



STATE OF CONNECTICUT  
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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231 Capitol Avenue  
Hartford, Connecticut 06106  
(860) 757-2270 Fax (860) 757-2215

**Testimony of the Honorable Patrick L. Carroll III**  
**Judiciary Committee Public Hearing**  
**April 1, 2015**

**Senate Bill 951, An Act Consolidating Criminal Justice, Juvenile  
and Family Service Programs**

Thank you for the opportunity to provide written testimony, on behalf of the Judicial Branch, in opposition to **Senate Bill 951, An Act Consolidating Criminal Justice, Juvenile and Family Service Programs**. As you may know, we have spoken out forcefully and consistently in opposition to this proposal.

This bill implements the Governor's budget proposal, which dismantles the Judicial Branch's Court Support Services Division (CSSD) and removes approximately \$260 million and about 1,500 court employees from the Judicial Branch and distributes them between two agencies of the Executive Branch -- the Department of Children and Families (DCF) and the Department of Correction (DOC).

The comprehensive, court-centered system and approach to supervisory and diversionary services for adults and juveniles, which has been built, methodically and systematically, on empirical evidence and proven results over the past 30 years -- a system and approach based in the Judicial Branch which now stands as a nationally recognized and accredited model -- would be abandoned if this proposal is adopted. Additionally, the integrated and coordinated training of staff; data collection and analysis; and contracting and contract compliance monitoring with our extensive network of community-based partners (\$110 million a year) would be lost if this proposal is adopted.

Over the years, CSSD's efforts, working with the judges in our criminal courts, have both enhanced public safety and decreased costs throughout the criminal justice system. This is borne out by recent results. The 24-month re-arrest rate for those under the supervision of

adult probation has decreased by seven percentage points since 2007, resulting in over 1,700 fewer adult probationers rearrested annually.

On the juvenile side, the 24-month re-arrest rate for those under the supervision of juvenile probation has decreased by six percentage points since 2007, equating to over 240 fewer juvenile probationers re-arrested annually. In addition, the Jail Re-Interview Program for adults resulted in nearly 10,000 defendants released from DOC custody in 2014.

I cannot emphasize strongly enough that the programs are so successful because they are fully-integrated within the courts and with the judges. Adult and juvenile probation officers are sworn officers of the court and discharge their responsibilities in accordance with their oaths. Extensive case law, and statutes, and a number of Practice Book provisions, have been developed based upon the relationship between the courts and Probation. Judges are involved in the development and implementation of policies and procedures within CSSD to assure compliance with the law and to further assure effective outcomes. All of that, all of those years of effort and collaboration, all of that integration into the judicial process will be lost if the CSSD function is removed from the Judicial Branch.

It is also important to note that the effective date of the bill is July 1, 2015, and it is simply not possible to make the changes of this magnitude in a matter of weeks.

Included with my testimony is information that we submitted to the Appropriations Committee, which provides documentation as to the success that CSSD and the Judicial Branch have had in achieving the goals that you have outlined.

Thank you for the opportunity to provide the Judicial Branch's comments.

## Court Support Services Division

### ***The importance of CSSD remaining within the Judicial Branch and remaining intact***

CSSD is a highly functioning, nationally recognized division of the Connecticut Judicial Branch that serves as a model to other states.

The proposal calls for moving large highly performing entities and moving them to smaller less highly performing entities. For example, there are approximately 42,000 individuals on adult probation as opposed to 3,905 adults offenders under community supervision by the Department of Correction. In the juvenile system, there are approximately 10,000 juveniles who interact with the juvenile court system compared with approximately 200 individuals who are committed to the Department of Children and Families. As such, we fail to see how such a move could streamline operations.

We believe that such a move will greatly diminish the positive work that CSSD has done over the years because CSSD functions are seamlessly integrated throughout the court process, thereby, producing better results for communities, offenders, families, victims and the general public. Moreover, just as CSSD is seamlessly implemented within the Judicial Branch, units within CSSD are seamlessly integrated to work as one. So, if you take away even one group from the infrastructure, then the entire infrastructure is less effective.

It is important to note that all three branches of government agreed to a court-centered model some 30 years ago, recognizing that every case begins in court and the judges would ultimately need to make decisions to use alternatives to incarceration. The CSSD court-centered model works well because unlike many other states, the Connecticut court system is a unified, single organization that has effectively implemented policies statewide because of its infrastructure. For example:

- CSSD's training academy delivers nearly 100,000 hours of pre- and in-service training to all CSSD employees, as well as to individuals who work for the nonprofit-organizations that contract with CSSD.
- In the area of technology, CSSD information systems exchange data with the Judicial Branch, state agencies, and municipal and private provider systems. These systems are interdependent, for both operational and performance measurement purposes.
- CSSD relies heavily on its ability to procure contracted services for the entire division, not just one individual unit. This ability is enhanced by a deep institutional knowledge of the interwoven responsibilities shared by the entire division and the court. As such, overall services are enhanced.
- CSSD's Center for Research, Program Analyses and Quality Improvement establishes performance measures for all of CSSD's programs and functions, researches best practices nationwide and evaluates the efficiency of the programs and functions.

