

JUDICIAL AND CORRECTIONS SUBCOMMITTEE

PUBLIC HEARING

CHAIRPERSON: Representative Toni E.
Walker

SENATORS: Olsten, Formica, Winfield

REPRESENTATIVES: Lavielle, Baker,
Candelaria, France, Horn,
Johnson, Pavalock-D'Amato,
Petit

REP. WALKER (93RD): I'd like to begin the Appropriations Subcommittee Meeting for Judicial and Corrections. First we have at 10 o'clock the Chief Court Administrator for Judicial Department, Judge Carroll. Good morning. Good morning. Go right ahead, sir.

JUDGE PATRICK CARROLL: Good morning, Chairperson Walker. Good to see you again.

REP. WALKER (93RD): After yesterday, good to see you even better.

JUDGE PATRICK CARROLL: Thank you, and I extend my greetings to all the other members of the committee, as well. My name is --

REP. WALKER (93RD): Do me a favor. Pull the microphone closer to you, please.

JUDGE PATRICK CARROLL: Sure, sure. My name is Judge Pat Carroll. I serve as the chief court administrator, and this marks the seventh time that I have appeared before this committee in that capacity, and I am always grateful to appear before you to answer questions that you may have about the judicial branch's budget requests. Now, because I've

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appeared before the committee so many times, I know that you have certain rules, Representative Walker, and you don't want me to read a lengthy statement, and I don't intend to. I have -- we have prepared a rather detailed submission which has been presented to all of you, but there are a few things that I would like to highlight.

REP. WALKER (93RD): Give us the highlights and then the lowlights [Laughter] because there are some in here too. Go right ahead.

JUDGE PATRICK CARROLL: Well, first and foremost, with the highest level of frustration, I must again point out OPM's failure to abide by the simple provisions of 4-73(g) of the General Statutes which specifically require, and I am quoting from the statute, that the appropriations recommended for the Judicial Department "shall be the estimates of expenditure requirements transmitted to the secretary of the Office of Policy and Management by the chief court administrator." The statute provides no alternative method for compliance. It doesn't allow that compliance with the law may be had by doing something other than what the law requires. There is simply no gray area on this. Now, why is this important? It's important in my mind because the power of the purse is a fundamental constitutional responsibility reserved to the legislative branch, and the judicial branch as a co-equal independent branch of government should be allowed to submit to you, unaltered, unchanged, the estimates of what we believe we need to discharge our duties. That doesn't mean that you're going to give us what we want, but it does provide that no other entity should be able to unilaterally make cuts to what we have requested before you even have

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a chance to see it. Doing so changes the rules. It changes the playing ground. It is not fair, and it is not in compliance with the law; so I'm asking, as I have many times now, that you give clear direction to OPM that there should be compliance with General Statute 4-73 in the way that the statute requires it.

REP. WALKER (93RD): We'll convey that message again.

JUDGE PATRICK CARROLL: Thank you, thanks.

REP. WALKER (93RD): But I don't know how much we have over you as far as investigating the whole process, but thank you. Okay.

JUDGE PATRICK CARROLL: It just seems to me that it's clear that the start point should be what we tell you we think we need, not what OPM tells you we need after they've made some unilateral cuts. And incidentally, that happened again this year, and the Probate Court Administrator, Judge Streit-Kefalas is here in the event there is any time left at the end of my allotted time she might want to come up and talk about a \$9 million dollar cut that her agency sustained with no notice of any kind. So, now let me turn to what I think are the key issues that I'd like you to focus on for the judicial branch. Number one is courthouse security. Protecting the members of the public, the judges, employees, jurors, victims, and others as they seek justice in our courthouses is of paramount concern to Chief Justice Robinson and me. Nothing could highlight this concern more than the violent and life-threatening shooting that took place 2 weeks ago outside the G.A.2 courthouse on Golden Hill Street in Bridgeport. This reinforces our resolve to

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enhance safety and security in and around our buildings. That shooting was a harrowing experience for the judges, employees, jurors, victims, and most importantly the members of the public who come to that courthouse every day. The Chief Justice and I were there within an hour of the shooting, and we witnessed the bloody lobby and the fear etched across the faces of the people who were in the courthouse at the time of the shooting. I promised all of them at that time that I would do whatever I had to do to assure their safety in that building. In the autumn of 2018, after the completion of a legislatively mandated security survey of the judicial branch, I made a certain supplemental budget request to enhance security funding for the judicial branch, and notwithstanding that security survey and the independent objective findings that were made as a result of that survey, we received no additional funding to implement the recommended security enhancements. After the shooting 2 weeks ago, I again pressed my request for the funding we need to implement these security enhancements with OPM.

I was told, though, that there would be no adjustments made in the proposed Governor's budget to address these concerns, but I was assured that OPM would partner with us to address those concerns through the legislative session, and that's why I'm bringing it up you at this point. It simply cannot be ignored. We cannot allow our employees and the members of the public to literally be in the line of fire simply by going to court to do what they're required to do. I'd also like to highlight the issue of security staffing, marshal staffing. For many years, our judicial marshal staffing has fallen

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far short of our targeted level of 850 uniformed judicial marshals, and despite our aggressive recruitment and hiring, including running simultaneous training classes, we've only marginally increased our workforce. Last year, for example, we held five training classes and graduated approximately 120 new judicial marshals, but our net gain during that time period due to attrition mainly through retirements and marshals being hired for other higher-paying jobs outside of the judicial branch, our net gain with 120 new marshals was only 13. So, the total number of full judicial marshals at this time was 659 in January of 2019, and today it is only 672; that is an increase of 13. So, it's simply not possible with our current staffing levels to meet the required coverage in all of our courthouses and courtrooms including our family and civil courtrooms which frequently go without marshal coverage. Our ongoing recruitment and hiring has failed to keep up with retirements, another tradition, and we have a cohort. I mentioned this to you last year when I testified. We have a cohort of approximately 70 or 80 judicial marshals who will reach their ability to retire after 20 years of service this July. So, that means -- and we anticipate we'll lose about 70 of them -- we are going to have a massive hole that we simply will not be able to fill, and that's going to have a tremendous impact on how we operate the courts. Next, I'd to quickly turn to the judicial branch positions that are funded by the inmate phone revenue fund.

