideration of the challenges created by these various reappointment configurations. Any replacements of Board members should be timed to have the least negative impact. The agency strives to provide its employees, appointed or not, with the necessary tools to conduct their business in the most efficient manner with the highest quality results possible. Assistance with necessary curriculum and staffing is welcomed in order to accomplish the joint tasks associated with simultaneous training and operations. In partnering with other criminal justice agencies through the efforts of this Commission the agency believes it can achieve its goals.

**CJPAC Transition Issue #1****Judicial Department – Court Support Services Division**

**Issue:** Significant Research Findings presented to CJPAC

**Overview:** The Judicial Branch – Court Support Services Division has presented to the CJPAC the results of evaluations involving CSSD special projects and updates on significant trends. A summary of those evaluation findings and trends follows below.

**Probation Transition Program (PTP)**

The PTP targets inmates who have probation sentences following their prison sentence and subsequent release from the Department of Correction (DOC). The overarching goal is to reduce the technical violation rate of split sentence probationers by helping them re-enter their community following prison release.

An evaluation by Central Connecticut State University found that split-sentenced probationers in the PTP had statistically lower technical violation rates and were statistically less likely to be sentenced to prison for technical violations than similar groups of probationers.

**Program Outcomes:**

- The percentage of technical violations was reduced
  - 15% in pilot sites and 26% in comparison group (a 73% decrease)
  - 11% in expansion sites and 16% in comparison group (a 31% decrease)
- The percentage of technical violators going to prison was reduced
  - 8% in pilot sites and 23% in comparison group (a 65% decrease)
  - 5% in expansion sites and 11% in comparison group (an 55% decrease)
- Public safety was not compromised by the decrease in technical violations
- Key components appeared to be lower caseloads and greater scrutiny of technical violations

**Technical Violation Unit (TVU)**

The purpose of the TVU is to provide a last chance for probationers who are at risk for technical violation and subsequent incarceration. TVU officers are given reduced caseloads, technical resources, and preference for client services so they can spend more time working with troubled clients and better address their criminogenic needs than probation officers with regular caseloads.

**Program Outcomes:**

- An evaluation by Central Connecticut State University found that “the overall percentage of TVU participants arrested or technically violated was 55%. While this percentage appears to be high, it is important to point out that 100% of TVU participants would have been technically violated if not for their participation in the TVU. We were encouraged by these results in our evaluation of the pilot program and still believe that the TVU played a significant role in decreasing CSSD’s technical violation rate.”

**Mental Health Caseloads**

In response to concerns over the growing mental health needs of offenders, the Judicial Branch’s Court Support Services Division (CSSD) developed and piloted the Mental Health Case Management Project (MHCM). The MHCM project established a specialized unit of ten Mental Health Officers (MHOs) spread over eight probation offices. These probation officers supervised only probationers with Severe Mental Illness (SMI) and had caseloads of 35 clients.

**Program Outcomes:**

- An evaluation by Central Connecticut State University found that the project significantly reduced arrest rates, "the results of the evaluation suggest that the MCHM project significantly reduced recidivism..."
- ...MCHM probationers had a **new arrest rate 25% lower** than that of the matched comparison group."

### **Women Offender Case Management Model**

In 2007, CSSD was chosen as one of only two programs nationally to implement and evaluate this new case management approach. As a result, CSSD Adult Probation has been piloting a Women Offender Case Management Model (WOCMM) demonstration project for the past three years in four Connecticut probation offices: Bridgeport, Hartford, New Britain and New Haven. The National Institute of Corrections has offered site training, process and outcome evaluation, and technical assistance. The WOCMM probation teams started accepting clients in early 2007.

#### **Program Outcomes:**

- An evaluation by Orbis Partners, a research group out of Canada, indicates that the WOCMM clients experienced an **overall reduction in recidivism of 26% for new arrests for a 12-month period** following start of probation as a result of this new approach...
- ...and that there have been demonstrated increases in human and social capital (across measures of health and well-being, social supports, etc.).

### **Bail Services Research**

The Judicial Branch has partnered with CCSU faculty over the past seven years to develop and validate assessment tools for use by bail commissioners. Three distinct products have resulted from this partnership:

- 2003 Case Data Record
- 2005 Bail Decision Aid
- 2008 Financial Bond Guideline

These projects were an important part of the Judicial Branch's efforts to develop a more systematic and consistent bail determination process ultimately resulting in:

- Increased number of defendant's released on non-financial bonds
- Increased use of the service provider network
- A decrease in the number of failures to appear
- More consistent and equitable financial bond recommendations

### **Family Violence Education Program (FVEP)**

The Family Violence Education Program has historically been utilized at or beyond capacity. Despite internal efforts to meet the referral demands of the program by increasing FVEP programming statewide there continues to be a significant waitlist for offenders.

#### **Internal Research Findings**

- During 2009, the court demand for the Family Violence Education Program resulted in 1,814 defendants waiting nine or more weeks before entering the program;
- Offenders who waited nine weeks or more had a FV re-arrest rate ranging from 6 to 15 percent; those who waited eight weeks or less had a FV re-arrest rate ranging from 1 to 4 percent;
- Offenders who waited nine weeks or less to enter into the FVEP had a greater likelihood of completing the program.

To address the immediate issue of victim safety, CSSD funding was diverted from other programs to increase FVEP group cycles statewide from 177 to 229 in FY 09/10 (January to June). This measure resulted in an average wait time to enter program that was reduced to 48 days in the most recent quarter ending September of 2010.





**State of Connecticut**  
**DIVISION OF CRIMINAL JUSTICE**

## **Information Technology**

*A key concern identified in the development of the 2008 criminal justice reforms was the lack of Information Technology resources in the Division of Criminal Justice. Per the Connecticut Constitution, the Division is responsible for the investigation and prosecution of all criminal matters in the State of Connecticut. It consists of the Office of the Chief State's Attorney in Rocky Hill and the Offices of the State's Attorneys in each of the 13 Judicial Districts in Connecticut and the 34 associated Geographical Area and Juvenile Matters locations.*

### **ISSUES**

- Lack of Case Management system and resulting inability to provide even the most basic case statistics or other statistical information, including the status of any given case, access to associated documents.
- Outdated or complete lack of information technology resources or systems allowing for sharing of case reports and other data from police departments and other arresting agencies.
- Lack of management resources for agency with approximately 500 employees working in 50 locations throughout the state.
- Expense and inefficiency of the existing paper based system. (The Division's reliance on paper files is evident from the fact the agency currently rents an actual warehouse to store paper files.)

### **ACTIONS:**

- Division hired first Information Technology Manager assigned solely to the Division of Criminal Justice and its 50 locations.
- On its own initiative the Division has implemented substantial internal improvements, including the provision of police reports to the Department of Correction, the expansion of access to various databases for Division employees and offering training for all Division employees for use of Offender Based Tracking System (OBTS). These were all accomplished within existing resources.

- Enactment of legislation amending section 51-286f of the general statutes to improve the process for providing transcripts of sentencing proceedings to the Board of Pardons and Paroles (Section 135, Public Act 09-7, September Special Session).
- Division of Criminal Justice awarded \$3,000,000, three-year grant for Infrastructure Upgrade to modernize overall IT infrastructure and for development and implementation of Case Management system.

## **OBSTACLES**

- Approval process involving Department of Information Technology (DOIT) has presented artificial impediments resulting in persistent delay in both Infrastructure Upgrade and Case Management System. The bottom line is that for operational purposes the Division is in the same position today as it was prior to the 2008 reform process.
- The lack of CJIS staff has resulted in an ongoing need to divert resources from the Division of Criminal Justice and other agencies.
- To date none of the \$8 million approved by the General Assembly for the Connecticut Information Sharing System (CISS) has been authorized or allocated by the State Bond Commission.



**State of Connecticut**  
**DIVISION OF CRIMINAL JUSTICE**

## **Re-Entry Strategies**

- Efforts to reduce inmate population has resulted in increased emphasis on alternatives to incarceration and re-entry strategies to reduce recidivism.
- Increased reliance on probation, parole and diversionary programs as alternatives to incarceration.
- Are diversionary programs being limited to those who will actually benefit or have they become an alternative means for disposing of a case that should be nolle?
- Is there an effective means available for measuring the success of diversionary programs and whether participants are reaping actual benefit?
- Probation vs. Parole? There is a need to evaluate the strengths and weaknesses of each system.
- Should greater use be made of parole, which provides an immediate ability to impose sanctions for non-compliance and greater flexibility in length of resumed incarceration?
- Probation - more cumbersome process for imposing sanctions on violators, lack of close supervision during pendency of VOP process, less flexibility in determining length of renewed incarceration for violations.
- We have been concentrating on re-entry and recidivism in isolation and made very good progress. We should look at the overall picture by looking at reported crimes, clearance rates (reported crimes cleared by arrests) to understand the impact what we do has on public safety.

## **DMHAS collaborations with the CT Criminal Justice System**

### **I. DMHAS Service System**

DMHAS provides services to criminal justice involved clients throughout its state-operated and funded service system. Data matching with DOC and the Judicial Branch show that of the approximate 90,000 individuals annually served by DMHAS, a large number are also involved with the criminal justice system

In addition to treatment services for mental health, co-occurring, and substance abuse disorders, DMHAS provides specialized services for specific populations and needs including offenders, trauma victims, women, ABI/TBI, older adults, problem gambling, Project Safe with DCF, and employment. DMHAS also provides resources to support recovery including specialized housing and housing supports and resources to support basic needs (e.g. rent, clothing, bus tokens). *All of these services include clients involved with the criminal justice system.*

In mental health programs operated or funded by DMHAS, approximately 18% (N=10,020) of those treated in SFY 2008 had been arrested in the 12 months prior to receiving services. In substance abuse programs operated or funded by DMHAS, approximately 24% (N=9667) of those receiving a “clinical” treatment service had been arrested in the 12 months prior to receiving services. These numbers may include some overlap from individuals who received both mental health and substance abuse services.

Participation in evidence-based treatment and support services is a widely recognized component of successful diversion from incarceration and successful community reintegration of incarcerated individuals. DMHAS actively engages with local and state criminal justice agencies to coordinate services to justice involved adults.

### **II. Accomplishments**

In the early to mid 1990s, DMHAS initiated Jail Diversion programs in two large courts. Following this, DMHAS received a series of federal grants to develop specialized programs in conjunction with the criminal justice system for shared clients who had psychiatric disabilities and/or addictions. These programs spanned the full range of the criminal justice system and involved collaborations with police, courts, probation, DOC, and parole. Because these programs demonstrated an ability to reduce arrest, incarceration, and/or recidivism in a cost-effective and humane manner, the state chose to continue and expand the programs with state funds.

