Building Bridges II: An Evaluation of Connecticut's Justice Reinvestment Initiative

Timeline of Major Criminal Justice Policies and Other Initiatives

1979 Connecticut General Assembly created (P.A. 79-96) a Sentencing Commission to establish sentencing policies and practices for the state criminal justice system to ensure the sentencing goals of punishment, deterrence, incapacitation, and rehabilitation were accomplished. The Sentencing Commission issued its final report in March 1980.

1980 Then-Governor Grasso appointed members to a task force to address the problem of prison overcrowding. The task force issued its report in 1981.

1981 Connecticut shifted from an indeterminate sentencing model (imposed minimum and maximum term) by adopting a determinate sentencing (fixed term) model with legislatively set sentencing options and ranges. In its 1980 report, the Sentencing Commission reported the goal of the new sentencing structure was to provide "just and consistent penalties based upon prior criminal record and the conviction offense." Determinate sentencing laws were intended to result in more uniformity and consistency in the sentencing process and to hold judges accountable.

Under the new sentencing model, three reforms also took place.

First, parole was abolished for new determinate sentences. The Board of Parole (BOP) maintained discretionary release authority for offenders convicted of crimes committed prior to July 1981 (those serving "old" indeterminate sentences). Introduced along with the restructuring of the parole system was an early release program called Supervised Home Release (SHR), which transferred discretionary early release authority and community supervision to the Department of Correction (DOC). SHR replaced parole for inmates sentenced to determinate sentences.

Second, the amount of "good time" credits that could be earned for sentences over five years was reduced (from about 15 days to 12 days per month) thereby increasing time served by about 20 percent.

Third, the General Assembly began to establish mandatory minimum sentences for certain offenses, increasing existing mandatory minimum penalties, and enacting enhanced penalties under the first in a series of persistent offender provisions.

The ***cumulative*** impact of these sentencing reforms was a sizeable increase in the prison population. In the early 1980s, the incarcerated population was already at

design capacity levels and the prison system could not accommodate the influx of inmates. Connecticut experienced its first prison overcrowding crisis.

First pre-trial education diversionary program established for persons arrested for the first time for certain offenses: the Pre-trial Alcohol Education Program followed by Pre-trial Family Violence Education Program (1986), Community Service Labor Program (1990), Pre-trial Drug Education Program (1997), Pre-trial School Violence Education Program (1999), and Hate Crimes Diversion Program (2000).

1982 One consequence of tremendous growth in prison population was establishment by federal court order and state law of DOC institution capacity limits and to adopt a statutory emergency release provision.

Prison overcrowding task force succeeded by statutorily created permanent Prison and Jail Overcrowding Commission (PJOC) that is required to submit an annual report on system-wide solutions to prison overcrowding.

1984 Sentencing Commission reported to the General Assembly the new determinate sentencing law had not produced its intended effect and had instead contributed to the growing prison overcrowding problem.

- According to the commission, the percentage of inmates in prison for serious felonies remained constant, but the number (and percentage) of inmates confined for less serious, non-violent and even misdemeanor offenses had increased significantly.
- The average sentence length and time served for less serious felonies also dramatically increased (by about 25 percent).

The Sentencing Commission was terminated at the conclusion of its work.

General Assembly amended the 1982 emergency release provision to allow DOC to declare an overcrowding emergency when the inmate population exceeded 110 percent of capacity for 30 consecutive days. Under an emergency condition, DOC was required to systematically release inmates based on specific criteria, until the population fell below the 100 percent capacity limit

- Despite serious prison overcrowding, for political reasons, DOC never declared an emergency and the emergency release law was not used.
- Executive branch policy to avoid emergency release pushed DOC into 30-day crisis management cycle to keep inmate population at or under capacity limit:

- Official means of managing population: DOC uses transfers among facility, furloughs, halfway houses, outside inmate work details, and SHR.
- Unofficial means of managing population: DOC uses temporary beds, placing inmates on buses and driving them to lesser crowded facility while a count of the population is taken.

mid-1980s Connecticut initiated a long-term prison expansion project that, by the early 1990s, had added over 10,000 new prison beds (at a cost of over $1 billion)

- DOC selects dormitory design to bring new prison beds on-line as quickly as possible.

Free-base cocaine (commonly called "crack") widely introduced throughout the United States. In Connecticut and nationally, "crack epidemic" cited for rise in drug-related violent and weapon offenses and organized gang activity.

State prison system was seriously overcrowded.

1985 General Assembly enacted first mandatory minimum sentencing laws for "drunk driving" offenses (driving under the influence of alcohol or drugs)

1987 During a special session to deal with the "crack epidemic" issue, General Assembly enacted a series of mandatory minimum sentencing laws for drug sale offenses.

- Mandatory minimum sentencing laws were intended to counter the drastic reduction in the average time served in prison on court-imposed sentences that occurred under the SHR program.

All criminal justice agencies responded within their jurisdiction and authority to organized gang activity. System focused on arresting, convicting, and incarcerating serious, violent offenders.

Late 1980s Serious prison overcrowding crisis continued.

DOC uses SHR program as a mechanism to control prison overcrowding and, as a result, most inmates were serving only about 10 percent of their court-imposed sentences before being released. However, because of the high number of released inmates DOC was unable to adequately provide community-based supervision.

- Offenders cycling in and out of prison.

- Recidivism becomes problem.
- Lack of community supervision of released inmates by DOC.
- At its height, DOC had an average daily population count of over 6,000 inmates released on SHR.

Several riots and serious disturbances occur in DOC prisons due to severely overcrowded conditions.

1987 General Assembly abolished SHR and established a three-year phase-out of the program.

1989 General Assembly established Alternative Incarceration Program (AIP) authorizing judges to impose an alternative sanction in lieu of prison for persons convicted of certain crimes who would have, absent the program, been incarcerated (referred to as "jail bound" offenders).

P.A. 89-353 allowed limited prison construction without competitive bidding and environmental impact studies.

P.A. 89-383 authorized judges to directly sentence convicted offenders to intensive probation supervision as part of the alternatives to incarceration program. (Offenders sentenced to more than 5 years were ineligible.)

1990 SHR phase-out completed and parole reinstated for all sentenced inmates. The Board of Parole was given the authority to grant discretionary parole for determinate sentences greater than two years. Inmates required to serve at least 25 percent of their court-imposed sentences to be eligible for parole.

Transitional Supervision (TS) Program created giving DOC discretionary early release authority for inmate sentenced to two years or less.

Office of Alternative Sanctions (OAS) statutorily created (P.A. 90-213) within the Judicial Branch to develop, administer, and monitor alternative incarceration sanction programs

P.A. 90-261 established and initiated three-year phase-out of SHR by 1993.

Throughout The 1990s OAS developed new and expanded existing alternative sanction programs and broadened eligibility to other categories of offenders.

