



House of Representatives

General Assembly

File No. 624

January Session, 2005

Substitute House Bill No. 6705

House of Representatives, May 2, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE RELATIVE TO PRETRIAL DIVERSION AND ALTERNATIVE SANCTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2005*) (a) The Court Support
2 Services Division shall conduct an ongoing, comprehensive analysis of:
3 (1) Profiles of alternative incarceration network clients, (2) service
4 needs and treatment levels of network clients, (3) program intensity
5 levels, (4) program discharge status and other predictors of recidivism,
6 (5) the baseline recidivism rate, and (6) the effectiveness of the
7 alternative incarceration network for pretrial and sentenced clients.
- 8 (b) The Court Support Services Division shall share data on a client
9 basis, a program basis and an aggregate basis with provider agencies
10 with which it contracts. Such data shall include, but not be limited to:
- 11 (1) Upon referral of a client, (A) the client identification number

12 assigned by the division's automated information system, (B) the full
13 client assessment as determined by the division's client assessment
14 instruments including recommended treatment level for the client, and
15 (C) the status, whether pretrial or sentenced, criminal conviction and
16 sentence of the client, including docket numbers;

17 (2) On a quarterly basis, program data including (A) utilization rate
18 and capacity, (B) satisfactory discharge rate, and (C) recidivism rate;
19 and

20 (3) On an annual basis, aggregate program data including (A)
21 utilization rate and capacity, (B) satisfactory discharge rate, (C)
22 recidivism rate, and (D) performance outcomes. Such annual aggregate
23 analysis shall combine the individual statistics of similar programs
24 such as alternative incarceration centers to enable provider agencies to
25 have a context for understanding their individual program statistics.

26 Sec. 2. (NEW) (*Effective October 1, 2005*) A request for proposals
27 issued by the Court Support Services Division for new and existing
28 programs in the alternative incarceration network shall include
29 comprehensive data analysis including, but not limited to: (1) A profile
30 of the target client population including aggregate assessment data
31 determined by the division's client assessment instruments, (2)
32 program utilization and satisfactory discharge trends for the target
33 client population and the program category or type, (3) the baseline
34 recidivism rate, (4) predictors of rearrest among the target client
35 population, and (5) measures for identified contract performance
36 outcomes.

37 Sec. 3. (NEW) (*Effective October 1, 2005*) (a) The Court Support
38 Services Division shall develop a three-year strategic plan for the
39 alternative incarceration network and the implementation of the
40 evidence-based program strategy. The plan shall identify objective
41 criteria and procedures for prioritizing the needs of alternative
42 incarceration network clients and system expenditures based on the
43 objectives of the alternative incarceration network and the goals of the
44 offender reentry strategy developed pursuant to section 18-81w of the

45 general statutes to (1) assist in maintaining the prison population at or
46 under the authorized bed capacity, (2) promote the successful
47 transition of offenders from incarceration to the community, (3)
48 support the rights of victims, and (4) provide public safety.

49 (b) During the strategic planning process, the division shall examine
50 areas including, but not limited to, the following: (1) The current
51 contracted capacity of the alternative incarceration network and the
52 network's capacity to serve clients, (2) opportunities for network
53 expansion including locations, types of programs and enhancements to
54 existing programs, (3) client treatment levels, program intensity, risk
55 and supervision levels based on client profile and baseline recidivism
56 rates, (4) capacity of the contracted provider agency network to
57 expand current services, enhance existing services and provide new
58 services, (5) measurable objectives, and (6) resource allocation.

59 (c) In examining the capacity of the contracted provider agency
60 network to expand its services, the division shall consider factors
61 including, but not limited to, the following: Municipal zoning and
62 siting issues, local taxation issues, opposition from communities in
63 which such expanded services would be provided, and the use of state
64 bonding funds for the acquisition, expansion and improvement of
65 alternative incarceration network facilities.

66 (d) Not later than January 1, 2006, the division shall submit the
67 strategic plan to the joint standing committees of the General
68 Assembly having cognizance of matters relating to the criminal justice
69 system and to appropriations and the budgets of state agencies in
70 accordance with the provisions of section 11-4a of the general statutes.
71 Not later than January 1, 2007, January 1, 2008, and January 1, 2009, the
72 division shall submit an annual progress report on the implementation
73 of the strategic plan to said committees in accordance with the
74 provisions of section 11-4a of the general statutes.

75 (e) The strategic plan developed pursuant to this section shall be
76 used to assist the Judicial Branch and the General Assembly in
77 determining and prioritizing the expansion of the alternative

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Judicial Dept.; Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	Approximately 650,000	Approximately 400,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires the Court Support Services Division (CSSD) of the Judicial Department to do the following: (1) conduct ongoing, comprehensive analysis of its alternative incarceration services network including recidivism rates; (2) share data with private provider agencies with which it contracts; (3) modify its request for proposals; and (4) develop a three-year strategic plan for the alternative incarceration network and the implementation of the evidence-based program strategy.