DMHAS and DOC have had a long-standing referral protocol discharging sentenced inmates who have serious mental illness to connect them with the DMHAS community mental health service system prior to release. In the early 2000s, DOC discharged approximately 400 of these individuals annually to DMHAS. Since SFY07 this number has been declining to approximately 200 individuals in SFY10 despite little change in the crime rate or DOC census. This is a clear indication of one outcome of the collaborations between DMAHS and criminal justice agencies. This reduction is especially significant in that individuals with serious mental illness cost the state about twice as much

(\$87,000/yr for Garner Correctional Institution; OLR Report 2008) to incarcerate as the average inmate.

### **Behavioral Health Subcommittee of CJPAC**

PA 06-193 called for the creation of a subcommittee on corrections behavior health to make recommendations to the CJPAC. The subcommittee is co-chaired by DMHAS and DOC officials, with additional representation from UConn Health Center, CSSD, the Public Defender's Office, the Chief State's Attorney's Office, NAMI, the Connecticut Legal Rights Project and the Southern Connecticut Behavioral Health Network. It meets quarterly to share developments in mental health care for individuals involved in the criminal justice system and to develop potential solutions to system barriers. The subcommittee has made recommendations to create work groups to deal with barriers to effective mental health care resulting from deficiencies in information sharing and from unexpected release of individuals from DOC without needed medication. Both of those groups are actively engaged in that work.

### **Supervised Diversionary Program (SDP)**

SDP was implemented per PA 08-01 to provide an additional diversion option for defendants with mental illness. SDP is managed by CSSD and DMHAS Jail Diversion clinicians provide an initial screening for most SDP applicants. Successful completion of the period of supervision results in dismissal of the charges.

### **PA 08-51 Section 8**

Section 8 of PA 08-51 provided additional funds to DMHAS to expand services designed to reduce or avoid incarceration. These funds were used to expand the following programs that are described below - Crisis Intervention Team, Alternative Drug Intervention, Women's Jail Diversion Program, CT Offender Reentry Program, and Transitional Case Management.

The following DMAHS programs and procedures include collaborations with police, DOC, the Judicial Branch, Probation, Parole and the Board of Pardons and Paroles.

**DMHAS Interagency Monthly Meeting** - Representatives from DMHAS, DOC, UConn Correctional Managed Health Care, CSSD, Probation, Parole, Board of Pardons and Parole meet to identify and resolve communication issues, referral processes, and discharge of inmates with complex needs and/or high risk.

**Crisis Intervention Team (CIT)** – As of October 2010, DMHAS has provided 5-day, 40-hour CIT training to 790 police officers and 190 others on dealing with persons with mental illness; CIT training reduces arrest, injuries, shootings; DMHAS clinicians assist police in 7 cities.

**Jail Diversion Program (JD)** – mental health clinicians in all 20 GA courts provide assessment, treatment recommendation to the court, treatment referral, and compliance monitoring for defendants with mental illnesses who are diverted by the court. The JD

program screens approximately 4,000 defendants/yr and approximately half this number are diverted by the court.

**Women's Jail Diversion** – comprehensive treatment and support services for women with psychiatric consequences of trauma who are diverted by the New Haven, New Britain, and Bristol courts. Avoids incarceration.

**Alternative Drug Intervention** – in place of the former New Haven Drug Court, provides comprehensive treatment and support services for defendants with addictions who are diverted by the New Haven court. Avoids incarceration.

**ASIST** – collaboratively managed and funded by DMHAS, CSSD, and DOC; combines criminal justice supervision, treatment, temporary housing, and support services for persons with mental illness in seven locations who would otherwise be incarcerated. Avoids incarceration and reduces recidivism.

**CREST** – day reporting center for New Haven residents with serious mental illness; provides supervision, independent living skills, treatment services. Avoids incarceration.

**Transitional Case Management** – reentry program for sentenced men with addictions returning to four locations. Pre-release (3-4 months) engagement and discharge planning and post-release temporary housing, substance abuse treatment, case management. Reduces recidivism.

**CT Offender Reentry Program (CORP)** – reentry program for sentenced inmates with serious mental illness returning to six locations. Pre-release (6-18 months) engagement, independent living skills groups, discharge planning, post-release temporary housing, treatment services, case management. Reduces recidivism.

**DMHAS-DOC Referral Process** – all sentenced inmates with serious mental illness are referred to DMHAS for pre-release engagement and discharge planning with community mental health agencies. Some enter the CORP program.

**Specialized Housing Services** – based on “what works” research, in SFY11 DMHAS is implementing permanent rental subsidies and permanent supportive housing services for criminal justice-involved adults with serious mental illness. This project includes a program evaluation to guide management and development of this service.

**Access to Recovery III (ATRIII)** – In October 2010 the federal government awarded third round of ATR funding to DMHAS. ATR's target population includes referrals from DOC and CSSD and makes treatment services, support services, and basic needs available to those with no insurance and/or limited income.

**Recovery Supports Program** – Under SAGA, DMHAS provided recovery supports to adults who received SAGA Medical coverage and who were engaged in mental health, co-occurring, or substance abuse services. Following conversion of SAGA Medical to the

Medicaid for Low Income Adults program, DMHAS continues to provide recovery supports. These support services are essential for people who are trying to recover from mental health and substance abuse disorders and are widely used by individuals referred from DOC and CSSD.

**Primary Prevention of Criminal Justice Involvement** - DMHAS has begun directing efforts at primary prevention of criminal justice involvement for adults with serious mental illness. Research has clearly shown that although mental health services are necessary, more is needed for many of these individuals to prevent or reduce criminal justice involvement. A curriculum designed to reduce risk of such involvement is being piloted in the ASIST program, in DMHAS' forensic hospital with Restoration to Competency clients, and in one DMHAS-funded Local Mental Health Authority.

### **III. Challenges**

#### **Safe, Affordable, Appropriate Housing and Housing Services**

CT has an insufficient supply of housing that is safe, affordable, and appropriate for individuals who are trying to recover from psychiatric and/or substance use disorders. As a result, many of these people are homeless or in unstable housing, fill up homeless shelters, and are living in locations that expose them to victimization, criminally active individuals, substance-using individuals, and re-traumatization. These circumstances significantly increase the likelihood of criminal justice involvement.

#### **Increased Access to SSI/SSDI Income for Disabled Adults to Afford Housing**

CT has many residents with serious psychiatric disabilities who are criminal justice involved, are homeless or have very unstable housing, and are not able to work full time and need alternative income. Federal SSI/SSDI (with a state supplement) is the appropriate income provision for these individuals. This income is necessary for individuals to be able to afford stable housing. It also brings additional federal funds into the state, and replaces state funds that would otherwise be needed by these individuals. However, the application process is difficult and often takes up to two years to complete. DMHAS is currently using federal technical assistance to implement the SOAR initiative that develops collaborations among state, federal, and community agencies to train case managers and develop protocols to ensure rapid (average 89 days) and successful (average 70%) applications for SSI/SSDI income. Staffing limitations in community agencies and DOC will significantly limit the state's ability to realize the full benefits of this initiative.

#### **Ability of the DMHAS-funded Service to Assess and Treat Criminogenic Need**

A large number of criminal justice involved individuals participate in DMHAS-funded services at some time in their lives. Such participation requires an assessment of needs to inform treatment services and would be an opportunity to also assess criminogenic risk and need. Although criminal justice involvement is common for individuals in publically-funded substance abuse and mental health treatment, the usual education and training system does not adequately prepare professionals to assess and treat criminogenic need.

With resources for training and on-going supervision, the DMHAS-funded service system could become more effective in the effort to prevent or reduce criminal justice involvement for its clients.

### **Information Sharing Among DMHAS, DOC, CSSD to Ensure Continuity of Care**

Maintaining the gains made in service participation as individuals move between the criminal justice and DMHAS service systems can increase success in the community and reduce recidivism for shared clients. Technical limitations, legal barriers, and insufficient staffing prevent full communication of information that is necessary to ensure the continuity of care needed to support these gains.

### **Information Sharing Among DMHAS, DOC, CSSD to Monitor Program Effectiveness at Reducing Criminal Justice Involvement**

DMHAS programs that are designed to target only criminal justice clients collect limited recidivism data in an effort to monitor effectiveness. Technical limitations, legal barriers, and insufficient staffing prevent a more comprehensive analysis that would be useful in managing and developing programs.

Recently DMHAS, DOC, CSSD and BOPP began establishing a procedure for the routine sharing of criminal justice and behavioral health data. This initiative seeks to greatly reduce or eliminate the current situation of separate requests for sharing records based on project-specific needs. Instead, state agencies and the Judicial Branch propose to institute a routine (e.g., every six months) linking (i.e., matching of individuals across databases) of arrest, incarceration, parole, and probation data with behavioral health (mental health and addiction services) records. Through this process, a de-identified, analytic database that meets confidentiality requirements would be available for multiple purposes. This analytic data set would be available to:

- Criminal Justice Policy Advisory Commission (CJPAC Research Workgroup)
- Alcohol and Drug Policy Council
- Individual participating state agencies and the Judicial Branch
- Other academic partners (CCSU, Yale, UConn) with approval by all parties.

Once created, this analytic data set would be available for the purpose of evaluating such areas of interest as continuity of care, rearrest or reincarceration rates based upon treatment access and other topics of interest for policy and decision makers.

### **Limited Capacity in the Service System**

The current service system has less than full capacity to ensure ready access to services and sustained care and recovery support services (e.g. housing, transportation, basic needs) diverted from or leaving DOC.



## **DOC collaborations with the CT Criminal Justice System November 19, 2010**

### **I. SIGNIFICANT ISSUES ADDRESSED BY DOC THROUGH CJPAC**

The process of supporting the successful reentry of offenders returning to their home communities continues to improve through partnerships between criminal justice agencies and partners in the communities. The Department of Correction is committed to effectively release and manage offenders in the community through appropriate supervision, which ultimately enhances public safety. The State of Connecticut Reentry Strategy, developed pursuant to Public Act 04-234, now CGS 18-81w, is the result of a partnered effort by the state's criminal justice agencies. The strategy outlines a collaborative plan to enhance public safety by reducing recidivism through implementation of an integrated, collaborative and cost-effective approach to managing an offender's transition from incarceration to the community.

The great value of the Criminal Justice Policy Advisory Commission lies in the opportunities it presents for criminal justice administrators to partner efforts and streamline services. Most of the provisions in the 2008 criminal justice reform statutes were addressed through collaborations among the executive and judicial branches' criminal justice agencies through the Criminal Justice Policy Advisory Commission (CJPAC). The Prison and Jail Overcrowding and Reentry Working Group (PJOR) of CJPAC was the forum for these agency administrators to enact and implement concurrent changes across agency lines.

