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Testimony Opposing House Bill 6657, An Act Concerning Sentencing and Risk Reduction Credits, and Senate Bill 123, An Act Repealing the Risk Reduction Credit Program

Good afternoon Senator Coleman, Representative Fox and members of the Judiciary Committee. My name is David McGuire. As the staff attorney for the American Civil Liberties Union of Connecticut, I submit this testimony in opposition to House Bill 6657, An Act Concerning Sentencing and Risk Reduction Credits, and Senate Bill 123, An Act Repealing the Risk Reduction Credit Program.

Eliminating or reducing the earned risk reduction credit program would be bad public policy for many reasons. It would make prisons more dangerous by removing incentives for good behavior and by aggravating prison overcrowding. It would cost taxpayers money by keeping offenders in prison longer than necessary. It could potentially cause more recidivism and endanger the public. It's a step in the wrong direction.

Earned risk reduction credits provide correction officials with an effective management tool, and Correction Commissioner Arnone has testified to this effect before this committee on at least two occasions. The credits are based on the offender's own actions, creating incentives to behave well and engage in constructive programs, such as adult education, counseling and substance abuse treatment. These and other programs foster good behavior, cooperation and better decision making, which improve the participants' chances of successful reintegration into society upon release. They also make the prison environment safer not only for inmates but also for correction officers.

The benefits of rehabilitation programs to the offender are obvious but the state also saves money with shorter periods of incarceration while it releases people who are more likely to contribute to society and less likely to offend again. Studies have confirmed that risk reduction credit programs improve offender success in the community and reduce recidivism. A report from the National Conference of State Legislatures on the outcomes of "accelerated release" in thirteen states found "no significant increase in rates of recidivism for those offenders who reduced their length of incarceration. A few studies instead found a decrease in recidivism rates."¹

It makes no sense, therefore, to spend a significant portion of Connecticut's budget on years of excessive incarceration when there is no indication that it would benefit public safety.

¹ National Conference of State Legislatures, Cutting Correction Costs: Earned Time Policies for State Prisoners, 3 (July 2009).

Although the state's earned credit program offers a fairly small adjustment in prison terms, in the aggregate the state realizes significant cost savings. Other states have generated substantial savings through earned credit programs. The New York Department of Corrections, for example, saved \$369 million between 1997 and 2006.

We have already seen benefits in Connecticut. There has been a significant decline in the state's prison population since the program was implemented less than two years ago. The number of inmates peaked at 19,894 in February 2008. As of January 2012, the prison population was down 18 percent to 16,347. The bills under consideration would reverse this welcome trend, make our prisons more dangerous, increase the burden on taxpayers and open to state costly and time-consuming litigation over prison overcrowding.

The American Civil Liberties Union of Connecticut urges this committee to reject House Bill 6657 and Senate Bill 123.