

Department of Correction
Testimony of Leo C. Arnone, Commissioner

Judiciary Committee
March 19, 2012

Raised Bill No. 5488, An Act Concerning Risk Reduction Credits for Certain Criminal Offenses that Result in the Death of Another Person

Good afternoon, Senator Coleman, Representative Fox and members of the Judiciary Committee. As a previously scheduled commitment prevents me from appearing before you this afternoon, I submit this testimony to express my concerns about Raised Bill, No. 5488, *An Act Concerning Risk Reduction Credits for Certain Criminal Offenses that Result in the Death of Another Person*.

Connecticut has adopted a policy that has been proven effective in other correctional systems. The risk reduction earned credit program has assisted with the promotion of safety within correctional facilities through a reduction in the inmate population, encouraged good behavior and created an incentive for offenders to participate in programming that reduces the likelihood of recidivism. This has resulted in a smaller and stronger Department of Correction.

Research and my own experience as a 38-year correctional professional show that inmates convicted for certain offenses are those who are the least difficult to manage in the correctional system and benefit the most from evidence-based programming that address both their risk and needs. To prohibit these inmates from being able to earn risk reduction earned credits would only serve as a disincentive for them to comply with programming, in accordance with their Offender Management Plan, that will benefit them upon their reentry into the community. The Offender Management Plan is a comprehensive, structured plan to ensure that each offender receives appropriate custodial supervision, opportunities for self improvement, and tools for successful reintegration into the community. This plan consists of institutional and community phases with appropriate programming, as well as an Offender Accountability Plan that formulates individualized treatment and programming goals.

The state's current policy benefits the Department of Correction by its ability to influence positive behavior in the offender population through the application of the credits, as offenders must participate in recommended programs and activities, maintain good conduct and obedience to departmental rules in order to be eligible to receive the credits. The offender population benefits by earning time off their sentence for compliance. The public also benefits when offenders participate in evidence-based programs that may reduce recidivism.

The Department does have concerns about the language as it is currently drafted. It is unclear as to the applicability of the provisions to current and future inmates convicted for certain offenses proposed to be made ineligible for risk reduction earned credits. Is it the intent to rescind earned credits already awarded to current incarcerated inmates and offenders under community supervision? Or, is it the intent to prohibit offenders who commit and are convicted for certain offenses after the bill's effective date from being able to earn credits. These are important constitutional issues that require careful consideration.