The provisions of Public Acts 08-1 and 51 that impacted the Department (1) eliminated the DOC Commissioner's discretionary authority to place an offender on reentry furlough with supervision in the community 30 days prior to their end of sentence; (2) required the Department to contract for 12 staff secure sexual offender beds; (3) required GPS for an additional 450 parolees; (4) granted the Department access to juvenile records; (5) directed the Department to provide the Board of Pardons and Paroles with secure video conferencing at each correctional facility; (6) required the Department, the Board, and Court Support Services Division to develop a risk assessment strategy for offenders in DOC custody; and (7) appropriated additional funds for reentry and diversionary services in Bridgeport, Hartford and New Haven, halfway house beds and additional staff.

Each noted provision is addressed below, its impact and the status of its implementation:

**Reentry Furlough:** One of the unanticipated consequences of the Public Act 08-1 was the elimination of the agency's discretion to place an inmate on furlough, effectively extending the incarceration of inmates who might otherwise have qualified to end their sentence with 30 days of supervision in the community. The loss of reentry furlough, which had a 97 percent success rate, had a significant impact on the reentry mission and only served to increase the number of individuals discharged at the end of sentence with no supervision for transition. In FY 07, more than 3,000 offenders were released on reentry furloughs. The loss of this option effectively added 247 inmates to the standing population and eliminated the ability to supervise inmates during their most vulnerable period of transition back to the community.

When PA 09-07 restored reentry furloughs for up to 45 days, the DOC reintroduced the incentive in November 2009, using an enhanced supervisory model. From November 2009 to November 2010, there were 377 offenders placed on reentry furlough, with only 3 criminal violations of this

status. This represents a total of 8,711 bed days saved, with an excellent record of success, for a total cost savings of approximately \$241,381.

**Contract for 12 Staff Secure Sexual Offender Beds:**

The Department of Correction and the Judicial Branch collaborated on individual mandates to provide 12 secure community treatment facility beds for sex offenders. Through this partnership, an RFP process was completed, and a contract for a twenty-four (twelve beds each) bed program was fully executed with The Connection, Inc. in April 2010.

Implementation procedures continue (specifically building plans for the modular housing), involving The Connection, CSSD and various units within CTDOC, as well as communicating progress to the administration of the resident town.

**GPS for 450 Additional Parolees:**

The Department of Correction's Parole and Community Services Division continues to successfully incorporate electronic monitoring technology into its overall offender supervision strategy. This technology is considered a valuable tool to assist parole officers accomplish the goal of promoting successful offender reintegration through increased accountability.

A blend of technology is used to address the specific circumstances and supervision requirements of each offender. Active GPS devices are used locate offenders, passive GPS devices are used to review past activity, and radio frequency (RF) devices assist in determining compliance with curfews.

During the course of FY '09/'10, a total of 676 GPS units and 3,318 RF units were utilized. These figures represent a 50% increase in GPS utilization and 27% increase in RF utilization when compared to the previous fiscal year. Approximately 207 offenders are currently monitored with GPS and 650 with RF.

Electronic monitoring is imposed when stipulated by the Board of Pardons and Paroles as a condition of release or as an incremental sanction by a parole officer. GPS is exclusively used for higher-risk sexual offenders and all offenders with a current conviction for Burglary 1<sup>st</sup>, Burglary 2<sup>nd</sup>, or Burglary 2<sup>nd</sup> w/Firearm. Offenders convicted under these categories of burglary offenses are required to remain on GPS for the duration of their supervision.

Policy requires the installation and activation of electronic monitoring devices to coincide with the offender's release to the community. The review and investigation of electronic monitoring alerts is conducted by trained parole officers. Parole officers respond to noncompliance using a variety of sanctions with a focus on public safety. Offenders are deemed to have successfully completed electronic monitoring after demonstrating significant compliance with supervision and treatment requirements.

**Access to Juvenile Records:**

DOC and the Judicial Branch entered into a Memorandum of Agreement in April 2008 to access juvenile records for the purpose of decision making and increased public safety. When a juvenile is admitted to the DOC, judicial records are available to the DOC through the Judicial Electronic Bridge (JEB). All records are accessed and maintained under stringent confidentiality guidelines. The total number of DOC users has increased from 79 to 175.

As of November 2, 2009, CSSD expanded the amount of shared information on the JEB system for DOC and BOPP staff, to include:

- Order and Conditions of Probation
- Clerk Information Sheet
- All Police Reports (Instant Offense/New Arrest)
- Order for Investigation
- Sex Offender Evaluation
- Department of Children and Family Information
- Interstate Compact Agreement
- PSI (out of State)
- ICAOS Violation Reports
- Judicial Proceedings
- Violation of Probation Affidavit

**Secure Video Conferencing:**

Prior to September 2008, the average number of video conferencing hearings was about 75 per month. Starting in September 2008, the number of video conferences started to increase from 150 to over 450 in December 2009. There were 4750 video conferencing hearings held in 2009. That is an average of 396 video conferences per month. At the end of October, 2010, 4000 hearings have been held for an average of 400 video conferences per month.

The number of customers/agencies we interact with has also increased. Prior to September 2008 video conferences were held with Rockville Court, BOPP, Immigration, New Haven Federal Court, and a couple of Family Courts. Since September, 2008 we have expanded to include probation hearings, civil court hearings, more family courts, Whiting Forensic, Social Security Administration Offices, Claims Commission, and out of state hearings. The total number of hearings has almost tripled and continues to grow.

About 58% of all hearings held are done with the Board of Pardons and Parole. 27% of all hearings are held with Judicial Court Operations Division. The remaining 15% are held with the Judicial Court Support Services Division, Federal Courts, ICE, Social Security Administration, internal DOC use and out of state hearings. As part of this process the Department of Correction in collaboration with the Judicial Department is working on expanding its capabilities.

**Risk Assessment Strategy:**

The DOC, BOPP and CSSD Judicial Branch developed a collaborative risk assessment in strategy for use in assessment of recidivism risk of offenders and to assist in assignment of interventions to lower that risk. (Developmental area, see Section II)

The DOC is utilizing the Level of Service Inventory- revised version (LSI-R) in the Parole and Community Services Division. This is the same instrument being utilized by Probation, thus ensuring consistency in the criminal justice system.

In June 2009, DOC developed, validated and rolled out the Treatment Program Assessment Instrument (TPAI) in a collaborative effort with OPM's Criminal Justice Policy and Planning Division. All offenders sentenced to 6 months or greater being evaluated, using for triage to assign programs to appropriate offenders. This has become a critical piece of the Offender Management Plan and the statewide reentry strategy.

The TPAI is a six question static risk assessment, designed to

- Identify individuals who recidivate at a considerably lower rate.
- Identify a group of low risk female offenders.
- Predict the commission of violent crimes.
- 

TPAI scores range from 0 (lowest risk) to 8 (highest). Assessment areas include:

- Age @ sentencing to DOC
- Age at first DOC movement
- Number of Adult Incarcerations (DOC)
- Gender
- Violation of CJ Supervision (DOC)
- Convictions for Violence (Specified List)

The TPAI is used to allocate limited program resources. Programs are prioritized for those offenders identified as higher risk for recidivism. Low-risk offenders will not go through the entire battery of assessments and will not be assigned to core programs.

**Funding for Reentry and Diversionary Services in Bridgeport, Hartford and New Haven:**

Public Act 08-1 provided \$725,000 to the Department of Correction to expand the funding of a contract with the Family Reentry Fresh Start Program in Bridgeport. The program is designed to serve up to 300 male offenders discharging into the Greater Bridgeport area. Prior to release, offenders receive substance abuse counseling, employment services, job training, housing assistance, and mentoring. The program is affiliated with Yale University, School of Medicine, Department of Psychiatry to provide program evaluation. In SFY 2010, the pre-release component of the program was expanded to additional correctional facilities in both the North and South Districts.

**Funding for Halfway House Beds:**

In 2003, CTDOC contracted for 685 residential community beds. As of June 30, 2010, that number has grown to 1,192 (including 12 sex offender treatment beds). CTDOC has made significant efforts throughout the past 2 years to redesign and implement a network of community services that addresses the current needs of offenders, while providing informed and standardized care across the state. In SFY 2010, these efforts resulted in the ability of CTDOC to serve more offenders in shorter periods of time while ensuring the availability of outpatient services as a continuum of care once stays in a residential program have been completed.

## **II. DOC RECOMMENDATIONS FOR 2011 CJPAC ATTENTION**

The criminal justice reforms enacted in Connecticut pursuant to the 2008 Public Acts have united agencies and institutions in shared pursuits that were previously disconnected, and have resulted in increased efficiency, effectiveness and public safety. Some of these initiatives, like the expansion of teleconferencing that was strongly supported by OPM, have a foreseeable completion date, and stand as national models.

Other initiatives, discussed below, while equally successful, are dynamic, and still in the process of developing into their full potential. These initiatives will require ongoing attention of the CJPAC in order to fully evolve and function at the optimum level.

Since adopting reentry as a way of doing business, criminal justice agencies have pooled resources and efforts on a number of initiatives, resulting in more efficient and effective statewide public safety system. As a legitimate community safety strategy, reentry efforts must remain a top priority for CJPAC attention.

### **Assessment Strategy**

The Prison and Jail Overcrowding and Reentry Working Group of the CJPAC is currently working to merge the statewide reentry and assessment strategies into a single document to better reflect the cohesiveness of the strategic goals.

Parole & Community Services will continue to use the LSI-R for case management, but may adopt the shorter version of the LSI-R for those offenders with low TPAI scores.

DOC will continue to work with CJPPD on analyzing data.

DOC is currently working closely with the BOPP and OPM to cross validate a number of assessment tools. Initial review indicates the TPAI scores are consistent with result from the Salient Factor Risk Assessment (SFRA) used by the BOPP. Additional cross validation is being planned, which may allow the BOPP to substitute use of the SFRA with the TPAI, a much simpler and time effective tool.

### **Additional Assessments**

Through grant funding, the agency is in the process of piloting the Criminal Sentiments Scale (CSS), the Hostile Interpretation Questionnaire (HIQ) and the Hare Psychopathy Scale assessments. These scales are designed to assess criminal thinking, and will further assist triage efforts to assign offenders to the most appropriate programs.

Work also continues to enhance trauma informed, gender responsive and youth specific assessments and programs at York Correctional Institution and Manson Youth Institution. Specific programs and treatment supervisors are assigned to assist facility staff, along with community partners, with development of age and gender appropriate services.