I'm glad that the judicial branch is -- I'm sorry -- that the legislature is addressing that issue. It's an issue that has to be addressed. But, you'll

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recall that that program was created many years ago to provide a source of funding for a number of adult probation officers who would go into our jails and prisons in an attempt to reduce prison populations in what's called our jail re-interview program. It has been tremendously successful and has resulted in a significant nation-leading reduction in prison population, but it's important to note that all of those positions were funded by the inmate phone fund. Although the Governor's recommended budget reallocates \$3.5 million dollars to the General Fund to support these judicial branch staff positions, the budget simultaneously reduces our personal service line by some \$2 million dollars so the net gain to us is only \$1.5 million; so, we're still looking at a \$2 million dollar gap in our ability to pay for those probation officers. So, I'm asking that you take a look at that because I know that that program is very important to the legislative branch and to the Governor, as well. So, those are the highlights that I wanted to point out. You've given me 5 minutes; I think I stayed within that 5 minutes, and I'd be happy to answer any questions you have. I have with me today some of the subject matter experts in the judicial branch who might be able to respond to questions that I'm not able to field.

REP. WALKER (93RD): Thank you.

JUDGE PATRICK CARROLL: I forgot to introduce Elizabeth Graham who is sitting to my left. She is our executive director of administrative services.

REP. WALKER: Better known as Libby.

JUDGE PATRICK CARROLL: That's correct. [Laughing].

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REP. WALKER (93RD): Thank you, and welcome.
Questions from the committee?

SENATOR WINFIELD (10TH): So, I have a couple of questions. One is about the marshals. So, you've been talking to us about this problem not just this year, but you've been talking to us ongoing. I guess one of the questions is given what the problem is and the fact that the recruiting is not able to keep, what is there that we can do about it as a legislature other than -- I mean money always is useful -- but what can we do to actually help make that happen?

JUDGE PATRICK CARROLL: Well, perhaps I wasn't clear, Senator. The recruiting has done very, very well. We get many, many applications to fill those positions. We screen them, and we pick the best of the best. I think it's significant to note, as well, in our new recruitments, 41 percent of the recruitments who were ultimately hired identify themselves as minority, non-white applicants; that's a point of pride to us. The problem is not so much in the recruitment; the problem really is in the retention. On the retention side, I suppose things that we could do -- it always comes down to money. We could enhance compensation, but that is a matter of collective bargaining, so I won't press that issue. I think that what we need from the legislature is funding to continue to bring in those recruitment classes.

We had five classes last year. That was big, but as I told you, we only netted out 13, and as we approach this situation that's going to happen this July, it's a real big concern. We had asked for \$1.8 million dollars to fund an additional judicial

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marshal training class this year, and I am conjecturing at this point, but I'm assuming that perhaps OPM when they looked at that, they figured with that \$1.8 million dollars that we had in our PS line, taken with the \$1.5 million dollars they were giving us net in the inmate telephone fund, we would have enough to cover the cost of the probation officers. Ideally, we would have enough to cover the cost of the probation officers, but, in fact, it then depletes the funds that we otherwise would have used to bring in another marshal training class.

SENATOR WINFIELD (10TH): And because I know others have questions, I'll only ask one more. The probation transition program that you were talking about and the reduction in money, how do you measure success? I know that there is a number -- you can look at simply what is happening with the number of individuals who are held on technical violations and those things, but how do you know that you can attribute the success to the program itself? What metrics do you use?

JUDGE PATRICK CARROLL: Well, and I have Director Roberge who can fill in the details that I can't, but the metrics, I think, are fairly simple in my mind. The folks who are in prison without the benefit of this program simply would not be released but for the fact that we have our probation officers going into the facilities, interviewing the candidates, trying to find out what their needs are. Many have needs in terms of substance abuse evaluation and treatment, mental health evaluation and treatment. Upon our probation officers determining that the inmates are willing to cooperate with a plan to address those issues, the probation officers then go back to the judges and

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ask if the judges would reduce bails to allow those people to come out. So, I think the most visible and the most easy-to-measure metric is the fact that they were in jail on day one and out of jail on day two. We the provide supervision and monitoring of those individuals until the case is disposed of, and, as you know, we keep and maintain very comprehensive records about the success of the folks that we work with in probation.

SENATOR WINFIELD (10TH): Thank you.

REP. WALKER (93RD): Representative Candelaria.

REP. CANDELARIA (95TH): Thank you, Madam Chair. Just a quick question which you touched on it a little bit is the Probate Courts. I see that there was a recommendation from the governor to reduce the funding we had last year. I'm really concerned about that specific cut because we see that their fees have been declining and they don't have the resources to provide all the services that they need. So, based on your opinion, is this cut justifiable? Because based on what I heard in the past, it's not justifiable. There are some concerns that services will not be able to be provided, and there is an array of services that are being provided by the probate courts that they have inherited from other agencies. So, can you elaborate on that or maybe bring in the administrator?

