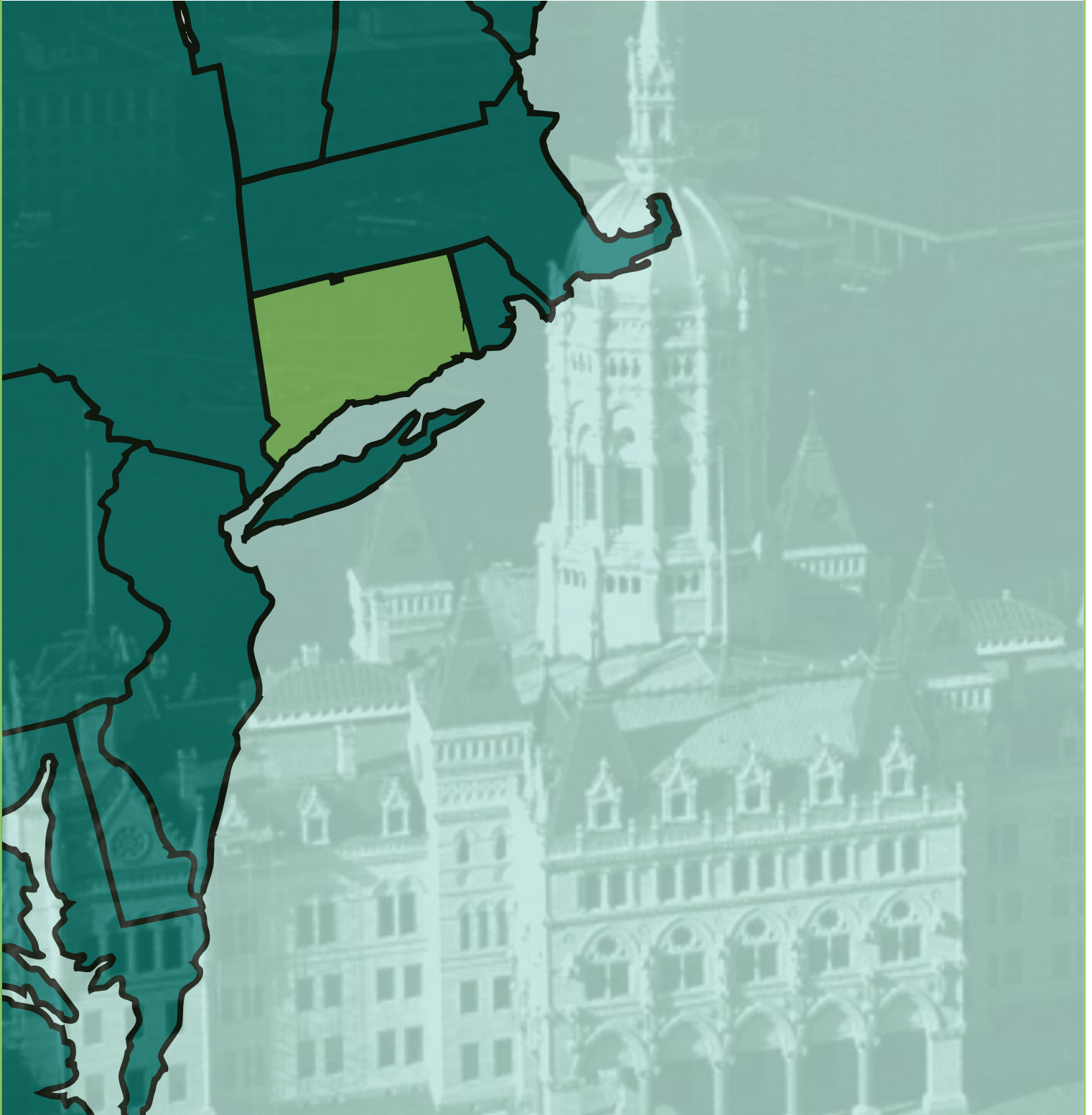


Framework for Connecticut's Fiscal Future

Part 2: Assessment of Connecticut's Correction, Parole and Probation Systems



A Report of the Connecticut Regional Institute for the 21st Century

The Connecticut Regional Institute for the 21st Century (the Institute) was formed in 1997 when public and private leaders in Connecticut came together to exchange ideas about increasing the state's economic growth by viewing Connecticut as part of a dynamic set of systems in the Northeast, not as a "stand-alone" political entity. The group focuses on educating policymakers on key issues that hold the most potential for the state's future. Managed by a statewide steering committee, the Institute is incorporated, has not-for-profit tax exempt status, and provides continuing opportunities to discuss and study important issues regarding Connecticut's competitiveness.