1993 Board of Parole statutorily established (P.A. 93-219) as a separate state agency with consolidated discretionary release and parole supervision authority over inmates sentenced to more than two years.

- DOC retained early release and supervision authority over inmates sentenced to two years or less and administered TS program.

Statutory parole eligibility standards increased: inmates required to serve at least 40 percent of the court-imposed sentence and then at least 50 percent of their sentences (P.A. 90-261).

Inmates statutorily required to serve 100 percent of their court-imposed sentences either in prison or on parole.

1994 Attorney general opinion requested by DOC to interpret the 1993 parole law. Attorney general concludes the legislature intended to eliminate all "good time" credits. Connecticut Supreme Court subsequently agreed with the attorney general opinion in a 1999 decision.

1995 General Assembly enacted "Truth in Sentencing" law (P.A. 95-255) that established a third time-served requirement by mandating serious, violent offenders serve 85 percent of their sentenced to be eligible for parole.

- Enacting this law made Connecticut eligible for federal Violent Offender Incarceration and Truth-in-Sentencing (VOI/TIS) program that provided funds to states to defer the costs associated with putting more offenders in prison and the associated correctional construction costs.

A series of other anti-crime provisions (21 different public acts) were enacted that added new crimes, increased penalties, and limited offender eligibility for alternative sentence options and programs.

DOC statutorily authorized (P.A. 95-229) to contract with an out-of-state, public or private correctional agency for the transfer and confinement of not more than 500 Connecticut inmates.

P.A. 95-152 repealed statutory prison caps and emergency release mechanism.

1996 DOC completed the 10-year prison expansion project:

- 12 new prisons constructed;
- 13 existing facilities underwent renovation to increase capacity levels; and
- added almost 10,000 new beds and increased authorized capacity limit to almost 15,000.

1999 DOC entered into a one-year, renewable contract with the Virginia Department of Correction to transfer 484 Connecticut inmates to the Wallens Ridge prison, a maximum security facility

Court Support Services Division (CSSD) statutorily created and consolidated the Office of Adult Probation, the Office of Alternative Sanctions, the Office of the Bail Commissioner, the Family Division, and the Juvenile Detention Services Division.

2000 Complaints about the transfer and treatment of inmates in the Wallens Ridge prison lead to the Connecticut Commission on Human Rights and Opportunities (CHRO) to investigate and conduct hearings on the matter. (Two Connecticut inmates subsequently died while incarcerated in Virginia and their families filed civil suits against the Connecticut.) Some Connecticut inmates were transferred from Wallens Ridge to the Greensville prison in Virginia, a lower security prison

- In August 2000, there were 321 inmates at Wallens Ridge prison and 110 at Greensville prison

2001 General Assembly (P.A. 01-99) expanded presumptive sentencing authority authorizing judges to depart "for good cause" from the mandatory minimum penalties for certain drug sale offenses.

Legislative Program Review and Investigations Committee conducted first recidivism study of offenders in Connecticut.

2002 Then-Governor John Rowland sought authorization to increase the number of out-of-state prison beds from 500 to 1,000, but the legislation did not pass.

2003 Building Bridges: From Conviction to Employment conference held on January 15, 2003.

The Board of Parole and Board of Pardons were merged into the Department of Correction as part of the 2003 budget implementer (P.A. 03-06). (The pardons board was already within DOC for "administrative purposes only.")

- Budget implementer statutory language was silent as to the roles and responsibilities of the two boards and DOC, but was interpreted by the executive branch as transferring all previously autonomous parole and pardon decision-making authority as well as administrative and operational responsibilities of the parole and pardons board to DOC.

- Through interagency agreement, DOC, the parole board, and the pardons board continued to operate as separate entities because there was no corresponding statutory change in their respective roles and responsibilities.

The state legislature authorized (P.A. 03-6) an additional 2,000 out-of-state beds (2,500 total beds) in FY 04 and FY 05 only.

2004 Public Act 04-234 enacted to develop and implement a comprehensive offender re-entry strategy for offender discharging from prison to: (1) assist in maintaining the prison population at or under the authorized bed capacity; (2) promote the successful transition of inmates from prison back to their communities; (3) protect public safety; and (4) support the rights of victims. The offender re-entry strategy is intended to reduce recidivism as a method to control the state's persistent prison overcrowding problem. Various initiates enacted through P.A. 04-234 include, but are not limited to the following:

- merged the Board of Parole and the Board of Pardons into the new Board of Pardons and Paroles (BPP) within the DOC for "administrative purposes only;"
- transferred parole supervision authority from the parole board to DOC;
- required significant procedural changes to promote the number of offenders eligible for parole and other early release programs;
- required DOC and CSSD reduce by 20 percent the number of prison admissions for technical parole and probation violations; and
- increased the re-entry furlough period from 15 to 30 days.

Public Act 04-2 eliminated the authorization for the additional 2,000 out-of-state prison beds approved in 2003, and authorized an additional 1,000 beds for FYs 05, 06, and 07 only. In July 2004, Governor Jodi Rell ordered DOC to return all inmates transferred to out-of-state prisons to Connecticut correctional facilities. By November 2005, all 500 inmates were returned to Connecticut. The contract with the Virginia Department of Correction was allowed to expire. DOC has not negotiated or entered into any new contract for out-of-state prison beds.

The General Assembly provided through the revised budget for FY 03/05 biennium (P.A. 04-216) $13 million in funding in FY 05 for specific justice initiatives that were intended to control prison overcrowding, assist offenders as they transition from prison to the community, and enhance public safety. The funding was provided directly to the Department of Correction and the Judicial Branch's Court Support Services Division.

Legislative Program Review and Investigations Committee conducted second recidivism study of offenders in Connecticut.

2005 Legislative Program Review and Investigations Committee, assisted by the Office of Fiscal Analysis, conducted the P.A. 04-234 compliance monitoring project to "review implementation of this act." The program review committee submitted its status report to Judiciary and Appropriations Committee on January 1, 2006.

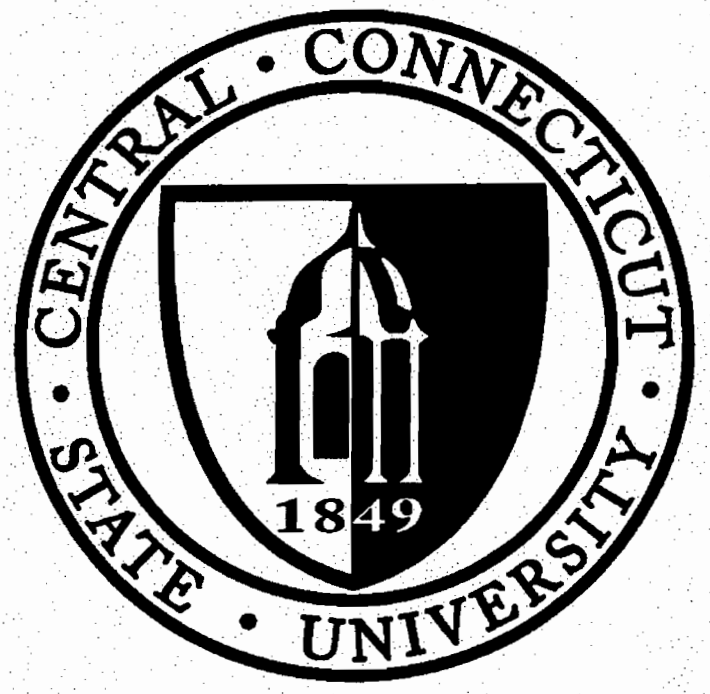
2006 Building Bridges II: An Evaluation of Connecticut's Justice Reinvestment Initiative conference held on January 12 and 13, 2006.