JUDGE PATRICK CARROLL: I'll certainly bring in Judge Streit-Kefalas if I can do that at the end of my time. But I will say this: That cut to the probate court line is consistent with the concern I raised about compliance with Section 4-73(g) of the General Statutes. Clearly, Judge Streit-Kefalas

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believes that there is a need for those additional funds. I'm sorry -- clearly, Judge Streit-Kefalas believes there is a need for those funds. There was no notice, no warning given to her that that cut was going to be taken, and, again, it's your determination as to whether those funds are needed and whether those funds should be removed. Had there been compliance with the law, we wouldn't be sitting here even discussing that, and you'd have an opportunity to probe and investigate and make a determination yourself as to whether there was fat in the Probate Court budget that could be trimmed.

REP. CANDELARIA (95TH): And also under Current Services, there was a reduction of \$2 million dollars to reflect current staffing needs.

JUDGE PATRICK CARROLL: That's right.

REP. CANDELARIA (95TH): Can you elaborate a little bit on what would be the impact? If we continue with that particular cut, what would be the impact?

JUDGE PATRICK CARROLL: The impact would be generally our inability to, number one, hire an additional marshal training class and, more importantly -- or certainly equally as important, our inability to fund those 31 positions that are currently being utilized in adult probation for the jail re-interview program and similar programs. Those are positions that were otherwise funded by the inmate revenue fund, and I believe my executive director of administrative services is chomping at the bit to add something; so, I'll allow her to clarify.

ELIZABETH GRAHAM: Thank you very much. I do want to contribute to that because I want to point out

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and remind all of you that our PS line represents two-thirds of our budget and that PS line is all-inclusive including all the constituent parts including our most worrisome challenge associated with the judicial marshals. So, Judge Carroll is absolutely right -- any cuts to PS have ramifications for the entire branch. You push here, and it comes out there. So, it is of the utmost importance that we get sustained funding in the PS line to ensure that we can properly staff not only the marshals but the courts, court support services, and so on.

JUDGE PATRICK CARROLL: I'm gratified that the executive director said I'm right [Laughter].

REP. WALKER (93RD): Thank you, thank you. Representative Lavielle followed by Representative Horn.

REP. LAVIELLE (143RD): Thank you very much, Madam Chair. Well, we all know who the boss is, right? [Laughter]. Thank you very much for being here, both of you, and for your testimony. I don't think I have to ask the question because you just answered it, but I, too, am concerned about the probate courts. We go through this every year, and we all know why, and I just wanted to register that. The \$3.5 million which is reduced on another page by two, that is transferred to the general fund where you would get your appropriation from, does that include fringes?

JUDGE PATRICK CARROLL: I'm sorry, does it --

REP. LAVIELLE (143RD): Fringes?

JUDGE PATRICK CARROLL: No, just salaries.

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REP. LAVIELLE (143RD): So, what happens to the fringes?

JUDGE PATRICK CARROLL: They're handled the way that fringes are handled for most state employees through the Comptroller's Office.

REP. LAVIELLE (143RD): Okay. So, the implications for both the -- well, let me move onto the other part of this -- the courthouse security, the \$1.8 million reduction. What does that affect, only the courthouse security or everything?

JUDGE PATRICK CARROLL: Well, the way that we've allocated it within our budget is that was dedicated to fund a new class of judicial marshals. So, the lack of judicial marshals implicates security across the board, and you've heard the challenges that we're facing in terms of just keeping up through attrition. We do a great job of training our judicial marshals. Most come to us with college degrees. We then train them to be EMT-certified, CDL-certified, a range of other certifications that then make them very appealing to be hired by municipal police departments, the State Police Departments, and the Department of Corrections. I was watching the news last night; I believe it was the Town of South Windsor is holding a recruiting fair for their municipal police department. I know that other municipal police departments are facing the same challenge as is the State Police. So, we do a great job of training these young men and women, and when they see an opportunity to take a position with higher pay, they're going to grab it.

REP. LAVIELLE (143RD): So, I guess that when you have a shortage in staffing of judicial marshals who

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may not be, in your view, the optimal front line for security, that already cuts down on your security.

JUDGE PATRICK CARROLL: It does, but I will say this. I've spoken to all of our recent graduates, and I have been singularly impressed at the enthusiasm, the commitment to training, and commitment to the mission that they know they have, and I'm proud after the incidents -- well, we've had a couple of incidents in the Bridgeport Courthouse. The Chief Justice and I have gone down to meet with the staff. In several of those incidents, we had young marshals who were seriously outnumbered by combatants; in one particular incident that took place in the lobby of the Golden Hill Street Court, and the four of them exercised tremendous calm under pressure, separated combatants, spoke to them, deescalated the situation, and were able to restore peace and order in relatively short term. That's the function of effective training, and I'm really impressed with all of them, quite honestly, and I've told them so every opportunity that I get.

REP. LAVIELLE (143RD): All the more reason that it would be nice if they could stay.

JUDGE PATRICK CARROLL: Yes, it would be.

REP. LAVIELLE (143RD): I'm troubled as I read through this that, you know, I see the \$2 million dollar reduction in one place, I see the \$1.8 somewhere else, and I also see that your concern for really solid exterior courthouse security is very pronounced and that you're usually very careful, that you have included an ask of \$5.5 million on top of that. And I would like to ask you whether if you had to get that in a phased approach -- if you had

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to gradually start filling in the things that you would like to do, how would you do it?