- In 1999, the Institute commissioned a significant study by the firm of Michael Gallis & Associates, Inc. entitled *Connecticut: Strategic Economic Framework*. The study defines the real-life economic markets and movement of people, goods, and ideas in the region, the nation and the world. That widely-recognized study is seen as a valuable policy framework, continuing to shape the Institute's initiatives.
- In 2003, the Institute turned to the issue of the link between Connecticut's future growth and responsible land use in order to draw connections between economic development, state and local planning, the trend toward sprawl, and preservation of our quality of life.
- In 2007, the Institute's latest report, *Economic Vitality & Competitive Cities*, identified key features of successful cities and strategies for making all Connecticut communities attractive and productive, with recommendations for state and local actions to achieve this objective.

The Challenge of 2010

For the past two years the Institute has tracked the state's continuing battle to wrestle with the growing fiscal and economic crisis. The economic downturn has created increased need for public services while sharply reducing state revenues.

The numbers in Connecticut have dramatic implications for the role and costs of government at all levels:

- State budget deficits of \$10 billion over the next three fiscal years, approximately 20% to 30% of the state's current services spending;
- Unemployment that is just around 9% and job recovery that is expected to be slow;
- Exploding numbers of foreclosures and personal bankruptcies;
- More than \$20 billion in unfunded liabilities for retiree pension commitments and health obligations; and
- Cutbacks to local town and city governments that will cause deficits and potential sharp municipal tax increases.

Our state's elected leaders face difficult decisions as they seek to ensure that Connecticut emerges as a competitive, caring state as the economy improves. The massive federal stimulus package in aid and loans to our state and municipal governments will not solve our structural problems or fully close our vast deficit.

If the State does not deal effectively with the current structural fiscal issues, Connecticut's economic competitiveness is questionable. It is for this reason the Institute decided to take on a series of initiatives to assist the State in addressing the current fiscal and economic crisis.

The Institute's Current Mission

The Institute has resolved to look at elements of spending that account for a significant percentage of the state's budget and where shifts in approaches to service delivery could make a real difference. In doing so, the Institute engaged research firm Blum Shapiro for assistance to review major budgetary program areas and to:

- Quantify savings that can be realized in the next fiscal cycle and over the long term;
- Identify opportunities to improve service;
- Identify opportunities to increase customer satisfaction; and
- Identify opportunities to increase efficiencies.

This resulting series of research studies is entitled *Framework for Connecticut's Fiscal Future*. The Institute's first study, focusing on Long Term Care, was released in March 2010. This second report examines Connecticut's Correction, Parole and Probation Systems, comparing them to national trends, reviewing current budget allocations, identifying recent system improvement, and recommending next steps for further reforms.

For further information about the Institute and its work, visit www.ctregionalinstitute.org.

Summary of Report Findings

Connecticut, like many states, faces the worst fiscal crisis in a generation. The State Office of Fiscal Analysis reports a projected \$3.4 billion deficit on estimated expenditures of \$19.2 billion for fiscal 2012, which begins July first of next year. Unfortunately, this is not a one time cyclical event. Out year projections remain above \$3 billion for FY13 and 14. Shrinking revenues are forcing governors and legislators to examine all areas of public spending for possible savings. This report focuses on the State's Correction, Parole and Probation Systems, that together constitute one of the fastest expanding segments of the state budget. The 2008-2009 State Department of Corrections budget alone was \$710,139,836 – an increase of 280% since 1990.

In addition to increased cost it is important to note that there is no one criminal justice system in Connecticut. In fact the systems span two branches of government, which leads to difficult management issues that need to be addressed.

The Institute's approach to this topic was similar to the previous study on Long Term Care. Through literature searches and selected interviews outside Connecticut, an understanding of the state of Correction, Parole and Probation Systems and issues nationwide was gained. Along with a series of interviews with stakeholders inside Connecticut, these activities provide the basis for comparing Connecticut's experience with best practices around the country, to provide a context for learning while understanding unique aspects of our own systems.

The goal of these studies is to identify whether savings can be realized in both the short and long-term; whether outcomes can be improved; clients better served; and efficiencies increased – to then determine where shifts in approaches to service delivery can make a real difference.