A copy of the "Connecticut's Criminal Justice System: A timeline of major policy initiatives within the past 30 years" video produced by Central Connecticut State University for the 2006 Building Bridges II: An Evaluation of Connecticut's Justice Reinvestment Initiative conference is available upon request.

To request a copy, contact the Institute for the Study of Crime & Justice at CCSU. Contact info: 114 Vance Academic Center 1615 Stanley Street P.O. Box 4010 New Britain, CT 06050; phone: 860 832 1871; email: clarkanj@ccsu.edu

Legislative Case Study Program

A project of the Governor William A. O'Neill Endowed Chair in Public Policy and Practical Politics at CCSU



Crime and Punishment in Connecticut

April 1st 2008

CCSU Legislative Case Study Program Participants

Topic: Crime and Punishment in Connecticut

April 1st 2008

Moderators:

Tom Condon
Tom Condon is a columnist, editorial writer and editor of Place, a Sunday Commentary section of The Hartford Courant.

Steve Kliger
Steve Kliger is the Executive Director of the Center for Public Policy and Social Research (which houses the Governor William A. O'Neill Endowed Chair in Public Policy and Practical Politics) at Central Connecticut State University.

Panelists:

The Honorable Sam S.F. Caligiuri
Senator Sam Caligiuri is currently serving his first term representing Connecticut's 16th district. He is also an Assistant Minority Leader of the Senate Republicans Caucus. Senator Caligiuri is a ranking member of the Select Committee on Aging, and the Insurance and Real Estate Committee, as well as a member of the Education, Internship, and Regulations Review Committees.

William H. Carbone
William Carbone is the Executive Director of the Court Support Services Division (CSSD) of the Judicial Branch of the State of Connecticut. Mr. Carbone directs the planning, coordination and implementation of the Division's diverse programs and functions, including the supervision of over 55,000 adult probation cases. He is also a member of the Connecticut Sentencing Task Force.

Andrew Clark
Andrew Clark is the Director of the Institute for the Study of Crime & Justice and the Institute for Municipal and Regional Policy at Central Connecticut State University. He is also a member of the Connecticut Sentencing Task Force. Prior to coming to CCSU in 2005, Mr. Clark served as clerk of the Connecticut General Assembly's Appropriations Committee and aide to House Chair William Dyson for 5 years, clerk of the Transportation Committee for one year, and deputy clerk of the Finance, Revenue, and Bonding Committee for one session.

Stephen M. Cox, Ph.D.
Dr. Stephen Cox is a Professor and Department Chair of the Department of Criminology and Criminal Justice at CCSU. Dr. Cox is also the Director of the Connecticut Statistical Analysis Center (SAC), a collaborative venture between the Office of Policy and Management and the Department of Criminology and Criminal Justice.

The Honorable William Dyson
Representative Bill Dyson has served the constituents of New Haven's 94th Assembly District in the House of Representatives since 1976. A former longtime Chair of the Appropriations Committee and two-time Assistant Majority Leader, Representative Dyson is currently a member of the Finance, Revenue and Bonding Committee, as well as the Higher Education and Employment Advancement Committee, and the Planning and Development Committee. Representative Dyson is one of the legislature's earliest and most vocal proponents for effective reentry strategies and policies.

Robert Farr
Attorney Bob Farr is the Chairman of the Connecticut Board of Pardons and Paroles. Mr. Farr served 26 years as a State Representative of the 19th District of the General Assembly, representing West Hartford, Avon and Farmington. Mr. Farr also serves as Chairman to the Governor's Oversight Committee regarding the restructuring of the Connecticut Department of Public Safety's Internal Affairs Program. He also chairs the Connecticut Sentencing Task Force.

The Honorable John Kissel
Senator John Kissel is currently serving his eighth term representing Connecticut's 7th Senatorial District. He is the Senate's Ranking Member on the Committees on Judiciary, Human Services, and the Program Review and Investigations Committee. Senator Kissel also serves on the Commerce Committee. In addition, he is a member of the Connecticut Sentencing Task Force.

The Honorable Michael Lawlor
Representative Mike Lawlor is currently serving his eleventh term as a member of the House of Representatives from East Haven's 99th Assembly District. He is also the Co-Chair of the Judiciary Committee and a member of both the Government Administration and Elections Committee and the Program Review and Investigations Committee. He is also a member of the Connecticut Sentencing Task Force.

Commissioner Theresa C. Lantz
Commissioner Theresa Lantz is the sixth Commissioner to head the Connecticut Department of Correction (DOC). Ms. Lantz, who began her tenure with the Connecticut DOC in 1989 as the Director of Training and Staff Development, has acquired over 30 years of administrative experience and expertise with state correctional systems. Commissioner Lantz has previously been employed as a Correctional Program Specialist with the United States Department of Justice. She is also a member of the Connecticut Sentencing Task Force.

Crime and Punishment in Connecticut

Summary:

The horrific murders of three members of a Cheshire family in the summer of 2007, and the Legislative response to the killings, has rekindled a long standing conundrum in the Legislature — how to create a correction system that achieves the goals of punishment, deterrence, incapacitation and rehabilitation without overcrowding prisons, breaking the bank or endangering public safety.

After being stable for a half century, the state's prison population began to rise in the 1970s. Some 10,000 beds were added to the system from 1986 to 1995 at a cost of more than $1 billion. Despite this, the beds were full just three years later and prisoners were sent to Virginia to ease overcrowding. In the early years of this decade, a new emphasis on reducing recidivism succeeded in lower state's prison population from 2004 to 2006. But then, for a number of reasons, it moved back up and is now at an all-time high of nearly 20,000 inmates.

This reflects a national trend. A study by the Pew Charitable Trust revealed that, for the first time in history, more than 1 of every 100 adults in the U.S. is now in jail, at an annual cost of almost $50 billion, without a clear benefit to public safety. Connecticut is one of four states paying more for prisons than it is for colleges. The Department of Correction, with a projected $686 million budget for next year, is the largest state department by number of employees – in other words, state government's largest employer.