JUDGE PATRICK CARROLL: We thought about that. I probably should have mentioned that in my opening comments. The \$5.5 is a response to what we might do to make the exterior of our buildings safer, and what we have contemplated with that \$5.5 million dollars is retaining the services of local or state police to position themselves, one officer, one police cruiser outside of our facilities on a daily basis. Had that been in place in Bridgeport, I'm confident that the deterrent effect of having a police officer there would have prevented the shooting which took place right at the main entrance to the courthouse. So, in response to your question, if we cannot get \$5.5, I would say that anything is better than nothing, and if we can start it in an incremental basis and phase it in in those courthouses where we believe we have the greatest need -- and we can identify those courthouses -- that would be a big help, and I know that it would make the employees in those buildings feel much more comfortable and much safer. Our facilities range in age from the old New London Courthouse which I believe was built in 1753 to our brand-new Torrington Courthouse, and our security approach in large measure is premised upon building design. The building design of our new courthouses -- they are constructed in such a way that what happened in Bridgeport would not happen at those newer buildings because the entrance is located a great distance away from the highway. There is, for want of a better word, a neutral area where no vehicles could approach, and the metal detector is far inside the lobby so people don't have to be snaked around the

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exterior of the building, thereby making them sitting ducks in the event bad actors wanted to target individuals.

For instance, in the Bridgeport shooting, I gave a briefing to the co-chairs of the Judiciary Committee, and one of the young men who was a victim of that shooting was there in court doing what he was supposed to do, attending his court session. When he finished his court session, he walked out of the front entrance, stood on the front porch of the building looking for his ride. At that point, the shooters who were positioned up the street spotted him. As the young man approached the vehicle that was giving him a ride home, the shooters approached that vehicle and opened fire with automatic gunfire. If we had newer buildings, and I know I'm not going to stand here and ask you for \$85 million dollars today to build a new courthouse [Laughter], but with more thoughtful building design, even on our exterior building -- our older buildings, retrofitting the exterior, which we can do, we've looked at that, that is included in the supplemental budget request I made, to harden the entrances to our building, to provide enhanced surveillance. For instance, if bad actors knew that we have state-of-the-art surveillance features on the exterior of our buildings and the likelihood that they would be identified if they engaged in a bad act, that may serve as a deterrent. That's a relatively high-impact, low-cost measure that we might take to enhance security. So that's included in what I've requested. That, of course, I think would be capital expense and bond funding, and I'm hopeful that OPM and the governor will add that type of funding to an upcoming Bond Commission agenda. But

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there are things that can be done, and we should do them. I think you may hear later from the Chief Public Defender, and she may share with you some of the comments she received from her staff that work in the Golden Hill Street Courthouse. As a matter of fact, she contacted me and asked me if there is any way I could -- it's almost a shame that I have to say it -- but install bullet-proof glass on the exterior windows in her offices which are on the second floor, and it might seem odd, but the way the Golden Hill Street Court is positioned, it is on a hill, and shooters on the street, they'd be shooting up at any intended targets, and the staff in those offices are justifiably concerned. So, I told them that I would bring this to your attention and ask that you weigh those requests as against, I know, the significant other competing interests that are raised by other state agencies.

REP. LAVIELLE (143RD): Thank you for that. I think that, you know, when I hear that on the one hand it is hard to retain judicial marshals and that when you train a whole class, far from all of them stay. I mean, it is a small percentage. And then if you have a shortage on that level and then you don't have the extra reinforcement from exterior protection by law enforcement, the security levels are really pretty thin. I guess what I would ask is if you could -- if, you know, we had the global situation here and what that would cost. But if you have any thoughts that you could send to us on what you would do first, what would be the first way to attack the problem.

JUDGE PATRICK CARROLL: We're doing our best on the retention fund, to make sure that our marshals know how appreciated they are. When I addressed the

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employees in Golden Hill Street, two long-serving members of the staff down there who I know, who I've worked with when I was assigned, came up to me and said the marshals did a great job at keeping us calm and keeping us informed. When I addressed all of the employees at that time, I mentioned that those two employees had said that to me, and virtually every employee nodded their head in approval. So, Director Murphy, who is here with me today, and I and the Chief Justice do our best to make sure that we get out into the field or into the training classes to let our marshals know how much we appreciate what they do. We can't pay them more, but we can let them know how important their work is and how much we appreciate it.

REP. LAVIELLE (143RD): Thank you. Thank you, Madam Chair.

REP. WALKER (93RD): Thank you. Representative Horn.

REP. HORN (64TH): Thank you, Madam Chair. And thank you. Nice to see you again today in a different seat. I wanted to ask about the Justice Education Center, which I am not sure we've touched on today, which the governor recommended funding back at 2018 levels, which is not a huge number on this budget, but it's a pretty significant reduction for them, and I wondered if you could comment on the implications of that.

JUDGE PATRICK CARROLL: If it is okay with you, I'd like to call on Gary Roberge, our Executive Director of Court Support Services, who has more up-to-date information on that and the impact of that cut.

REP. HORN (64TH): Thank you.

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GARY ROBERGE: Good morning. I'm Gary Roberge. As Judge Carroll said, I'm the Executive Director of the Court Support Services Division, and the Justice Education Center is an organization out of West Hartford that provides pretrial diversion programs for the branch and other related types of functions such as employment opportunities for young offenders that are involved in the Juvenile Justice System, so it would have a direct effect on the services they can provide. I can't speak directly to that. That is a program that we receive the money, and then we distribute it to them as they provide their services; so, it would be up to them as to what they would be cutting with respect to the recent reduction from the governor's recommendation.