The information that follows in the next several pages will show how CSSD has been integrated into the court systems, its great successes and the successes that we believe would not have occurred without that seamless integration into the court system.

## ***Results and Outcomes***

1. Adult probation is experiencing historically low recidivism rates;
2. The Department of Correction's pretrial population has been significantly reduced as a result of the work done by the Court Support Services Division's court-based bail and jail re-interview staff;
3. Domestic Violence re-arrest rates have dropped;
4. Re-arrest rates for individuals in the Alternatives in the Community (AIC) program have dropped;
5. Juvenile Probation re-arrest rates have dropped;
6. The secure Juvenile Detention population is at a historic low;
7. Juvenile Court commitments to the Department of Children and Families have dropped dramatically.
8. Since its creation in 1999, CSSD has:
  - Focused on best practices and increased reliance on research to make informed decisions;
  - Overseen a major expansion of community supervision programs & services (budgeted alternative sanctions funding grew from \$48 million in 1998 to \$109 million in 2013);
  - Adopted evidence-based practices such as manageable caseloads, use of validated assessment tools, quality assurance and research & evaluation;
  - Created an internal information technology capacity to support a data driven management approach;
  - Embraced Results Based Accountability (RBA) as the framework to measure its progress.

## ***History of the Court Support Services Division (CSSD)***

1. CSSD was created in 1999 when the administrative and operational functions of the Judicial Branch were re-structured in accordance with recommendations made by the National Center for State Courts to remove the individual silos that existed at that time.
2. The following existing Judicial Branch functions were consolidated into the newly-created Court Support Services Division (see P.A. 99-215, codified at C.G.S. 51-1b):
  - a. Office of Adult Probation;
  - b. Office of Alternative Sanctions;
  - c. Office of the Bail Commission;
  - d. Family Division;
  - e. Juvenile Detention Services Division;
  - f. Juvenile Probation.
3. The purpose of the consolidation was to enhance public safety by better serving the needs of communities, litigants, defendants, judges and attorneys.
4. The merger created a division managed from a central office. Its responsibilities include coordinating pre-trial services, family services, offender sentencing and supervision options for adults and juveniles, as well as juvenile detention services.

## ***Guiding Principles of the Court Support Services Division***

1. Criminal behavior can be changed;
2. Public/private partnership is the most functional and cost-effective model for treatment services;
3. Data-driven decision making ensures the best use of resources;
4. Programs must be quality assured, monitored and evaluated regularly to assure investment in programs that get results;
5. Information technology and data mining capacity are essential;
6. Collaboration with state agency partners is essential;
7. Advances are dependent on support from all three branches of government;
8. CSSD's work will always be a "work in progress."

## ***Functions of the Court Support Services Division***

### **1. ADULT PROBATION SERVICES**

Adult probation maintains public safety through its supervision of court-sentenced individuals. Adult probation officers provide intake, assessment, referral, and supervision services to sentenced individuals. To ensure appropriate probationer supervision, clients are classified and supervised based on their assessed risk and need. Accurate assessment of probationers is the foundation for targeting offender service needs and making appropriate intervention referrals.

Adult Probation has been nationally recognized since 2006 for achieving accreditation by the American Correctional Association and Commission on Accreditation for Corrections.

**Specialized units providing enhanced supervision include** the Probation Transition Program, Domestic Violence Supervision, Intensive Probation Supervision, Technical Violation Unit, Mental Health Supervision, Youthful Offender Supervision, Supervised Diversionary Program, Women's Offender Case Management Model and Sex Offender Caseload.

### **2. ADULT BAIL/IAR (INTAKE, ASSESSMENT, REFERRAL)**

Responsibilities include pre-trial arraignment services, pre-trial supervision services, Jail Re-Interview Program, the Jail Diversion Program and pre-trial diversion programs.

### **3. FAMILY SERVICES (CRIMINAL AND CIVIL)**

Family Services works both in criminal court on family violence cases and in the civil family court. Family Services addresses concerns such as child custody, child access, financial matters, property disputes and temporary restraining orders. Family utilizes conciliation, mediation, conflict resolution conferences, issue-focused evaluations and comprehensive evaluations. Family Services contracts with organizations that offer programs to defendants that address domestic violence.