Studies indicate the rise in the prison population has not been driven by increases in crime, poverty or increases in the number of 18-24-year-old males in the population. It instead has been driven by a series of decisions mostly focused on getting "tough on crime."

But the staggering cost — much higher if the cost of criminal courts, police and social service are added — and questionable result suggest a rethinking of crime and correction policy. Pretty much everyone agrees that dangerous violent criminals must be kept behind bars. A major question is who else should be there, and what the alternatives are.

Have jails become a default position for the mentally ill? Should nonviolent drug offenders be behind bars? Should offenders with short sentences go to prison? Should inmates over a certain age — a 92-year-old was paroled last year — be kept in prison?

These are hard questions. They demand, as the Pew report said, policies that are tough on crime without being tough on taxpayers.

History:

From the 1930s to the 1970s, Connecticut's prison population was stable at around 3,000 inmates. Then, for a variety of reasons, it began to rise.

Part of the problem was the rise in urban poverty and the illegal narcotics trade in Connecticut and across the country. New laws promised to get tough on drug dealers.

For this and other reason, the prisons began filling up. In 1980, Governor Ella Grasso appointed a task force to address the problem of prison overcrowding.

At this point, Connecticut had an "indeterminate sentencing" model. A judge would give an inmate a broad sentence of, say 15 year to life. Then it was up to the parole board to determine when he would be released. The theory was that inmates could be rehabilitated in prison, and when they were rehabilitated, they'd get out. But the idea of certain violent offenders getting out after a minimum sentence was not well accepted, and advocates pushed for change.

In 1981, the Legislature adopted a determinate sentencing model with fixed sentencing options and ranges. Under the new sentencing model, three reforms also took place:

- First, parole was abolished for new determinate sentences. In its place, for inmates serving determinate sentences, lawmakers created an early release program called Supervised Home Release, which transferred discretionary early release authority and community supervision to the Department of Correction.
- Second, the amount of "good time" credits that could be earned for sentences over five years was reduced.
- Third, the General Assembly began to establish mandatory minimum sentences for certain offenses, increasing existing mandatory minimum penalties, and enacting enhanced penalties under the first of what would become a series of persistent offender statutes.

The cumulative impact of these sentencing reforms was a sizable increase in the prison population. In the early 1980s, the incarcerated population was already at design capacity levels and the prison system could not accommodate the influx of inmates. Connecticut now had its first full-blown prison overcrowding crisis.

This led in 1982 to the establishment by federal court order and state law of institutional capacity limits and the adoption of a statutory emergency release provision.

In 1984, the Sentencing Commission reported to the General Assembly the new determinate sentencing law had not produced its intended effect and had instead contributed to the growing prison overcrowding problem.

The answer was, as one Department of Correction official called it, "jailmania," a long-term prison expansion project to add more than 10,000 new prison beds. Here and across the country, the "crack epidemic" is cited for the rise in drug-related violent and weapon offenses and organized gang activity.

As a result, in a 1987 special session, the General Assembly enacted a series of mandatory minimum sentencing laws for drug sale offenses.

All criminal justice agencies responded by arresting, convicting, and incarcerating serious, violent offenders. Not surprisingly, the state's serious prison overcrowding crisis continued.

Some legislators began to look for options other than more prisons. In 1989 the General Assembly established the Alternative Incarceration Program authorizing judges to impose an alternative sanction in lieu of prison for persons convicted of certain crimes who would have, absent the program, gone to jail. The next year the Transitional Supervision Program was created, giving the Correction Department discretionary early release authority for inmates sentenced to two years or less.

By 1990 it was clear that supervised home release — often used to reduce prison overcrowding — was putting criminals back on the street after very little jail time. The program was phased out by 1993. Parole was brought back, and the Board of Parole was established as an independent state agency. The board would later be recast as the Board of Pardons and Paroles under the Correction Department.

The mid-1990s saw a culmination of the national trend toward a "tough on crime" approach to criminal justice.

In 1995, the General Assembly enacted a "Truth in Sentencing" law that required nonviolent inmates to serve 50 percent of their sentences and violent offenders 85 percent of their sentences before being eligible for parole. Good time credits were abolished.

Prison overcrowding continued, despite the addition of 10,000 new beds, the Department Of Correction in 1999 entered into a contract with the Virginia Department of Correction to transfer 484 Connecticut inmates to the Wallens Ridge prison, a maximum security facility. Two inmates died at Wallens Ridge and many others complained of mistreatment.

In 2001, the General Assembly began to rethink its tough on crime stance. Lawmakers expanded presumptive sentencing authority authorizing judges to depart "for good cause" from the mandatory minimum penalties for certain drug sale offenses.

The state continued to develop an extensive network of alternative incarceration options to be used in lieu of or to augment the traditional criminal sanctions of prison and probation. These include pre-trial diversion programs for persons arrested for the first time for targeted offenses, alternative sanction, which are any punishment more restrictive than traditional probation and less punitive than incarceration, and specialized courts, which offer an alternative dispute resolution method to the standard criminal process.

The goals of these programs were to reduce prison overcrowding, but also better address offender rehabilitation, court backlog and public safety concerns.

In 2003, following the landmark conference Building Bridges: From Conviction to Employment, cosponsored and hosted by Central Connecticut State University, state representatives Bill Dyson, Mike Lawlor and Bob Farr, and Department of Correction commissioner Theresa Lantz led an effort that began to shift attention from controlling the prison population to reducing

recidivism. A new law, Public Act 04-234, based on an innovative Justice Reinvestment model, called for the creation of a comprehensive prisoner reentry strategy to be developed by the Departments of Correction, Mental Health and Addiction Services and Social Services and Labor, the Board of Parole and the Judicial Branch.

The law envisions a "continuum of custody, care and control" as offenders are discharged into the community. Along with the law, as per the Justice Reinvestment model, the state "reinvested" proposed savings from the correction budget into community services within localities that had higher representations within the prison population. The hope is that with community-based treatment, education, job training and other services, ex-inmates will become productive members of society and not return to prison.

The thrust of this effort was programming to transition an inmate from prison to the outside world. It included — where available — education, job counseling, housing and other services. It seemed to work. From 2004 through 2006, the state prison population leveled off and then dropped by 6.3 percent, a not insignificant decline. By 2005, all of the inmates serving time in Virginia prisons had been returned to the state.

But then the decline stopped in 2006 and the numbers began moving up once more. After the Cheshire killings and a carjacking incident by a parolee, Gov. M. Jodi Rell temporarily halted parole for violent offenders. This had the effect of backing up as many as 700 inmates in the system, and pushing the population to an all-time high of nearly 20,000 male and female inmates.

In a special session in January, the Legislature toughened penalties for home invasion and burglary and fixed a procedural problem with the "three strikes" repeat offender law. While these changes were generally applauded, they will increase the prison population.