REP. HORN (64TH): Because it strikes me that this is the kind of program that is an investment that actually reduces costs, reduces all kinds of expensive litigation and criminal enforcement and that we ought to make sure that we're adequately funding them. I understand that somebody at that level has to make those decisions, but is this happening in other organizations across the state that you are aware of, I mean that are doing this kind of work?

GARY ROBERGE: There are a couple of others but not that we fund through the judicial branch, and I agree, I think that the unintended consequences that you were just suggesting would play out.

REP. HORN (64TH): Thank you.

GARY ROBERGE: You're welcome.

REP. HORN (64TH): Thank you, Madam Chair.

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REP. WALKER (93RD): Thank you. Senator Formica.

SENATOR FORMICA (520TH): Thank you, Madam Chair. Good morning. Your Honor, thank you very much for all that you do, and my review of this will continue, and I don't have any specific budget questions for you this morning, but I want to just thank you for your comprehensive and compassionate care in which you lead this agency.

JUDGE PATRICK CARROLL: Thank you, Senator.

SENATOR FORMICA (520TH): And we will do all we can to make sure that you have the security capabilities that are so necessary, unfortunately, in the world we live in today; so, we will push for that. But, thank you for your leadership.

JUDGE PATRICK CARROLL: Thank you, Senator.

SENATOR FORMICA (520TH): Thank you, Madam Chair.

REP. WALKER (93RD): Thank you, and thank you, sir, for your testimony. What we'll do -- we have other people lined up, so Judge Beverly Streit-Kefalas, if you would like, you can stay and wait until after Department of Corrections does theirs, and if you want to just come up and give us an overview from it, if that's okay. All right? Thank you. Thank you, sir, thank you. Next, we have the Department of Corrections, Commissioner Cook, et al. Good morning.

ROLLIN COOK: Good morning.

REP. WALKER (93RD): Good morning, sir. How are you?

ROLLIN COOK: Great. How are you?

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REP. WALKER (93RD): Okay. Go right ahead, sir.

ROLLIN COOK: Good, thank you. Good morning, Representative Walker, Senator Formica, Representative Lavielle, and members of the Appropriations Committee. I'm Rollin Cook. I'm the Commissioner of the Department of Corrections. With me today, as you mentioned as I was walking up, I have my executive team. To my immediate left here I have our Chief Physical Officer, Michael Regan, and over there to my left, I've got our Chief Operating Officer for our Health Services Unit, Dr. Bob Richardson, and Director of Human Resources, Jeff Miller. The governor's budget proposal for the Department of Corrections will be challenging but manageable. I'm confident that with the support of the governor, the legislature, the judicial branch, sister agencies, community partners, and the hard-working men and women of the Department of Corrections, we will be successful in our efforts to fulfill our mission and our mandates within available resources.

My tenure with our department and everything that our department does moving forward will be centered around human dignity -- human dignity as it applies to those in our care and custody, as it applies to our employees, our community, and to the criminal and social justice partners that we work with every day. It will be everything we do with our people, how we serve our community, the way we serve each other, and the way that we interact here. Our priorities this fiscal year and the next include making a commitment to enhance wellness initiatives that support all employees and those incarcerated or on supervision, mind, body, and spirit; to develop and implement progressive correctional practices and

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programs; to increase successful reentry into our communities; to ensure safe and secure, efficient, and effective operations throughout our agency; and to engage our community partners to assist in assuring positive outcomes, especially in employment, housing, and education, and family unification; providing effective quality health care that meets or exceeds the community standard of care and correctional health care standards. We're working diligently to expand the care that we provide while also seeking to contain costs. We recently entered into a new pharmacy services and laboratory services contracts that are beginning to show savings over our previous service providers. Despite the challenges associated with hiring medical staff such as shortages in the medical service labor market, pay disparities between the private sector and state service, and staff turnover largely driven by hazardous duty retirement, we are slowly but surely making some headway in hiring medical staff.

It's been extremely challenging for our health services personnel, especially considering the staffing concerns that we face; yet, they've shown up every day and given 110 percent in all their responsibilities. I'm extremely grateful for all their efforts. We've launched a system-wide effort to combat hepatitis C virus within our facilities. As you know, HCV infection is critical public health issue impacting all of our communities throughout our state and our nation. We've launched a significant expansion of our medication-assisted treatment program to combat opioid and other substance abuse disorders. We will be utilizing our recently implemented electronic health record system

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and national correctional health care standards and best practices to implement a population health management system. Our goal is to become a leader in population health programs for chronic diseases. We're increasing agency partnerships and linkages in the community through enhanced discharge planning in continuity-of-care initiatives. We're addressing long-term health issues facing our aging population by exploring a long-term health care unit. We're looking to increase our utilization of technology to enhance care and lower costs including telehealth, tele-EKG, video conversation ability for our on-call providers, in-house mammography, panoramic digital dental x-ray, and point-of-care serum chemistry testing, among others. We're bringing in an experienced correctional health care consulting team to assess our organizational structure, staffing analysis, review medical cases, and develop a medical management process.