NATIONAL PERSPECTIVE

Not surprisingly, costs in these systems are tied directly to the size of the incarcerated population. America's prison population has been increasing for more than 30 years.

But this increase has been driven more by public policy choices, such as mandatory sentencing and broadened definitions of criminal activity (particularly related to drug use) than by increases in crime rates, per se. Many national studies have looked at the impact that incarceration has on crime rates. The simple conclusion of these studies is that increased incarceration and prison spending does not correlate to reduced crime.

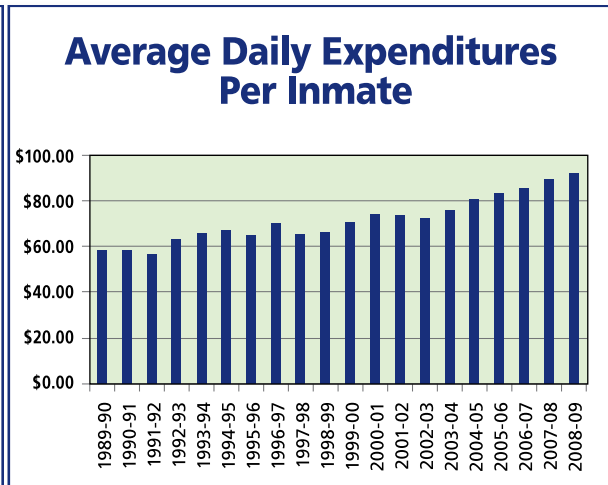
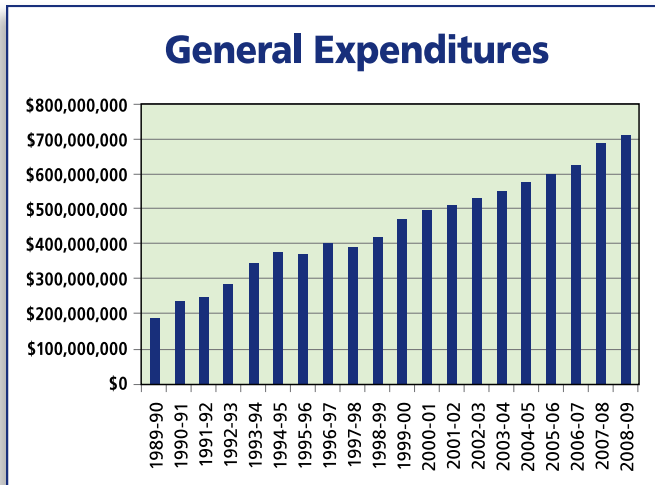
National studies and data suggest that treatment, reentry plans, rehabilitation and community corrections programs are much more productive and cost effective for many offenders, compared to imprisonment. Approximately 70% of all offenders serve all or part of their sentences in the community.

WHERE CONNECTICUT STANDS

In the Connecticut Correction, Probation and Parole Systems there are two governing entities, the State Department of Corrections (DOC) and the Judicial Branch. DOC is responsible for prisons and parole, while the Judicial Branch includes courts and probation.

Connecticut is one of only six states that has a "unified" correction system. In a unified system, people who are accused but not yet sentenced are under control of the state instead of a county government. This structure has the advantage of driving consistent policy in the entire system, but must be factored in when comparing the total incarcerated population with other states because other states count prison population and "jail" population separately.

As noted, costs of these systems are high and growing fast. The charts summarize this growth in spending per inmate and overall DOC expenditures.



The current prison population is 18,555. This represents a reduction of 959 since 2008. But total prison population in Connecticut could have been much higher. Projections in 2002 suggested that close to 30,000 could be incarcerated today; however, shifts in policy have made the difference, reducing projected prison population growth without increasing crime or risking the safety of Connecticut residents.