Analysis:

One frustrating aspect of Connecticut hitting an all-time-high prison population is that the state has done a lot of groundbreaking work to reduce the prison population. The state has been a national leader in such things as alternatives to incarceration and re-entry programs that would tend to lower the prison population.

But perhaps these programs worked at cross purposes with simultaneous efforts to get tough on crime. So perhaps the first step in reaching the proper balance is to answer the question: Who belongs in jail?

There's general agreement that violent and repeat offenders must be behind bars. Should anyone else be there? If policy makers can answer that, perhaps the state can get a handle on the prison population and the staggering cost associated with it.

In addition to the Department of Correction's proposed $668 million budget, millions more are invested in courts, prosecutors, police, social workers and drug counselors. The taxpayers may well be on the hook for $1 billion a year for a system that deals with a tiny percentage of the

state's population. In a shrinking economy, it's obviously incumbent on lawmakers to try to spend the money as effectively as possible.

Why did the prison population skyrocket?
There are people serving jail time for behaviors such as child and spousal abuse, speeding and drunk driving, that didn't readily draw prison time when there were only 3,000 people in Connecticut's prisons. State Rep. Michael Lawlor, a former prosecutor, estimates that new criminal laws should have no more than doubled the prison population. Instead it has increased by well over 500 percent.

The major increases have taken place since 1985, when the system had about 5,000 inmates, and not for the reasons many people think. A study led by Dr. Stephen M. Cox, chair of the Department of Criminology and Criminal Justice at Central Connecticut State University and director of the Connecticut Statistical Analysis Center at CCSU, found that from 1985 to 2005, the prison population increased by 232 percent. In the same period, the state's population increased only 11 percent, and the population of 18-24-year-olds, those in prime crime-committing age, decreased by 43 percent. Those living below the poverty line increased only slightly, 8 percent. The number of people arrested, and arrested for drug offenses, declined 29 percent and 23 percent respectively. The number of violent crimes committed dropped by 46 percent.

Why did the prison population increase when crime was going down? The initial response of some observers was that crime dropped because more the criminals were in prison. But since the vast majority of inmates serve sentences of two years or less, clearly there must be other reasons.

It would appear that the cumulative effect of such steps as truth-in-sentencing and elimination of good time credits result in longer prison terms and thus increase the prison population. Again, few would object if the population were dangerous violent offenders. The question is about the others. These include:

- Parole or probation violators. These made up the largest single group of inmates, about 2,300 at last count. State officials have formed a special unit to deal with technical violators through counseling and sanctions short of returning to prison, and have reduced the number of reincarcerated violators by 30 percent. This program shows real promise.
- Mentally ill. Some 3,800 inmates suffer from some form of mental illness. Advocates for the mentally ill call this "reinstitutionalization." A couple of decades ago, mental hospitals were closed and patients sent into the community where they were supposed to receive community care. This was called "deinstitutionalization." But the necessary level of care was not forthcoming, and many persons with mental illness end up, by default, in prison. The Correction Department has set up a program at Garner Correctional Institution for those with the most severe problems.

  This problem must be addressed. Mentally ill persons are often preyed upon in prison, or act out and are put in near-solitary conditions. Many come out worse than they went in. There has to be a better way.

- Short-timers. An Office of Policy and Management study of recidivism, released earlier this year, looked at more than 16,000 inmates discharged in 2004. Remarkably, 61 percent had served less than a year and about 45 percent served less than three months. Since going to prison is a strong indicator that someone will go to prison again, would society be better served if these short-sentence inmates were given a different sanction?
- Drug offenders. Two of the top four offenses for which people land in prison are drug sales, about 1,800 inmates earlier this year, and possession, 1,025. Many of these individuals are addicted. Are prisons able to treat or cure their addictions? Would a different setting be more effective and less expensive?
- Older inmates. At present there are about 250 inmates in the system over the age of 60. Some doubtless committed heinous crimes for which life in prison is appropriate. But older inmates are more expensive to care for, and usually are no longer a risk to public safety. How many should remain in prison.
- Good time. Connecticut is one of only 11 states with no "good time" credits. That decision should be revisited. If inmates have an incentive to educate themselves and otherwise make productive use of their prison terms, perhaps more will do so.
- Transitional services. Three studies in the past six years strongly indicate that inmates who receive transitional services as they are released, such as parole, are less likely to be rearrested and return to prison. But these services are now available to only about half of inmates leaving the system. Making services available to all discharged inmates would seem to make sense.
- Disparity. A 2003 report commissioned by the Council of State Governments indicated Connecticut has an above average national rate of black incarceration and a Hispanic incarceration rate that is twice that of the national average, while the incarceration rate for whites is among the lowest in the nation. What are the factors the give rise to this disparity? What do these numbers tell us about our state's criminal justice system?

There are other issues. For example, how widely do bail and sentencing decisions vary across the system? But perhaps the most important step the state can take to reduce the prison population is to pay more attention to the front end, the environments that are producing most of the prison population.

A 2002 study found that nearly half of male inmates come from three cities; Hartford, New Haven and Bridgeport. About 70 percent have no high school diploma or GED. An astounding 88 percent report substance abuse problems.

The long and short of it is that many come from chaotic home lives. Most were raised by single, often very young, mothers in families enduring unemployment, drug and alcohol abuse and violent behavior. A broad scale intervention — from ramped-up teen pregnancy prevention and intense help for children of inmates to better schools and inner city jobs — might be the most important step in reducing the prison population.

BUILDING BRIDGES: FROM CONVICTION TO EMPLOYMENT

Wednesday, January 15, 2003

Herbert Welte Hall
Central Connecticut State University
New Britain, CT

Host: Dr. Richard L. Judd, President of CCSU
MC: William R. Dyson, State Representative, New Haven

8:00 - Registration/Continental Breakfast (Welte Hall)

8:30 – Welcoming Remarks

9:00 - Keynote Address: MICHAEL JACOBSON, Ph.D., Professor, John Jay College of Criminal Justice
JAMES AUSTIN, Ph.D., Director, Institute of Crime, Justice, and Corrections at George Washington University
ERIC CADORA, Grants Officer, Open Society Institute, New York

10:00 - From Conviction to Employment: Two former offenders discuss their personal experiences

10:45 - Panel Presentation, "*The Role of the Ex-Offender in Today's Economy*"

Moderator: Dr. Stephen Cox, Chair, Dept. of Criminology & Criminal Justice, CCSU
Sam Agnello, Employment Sup., Mashantucket Pequot Tribal Nation
Frank Crandall, Educational Training of Wethersfield /New London
Nora Duncan, CT Association of Non-profits
Craig Hoekenga, CEO, Microboard Processing Inc., Shelton
John Tirinzonie, Director Job Development, CT Department of Labor
Mike Bartley, Regional Job Center Director, CT Department of Labor