We've completed the selection process and expect them on the ground in the next 30-60 days. Any identified operational recommendations will be acted upon immediately to ensure that we're taking the swiftest actions that are possible. Reentry will also be a major priority for our agency. The path to successful reentry begins within our correctional facilities upon admission through rehabilitative programming, education, substance abuse treatment, and appropriate medical care, but it does not end upon a person's release from incarceration. Data tells us that successful reentry requires the application of evidence-informed reentry strategies, policies, methods, and services, both pre- and post-incarceration. Specifically we plan to focus our efforts on reentry strategies and initiatives

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centered around enhanced education, employment job readiness, housing, mentoring, and family unification. This emphasis has included our adding a Director of Reentry to our team whose complete focus is centered around our efforts to help our incarcerated citizens return to our communities safely, effectively, and, most importantly, successfully. We've reengaged our Employer Advisory Committee where we are working with the employers who have jobs available in the community for properly trained individuals. Our plan is to bring these employers inside of our facilities where they will be training our returning citizens for actual careers in well-paying manufacturing jobs. We're working with Governor Lamont and others on clean-slate legislation that will provide our returning citizens improved opportunities to find housing and employment, both of which significantly reduce recidivism, thus improving public safety. We are conducting a complete overhaul of the management techniques associated with our juvenile population, guided by recommendations made by the Office of Child Advocate and the collective advocacy groups that make up the Juvenile Justice Policy Oversight Committee.

Our efforts will continue regarding the reform of our restricted status policy and practices with a focus on increasing meaningful out-of-cell time, enhancing programmatic components, reducing the overall length of the program and allowing additional family interaction, all the while maintaining safety and security as our number one priority. As most of you know, the overwhelming majority of individuals incarcerated in our state are eventually released back into our communities.

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Tremendous efforts have been made by our organization over the past year to ensure a successful transition of the formerly incarcerated because their success or failure significantly impacts the health and safety of our communities and, more specifically, the lives of our citizens. The largest component of our operating budget is labor, comprising approximately 72 percent. Other expenses, what we spend to run the agency, comprises approximately 18 percent of our total operating budget. Worker's Compensation accounts for approximately 5 percent of our operating budget, and the remaining approximately 6 percent covers our contracted services, for example, halfway houses, legal services to the incarcerated, etc. All of these costs are subject to an annual inflation, and our labor costs are subject to collectively bargained wage increases.

Please know that we remain committed to controlling costs and pursuing efficiencies where possible while continuing our primary mission of maintaining a safe, professional, humane, and efficient correctional system. The Department is dedicated to honoring the rights of crime victims, to making sure individuals receive the oversight and interventions needed to reduce recidivism and lower crime, and to helping individuals overcome addictions and continue on the pathway to recovery. We will continue to strive to improve public safety for the citizens of Connecticut, to ensure a safe environment for staff, and to provide those in our care with progressive opportunities to safely reintegrate into the communities as productive and successful members of society. I appreciate the opportunity to speak with

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you today, and we would be happy to answer any questions that you may have.

REP. WALKER (93RD): Thank you. Senator Winfield.

SENATOR WINFIELD (10TH): Thank you, Madam Chair. Good morning; I am going to have to check the clock. So, you and I have spent a lot of time together. You participate with the JJPOC. I'm beginning as I'm talking to think that I'm going to ask you an unfair question, but I think it's an important question. One of my issues on the JJPOC is that I believe that we oftentimes function in a way that is inside of the box that is already created, and we're not thinking about what that box should look like. In the budget process, I believe we function the same way, and I think it's understandable why we do that, but I think it also doesn't allow us to understand what we should be doing. And, so, you started off by saying that this was going to be challenging but manageable, but I also think what this system is supposed to look like and what are the costs that should associated with it. And I think that's important because we're making decisions given the context that is put in front of us, but I think if we thought about what the system is supposed to look like, what it's supposed to do, and the costs associated with it, we might look at some of those decisions differently.

So, I know how we get here. I know the constraints that are upon all of those who are presenting to us, but I actually would like to at some point have a conversation about what this system should look like, what we should be doing. I think about the conversation with Judicial and Corrections and about the program they send people into the prisons and

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about the money that gets pulled out of that and put into it and all of that, and I just ask myself well, if we design the system right, why isn't that just part of what we do anyway? Why is that a program? And, so, I guess I'm going to impose upon you and everybody who sits in front of me, at least in this process, to at some point which would probably be after the session is over, unfortunately, to have a real conversation about what the system should look like because in all honesty, we're going to figure this out somehow, but this is not what we should be doing. And I need to know what we should be doing, or I don't actually know the purpose. I want to make sure that efficient isn't just efficient inside of that box, but efficient is efficient as the system should be designed, and that's all I have.

REP. WALKER (93RD): Representative Horn.

REP. HORN (64TH): Thank you, Madam Chair, and thank you Commissioner for being here. I had a question about -- I was looking at the -- in the last -- in the 2019 budget session, was that overtime. There was an effort there about staffing levels and the idea there was to reduce overtime by increasing staffing levels and taking it from 81 percent and getting it up to 90 percent. I wondered how that was going and whether that's part of your calculations here about how to go after overtime costs.

ROLLIN COOK: Before I turn the time over to, I guess I'm going to defer to my Deputy Commissioner who [Crosstalk], is that we are making strides in that particular area, and we're at about 89 to 90 percent, and Deputy Commissioner Quiros can speak to

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those specifics in our correctional officer positions.

ANGEL QUIROS: Good morning. My name is Angel Quiros, Deputy Commissioner of Operations and Rehabilitative Services. So, right now, we're at 89 percent of correctional officers. The magic number was 90 percent. What we didn't take into account was the top two reasons for the overtime which are position vacancies and Worker's Comp. Right now I have 126 correctional staff members out on Worker's Comp and 29 officers off on military leave. So, when you add those two columns -- the military staff and the Worker's Comp -- it drops our percentage to 83.92 percent. In addition, the same challenges that CSSD has had with retention, we've had in the last year. We had four classes graduate from our academy, 380 correctional officers; our net gain has only been 11 because of retirements, promotions, terminations, and just leaving the state agency. So, of that 90 percent on paper looks like we can make a dent in the overtime; however, when you take the active people that are reporting to work, it drops it down to 83.92. We have submitted a plan to continue with academy classes to help us and get us through 2022 because as of right now, we have 501 correctional officers that by July 1, 2022, will have to make a decision if they're going to retire because they have reached their 20-year mark. So, I hope I answered your question.