Use of the TPAI driving OMP and Reentry has linked assessment and reentry strategies into one legislative document to be introduced February 2011.

DOC will be exploring measures of motivation to change, which will be used to inform program assignments and increase the effectiveness of programs.

DOC will also expand on recent pilots of measures of psychopathy to inform decision making regarding program assignment and supervision mechanisms.

### **Secure Video Conferencing:**

Secure Video Conferencing has proved to benefit CJPAC partners across the judicial and executive branches of government. It is a cost saving initiative that has received national accolade, and the process to expand the initiative is underway.

In August, 2009, Judicial and the Department of Correction approached the Office of Policy and Management and the Governor's Office about the possibility of using Federal Stimulus Funds to expand video conferencing. This expansion would mean even fewer prisoner transports, cutting costs and further enhancing public safety. The Court Support Services Division of Judicial would also be able to expand the number of probation hearings that they currently hold.

Potential expansion could be done with arraignments (especially on sensitive/high media attention cases), more criminal cases, and juvenile/child support cases, in addition to more Parole and Probation hearings.

The project is in the construction phase. As part of a Federal Stimulus Grant, the Department was awarded \$600,000 to expand video conferencing throughout the department. The expansion project will include the deployment of additional machines at most of the facilities and will also include the upgrade of the network wiring to a fiber based system that will allow for greater bandwidth. The increase in capacity should coincide with the expansion project being done at Judicial to allow for video conferencing from most if not all of the courthouses. This will allow for more court appearances to be done through video instead of requiring an inmate to be transported to court. This has resulted in savings on transportation costs as well as a public safety savings. Most of the wiring and construction at the facilities has been completed. MIS has begun to roll out the new machines. New machines have been added at Waterbury Parole and Community Services, Hartford CC, Radgowski CC, Corrigan CC and Gates CI. Hearings are now being scheduled at these additional sites. The new machine at Radgowski will mean inmates at Radgowski will no longer have to be shuttled to Corrigan for their video conference. This is not only a savings in transport costs, but is a public safety benefit. The remaining facilities have been scheduled and the machines will be installed in the next few months. We are also working with DOIT to update and increase our network bandwidth to handle the increase in traffic from the scheduling and use of the video conferencing equipment. Once the network has been expanded we will also begin to roll out smaller single video units that will allow for more one on one video conferences. The project is scheduled to be completed by the end of 2011.

#### **IT Updates:**

IT updates are costly, but more importantly, the lack of a cohesive system is a significant barrier to effective business in Connecticut's public safety system. The inability to communicate and share information has, in recent years, been identified as a primary impairment to the decision making process for releasing offenders into the community. Creation of a system that communicates public safety information across the boundaries of agencies and government branches is critical if we are to successfully engage in lowering the recidivism rate, preventing serious criminal activity and protecting the citizens of Connecticut. Some of the projects that have been successful to date but require ongoing commitment are summarized in the following paragraphs.

#### **Replacement Project:**

The Offender Based Information Replacement System project has moved into the design phase. The final vendor has been selected and negotiations will begin once funding is confirmed.

Casenotes Enhancement Project:

The Case Notes System Upgrade project is in the construction phase. This Lotus based electronic file is utilized by parole officers to document information on offenders supervised in the community. The enhancement project will make this information available to all facility and parole staff via a web based connection. Current efforts are focusing on development of a standard for portal products and a possible exception to purchase the product. Development of a portal standard will likely necessitate a request for time extension on the grant that has funded the project.

**Safe, Affordable, Appropriate Housing and Housing Services**

Housing is one of the most difficult resources to procure for offenders being released into the community. While halfway houses and transitional programs remain an important piece of assisting offenders with successful transition, permanent housing is critical to their continued success.

There are a number of barriers that prevent releasing offenders from finding a home, not the least of which is criminal history. Convictions for sex offenses preclude almost all placements, and a history of violence is nearly as prohibitive. Even certain drug convictions preclude opportunities for some housing. Housing barriers especially complicate placement for the significant number of offenders with serious medical or mental health conditions.

Medical/Mental Health Housing:

Housing, though a central issue for offenders reentering the community, is even more critical and sometimes more specialized for offenders with serious medical or MH conditions. Given the nature of the conditions and functional deficits associated with them, long term permanent housing has been the focus. There has been a concentration on identifying appropriate types of housing and utilizing available entitlements for which these offenders qualify to address the needs. Below are some initiatives that, while already in place, need significant expansion to accommodate the need:

1) Nursing Homes - Historically nursing homes have been reluctant to accept our population due to often unwarranted security concerns and fallout from families of existing residents. DOC has worked with DSS, OPM and DPH in addressing the issue. Offenders requiring full nursing home care due to severe strokes or incapacitating medical conditions that mediate any public safety concerns are being referred to BOPP for Medical Parole consideration and placement in nursing home care. Consideration is being made to use nursing home locked behavioral units for offenders with dementias who require extensive monitoring and care. Nonetheless there are some inmates with organic conditions that no nursing home will take due to behaviors that require frequent and expensive 1:1 staffing. Unless there is a way to provide supplemental funding for such inmates to offset the added expense the DOC will need to provide such services until the inmate reaches his/her end of sentence at which time a release to an ER becomes the lone option.

2) Supportive Housing - Offenders with Medical/MH conditions who pose diminished risk to the community due to their conditions are being considered for early release through parole or transitional supervision. These offenders qualify often for SSI which can help provide partial funds toward sustainable housing. Through the ASSIST-Home

Grant (DOJ) an infrastructure is being developed to supplement SSI housing funds to house offenders in long term potentially permanent housing. These funds stay available until Section 8, housing or RAP Certificates become available.

3) Jail Diversion/Jail Reinterview Programs - Offenders with psychiatric and/or serious physical disabilities are being diverted from jail or allowed out on bond in lieu of program participation and a promise to appear. Often offenders would not be diverted or be bonded out through the Jail Reinterview process if housing was not available. Offenders with low bonds now have access to housing and day reporting through the ASIST Program. This has reduced the bed days of many disabled offenders who otherwise would be utilizing extensive and often expensive medical and MH services.

Beyond housing, the CJPAC advocacy for parole and probation officers trained in special mental health services has proved very successful in reducing remands and returns for violations that are largely related to psychiatric and co-occurring addiction problems.

**Contract for 12 Staff Secure Sexual Offender Beds:**

The implementation process for this 24 bed treatment facility continues. The nature of this program, due to the specific population being served, is somewhat sensitive, and we are still experiencing community resistance to the project.

The need for transitional services for sex offenders is high; there are few community resources for housing or services willing to accept individuals with sex offense convictions. Conversely, many sex offenders are successfully supervised on parole. Stable housing and a period of supervised community transition are far more likely to have positive outcome than discharging these individuals to homeless shelters, which is often the only option.

The best action to protect the public with regard to discharging sex offenders, then, is the same action communities resist in the name of public safety. This dilemma has stunted movement in this area of services for years, and it is a national dilemma, not restricted to Connecticut. Connecticut is making great strides in addressing this national problem.



**Judicial Branch Submission on CJPAC-Related Matters  
to Brian Austin, Undersecretary, Criminal Justice Policy, Office of Policy and  
Management**

**Section I: Significant issues addressed by CJPAC in which the Judicial  
Branch has been involved, with special emphasis on the Criminal Justice  
Reforms enacted as part of PA 08-01 of the January Special Session**

**P.A. 08-01 – Required Initiatives**

- 1. Enhance Victim Notification (Secs. 31-32 of P.A. 08-01)  
Statewide Automated Victim Information and Notification (SAVIN) program**
  - SAVIN is a free and confidential service that provides crime victims, victim advocates, and other concerned citizens with notification about specific criminal court related events.
  - The first phase of the SAVIN was publicly launched on October 25, 2010.
  - The Judicial Branch, Office of Victim Services (OVS) conducted an informational session on November 10, 2010, at the Legislative Office Building for members of the General Assembly, media and public.
  - The Judicial Branch began the second phase of this project in November 2010. Phase two will focus on providing crime victims with information pertaining to orders of protection.
  - The Judicial Branch and governmental partners will begin working on the third phase of SAVIN during the spring of 2011. The third phase will focus on the inclusion of events from probation, the Department of Correction and the Psychiatric Security Review Board.
  - The Judicial Branch will review the 2011 Bureau of Justice Assistance, SAVIN Enhancement Grant. The two enhancements that are being considered are translating the Connecticut SAVIN home page into Spanish and linking the Appellate Court system with SAVIN.
  
- 2. Protecting the Public from Fugitives: Court Warrant Enhancements  
(Sec. 21 of P.A. 08-01)**
  - Section 21 of P.A. 08-01 required the Judicial Branch to make Violation of Probation information available on its website, which was implemented in October 2008. The website has received several hundred hits per month. P.A. 10-43 expanded P.A. 08-01 by authorizing the Internet publication of court records for persons who are wanted for failure to appear and failure to satisfy a criminal court judgment. A new process is being developed to make these records available to the public on the Judicial Branch website.
  
  - Federal law -- the National Instant Criminal Background Check System (NICS) Improvement Amendments Act of 2007, Pub. L. 110-180 (NICS Act) -- encourages states to make warrants available to the FBI for background investigations concerning firearms and explosives. A new computer system was implemented to automatically enter criminal court warrants in the NICS Denied Person File to prevent fugitives from possessing firearms and explosives.

3. **OVS: Assign Two Victim Services Advocates to the Board of Pardons and Parole** (Sec. 14 of P.A. 08-01)
  - Two OVS Victim Services Advocates (VSA) were assigned to the Board of Pardons and Paroles in the Spring of 2008
  - The two VSAs are responsible to provide full-time assistance to victims who appear before or submit a written statement to the Board.
  - Since April, 2008, the VSAs provided services to new crime victims as follows:
    - July 2008 - June 2009: 727
    - July 2009 - June 2010: 1,104
    - July - September 2010: 182
4. **Increase the number of Diversionary Beds:** (Sec. 18 of P.A. 08-01)

Seventy-five beds were funded and purchased.
5. **Staff Secure Residential Sex Offender Treatment Facility** (Sec. 20 of P.A. 08-01)

An RFP was issued by DOC and Judicial separately, proposals were reviewed and in June 2010 the bid was jointly awarded by DOC and Judicial to The Connection, Inc. Site development is underway, but pending litigation may delay implementation.
6. **Sharing of Information with regarding Juveniles Youthful Offenders with the Department of Correction and Board of Pardons and Parole** (Secs. 23 – 24 of P.A. 08-01)

The JEB (Judicial Electronic Bridge) opened in April 2008; it allows electronic access by DOC and BoPP to records and electronic requests for records
7. **Committee on Residential Siting** (Sec. 33 of P.A. 08-01)

Committee was chaired by OPM; Judicial was a member of the committee. The Committee report was issued on 12/31/2008.
8. **Defendant to comply with conditions of original probation while VOP pending** (Sec. 36 of P.A. 08-01)

Amended by P.A. 08-12, June Regular Session, Sec. 5 and Sec. 6. Revised language has been implemented
9. **Supervised Diversionary Program for accused persons with psychiatric disabilities** (Sec. 41 of P.A. 08-01)

Eight probation officers were hired and the program was implemented on 10/1/2008. Over 600 persons have taken advantage of the program; the program success rate based on 125 program discharges is 83 percent.

