



# State of Connecticut

## JUDICIAL BRANCH

OFFICE OF THE CHIEF COURT ADMINISTRATOR  
COURT SUPPORT SERVICES DIVISION  
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**Testimony of William H. Carbone**  
**Judiciary Committee Public Hearing**  
**March 13, 2006**

**Raised Bill No. 5615 (“An Act Concerning Presentence Investigations”)**

Good Afternoon. My name is William H. Carbone. I am the Executive Director of the Court Support Services Division of the Judicial Branch. Thank you for the opportunity to testify on behalf of the Branch today on **Raised Bill No. 5615, *An Act Concerning Presentence Investigations***.

Presentence Investigations (PSI's), conducted by CSSD Probation Officers, serve an important role in the court by providing a comprehensive social and criminal history, circumstances of the offense and other information obtained through an assessment of the offender's risk and need factors. These reports are exclusively conducted by probations officers who are specially trained in investigations and report writing. Feedback from our officers and judges indicates that Presentence Investigations often play a significant role in the sentencing of defendants, where this extensive report is essential to the Court's decision-making.

While there are certainly benefits to the proposed requirement in Raised Bill No. 5615 that “good cause” be shown before waiving the Presentence Investigation, I would like to share with you some of the implications this would have for the Branch.

First, based on data gathered during Calendar Year 2005, CSSD conducted 815 Presentence Investigations on first-time felony offenders sentenced to probation. This represented only 15 percent of the nearly 5,300 first-time felony offenders sentenced to

probation in 2005. (It is noted that these figures do not include first-time felony cases disposed of without a sentence of probation, such as incarceration and conditional discharges.) This means the PSI was waived in almost 4500, or 85% of first time felony convictions with sentences of probation, last year. HB 5615 continues the waiver provision, but requires that “good cause” be shown in order for it to be granted.

To determine the impact this change may have on the number of PSI’s adult probation would have to prepare, it would be necessary to estimate the number of cases where “good cause” for waiver will likely be shown. Without more definition on “good cause” and more time to evaluate the actual case files, it is quite difficult to determine the actual impact on the number of PSI’s that will be ordered. For example, if the court concluded that it had “good cause” to waive in all 4500 cases where the PSI was waived in 2005, then there would be no impact. On the other hand, if the “good cause” language change caused even a modest increase in the number of PSI’s, for example, 20% , then it would have a significant impact on probation as it would involve 900 more PSI’s, based on our 2005 data. We know it takes approximately 11 hours to complete a PSI. Based on this, a 20% increase would require 8 more probation staff for this additional work. In comparison, if the “good cause” language resulted in no waivers, then an additional 41 probation officers would be needed to write the additional 4500 PSI’s that would be ordered. The cost to hire this many new Probation Officers would be over two-million dollars.

Two additional impacts of which you should be aware: First, the potential requirement of a PSI on more cases may result in lengthening the sentencing process, as these reports often take up to 8 weeks to prepare and longer, for more complicated cases. Second, the proposed legislation may result in offenders spending more time in jail in pre-trial status due to a longer wait for sentencing. This may impact the state’s efforts at the control of the correctional population.

In conclusion, CSSD takes very seriously the need for comprehensive assessment absent the presence of a Presentence Investigation. Each offender sentenced to probation is assessed for risk and criminogenic need using validated assessment tools called the Level of

Service Inventory-Revised and the Adult Substance Use Survey-Revised. Completed within the first two weeks of probation, this assessment includes a comprehensive look at education, employment, substance abuse, mental health, criminal history and other relevant factors. These assessments provide important information to Probation Officers in the creation of supervision and treatment plans.

Thank you for allowing me the opportunity to testify today on this proposed legislation.