REP. HORN (64TH): Yeah, I just wondered whether given all of that whether you think 90 percent is attainable.

ANGEL QUIROS: Ninety percent will be attainable but not in the overall. I would like to see the 90

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percent attainable with the Worker's Comp numbers added and the military leave added because right now that is 126 of Worker's Comp and 29; quick math, that is 151 officers that are on paper saying they are 89 percent, but they're not at work.

REP. HORN (64TH): But will that accomplish the stated goals of what -- clearly, the governor's budget was trying to go after reduced overtime costs and use that 90 percent -- I'm uncertain whether that 90 percent was meant to net of military and Worker's Comp or not. No?

ANGEL QUIROS: No, it wasn't, it was not.

REP. HORN (64TH): So, it sounds like that is still a hard nut to crack to get to 90 percent, given what you are saying here. The net -- in terms of net.

ANGEL QUIROS: It will be difficult, yes.

REP. HORN (64TH): Okay.

ROLLIN COOK: May I add some things to that? We're also making a lot of efforts in the part that we didn't talk about right here was our Parole and Community Services side where we have made a significant dent. So, we look at the overall picture and not just the corrections officers, but everybody. We try to be as transparent as we possibly can, but we have made some significant strides in some other areas that help us, but you can see it's a challenge in our line of work to keep the numbers up, for sure.

REP. HORN (64TH): Thank you. It seems to me as a relative newcomer here that we've been making a lot of unrealistic assumptions here repeatedly, year after year, and setting unattainable goals, and

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maybe we need to take a look at the facts on the ground. Thank you, thank you Madam Chair.

REP. WALKER (93RD): Thank you, and I just want to say on that same note, I worry about the fact that you've got a reduction to overtime to achieve, and I know your overtime is extremely high now, and taking into account the fact that you're not fully staffed in certain areas and we're not even built up really in our medical area which is where we also have a lot, I just find it -- I find this 779 false. Okay, thank you. Representative Johnson followed by Representative Lavielle followed by Representative Petit.

REP. JOHNSON (49TH): Good morning, and thank you so much for your presentation, and just to follow up a little bit on the staffing levels from a little bit different perspective. Would the Worker's Compensation insurance costs go down if you had increased the staffing levels so that there might be more availability of interaction between prison guards and the people who are incarcerated and maybe help develop relationships, develop emotional intelligence, discussions between the prisoners and prison guards so that there might be a way to increase the staffing and decrease the cost of the Worker's Compensation? Has anybody done an analysis like that?

ROLLIN COOK: I'm not aware of a particular analysis like that. The things I would like to comment on are your comments in regard to emotional intelligence in the hiring of those types of folks. Our organization is in the process of doing that very thing. We have to take a look at, for example, who hiring as compared to who we were hiring 5 or 10

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years ago, and we need people who have the ability and have the emotional intelligence -- have the ability to use conflict resolution skills, the additional ability to communicate, to empathize, and to understand those things. So, speaking directly to has a study been done in that regard, no, but you need to know that as part of our process, as we continue to grow and progress in corrections, we're changing the way that we train, we're changing the way that we hire, we're changing the way that we manage those populations, and the key thing that I love that you said is that oftentimes these types of symptoms, progressive reform, are put in place, and we forget that we need to provide the training and the time and the assistance to our employees to be able to make that reform happen. If not, there is conflict. So, it was a longer answer. The quick answer is no, we don't have that study, but, yes, I hope that you can see that our organization is moving in that direction that you're talking about.

REP. JOHNSON (49TH): So, one of the things that I'm doing is working on Worker's Compensation and its cost and its impact on the state government, and I'd like to be able to work with you in the future to see if there is an analysis that we could put together that would address the actual cost and the staffing levels and whether or not any additional staff would actually reduce your overall costs.

ROLLIN COOK: We would love that opportunity.

REP. JOHNSON (49TH): Okay, let's try that. Now, the next question that I have is in terms or reentry. Reentry is always an issue in my district especially, but it's certainly an issue for anybody who's reentering, and what I'd like to know is, one,

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are we providing identification opportunities for people who are being discharged now through the prison process? It's my understanding people don't leave prison with identification cards, which should be something fairly easy to address during the period of time in which they are getting ready for discharge. Where are we on that?

ROLLIN COOK: We've actually made great strides last year. You helped fund additional money for us to be able to provide identifications. To be able to provide you exactly what that number is, I would tell you it's close to 100 percent of those that we can actually get. When I first arrived here a year ago, we were struggling a little bit but still making progress. I don't have those exact numbers, but we'll provide them to you. I think you'll be as surprised as I am, as I keep going around each week. Ma'am, I go around to one of the facilities or to one of our parole and community service centers, and they provide us updates on a variety of different data and things that they're working on, and I was very excited to see the high level of identifications that are being processed. One of the challenges that we specifically have right now is with Puerto Rico. There are a lot of challenges around getting the birth certificates from there, which makes a specific population very challenging to be able to help out in that regard, but we'll provide that information to you so that you have it.

REP. JOHNSON (49TH): But could you must briefly describe the challenges because I thought the issue with birth certificates in Puerto Rico was addressed already.