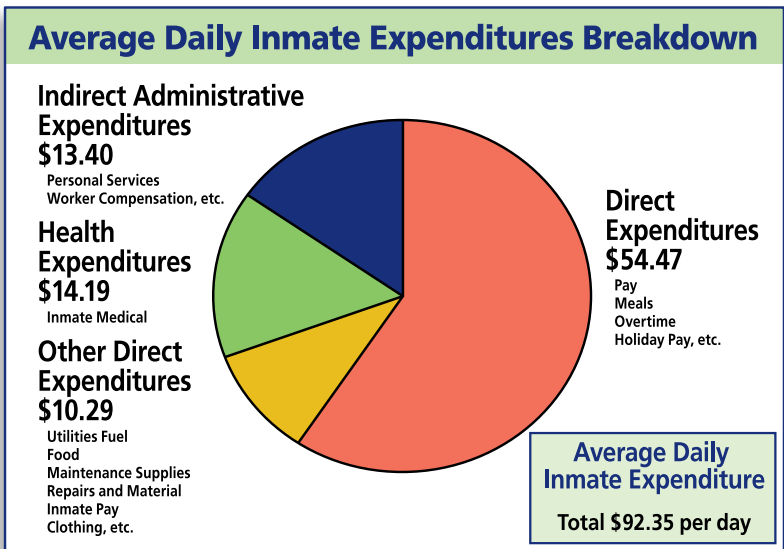
According to recent calculations, the average daily expenditure per inmate in Connecticut in 2008 through 2009 was \$92.35.

Approximately 70% of this budget, \$54.47 per day, is pay and benefits for DOC employees. Direct staffing cost accounts for 58% of DOC's total budget. Based on current union contracts, the only effective way to control this cost is to reduce the number of inmates. By doing this, it may be possible to close facilities or parts of facilities. Corrections personnel can then be reassigned among facilities and, over time, their numbers can be reduced. However, under current union contracts, workforce levels cannot be directly reduced based on reductions in prison population.

The total cost for Court Support Services (probation) in SFY 2006 was \$91 million. This is an additional cost beyond the DOC budget. The average daily expenditure per client was \$10.24. (Data is not available to determine the average cost per day for parole in Connecticut). Clearly, a policy that appropriately reduces prison population through judicious use of parole, probation and community based transitional services will save money.

One of the most promising findings of the Institute's study is that increased incarceration does not reduce crime. National studies also confirm that incarcerating more offenders does not necessarily mean less crime on the streets. Of course it pays to remove the most serious offenders from the streets. But once the most serious offenders are locked up, other offenders still on the street are less likely to commit an equal number of serious crimes. Eventually, the crime-prevention payoff of additional incarcerations declines and overall costs to society may actually increase.

Programs to reduce prison population must be carefully designed. Costs per inmate vary widely depending on the nature of the crime and the type of facility in which the prisoner is being held. There is no such thing as an "average prisoner." As a result, it is not valid to assume that reducing prison headcount saves the State \$92.35 per day, per prisoner. Each offender poses a different threat to public safety, and the dividends from different types and terms of incarceration vary widely.



DECLINING POPULATION

During 2008, Connecticut's prison population declined moderately by 460 inmates, or 2.4%. In 2009, the decline in count was more dramatic – Connecticut had 945 fewer inmates in its prisons, a decline of 4.9% – leading DOC to close one prison facility.

Connecticut's decline in prison population saves the State money without compromising public safety. It reflected a series of incremental factors coming into alignment. These factors included:

- A gradual increase in the number of offenders released each month into community supervision programs;
- A steady reduction of the offender backlog (beginning in 2007) through discharges and releases into community supervision programs;
- Fewer than anticipated monthly admissions of un-sentenced offenders, particularly during summer and fall;
- Increased efficiency in pre-trial diversion programs;
- Optimized prison population management;
- Greater accountability and improved operational efficiency; and
- Expanded collaboration between various criminal justice agencies.

This report finds that if these policies are maintained, prison population will continue to trend downward, but at a much slower rate than in the recent past.

WHERE DO WE GO FROM HERE?

Connecticut's systems are complex, spanning multiple state agencies and branches of government, and having many cause and effect relationships. As in the Institute's first report in this series focusing on long term care – issues such as *cross agency leadership, coordination and accountability, and inadequate information technology – are pervasive.*

Steps have been taken to adopt some of the best thinking and national trends to improve Connecticut's Correction, Parole and Probation Systems. Much more can still be done. *Developing and implementing a long-term strategy in which the two halves of the system work together is critical.* Connecticut must approach its prison system comprehensively to achieve the right balance between the cost of the system, imposing appropriate justice for criminal activity, and ensuring public safety.