### **4. JUVENILE PROBATION**

Juvenile Probation is involved in all cases of children referred to Juvenile Court. **Non-judicial resolution** is used for first or second time summons issued to a juvenile for minor delinquency or FWSN charges. These charges may be handled informally by a Juvenile Probation Officer. Approximately half of all juvenile cases are handled this way. **Judicial resolution** cases go before a judge, may have the services of a public defender or defense attorney and a prosecutor is involved in the case. Approximately half of all juvenile cases are handled this way.

### **5. JUVENILE RESIDENTIAL (DETENTION) SERVICES**

Juvenile Residential Services is made up of a vast network of programs and services, including two detention centers in Bridgeport and Hartford, and numerous contracted residential programs.

Connecticut's two state-operated juvenile detention centers are accredited by the National Commission on Correctional Healthcare and the American Correctional Association.

### **6. CENTER FOR RESEARCH, PROGRAM ANALYSES AND QUALITY IMPROVEMENT**

CSSD has built an internal infrastructure to measure and report client outcomes in its contracted service provider net.

## ***CSSD Collaborations***

### **1. DATA SYSTEMS**

- Building a short/medium term "Judicial Bridge" function to share data between the Case Management Information System (CMIS) and DCF system.
- Building a longer-term solution for data sharing between CMIS and the new, yet-to-be-built DCF system.
- Adult CMIS shares information with the State Police Offender Based Tracking System (OBTS).

### **2. DATA ANALYSIS**

- Three short-term projects under way all include data sharing and analysis assistance:
  - a. Analysis of committed to CJTS population from 2006-present
  - b. Analysis, including profile and recidivism data on DCF-funded Juvenile Review Boards.
  - c. Analysis of recidivism outcomes for a selected DCF congregate care facility

### **3. MEMORANDUM OF AGREEMENTS (MOAs)**

- CSSD has numerous MOAs that facilitate co-contracting agreements.
- CSSD has an MOA with DCF regarding early intervention services for children 12 and under.

### **4. RISK TOOL**

- Ongoing consultation with Central CT State University on a juvenile justice system risk/needs tool

### **5. CROSSOVER YOUTH PRACTICE MODEL**

- Co-agreement with DCF and Georgetown University (facilitated by a soon-to-be-executed Judicial MOA)

### **6. DEPARTMENT OF SOCIAL SERVICES**

- Collaborated on the expedited medical entitlement screening process for all probations.
- Funded a position dedicated to this project.
- Access and Visitation Federal Grant – MOA since 1997 to address the needs of never-married parents in both the magistrate and family civil court.
- Fatherhood Initiative – participate in a Memorandum of Understanding with numerous state agencies and community partners. Collaboration with strategic plan for Fatherhood Initiative and executive committees.

### **7. DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES (DMHAS)**

- Coordinate and collaborate with DMHAS to operate the jail diversion program in each GA court location.
- Works closely with DMHAS regarding the administration of the pretrial diversion programs. Currently working with DMHAS to get the education providers for the diversion programs into the Contractor Data Collection System.
- Collaborated with DMHAS and DOC to establish the direct placement of defendants held on bond in DOC into Connecticut Valley Hospital Merritt Hall beds.
- Continue to collaborate with DMHAS to access services through its Access to Recovery model, which is now the Behavioral Health Recovery Program.

- Adult probation officers who supervise specialized mental health caseloads collaborate closely with local mental health affiliates.
- Collaborate closely with and access DMHAS services with regard to our young offender population and DMHAS's Young Adult Services program.
- Participate in the High Risk Mental Health discharge planning process with DMHAS and DOC.

## **8. DEPARTMENT OF CORRECTION (DOC)**

- Works closely with DOC to administer the Jail Re-interview program.
- Collaborated with DMHAS and DOC to establish the direct placement of defendants held on bond in DOC into Connecticut Valley Hospital Merritt Hall beds.
- Participate in the high risk offenders (including sex offenders) discharge planning process with DOC.
- CSSD has trained and will continue to train DOC staff in motivational interviewing and the use of the Women's Risk Need Assessment. (CSSD bears the significant cost of the training; DOC does not.)
- Continue to provide electronic access to our Pre-Sentence Investigations and Violation of Probation affidavits for decision-making purposes.
- Branch's Probation Transition Program collaborates with the DOC discharge planners to coordinate offender re-entry. In addition, CSSD collaborates with Parole and Community Supervision to exchange offender information prior to re-entry.
- Work with DOC to assist homeless veterans in obtaining appropriate housing.
- Collaborate and work with DOC community supervision with regard to Project Longevity and Project Safe neighborhoods.
- Pilot to begin April 1<sup>st</sup> in Bridgeport Superior Court to divert those with drug and alcohol addictions to detox on the day of arraignment. 150 of these nonviolent defendants are currently held at Bridgeport Correctional Center. CSSD is collaborating with Regional Network of Programs as well as the DOC.