Noon – Luncheon (provided) in Alumni Hall, located in CCSU's new Student Center

Speakers: Wallace Barnes, Chair, CT Employment and Training Commission
Shaun Cashman, Commissioner, CT Department of Labor
Patricia Wilson-Coker, Commissioner, CT Department of Social Services
John Armstrong, Commissioner, CT Department of Correction

1:30 - Briefing on Justice Reinvestment Initiative
by Eric Cadora and Bob Schall, Director of the Self-Help Ventures Fund

2:00 - Panel Presentation, "*Reinvesting Justice Dollars in the Employment of Ex-Offenders*"

Moderator: Rep. William R. Dyson, New Haven
William Carbone, Director of Court Support Services, CT Judicial Branch
Dr. Patrick Hynes, Director of Program Development, CT Dept. of Correction
Michael Lawlor, State Representative, East Haven
Lawrence McHugh, President, Middlesex County Chamber of Commerce
Gail Sturges, Director of Forensics, CT DMHAS
Renee La Mark Muir, Program Review and Investigations Committee

3:30 - Next Steps: Rep. William R. Dyson

This Conference is presented by:

Center for Public Policy and Practical Politics at CCSU
&
The Connecticut Department of Labor

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BUILDING BRIDGES II:
A CONTINUING DISCUSSION OF CONNECTICUT'S JUSTICE REINVESTMENT INITIATIVE

AGENDA

AUDIENCE All entities administering and/or affected by Connecticut criminal justice policies and practices including: state legislators and local elected officials; state and municipal agencies; the Judicial Branch; law enforcement; non-profit provider organizations; business leaders; academics and students; and local and statewide community-based organizations

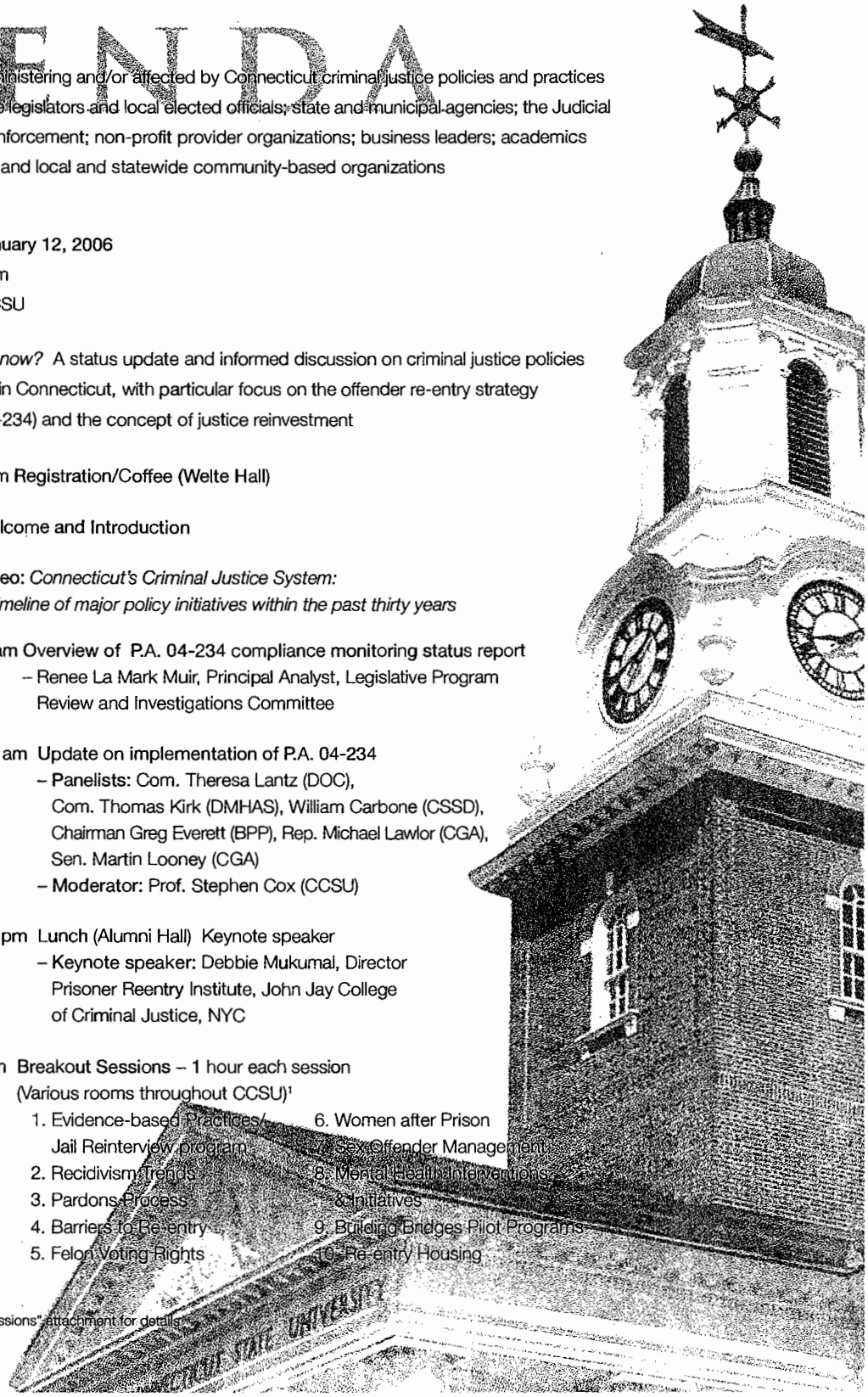
DAY 1 Thursday, January 12, 2006
8:30 – 4:30 pm
Welte Hall, CCSU

THEME *Where are we now?* A status update and informed discussion on criminal justice policies and practices in Connecticut, with particular focus on the offender re-entry strategy (Public Act 04-234) and the concept of justice reinvestment

SCHEDULE

- 8:30–9:00 am Registration/Coffee (Welte Hall)
- 9:00 am Welcome and Introduction
- 9:30 am Video: *Connecticut's Criminal Justice System: A timeline of major policy initiatives within the past thirty years*
- 9:45–10:30 am Overview of P.A. 04-234 compliance monitoring status report
  - Renee La Mark Muir, Principal Analyst, Legislative Program Review and Investigations Committee
- 10:30–11:45 am Update on implementation of P.A. 04-234
  - Panelists: Com. Theresa Lantz (DOC), Com. Thomas Kirk (DMHAS), William Carbone (CSSD), Chairman Greg Everett (BPP), Rep. Michael Lawlor (CGA), Sen. Martin Looney (CGA)
  - Moderator: Prof. Stephen Cox (CCSU)
- 12:000–1:00 pm Lunch (Alumni Hall) Keynote speaker
  - Keynote speaker: Debbie Mukumal, Director Prisoner Reentry Institute, John Jay College of Criminal Justice, NYC
- 1:15–3:30 pm Breakout Sessions – 1 hour each session (Various rooms throughout CCSU)[1]
  1. Evidence-based Practices/ Jail Reinterview program
  2. Recidivism Trends
  3. Pardons Process
  4. Barriers to Re-entry
  5. Felon Voting Rights
  6. Women after Prison
  7. Sex Offender Management
  8. Mental Health Interventions & Initiatives
  9. Building Bridges Pilot Programs
  10. Re-entry Housing