In the last three years, Connecticut has piloted and moved in directions consistent with best practices nationwide. The issue is whether Connecticut, particularly facing a leadership change in the Executive branch, will continue the momentum that has begun. Connecticut's initiatives to improve must be supported. Unlike our earlier study, there is not one big money saver here, but there are ample opportunities for savings such as reducing the incarcerated population where appropriate, and negotiating different contracts with corrections officers. Small initiatives rooted in a common strategy will yield benefits over time. But our clear message here is *continue and accelerate changes that are moving in the right direction.*

Many reforms have begun, and *the next administration should not look to the Correction, Parole and Probation Systems for major changes or cost savings, but should continue and systematically institutionalize the change that has begun.*

Often issues among the prison population that are being dealt with by the Correction, Parole and Probation Systems provide a window on other major areas of public policy that have a great impact on this population. *Establishing, maintaining and growing appropriate programs in early childhood education, literacy, community development, public health and housing all contribute to the creation of a social and cultural environment where individuals do not look to crime as their primary means of survival.*

Recommendations

Governance:

As in the Institute's study on long term care, this study has identified a number of systems that are not connected administratively nor have the support systems they need to do the best and most efficient job on behalf of Connecticut's taxpayers. In this case, the systems are across two branches of government – Judicial and Executive – and their work needs to be coordinated. These are the Institute's primary recommendations to accomplish this objective.

- **Establish a steering mechanism including a system to measure performance, and a comprehensive information system across the entire criminal justice system.** There is no one person or group with authority to manage Connecticut's Correction, Parole and Probation Systems. This causes disconnects between components of the systems that have direct cause and effect relationships with each other. Extending the role of the current Criminal Justice Policy Advisory Committee (CJPAC) could provide this oversight, and should include strategic planning and performance measurement through enhanced data capabilities.
- **Engage the Connecticut business community in the process of reform and re-entry.** Connecticut's business community has limited involvement in the current systems. Yet, gainful private sector employment is a critical component of any re-entry strategy. Business representation on the CJPAC, and in other system activities will improve strategy development, management approaches, program measurement and facilitate discussion regarding job opportunities for ex-offenders.

Personnel:

- **Renegotiate union contracts.** Current union contracts provide little flexibility to allow for reduction of costs in the criminal justice system. Unusual work schedules and other work rules and practices exacerbate cost reduction efforts. Negotiations should benchmark other states' approaches and look at items like worker's compensation, work schedules, overtime and sick time.

Decrease the incarcerated population in Connecticut, without compromising public safety:

- **Review, analyze and standardize the risk assessment instruments to be utilized across the Correction, Parole and Probation Systems.** Currently different risk assessment instruments are used by Court Support Services, DOC and Parole. A consistent method would result in better and more consistent decision-making across the systems. A task force is working on this issue now.
- **Establish a faith based pilot initiative within the incarcerated male population.** Other states have seen good results with faith-based programs, as has Connecticut with the program for female inmates at the York facility. These programs result in much lower recidivism rates.

"There is little debate that imprisonment has protected communities from many of the most violent and menacing criminals, and that some offenders should be locked up purely for the sake of punishment. But in casting a wider net for criminals, prisons have snagged many smaller fish. A growing body of research is showing the limits of incarceration as a sanction of these lower level and less frequent lawbreakers, both in terms of its cost-effectiveness and its impact on crime."

-One in 31: The Long Reach of American Corrections;
PEW Center on the States:
March 2009

- **Institute the use of meritorious good-time for certain offenders.** A meritorious good-time program provides DOC with an incentive-based tool to motivate inmates. When used appropriately, it will reduce the prison population. This option should not be available for certain offenders and offenses, and should be linked to well-planned re-entry strategies.

- **Provide sufficient funding for re-entry programs, and measure results and cost-effectiveness.** The current re-entry programs need to be funded and sustained. Budgetary constraints mean we must decide which programs yield the best return in reducing recidivism and focus on those.

- **Extend the early release furlough program for appropriate inmates.** This program allows inmates to re-establish their ties to the community and look for suitable employment while under supervision. If implemented correctly this program should reduce the prison population and save money. The first step should be an evaluation of the current early release furlough program and the use of mandatory community supports to reduce recidivism.

- **Continue to build and enhance partnerships and collaborations with community based service providers.** These programs provide critical support to offenders in the early hours after their release. Enhanced information sharing among community partners and the systems would improve outcomes for ex-offenders. Re-entry councils should be evaluated. The role of community based service providers should be explicitly included in the development of a strategy for Connecticut's Correction, Parole and Probation Systems.

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