## **9. STATE POLICE**

- Collaborate with State Police on the Deadly Weapon Registry and the Sex Offender Registry.
- Just recently worked with the CSP to begin using the offender watch system to better monitor sex offenders statewide.
- Collaborate with CSP in the Drug Endangered Children Alliance.
- Alert Notification / GPS Program (Bridgeport, Danielson and Hartford)
  - State Police were instrumental in the design and implementation of the program.
  - Currently, State Police and local law enforcement respond to high risk domestic violence offender non-compliance and collaborate with the court and Judicial Branch-Family Services to secure victim safety while on the program.

## **10. STATE VETERANS AFFAIRS**

- Collaborate to identify veterans for diversionary program participation that result in veterans having access to more appropriate services to meet their needs.

## **11. BOARD OF PARDONS AND PAROLE**

- Collaborated with and continue to work with the Board regarding certificates of employability.
- Continue to provide electronic access to our PSIs and VOP affidavits for decision-making purposes.

## ***CSSD Procurement, fiscal and contracts oversight***

### **1. PROCUREMENT**

- The Judicial Branch Procurement Code, approved by the Legislature in 2011, guides the process.
- The primary method for program contracting is a competitive bidding process referred to as a Request for Proposal (RFP).
- Contracts are drafted and then reviewed by the Judicial Branch's Purchasing and Legal Services units prior to award to providers (primarily non-profit organizations).
- Services are also secured through co-contracting agreements with other state agencies such as DMHAS, DCF and DOC.

### **2. FISCAL MANAGEMENT**

- Monthly budget meeting with Executive Director.
- Ongoing and detailed oversight of all contract budgets and expenditures.
- Monthly and quarterly CORE budget status reports are carefully reviewed by CSSD's Fiscal and Judicial Branch's Budget and Planning units.
- Revenue Maximization: All contractors are required to have a system to capture client fees, third-party reimbursement and public/private resources & to submit a Monthly Program Income Report.

### **3. CONTRACT AND PROGRAM OVERSIGHT**

- CSSD contracts for programs that are evidence and research-based.
- Fidelity of evidence-based programs is directly linked to positive outcomes.
- Fidelity to the model is ensured through a quality assurance component.
- CSSD has implemented the Contractor Data Collection System (CDCS), a web-based data collection system for contracted providers, to collect client level data.
- Biannual reviews of all program performance with executive management and quarterly review with regional personnel are conducted.
- Results-Based Accountability (RBA): CSSD has participated in the General Assembly's RBA initiative since its inception and some program models have been highlighted.

### **4. GOVERNOR'S CABINET MEMBERSHIP**

- The Executive Director of CSSD is an appointed member of the Governor's Cabinet on Nonprofit Health And Human Services.

- Cabinet was established in September of 2011 to analyze existing public-private partnerships with respect to the state's health and human services delivery systems.
- Also established to make recommendations to enhance the effectiveness of those systems in regard to client outcomes, cost-effectiveness, accountability and sustainability.

## ***Awards, accreditations and certificates***

### **1. FAMILY SERVICES**

- Innovations in American Government Award (Harvard University, Kennedy School of Government) – 2008  
CSSD developed the first family civil intake screening tool in the country.

### **2. ADULT PROBATION AND BAIL SERVICES**

- American Correctional Association  
CSSD's Adult Probation was initially accredited in 2006 and has been reaccredited every three years since then.
- National Association of Pretrial Services Agencies  
CSSD's Bail Services was the first statewide system in the country to be accredited (2014).

### **3. JUVENILE PROBATION SERVICES**

- American Probation and Parole Association  
CSSD's Juvenile Probation was initially accredited in 2010 and was reaccredited in 2013.

### **4. JUVENILE RESIDENTIAL SERVICES**

- American Correctional Association  
CSSD's Juvenile Residential Services was initially accredited in 2003 and has been reaccredited every three years since that time.
- National Commission of Correctional Health Care  
CSSD's Juvenile Residential Services was initially accredited in 2004 and has been reaccredited every three years since that time.
- Performance Based Standards (PBS) Level 3 and 4  
CSSD'S Juvenile Residential Services received Level 4 awards for providing the highest standards of operations, programs and services.
- Barbara Allen-Hagen Award  
National recognition for exceeding confinement conditions standards.
- Prison Rape Elimination Act Certification(PREA)  
CSSD'S Juvenile Residential Services became the first facility to be PREA-certified in 2014.