## **P.A. 08-51 – Required Initiatives**

1. **Sex Offender Supervision** (Sec. 5 of P.A. 08-51)
  - CSSD Adult Probation supervises 2,075 sex offenders, up 25 percent from 1,660 in January 2008;
  - The Judicial Branch hired 27 new Probation officers between October 2009 and January 2010 to reduce the average caseload to 35 currently;
  - Polygraph services implemented (funding began November 1, 2008 to hire and train staff (over 1,200 examinations in FY10));
  - GPS surveillance implemented April 1, 2009 with approximately 124 sex offenders monitored per month.
  
2. **Warrant Service** (Sec. 5 of P.A. 08-51)
  - There are currently 4,670 un-served VOP warrants on adult probation caseloads, down 46 percent from a high of 7,890 in September 2007. The Paperless Re-Arrest Warrant Network (PRAWN) has contributed significantly to this reduction in outstanding VOP warrants;
  - Nine (9) officers originally appropriated were removed in the final state budget;
  - In December 2009 CSSD assigned five (5) officers from supervision caseloads to warrant service.
  - Average warrant service caseloads reduced to 260 from over 400.
  
3. **Monitoring of Homeless Sex Offenders** (Sec. 5 of P. A. 08-51)

The sex offender day reporting program in New Haven began November 1, 2008. The total number of homeless sex offenders served in New Haven for FY 10 was 32. The program began in Hartford in June 2010 and served 12 clients total in that month.
  
4. **Mandated Pre-Sentence Investigations for Sex Offenders** (Sec. 5 of P. A. 08-51)

Governor's recommended budget and final FY10 State Budget removed six (6) probation officer and two (2) clerical positions for this initiative. CSSD assigned six supervising probation officers to write Pre-Sentence Investigations. The number of PSI's has increased by nearly 50 percent since 9/2007.
  
5. **Expedited Evaluation & Pre-Release Services for Sex Offenders** (Sec. 5 of P.A. 08-51)

Contract for sex offender therapists to conduct evaluations executed in November 2008. CSSD staff hiring and training completed and policies and procedures completed for identification and assignment of sex offenders to contracted clinicians to allow for evaluation of sex offenders three to six months prior to release to probation from incarceration
  
6. **Truancy Prevention** (Sec. 5 of P. A. 08-51)

Project eliminated due to budget rescission in FY09.
  
7. **Juvenile Justice Urban Cities Program** (Sec. 5 of P. A. 08-51)

Project eliminated due to budget rescission in FY09.

## **Related Initiatives:**

### **1. Activities to Promote Public Safety by Automating Criminal Justice Processes**

- **Electronic Citations.** Motor vehicle infraction/violation tickets can now be produced electronically on the roadside by police. This has sped up the process, which diminishes officer and motorist exposure at the roadside. Officers have reported that they are able to cite more drivers, thereby increasing both public safety and revenue to municipalities and the state. In addition, since the data is fed directly into the system, it eliminates the duplicate manual entry of data from paper tickets or citations. The cost to law enforcement agencies is approximately \$1000.00 per car plus software development.
- **Electronic Payments of Infractions and Violations.** The Judicial Branch recently enabled the on-line credit/debit card payment of infraction/violation fines. This will eliminate duplicate entry and a variety of tasks at the Centralized Infraction Bureau. Additionally, e-payment has the potential of reducing bad checks and the subsequent time consuming process of bad check recovery, and may also reduce the number of cases in which people fail to respond to tickets they have been issued. Expansion of this initiative to allow recipients of infraction tickets to electronically plead not guilty should be pursued.

The combination and expansion of these two systems will reduce resource requirements of both law enforcement agencies and the Judicial Branch, and will allow driver histories to be updated more quickly.

- **The Paperless Infractions Project.** The Paperless Electronic Record Keeping System (PERKS) will provide for paperless, fully electronic case processing of infraction cases. It will be utilized by clerks, prosecutors and magistrates for faster case processing. Redundant data entry will be eliminated, allowing for better use of resources and more accuracy. Prosecutors will have instant access to the most current motor vehicle record of each defendant, thereby enabling more informed decision making. Case dispositions from the courtroom will be immediately available in the clerk's office for collection of fines without the need to wait for a paper file to be delivered.
- **Criminal Case Look-ups on the Internet.** This system provides criminal justice agencies with online access to pending criminal cases and criminal conviction information.  
[As noted in Initiative # 1 below, replacement of the Criminal/Motor Vehicle System (CRMVS) would improve the accuracy, completeness, and timeliness of the criminal court records that are available on the Internet.]
- **The NICS Reporting Program.** In conjunction with the U.S. Department of Justice and various state partners, all types of criminal court records are being assessed to determine whether the records are available to the NICS, and if not, how the records may be provided to the NICS. The preliminary assessment demonstrated that many

records for incompetence to stand trial or acquittal by reason of insanity were not available to the NICS. These records are now being transmitted directly to the Special Licensing and Firearms Unit of the Department of Public Safety, and entered in the NICS Denied Person File. A similar process will be utilized for other types of criminal court records that may not be electronically available to the NICS. (Please see Initiative # 3, below.)

- **The Stalking and Domestic Violence Project:** The Protection Order Registry (POR) is being reprogrammed to provide more real-time information to criminal justice agencies across the nation from all civil and criminal court cases involving protection orders. To meet this objective, the Judicial Branch is collaborating with the Department of Public Safety to rewrite the automated data exchange between POR and COLLECT using global justice standards.

## 2. **Sexual Assault Forensic Examiners (SAFE) program**

P.A. 09-03:

- Authorized OVS to establish a program to train SAFEs and make them available to adult and adolescent victims of sexual assault who present for care at participating pilot program hospitals.
- Established a SAFE Advisory Committee to assist OVS in the development and implementation of the SAFE program.

P.A. 09-07 of the September Special Session transferred the funding and the responsibility to reimburse hospitals for the collection of evidence in sexual assault cases from the Division of Criminal Justice to OVS effective November 1, 2009. Since the transfer, OVS has:

- Processed payments for 1,416 kits and exams
- Processed payments totaling \$1,096,905.25
- Ordered 250 Toxicology Screening Kits and 1,000 Evidence Collection Kits for the Forensic Science Lab to distribute to the hospitals.

## **Section II: Recommended New or Expanded Initiatives:**

### **Court Operations:**

#### **1. Replacement of the Criminal Motor Vehicle System (CR/MVS)**

The CR/MVS is a cornerstone of all CJIS activities. Fully 80% of the information that currently populates the Offender Based Tracking System (OBTS) and will ultimately populate the new CISS integrated criminal justice information sharing system will come from the Judicial Branch's CR/MV System. In accordance with C.G.S. § 54-142s, the Connecticut Justice Information System (CJIS) Governing Board is charged with implementing computer systems that will facilitate the immediate, seamless, and comprehensive sharing of information between the CJIS agencies. The Governing Board is preparing to take a major step in this area by developing the CJIS Information Sharing System (CISS) to serve as the hub for data exchanges between current systems. The Judicial Branch is assisting with all facets of the CISS project. However, one cornerstone of CJIS information, the Criminal Motor Vehicle System (CRMVS), must be replaced to ensure that all new CJIS systems are operating with the most timely, accurate, and complete criminal court records.

The CR/MVS is over 25 years old and cannot meet today's needs for real-time data processing, data integration, and document archival in the global criminal justice community. One major limitation for CR/MVS is the system's architecture: it is a non-relational, VAX/Alpha COBOL application with data stored in the flat file indexed RMS format. This outdated design is not commercially compatible with the statutory requirements for the new CJIS systems - that the must "be developed with state-of-the-art relational database technology and other appropriate software applications and hardware[.]" Therefore, the benefits of many longstanding information exchanges, and many of the criminal justice reforms sought under Public Act 08-01, cannot be realized unless the CR/MVS is replaced or re-written to meet state and global justice standards.

The CR/MVS has served as the biggest source of data for CJIS for several years. It transmits between 18,000 and 20,000 messages, or approximately 80% of the data provided to the Offender Based Tracking System (OBTS), every day. The CR/MVS is a source for data for the following:

- The Interstate Identification Index (FBI III)
- The National Instant Criminal Background Check System for Firearms and Explosives (FBI NICS)
- The National Protection Order File (NCIC POF).
- The National Sex Offender Public Website (FBI).
- The CT Criminal History Repository (DPS CCH).
- The CT Special Licensing and Firearms Unit (DPS SLFU).
- The CT Online Telecommunications System (DPS COLLECT).
- The CT Sex Offender Registry (DPS SOR).
- The CT Department of Correction (DOC).
- The CT Division of Criminal Justice.
- The CT Board of Pardons and Paroles.
- The CT Department of Motor Vehicles (DMV).
- The CT Department of Environmental Protection (DEP).

- Municipal Law Enforcement Agencies.
- The Court Support Services Case Management Information System (CMIS)
- The Electronic Bridge for Corrections and Pardons (JEB),
- The Paperless ReArrest Warrant Network (PRAWN),
- The Protection Order Registry (POR).
- Statewide Automated Victim Information and Notification system (SAVIN)
- The Judicial Branch Revenue System (for proper disbursement of court collected money)

CR/MVS does not have the capacity to support new initiatives without compromising its ability to continue to provide the information listed above.

The CR/MVS limitations also impede the state's general goal to develop accurate and complete criminal history records. In 2009, more than 374,000 new cases were manually entered in CR/MVS from paperwork submitted by law enforcement agencies. During the same timeframe, more than 375,000 cases were disposed in CR/MVS, then those disposition records were distributed to municipal law enforcement agencies and many state agencies including the SPBI, DMV and DEP. Both the court and downstream records may be compromised due to errors and delays associated with duplicative data entry tasks.

Certain types of records are incomplete or simply incompatible with CR/MVS, including records from several areas required by P.A. 08-01. Some examples of incomplete CRMVS records are included below.