[1] See "Breakout Sessions" attachment for details



BUILDING BRIDGES II:
A CONTINUING DISCUSSION OF CT'S JUSTICE REINVESTMENT INITIATIVE

AGENDA

DAY 2 Friday, January 13, 2006
8:30 – 3:30 pm
Welte Hall, CCSU

THEME *What's next?* An informed discussion on the next steps to: (1) facilitate implementation and funding of the offender re-entry strategy and the justice reinvestment concept; (2) enhance state and local collaboration on criminal justice and offender re-entry issues; and (3) further identify and reduce the barriers to re-entry among offenders and ex-offenders

SCHEDULE

- **8:30–9:00 am** Registration/Coffee (Welte Hall)

- **9:00 am** Welcome Back/Introduction
  - Robert Genuario, Secretary, Office of Police and Management

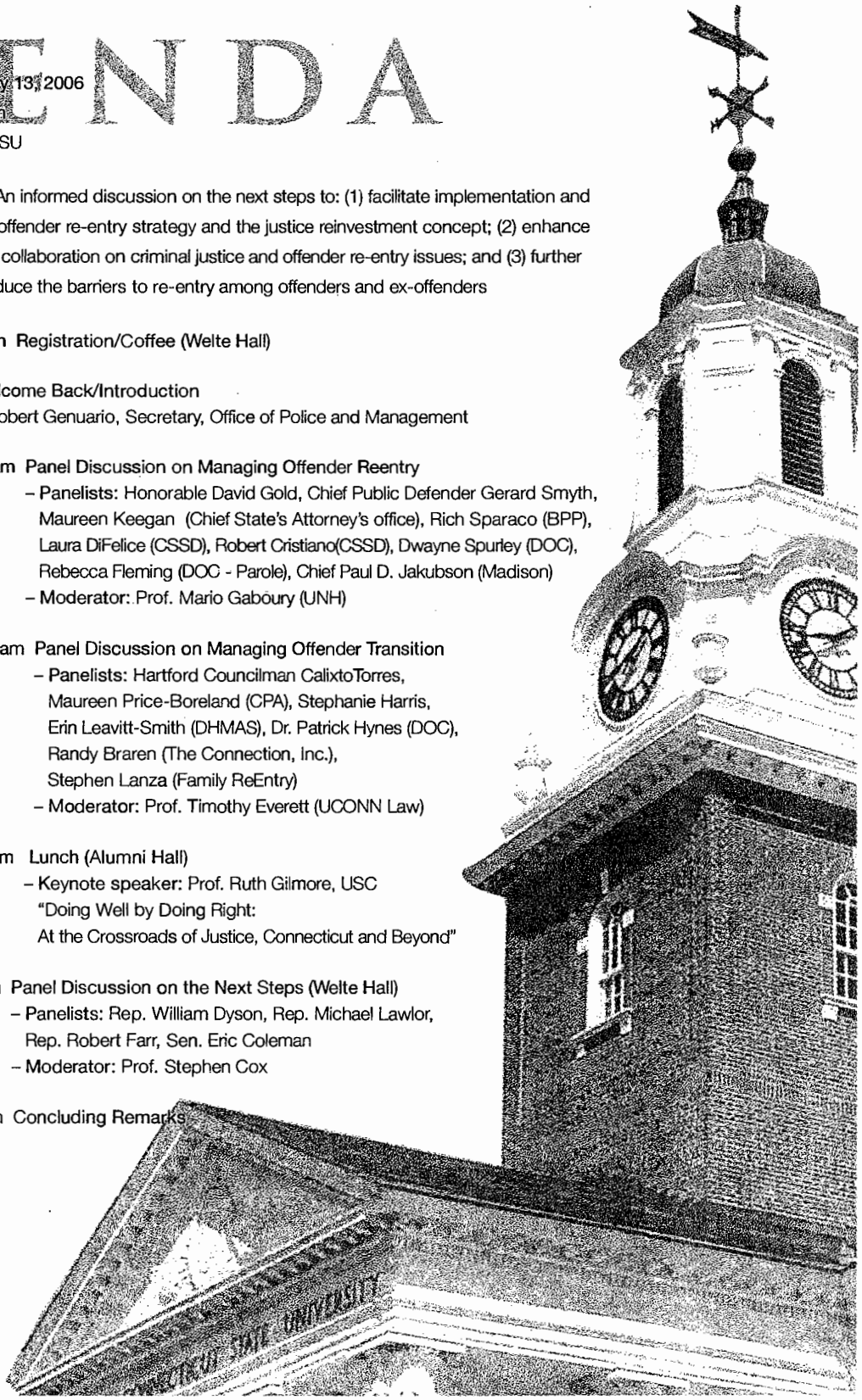
- **9:20–10:30 am** Panel Discussion on Managing Offender Reentry
  - Panelists: Honorable David Gold, Chief Public Defender Gerard Smyth, Maureen Keegan (Chief State's Attorney's office), Rich Sparaco (BPP), Laura DiFelice (CSSD), Robert Cristiano(CSSD), Dwayne Spurley (DOC), Rebecca Fleming (DOC - Parole), Chief Paul D. Jakubson (Madison)
  - Moderator: Prof. Mario Gaboury (UNH)

- **10:40–12:00 am** Panel Discussion on Managing Offender Transition
  - Panelists: Hartford Councilman CalixtoTorres, Maureen Price-Boreland (CPA), Stephanie Harris, Erin Leavitt-Smith (DHMAS), Dr. Patrick Hynes (DOC), Randy Braren (The Connection, Inc.), Stephen Lanza (Family ReEntry)
  - Moderator: Prof. Timothy Everett (UCONN Law)

- **12:15–1:30 pm** Lunch (Alumni Hall)
  - Keynote speaker: Prof. Ruth Gilmore, USC
    "Doing Well by Doing Right:
    At the Crossroads of Justice, Connecticut and Beyond"

- **1:45–3:00 pm** Panel Discussion on the Next Steps (Welte Hall)
  - Panelists: Rep. William Dyson, Rep. Michael Lawlor, Rep. Robert Farr, Sen. Eric Coleman
  - Moderator: Prof. Stephen Cox

- **3:00–3:30 pm** Concluding Remarks



Building Bridges III:

An Examination of Connecticut's Re-entry Policy

Audience: All entities administering and/or affected by Connecticut criminal justice policies and practices including: state legislators and local elected officials; state and municipal agencies; the Judicial Branch; law enforcement; non-profit provider organizations; business leaders; academics and students; and local and statewide community-based organizations

Day: **Thursday, January 17, 2008 * 8:30 a.m. – 4 p.m.* Alumni Hall, CCSU**

Theme: ***Re-entry:*** A status update and informed discussion on prisoner re-entry policies and practices in Connecticut, with particular emphasis on exploring state-municipal partnerships aimed at facilitating successful community reintegration.