The CSSD would require additional resources to comply with the bill. In particular, it would need additional staff in its operations research at an annual cost of approximately \$300,000, including fringe benefits and expenses, enhancements to its information technology which would result in one-time costs greater than \$100,000, and consultancy services at an estimated cost of \$250,000.¹

Private providers would incur significant cost to implement

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated fringe benefit reimbursement rate as a percentage of payroll is 53.91%, effective July 1, 2004. However, first year fringe benefit costs for new positions do not include pension costs lowering the rate to 22.65%. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System.

evidence-based programming, as funding is needed for copyrighted curriculum, staff training, test development and implementation. Information technology improvements would also be required at the private provider level in order to interface with the CSSD. It is anticipated that private providers would pass these costs along to the state.

OLR Bill Analysis

sHB 6705

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE RELATIVE TO PRETRIAL DIVERSION AND ALTERNATIVE SANCTIONS

SUMMARY:

This bill requires the Judicial Branch's Court Support Services Division (CSSD) to conduct an ongoing, comprehensive analysis of:

1. profiles of alternative incarceration network clients,
2. their service needs and treatment levels,
3. program intensity levels,
4. program discharge status and other predictors of recidivism,
5. baseline recidivism rates, and
6. the alternative incarceration network's effectiveness for pretrial and sentenced clients.

The bill also requires CSSD to share data with provider agencies it has contracts with. It requires sharing certain client information when the client is referred, certain program information on a quarterly basis, and certain aggregate information annually.

It requires any CSSD request for proposals for new and existing alternative incarceration network programs to include comprehensive data analysis.

It requires CSSD to develop a three-year strategic plan for the alternative incarceration network and the implementation of an evidence-based program strategy. CSSD must report its plan to the Appropriations and Judiciary committees by January 1, 2006 and make annual progress reports in the following three years. The Judicial Branch and General Assembly must use the plan to help them

determine and prioritize the expansion of the alternative incarceration network and the reinvestment of existing and new resources in the network of community-based treatment, vocational, educational, supervision, and other services and programs under the reentry strategy (see BACKGROUND).

EFFECTIVE DATE: October 1, 2005

SHARING DATA

The bill requires CSSD to share data with provider agencies it has contracts with. The data must include:

1. when a client is referred, (a) the client identification number from CSSD's automated information system; (b) the full client assessment, including recommended treatment level, from CSSD's client assessment instruments; and (c) the client's pretrial or sentenced status, conviction, and sentence, including docket numbers;
2. program data on a quarterly basis including (a) utilization rate and capacity, (b) satisfactory discharge rate, and (c) recidivism rate; and
3. aggregate program data annually including (a) utilization, satisfactory discharge, and recidivism rates; (b) utilization capacity; and (c) performance results (the analysis must combine the individual statistics of similar programs such as alternative incarceration centers to give provider agencies a context to understand their individual program statistics).

REQUESTS FOR PROPOSALS

The bill requires a CSSD request for proposals for new and existing alternative incarceration network programs to include comprehensive data analysis including:

1. a profile of the target client population including aggregate assessment data determined by CSSD's client assessment instruments,
2. program utilization and satisfactory discharge trends for the

target client population and program category or type,

3. baseline recidivism rate,
4. predictors of rearrest in the target client population, and
5. measures for identified contract performance results.

STRATEGIC PLANNING

The bill requires CSSD to develop a three-year strategic plan for the alternative incarceration network and the implementation of an evidence-based program strategy. The plan must identify objective criteria and procedures for prioritizing network client needs and system expenses based on the network's objectives and the goals of the offender reentry strategy to:

1. help keep the prison population at or under the authorized bed capacity,
2. promote offenders' successful transition from incarceration to the community,
3. support victims' rights, and
4. provide public safety.

During the planning process, CSSD must examine:

1. the network's current contracted capacity and its capacity to serve clients;
2. opportunities for network expansion, including locations, types of programs, and enhancements to existing programs;
3. client treatment levels, program intensity, risk and supervision levels based on client profile, and baseline recidivism rates;
4. contracted provider agency network capacity to expand, enhance, and provide new services;
5. measurable objectives; and

6. resource allocation.

When examining the capacity of the contracted provider agency network to expand services, CSSD must consider (1) municipal zoning and siting issues; (2) local taxation issues; (3) community opposition; and (4) use of state bond funds to acquire, expand, and improve network facilities.

BACKGROUND

Reentry Strategy

PA 04-234 (codified at CGS § 18-81w) required the Board of Pardons and Paroles, Judicial Branch, and the departments of Correction, Mental Health and Addiction Services, Social Services, and Labor to collaborate to develop and implement a comprehensive reentry strategy. The strategy must:

1. provide a continuum of custody, care, and control for offenders discharged from DOC custody;
2. assist in maintaining the prison population at or below authorized bed capacity;
3. support victims' rights;
4. protect the public; and
5. promote successful transition from incarceration to the community.

DOC must annually report on the strategy's success to the Appropriations, Judiciary, and Public Safety committees. The strategy's success must be measured by the:

1. recidivism and community re-victimization rates;
2. number of inmates eligible for release on parole, transitional supervision, probation, or other release programs;
3. number of inmates who transition from incarceration to the

community complying with a discharge plan;

4. prison bed capacity ratios;
5. adequacy of the network of community-based treatment, vocational, educational, supervision, and other services and programs; and
6. reinvestment of any savings realized from reducing the prison population into reentry and community-based services and programs.

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Substitute Change of Reference

Yea 10 Nay 0

Judiciary Committee

Joint Favorable Report

Yea 40 Nay 0