- Persistent offender findings are not identified in the CR/MVS
- Offense descriptions in the CR/MVS must often be abbreviated due to limited field size
- Conditions of release, probation and incarceration cannot be captured in CR/MVS
- Domestic violence firearms disqualifications cannot be recorded in the CR/MVS
- Wanted person information for anyone sentenced in absentia or ordered imprisoned for failure to pay a fine cannot be electronically provided form CR/MVS to law enforcement.

## **2. Development of an Electronic Booking System and Criminal Court E-Filing System**

The current system of manual booking and paper court filings is a major impediment to efficiency, accuracy and cost-savings. To offset resource reductions across the criminal justice community and improve the accuracy, completeness, and timeliness of criminal records, electronic sharing of data must be improved within the criminal justice community. In 2009, approximately 375,000 new cases were manually entered in CRMVS from paperwork submitted by law enforcement agencies. Downstream records may be compromised due to errors and delays associated with duplicative data entry tasks. In 2009, more than 375,000 cases were disposed in CRMVS, and disposition records were distributed to municipal law enforcement agencies and other regulatory agencies including DMV, DEP, and the DPS Special Licensing and Firearms Unit. Downstream records may be compromised due to errors and delays associated with duplicative data entry tasks.

### **3. The Development of a Statewide NICS Reporting System**

The NICS (National Instant Criminal Background Check System) Act requires the states to develop a comprehensive, long-term plan for making various categories of records available to the NICS national security concerns related to the possession of firearms and explosives. Currently, many of the categories of records are not created electronically or indexed in a manner that supports routine reporting to external agencies. A statewide computer system for NICS records would improve the accuracy, completeness, and timeliness of records that are available for background investigation concerning firearms and explosives.

## **Court Support Services Division:**

### **Criminal/Adult Justice Related:**

#### **1. Strengthen community-based supervision in support of recidivism reduction.**

There are five key components to reducing recidivism:

- a. Manageable Caseloads: Smaller caseloads allow officers the time needed to address the offender's criminogenic needs and utilize motivational interviewing and other evidence-based supervision approaches.
- b. Timely access to services: As more offenders are served in the community supervision continuum, the investment in services will need to be increased.
- c. Training: Community supervision officers should be trained in evidence-based strategies to reduce recidivism, including Motivational Interviewing, Client Engagement, and Case Planning.
- d. Technology: When possible, automated assessment, case planning, and case management systems should be utilized.
- e. Evaluation: Ongoing monitoring and evaluation of both special programs and routine supervision and services should be implemented to provide feedback to stakeholders.

#### **2. Provide further opportunities for prison diversion**

At the request of the General Assembly's Appropriations Committee, during the 2010 legislative session the Judicial Branch put forth recommendations for three new programs aimed at reducing the DOC sentenced population. The Judicial Branch was funded for 50 positions, including new probation officers, to implement these programs beginning in 2011 which target the following individuals:

- a. Pretrial detainees interviewed by Jail Re-interview Staff or CSSD pretrial staff who are incarcerated awaiting a residential drug treatment placement.
  - 325 incarcerated defendants are on the referral / residential program placement list each day.
  - The program goal is to present the court with an alternative recommendation for 250 of this target population who would otherwise be incarcerated.
- b. Persons for whom there is an agreed upon plea to a sentence of two (2) years or less prison time.
  - In these cases, the court may request an alternative sentencing plan from adult probation which will be completed expeditiously by a Probation Officer in conjunction with the DMHAS where appropriate, with the goal of supervising the offender in the community in lieu of prison.



- 11,000 offenders received sentences of 2 years or less last year. The program goal will be to assess 10% of the 11,000 with the expectation that half or 550 fewer defendants would be sentenced to DOC annually.
- c. Incarcerated offenders serving two (2) years or less and identified by the DOC as completing at least 90 days of their sentence in addition to complying with institutional rules and completing necessary treatment programs.
  - These offenders will be assessed by a Probation Officer to develop a community release plan. A sentence modification hearing will be initiated by the probation officer in these cases.
  - Based on recent data, there are 3,900 offenders serving a sentence which meets this criterion. The program goal is to successfully facilitate the sentence modification process for 15% of the target population resulting in 585 fewer inmates in DOC on any given day.

**3. Enhance treatment and program resources to help maintain and reduce DOC pretrial and sentenced population**

The Jail Re-interview program is a key component of the system and is supported by both residential treatment beds and outpatient services in the community.

- a. Treatment beds: There are currently 469 pretrial and sentenced offenders on the waiting list for a residential treatment bed. Without an opening for a residential treatment bed, pretrial defendants remain incarcerated and sentenced offenders are at a higher risk of technical violation or recidivism.
- b. Out-patient services in the community: As more defendants are released via the Jail Re-interview program, the need for out-patient service increases.

**Jail Re-interview Program statistics:**

- The program interviews over 15,000 defendants annually, resulting in over 10,000 releases from DOC pretrial facilities
- More than 75% of defendants fully comply with release and bond conditions during the pendency of the case
- Less than 10% are arrested for new crimes in the community while awaiting disposition

**4. Strengthen the criminal justice system's response to domestic violence**

- a. Annually, there are approximately 7,500 high risk pre-trial domestic violence defendants who do not receive supervision while their case is pending;
- b. Current research indicates that the recidivism rates for high risk FV offenders reduces significantly when these individuals are regularly monitored and receive early treatment intervention.
- c. In 2010 legislation was passed for a pilot program in three locations utilizing of GPS monitoring for high risk pre-trial offenders. The pilot initiative began on October 1, 2010 in Danielson, with expansion to Hartford in November and Bridgeport by the end of the year.
- d. At the conclusion of the pilot on March 31, 2010 an outcome evaluation report will be prepared detailing the findings of the pilot and addressing the implications and viability of statewide implementation.

**Juvenile Justice-Related:**

- 1. Expansion of community-based service and treatment resources for juveniles**
  - a. The increase in juvenile court cases resulting from the Raise the Age legislation has lengthened wait times for services in the community. Specifically, wait lists have or will occur in the YES! Program center- and home-based services, educational advocacy/support services and vocational services;
  - b. The inclusion of sixteen year olds in the juvenile justice system has also increased the need for community-based detention beds. As seventeen year olds enter the system in 2012, the need for community-based detention beds will increase further.
  
- 2. Enhance the clinical services capacity in the Juvenile Courts**
  - a. There are currently only six (6) licensed mental health professionals, also known as Clinical Coordinators, assigned to seven (7) of twelve (12) juvenile courts and the 20 adult probation offices;
  - b. The Clinical Coordinators provide expert forensic mental health consultation to the juvenile judges in delinquency court, and emergency consultation to Adult Probation Officers handling youthful offenders.
  
- 3. Ensure adequate resources for the juvenile justice system when 17 year olds are treated as juveniles on July 1, 2012**
  - a. Manageable Caseloads: Following an analysis of the current trends of fifteen year olds currently being referred to court projections will be formulated regarding the need for new probation staff.
  - b. Timely access to services: Utilization of juvenile programs will be reviewed to determine if additional slot capacity is needed to ensure 17 year olds receive appropriate services in a timely manner.
  - c. Training: New officers must be trained in evidence-based strategies to reduce recidivism, including Motivational Interviewing, Client Engagement, and Case Planning. Current officers will receive training in engaging an older adolescent population.
  
- 4. Enhance community and family collaboration to reduce recidivism in the first six months of probation supervision.**

Approximately 34% of juveniles placed on supervision or probation are rearrested in the first six months.

  - a. Schools - A large percentages of juveniles are re-arrested in schools. Efforts should focus on developing relationships with local school districts and should involve training for school personnel in the juvenile justice system and response to disciplinary problems;
  - b. Parents - A large percentage of juveniles are re-arrested are the result of domestic violence and/or parent frustration. Efforts should focus on early communication with parents to review the orders of probation and provide the family with a list of resources including EMPS which may be contacted in lieu of calling the police.



***Office of Chief Public Defender  
State of Connecticut***

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CHIEF PUBLIC DEFENDER

**CJPAC Transition Document  
Office of Chief Public Defender  
December 1, 2010**

**Agency CJPAC Participation**

The Office of Chief Public Defender regularly attends the CJPAC meetings as an integral part of the Criminal Justice System. Until recently, the main focus of the Agency's Chief Public Defender has been attendance at those meetings as well as participation in the PJOC Reentry Sub-Committee. The Office of Chief Public Defender has only recently been able to expand its participation to the Research Sub-Committee. The ability to collaborate in this area is absolutely critical to ensuring that the research product of all criminal justice agencies is accurate and inclusive. Research capabilities, going forward, will also allow the Office of Chief Public Defender to more fully participate in CJPAC presentations regarding the contributions and importance of the Division of Public Defender Services. The research component offered by OPM to the CJPAC is one of the most significant contributions to the criminal justice community as a whole and should be continued.

**Impact of PA 08-01 Legislation on the Agency**

The impact of criminal justice legislation on public defender offices after the tragedy in Cheshire continues to grow. Even though the focus of the legislation was to increase public safety as well as the penalties for burglary and home invasion, very serious crimes, the impact of these changes is felt mostly in increased caseloads in the GA courts, and not in the JD's. This is an important point, because the caseloads of public defenders in these GA courts are already overwhelming, and include a greater portion of major felony cases than ever before. This is an issue that should be further discussed by CJPAC, as the focus has largely been on more "traditional" public safety issues, i.e. managing and monitoring offenders on parole and during probation and reentry, rates of recidivism. CJPAC could also begin to look more deeply into the court processes that contribute to prison overcrowding

Although some diversion programs have been enhanced to prevent the incarceration of the some offenders, much more needs to be done to prevent entry into the criminal justice system for non-violent offenders. There is a very costly imbalance in this regard, both economically and personally. High defense caseloads contribute to this problem. As an example, public defenders in GA courts must provide constitutionally mandated representation for at least 500 new cases per year per attorney, including a high percentage of serious felonies, while probation officers monitor caseloads of 65 offenders. It is an unfortunate fact that many defendants are incarcerated needlessly, for longer periods of time, or erroneously. It is this Agency's position that such errors and imbalance do not support public safety, and that over-incarceration of offenders should be examined.

### **CJPAC and RBA**

The Appropriations Committee now requires that all Agencies prepare their budget presentations in the RBA format. This requires Agencies to examine their programs in detail and think of creative efficiencies to "do less with more" in this economic downturn. Because of the unique configuration and collaborative relationships of CJPAC Agencies, it may be possible to perform an RBA analysis of the Connecticut Criminal Justice System as a whole rather than as separate agencies.



# STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE  
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.  
State Victim Advocate

November 18, 2010

Criminal Justice Policy and Advisory Commission  
Office of the Policy and Management  
Brian Austin, Chairman  
450 Capitol Avenue  
Hartford, CT 06106

Re: Issues for Consideration by the Criminal Justice Policy and Advisory Commission (CJPAC)

The Office of the Victim Advocate (OVA) released an investigative report on the murder of Jennifer Gauthier Magnano in November of 2009. Jennifer was a victim of domestic violence who bravely left her abusive husband in April of 2007 and subsequently was murdered by him on August 23, 2007. Sadly, the OVA released another investigative report on September 28, 2010 regarding the murder of domestic violence victim Tiana Notice. Tiana ended her abusive relationship in December of 2008 and subsequently was killed by her ex-boyfriend on February 14, 2009.

Both investigative reports highlight the significant barriers faced by victims of domestic violence as they break free from abusive partners and seek assistance from the various agencies and other entities that provide assistance to victims of domestic violence. Moreover, the OVA identified a troubling pattern by the law enforcement community when responding to incidents of domestic violence. Specifically, law enforcement's misunderstanding of the confirmation and enforcement of orders of protection. Further, the OVA requested copies of the policies and procedures, adopted by various law enforcement agencies, relating to the response to incidents of domestic violence. Surprising to the OVA, many of the policies were outdated; one dated as early as 1981.

The Tiana Notice investigative report demonstrates the need for a statewide Model Police Policies and Procedures on handling domestic violence offenses and the need for training to ensure the proper response to violations of orders of protection. Additionally, of the policies and procedures reviewed by the OVA over the years, many of the policies throughout the state are void or rather silent as to language regarding the enforcement of orders of protection. Specifically unaddressed are the procedures an officer must undertake when faced with an alleged violation, including the immediate arrest of an alleged violation when there is probable cause based upon "speedy information". Most of the policies the OVA has reviewed include a section of the types of orders and a brief section on authentication.

- The implementation of Mandatory Statewide Model Police Policies and Procedures for handling domestic violence incidents, including specific

procedures for responding to violations of orders of protection. The Mandatory Statewide Model Police Policy regarding the enforcement of an order of protection should read like the following:

An Officer, in making a decision to arrest or apply for a warrant, should proceed in the following manner:

1. In the interest of immediacy, and in light of the threat always present when an order of protection is violated, coupled with the statutory mandate to arrest, officers shall make a warrantless arrest of any person the officer witnesses or has probable cause to believe has violated an ex parte restraining order, a restraining order, protective order, standing order of protection, or a foreign order of protection.
  2. Under no circumstances, in a domestic violence incident, should the officer notify the alleged offender of a pending arrest or investigation. Rather, if the officer has sufficient evidence to arrest (probable cause based upon speedy information) the officer should arrest. In a case in which the alleged offender is not located, the Officer should ensure the victim has been notified that the alleged offender has not been picked up and encourage the victim to contact a professional advocate through the local domestic violence program to devise a safety plan prior to returning to his or her home.
  3. Once probable cause for arrest has been established and if the offender has left the jurisdiction, the Officer should notify neighboring jurisdiction or jurisdictions where the offender is believed to have fled, that there is probable cause to arrest the offender and to do so if the offender is seen.
  4. To prevent the illegal practice of charging domestic violence victims with violating their own orders of protection, establish a policy stating that the order of protection can ONLY be violated by the respondent of the order. This practice is already addressed within the policies adopted by the Office of the Chief State's Attorney and the Police Officers Standards and Training Council; however, it is not followed consistently.
- The creation of a Committee to evaluate the policies and procedures for law enforcement departments' handling of domestic violence incidents and violations of orders of protection which meets at least annually to ensure new laws are implemented appropriately and to evaluate the policies and procedures to ensure that the nationwide best practices are continually implemented to best protect victims of domestic violence. This will ensure that Connecticut has the most up to date policies and procedures for the proper handling of domestic violence incidents for the safety of crime victims.

The OVA is requesting that the CJPAC study the issue of creating and implementing a statewide police model policies and procedures for the response to incidents of domestic violence in Connecticut.



# STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE  
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.  
State Victim Advocate

November 15, 2010

Criminal Justice Policy and Advisory Commission  
Office of the Policy and Management  
Brian Austin, Chairman  
450 Capitol Avenue  
Hartford, CT 06106

Re: Issues for Consideration by the Criminal Justice Policy and Advisory Commission (CJPAC)

The Connecticut state constitution affords crime victims certain enumerated rights, which include: the right to communicate with the prosecution, to be notified of and attend all court proceedings and the right to make a statement to the court prior to the acceptance of a plea and at sentencing. These participatory rights are all predicated on a crime victim receiving timely and accurate notification.

The Office of the Victim Advocate (OVA) has long advocated for the development and implementation of a statewide automated victim notification system, also known as SAVIN. There have been many discussions, public hearings and proposals regarding this issue. In the aftermath of the tragic events in Cheshire, CT, there was a call to action, which included Public Act 08-01, Section 31 & Section 32 and which provided momentum and support for the SAVIN system. In sum, SAVIN was intended to provide registered crime victims with automatic notice of relevant offender information and status reports, presumably, information the crime victim population did not have prior to the launching of SAVIN.

Recently, the Judicial Branch officially launched the CT SAVIN system. Additionally, the Judicial Branch website includes a link to register for SAVIN notification. CT SAVIN is reported to provide upcoming court events, such as change in bail; case jurisdiction transfer; defendant failed to appear; and case disposition.

However, the CT SAVIN system does not provide offender's status information, but rather, the SAVIN program provides the offender's individual pending criminal docket information—the same information contained on the Judicial Branch's website. Moreover, the Judicial Branch's website contains more detailed information than the CT SAVIN system, including the pending criminal charges, the number of times on the docket, the attorney on record for the defendant and the classification and statute of crime(s) being charged.

Currently, the Victim Services Unit within the Department of Correction (VSU; DOC) maintains a victim notification system that notifies registered crime victims PRIOR to an offender being released from DOC custody, whether the release occurs from posting bond; end of sentence; early release; escape; or death. This notification takes place twenty-four hours a day; seven days a week. The CT SAVIN system does not provide this critical notification to crime victims.

Some may perceive the passage of Public Act No. 08-01 as “incident impulsive” and reactive to the public outcry against the horrific tragedy in Cheshire, CT. The reality is that many of the significant improvements contained in Public Act No. 08-01 were long overdue, the statewide automated notification system for one. However, the CT SAVIN system falls far short of accomplishing the intent of the legislation to “provide registered crime victims with automatic notice of relevant offender information and status reports”. Further, the CT SAVIN system does little to ensure the constitutional rights of crime victims to be “notified” and participate within the criminal justice process are upheld. In fact to date, the OVA has requested victim notification information on appeals cases, a gap identified more than eighteen months ago. We have been assured this notification will be provided “in one of the future phases of SAVIN”.

As stated earlier, the OVA has long supported an automated notification system; however, the CT SAVIN system, in its current form, is upwards of \$1.5 million dollars of duplicated services and does not enhance victim notification or victim participation. I have attached an email notification sent by the CT SAVIN system as well as a printout of the Judicial Branch’s pending criminal case information. You decide.

The OVA requests that the CJPAC consider addressing the issue of “meaningful” victim notification as it relates to the constitutional rights of crime victims. It has been more than ten years since CT amended the state constitution to afford crime victims rights, including participatory rights; it’s time that CT takes the next step to provide “meaningful” notification to crime victims to ensure those rights.

Additionally, I request that CJPAC consider keeping CT in the forefront of crime victims’ right by changing the current system for victim participation. To date CT is in one of a minority of states which have the archaic “opt in system” that requires crime victims to take certain steps to notify the Courts and States’ Attorneys of their desire and intent to participate in the criminal justice system. Many states have abolished this practice, and in light of the advancement of crime victims’ rights, provide automatic notification, unless and until a victim “opts out of the system”. The constitution of the state of CT affords crime victims with a right to notification, and yet the victim must jump through hurdles to obtain notification about their cases.

*Attachments:*

*Email notification sent by the CT SAVIN System*  
*Judicial Branch Pending Case Detail Printout*



Lajoie, Merit

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From: The VINE Service [vine@globalnotifications.com]  
Sent: Monday, November 08, 2010 6:26 PM  
To: Lajoie, Merit  
Subject: A message from CT SAVIN

11/8/2010

This notification is brought to you by Connecticut Statewide Victim Information and Notification (SAVIN) Program.

This e-mail is to inform you that there is an upcoming court event involving the defendant ISRAEL SKINNER and docket number F02BCR100250556S. A disposition hearing has been scheduled for 12/6/2010. Please be aware that there is often more than one case scheduled for a particular date in this court. The hearing you may be involved in will take place some time during that day.

This will take place in GA 02 Courthouse, at the following address: 172 Golden Hill Street, Bridgeport, CT 06604.

For updates about this case or for driving directions to the courthouse, you can visit [www.jud.ct.gov](http://www.jud.ct.gov). For more information, contact the Office of Victim Services, toll free within Connecticut at, 1-(800) 822-8428 during regular business hours, Monday through Friday from 8AM to 4:30PM.

This notification is sponsored by the Connecticut SAVIN Program. It is our hope that this information has been helpful to you.

Thank you,

The VINE Service



Wedge Case  
November 17, 2010  
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Court Location

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## Pending Case Detail

### Data as of the Previous Business Day

#### Defendant Information

Last, First: SKINNER ISRAEL  
Birth Year: 1978

Represented By: 422489 M.E. PARIS  
Times on the Docket: 8

#### Docket Information

Docket No: F02B-CR10-0250556-S

Arresting Agency: LOCAL POLICE TRUMBULL

Companion:

Program:  
Court: Bridgeport GA 2

Arrest Date: 6/11/2010  
Bond Amount: \$50,000 (This case only)  
Bond Type: Set

Miscellaneous:

(Not Released From Custody)

Activity: Awaiting Disposition

Next Court Date: 12/6/2010 10:00 AM

#### Current Charges

Statute	Description	Class	Type	Occ	Offense Date	Plea	Verdict	Finding
53a-61	ASSAULT 3RD DEG	A	Misdemeanor	1	6/11/2010			
53a-95	UNLAWFUL RESTRAINT 1ST DEG	D	Felony	1	6/11/2010			
53a-167a	INTERFERE WITH OFFCR/RESISTING	A	Misdemeanor	1	6/11/2010			
53a-167a	INTERFERE WITH OFFCR/RESISTING	A	Misdemeanor	1	6/11/2010			
53a-181d	STALKING 2ND DEG	A	Misdemeanor	1	6/11/2010			
53-182	NEGLIGENT PEDESTRIAN		Infraction	1	6/11/2010			
53a-181	BREACH OF PEACE 2ND DEG	B	Misdemeanor	1	6/11/2010			

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# STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE  
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.  
State Victim Advocate

November 18, 2010

Criminal Justice Policy and Advisory Commission  
Office of the Policy and Management  
Brian Austin, Chairman  
450 Capitol Avenue  
Hartford, CT 06106

Re: Issues for Consideration by the Criminal Justice Policy and Advisory Commission (CJPAC)

The United States Constitution, as well as the Constitution of the state of Connecticut, affords individuals accused of crime certain rights and protections to ensure equal and fair treatment throughout the criminal justice process. These rights of the accused have evolved over the years. Among these rights is the right to a speedy and public trial. In 1996, CT amended its Constitution to afford crime victims constitutional rights throughout the criminal justice process. Likewise, crime victims are equally afforded the right to timely disposition of the case following arrest of the accused, provided no right of the accused is abridged. What does that really mean?