Schedule:

- **8:30 – 9:00 a.m.** **Registration/Coffee** (Alumni Hall)
- **9:00 a.m.** **Welcome and Introduction** (CCSU Governor William A. O'Neill Chair – Steven Kliger; Honorable James Amann, Speaker of the House)
- **9:15 – 9:40a.m.** **Presentation: Re-entry Statistics – What Works?** *An Overview of CT Statistical Analysis Center's Recidivism & Prison Population Reports*
  - Dr. Stephen Cox, Chair, Criminology & Criminal Justice Department, CCSU
- **9:40 -10:40 a.m.** **Keynote Speaker (TBD)**: *Best Practices - Supervision & Prisoner Re-entry*
  - Dennis Schrantz - Deputy Director of Planning and Community Development Administration in the Michigan Department of Corrections
- **10:45 – 12:00 a.m.** **Panel 1: Re-entry Stories – What Works?** *Successful Formerly Incarcerated Individuals Tell Their Story*
  - **Panelists:** James Tillman (Capitol Region Education Council, Hartford); Kenny Jackson (Beacon Program, Family ReEntry, Bridgeport); Iran Nazario (Compass Youth Collaborative, Hartford); Edward Dingle (Building Bridges Pilot Program, New Haven); Jacqueline Caron (CT Pardon Team, Norwich); Robin Cullen (MADD, North Haven)
  - **Moderator:** Gerry Smyth, CCSU
- **12:00 – 1:00 p.m.** **Lunch** (Alumni Hall)
  - **Presentation: "Crime Doesn't Pay" A Study of Child Support Obligors** - Joe Greelish, Support Enforcement Services, Judicial Branch
- **1:10 – 2:20 p.m.** **Panel 2: Re-entry Partnerships – What Works and What Can Work?** *Exploring City/State/Community partnerships*
  - **Panelists:** Stanley Richards (Fortune Society Chief Operating Officer, NYC); Esther Armmand (Community Services Department, City of New Haven); John W. Rowland (Southern New England Program Director, Corporation for Supportive Housing); Dan Braccio (Bridgeport Re-Entry Roundtable); Theresa Lantz (Commissioner, DOC); William Carbone (Executive Director, CSSD); Maureen Price-Boreland (Executive Director, CPA)
  - **Moderator:** Rep. William Dyson (CGA)
- **2:30 – 3:45pm** **Panel 3: CT Re-entry Policy Recommendations** – *A Discussion of Current and Future State level Policy Initiatives*
  - **Panelists:** Rep. Michael Lawlor (CGA); Sen. Martin Looney (CGA); Sen. John Kissel (CGA); Mary Anne O'Neill (Governor's office); Brian Austin (OPM); Robert Farr (Sentencing Task Force); Glenn Martin, (Fortune Society, NYC)
  - **Moderator** – Andrew Clark, CCSU
- **3:50pm** **Wrap-up**

Building Bridges IV: Women, Prison and the Arts

Through exhibits, presentations, panel discussions, and performances, this symposium examines the ripple effect of incarcerating women and the pivotal role of the arts as a catalyst for positive change. This symposium is being held on March 8, 2008 at Trinity College, Hartford, CT in honor of International Women's Day.

Opening Welcome/Remarks 1:00 - 1:15

Susan Pease, Dean of Arts and Sciences, CCSU
Janet S. York, Niantic CI Warden (1960- 1975)
(Washington Room, Mather Hall)

Keynote Panel Telling *Her*story through the Arts 1:15 - 2:45

Panelists - Jean Trounstine, Professor of Humanities, Middlesex Community College, Lowell, MA and author of Shakespeare Behind Bars, **Rena Fraden**, Dean of Faculty at Trinity College, Hartford, CT and author of Imagining Medea: Rhodessa Jones and Theater for Incarcerated Women, **Karen Oien**, Deputy Warden York CI, Niantic, CT, **Judy Dworin**, Professor Theater and Dance at Trinity College, Hartford, CT and Artistic Director of the Judy Dworin Performance Project

Discussants—Robin Cullen, MADD, **Joe Lea**, York CI Library Media Specialist

(Washington Room, Mather Hall)

Break-Out Sessions (concurrent sessions in Terrace Room A, B and C) 3:00 - 4:00

Domestic Violence, *a road to incarceration...*
Barbara Parsons, formerly incarcerated at York CI, winner of PEN American/Newman's Own First Amendment Award. **Lisa Holden**, Executive Director, Connecticut Coalition Against Domestic Violence, **Kathleen Bantley, Esq.**, Assistant Professor, Department of Criminology and Criminal Justice at CCSU and **Elizabeth Marshal**, Director of Community Education, Interval House providing services for victims of domestic violence.

Children of the Incarcerated, *unintended victims...*
Sami & Suzi Jensen, Daughters of an incarcerated woman at York CI, **Susan Quinlan**, Executive Director Families in Crisis and **Andrew Clark**, Director CCSU Institute for the Study of Crime & Justice

Immigration, *prisoners without a country...*
Pam Superville, formerly incarcerated at York CI, Job developer, PA Prison Society, **Marela Zacarias**, Artist, teacher, activist, and **Anne Gebelein,** Professor of Modern Languages and Literature at Trinity College.

Art Exhibit *Talking Paintings* 4:00 - 5:00
Talking Paintings is an interactive art exhibition created by the women at York CI. The artwork considers the impact of HIV/AIDS on themselves and those around them. Each panel contains a recorded artist statement. (light refreshments provided)

(Art Space at Mather Hall)

Dinner (on your own) 5:00 - 6:30

Dinner gathering of high school and college students focusing on student activism (Mather Hall)

Book signing with Wally Lamb, Best-selling novelist and editor of recently released *I'll Fly Away: Further Testimonies from the Women of York Prison*
(Austin Arts Center Lobby) 6:30 – 7:30

Benefit Performance of *Time In* with opening remarks by Wally Lamb –the acclaimed performance piece based on reflections on time by women at York CI by the Judy Dworin Performance Ensemble and a capella gospel singers Women of the Cross followed by a talk back with Wally Lamb, performers and formerly incarcerated women. **Proceeds from *Time In* will benefit Interval House and educational programs at York CI. (Call 860-527-9800 or www.judydworin.org for tickets)**

(Goodwin Theater at the Austin Arts Center) 7:30 – 9:30

Sponsored by Central CT State University's Institute for the Study of Crime and Justice, Trinity College's Departments of Theater and Dance, American Studies, Philosophy, English, Sociology and Women, Gender and Sexuality, Trinity's Human Rights Program, the Women's Center and the Judy Dworin Performance Project, Inc.