Pursuant to C.G.S. § 54-82m, courts are required to try defendants who have entered a not guilty plea within twelve months of the filing of information or the date of arrest, whichever is later. In cases where a defendant has been continuously incarcerated pending trial, then the trial must start within eight months from the filing of information or the date of arrest, whichever is later. The twelve and eight month time periods may be waived or suspended where the delay is based upon certain events or exclusions agreed upon by the defendant. Such delays include, but are not limited to, the unavailability of the defendant or counsel, mental incompetence and exceptional circumstances (CT Practice Book § 43-40).

Unlike laws enacted to protect a defendant's right to a speedy trial, no such laws have been enacted to assist victims in obtaining a swift resolution to their case. In fact, victims are often told that the average life of a criminal case is eighteen months – two years. The only explanation offered for this delay is that there are hundreds of cases pending in the courts. Crime victims experience frustration, month after month, and continuance after continuance, with little or no explanation.

Additionally, more than ninety-five percent of criminal cases are resolved through the plea bargain process. Although this process is often rightfully utilized in the interest of justice to resolve cases where deficiencies are present and to enhance judicial

expediency, the plea bargain process has been exploited. Often times, the plea bargain is used solely to manage caseloads and move cases—a completely inappropriate use of the plea bargain process. Regardless of the reason behind the high plea bargain rates in CT, the rate of plea bargains begs the question—What really is tying up the court process?

Although there are no statistics reported that are dedicated to this issue, there is information to assist in uncovering the reason for the high plea bargain rates and long delays in cases. The Judicial Branch reports criminal docket statistical information in its biennial report to the Governor, General Assembly and citizens of the state. Yet, the statistics are not reported in the same manner within the Judicial District Courts as in the Geographical Area Courts. Here's what we do know:

- Of the cases disposed of in the thirteen Judicial Districts across the state, **95% or more** were disposed of without a trial over the last four fiscal years.
- Of the total number of pending cases in the thirteen Judicial Districts across the state, **2% or less** have been disposed of with a trial over the last four fiscal years.
- Over the last four fiscal years, **less than 5%** of dispositions were after a trial.

The issue with the shockingly low number of trials in the state is this: Are cases being reduced or plea bargained for legitimate, legal reasons or to control the prosecutors' caseloads? The concern is not only for a defendant's right to challenge the evidence against him/her at trial but also for the protection of the general public. Defendants permitted to benefit from the misuse of the plea bargain process merely for a prosecutor to avoid a trial are more likely to continue to commit similar crimes against innocent victims. This current "administrative" plea bargain practice usurps the intended purpose for plea bargains, which should be based upon the value, strengths, and weaknesses of the parties' case in deciding whether to pursue a trial.

Over the past twelve months, the OVA has learned of cases, where seemingly, this administrative process has been used. For example:

- A charge for home invasion—reduced to burglary;
- A charge for violation of a protective order—reduced to breach of peace (the offender is now charged with murder);
- Domestic violence assault—granted diversion (subsequent murder/suicide).
- DUI and Manslaughter 2<sup>nd</sup> (2 counts)—reduced to DUI and Evading responsibility (2 counts), despite two deceased victims.

The OVA is requesting that the CJPAC conduct a study as to the number of trials held in the state of CT; average active life of a criminal case from arrest to disposition; number of plea bargain dispositions in the state; and variables and factors affecting dispositions.

*Attachment: Judicial District case statistics*

**The Judicial Branch Biennial Report and Statistics 2006 – 2008**  
**JUDICIAL DISTRICTS CRIMINAL DOCKET**

**July 1, 2006 – June 30, 2007**

Pending cases			Cases Disposed					
Pending on 7/1/06	Number of cases added	Total	With Trial	% of cases w/ trials	Without Trial	% of cases w/o trials	Total disposed cases	% of Total cases
3311	3678	6989	137	<b>1.96</b>	3245	<b>46.43</b>	3382	<b>48.39</b>
Percentage of total dispositions without a trial				<b>95.94</b>				

**July 1, 2007 – June 30, 2008**

Pending cases			Cases Disposed					
Pending on 7/1/07	Number of cases added	Total	With Trial	% of cases w/ trials	Without Trial	% of cases w/o trials	Total disposed cases	% of Total cases
3607	3452	7059	146	<b>2.06</b>	2697	<b>38.2</b>	2843	<b>40.27</b>
Percentage of total dispositions without a trial				<b>94.86</b>				

**July 1, 2008 – June 30, 2009**

Pending cases			Cases Disposed					
Pending on 7/1/08	Number of cases added	Total	With Trial	% of cases w/ trials	Without Trial	% of cases w/o trials	Total disposed cases	% of Total cases
4216	3623	7839	143	<b>1.82</b>	3424	<b>43.67</b>	3567	<b>45.50</b>
Percentage of total dispositions without a trial				<b>95.99</b>				

**July 1, 2009 – June 30, 2010**

Pending cases			Cases Disposed					
Pending on 7/1/09	Number of cases added	Total	With Trial	% of cases w/ trials	Without Trial	% of cases w/o trials	Total disposed cases	% of Total cases
4272	3314	7586	150	<b>1.97</b>	3298	<b>43.47</b>	3448	<b>45.45</b>
Percentage of total dispositions without a trial				<b>95.64</b>				

**Number of trials in the Judicial Districts**  
**July 1, 2006 – June 30, 2010**  
**Four year review**

<b>Judicial District</b>	<b># of Trials</b>	<b>% of dispositions</b>
Ansonia/Milford	<b>11</b>	<b>3.52</b>
Danbury	<b>21</b>	<b>.87</b>
Fairfield	95	6.87
Hartford	104	6.54
Litchfield	<b>12</b>	<b>1.28</b>
Middlesex	<b>4</b>	<b>1.43</b>
New Britain	36	5.09
New Haven	<b>84</b>	<b>4.02</b>
New London	<b>30</b>	<b>3.64</b>
Stamford	<b>36</b>	<b>4.87</b>
Tolland	<b>10</b>	<b>4.09</b>
Waterbury	122	8.68
Windham	<b>11</b>	<b>3.28</b>
State Total	<b>576</b>	<b>4.35</b>

DATE: December 9, 2010

TO: Lisa Secondo  
Policy and Planning Manager  
Criminal Justice Policy and Planning Division  
State Office of Policy and Management

FROM: Nancy Kushins  
Executive Director  
Connecticut Sexual Assault Crisis Services, Inc. (CONNSACS)  
CJPAC member

SUBJECT: Criminal Justice Policy Advisory Commission Transition document:  
Victim Services

As requested, I am submitting the following for inclusion in the CJPAC transition document.

Accomplishments:

- **Enhanced services to primary and secondary sexual assault victims.** Through collaboration with the Judicial Branch (Court Support Services Division) and the Department of Correction (Parole), specialized Victim Advocates are part of the sex offender supervision teams throughout the state. This model has existed since the 1990's, and Connecticut was the first in the country to adopt it. We remain a national mentoring site through the Center for Sex Offender Management. In 2007, thanks to support from the Office of Policy and Management, and from Court Support Services Division, we were able to expand statewide to provide services to sexual assault victims whose offenders are on probation or parole. Again, this initiative placed Connecticut on the cutting edge of victim centered approaches to sex offender management, being the first and only state to have adopted this type of programming.
- **Services to tertiary victims of sexual assault.** In providing post-conviction services, it was discovered that the family and friends of sex offenders (tertiary victims) had special unmet needs as they worked to support someone who has committed a sexual crime. CONNSACS created and launched unique support groups for tertiary victims, where they are able to process their personal and family challenges of being in the life of a sex offender who is on probation/parole.

Thank you for the opportunity to share these highlights, and please feel free to contact me if I may provide additional information.

DATE: December 10, 2010

TO: Brian Austin  
Under Secretary  
Criminal Justice Policy and Planning Division  
State Office of Policy and Management

FROM: Richard P. Healey, Esq.  
Public Member  
CJPAC

SUBJECT: Criminal Justice Policy Advisory Commission Transition document: Victim Services

I wanted to pass along a typographical correction to page 5 of the proposed report and some suggested areas for future actions in the Victims Issues summary.

In the first bullet on page 5 of the Report, the word "rose" should be "rise"

Over the past 40 months, my close friend and client, Bill Petit, has had a unique perspective on how victims are impacted by our system. I'd like to pass along some of Bill's thoughts. If they have not been identified as areas for further investigation or action up to now, I believe they should be.

**Numbers/Communications:**

A single victim's advocate for a court, particularly a large court, is not adequate.

Could MADD and CONN-SAC advocates who have received the correct training be allowed to formally participate in cases?

Because the OVS victim's advocate is spread thin, the victim ends up in direct contact with the prosecutors. OVS is under the Chief Justice, but there is no real communication between the judicial branch and the victims. Would it work better if OVS was under the State's Attorney's Office?

**Funding:**

The funding is woefully inadequate in many cases. If a victim has serious injuries or long-term medical or psychological issues the money is used up immediately. In comparison, the dollars available to pay for the defense of the accused is limitless.

There was some reports that some of the funding dedicated to OVS was taken and used to apply to the budget shortfall. Is that accurate? Will it be restored?

**Privacy:**

All courts should supply victims a private space where they can feel safe during a trial.



After a case is concluded can information/documentation that has been collected but was not introduced as evidence be sealed and protected from FOIA to protect the privacy of the victim?

Similarly, in sexual assault cases, the ME's reports should be protected from FOIA, particularly in the case of minors.

**Habeas Corpus:**

At different times, Chief State's Attorney Kane has spoken of the need to overhaul our habeas corpus laws. That would seem to be worth considering going forward.

Thank you for your attention to these comments, Mr. Chairman. If they are not able to be included as the results of the CJPAC's work to date, for our system to better address the rights and needs of victims of future crimes, they ought to be considered in the future.