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ROLLIN COOK: Well, I don't know that I have the specific details, but it --

REP. JOHNSON (49TH): Okay. Would you please get that for me because that's an issue for my district, and also it may be something that our congressman can help us with?

ROLLIN COOK: Okay. I'd be glad --

REP. JOHNSON (49TH): That would be great. I didn't mean to cut you off.

ROLLIN COOK: No, that's okay.

REP. JOHNSON (49TH): Thank you. One more question?

REP. WALKER (93RD): Could I let some other people in, and then I'll let you come back for a second because other people are coming back for a second too.

REP. JOHNSON (49TH): Okay, thank you.

REP. WALKER (93RD): Okay, thanks. Representative Lavielle?

REP. LAVIELLE (143RD): Thank you. Good morning, and thanks for being here and for your testimony. I know you had a real handful when you came in, and you still do, but thank you for the overview of your progress and what your priorities are. It is very useful. But I just have a more general question for you. There are a lot of places in the budget for your department that note opportunities for savings and so on, and overall, well, you get a good overview of what you're doing and what you're aiming for. How do you feel about the budget? How do you feel about what you're getting, how much you're getting for different things? Is the allocation the

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way you'd like to see it? What could you tell us that would be useful for our exercise in trying to recommend allocations for spending?

ROLLIN COOK: Well, first thing I'd say is in that testimony, and that testimony was done by me. A lot of my folks helped me write that, but the key word to that is *manageable*. If anytime that you're in these positions and especially corrections maybe. I haven't worked in other arenas, but I would tell you, we can always use money to be able to provide the services and things that we provide to the citizens that we serve. But I would tell you it's very manageable. It's something that we work hard to try and be fiscally responsible. You guys have a very job to try and figure out where all the funding goes, and I feel like we do our part within all of those parameters. So, that's my answer. Yes, I love funding, but what we have is manageable.

REP. JOHNSON (49TH): [Laughter]. Surprise!

ROLLIN COOK: Yes, Ma'am.

REP. JOHNSON (49TH): Well, are you -- does that sort of mean that the parameters that -- basically that are given by this particular budget are something that you feel that you can work with at the present time? Or is there any --

ROLLIN COOK: Yes, Ma'am. Yes, Ma'am. That's what it means. We feel like we can manage within it. We feel that we can work with the legislators and with the Governor's Office and be able to accomplish the goals that we need, knowing everyone wants a piece of the pie.

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REP. JOHNSON (49TH): And is it proportionately allocated by line item roughly the way you would like to see it?

ROLLIN COOK: Yes, Ma'am.

REP. JOHNSON (49TH): Thank you. That's very helpful.

ROLLIN COOK: Thank you.

REP. JOHNSON (49TH): Thanks very much.

REP. WALKER (93RD): Thank you. Representative Petit?

REP. PETIT (22ND): Thank you, Madam Chair. Good morning, Commissioner. My first question is about the hepatitis C program. I realize we're trying to follow the Bureau of Prison guidelines, and I think in the overall budget about \$11 million dollars has been requested. Can you speak to the impact upon -- or how the treatment for hepatitis C is obtained and what that impact is from a budget point of view?

ROLLIN COOK: Sure. We're limited just a little bit in what we can say because we are in the final stages of a lawsuit, but I think that our Chief Operating Officer of our Health Services Department can provide you enough update so you understand what steps we've taken and what those numbers look like.

DR. RICHARDSON: Good afternoon. We've screened our entire population. We've used a point-of-care test to screen for antibodies. Anybody that's identified as positive then will move forward through a diagnostic process so that way we can stage them, prioritize them, and then ultimately get them on direct antiviral therapies.

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REP. PETIT (22ND): Have you been able to work a deal, if you will, in terms of the pricing for the medication since it's all over the line? If you pay full retail, it can be upwards of \$85,000 dollars.

DR. RICHARDSON: With our current pharmacy vendor, we have a very favorable price.

REP. PETIT (22ND): My second question goes to access to mental health. As I look at the numbers, I think your data show that there're about 129 filled positions and about and somewhere in the range of 15 to 20 unfilled -- I don't know if this is for you, Commissioner, or for Dr. Richardson or for somebody else. Do you feel that there is adequate staffing from an M.D. and a nursing point of view to provide for mental health needs, especially a la the opioid use disorder? Or even if we get the additional 15 or 20, will we still be running fairly lean in terms of addressing mental health needs?

ROLLIN COOK: So, I think that I can answer those general questions. We do have a Mental Health Unit that's actually staffed very well. That's one of those areas that we've been able to get upwards of, I think, about 90 percent staffed. The other areas that you talk about in regard to nursing and other positions, we are on the constant path of trying to recruit additional folks, as I mentioned in my testimony. We need to get those numbers filled, and, so, we've been working closely with OPM and the Governor's Office and several folks, Human Resources, DAS -- all to come up with innovative ways to be able to access more of our clinical services people, and I know that our department is not the only one. I know, for example, the

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Department of Health, DMHAS, and such are also facing these challenges. So, that won't stop for us; we've got to get those numbers up.

REP. PETIT (22ND): Thank you. So, I'm hearing there because in one of your presentations there is a number of graphs about improved quality and access to care looking at ratios of nurses to inmates, nurses to providers, etc. What I hear from constituents and people who work in the system is that there is a lot of stress on the nursing system; that's what I'm hearing from you as well as a fair amount of stress, and you need more staffing from the nursing point of view?

ROLLIN COOK: Yes, we do.

REP. CANDELARIA (95TH): Thank you, Commissioner. [Crosstalk] Thank you, is it James? [Laughter]. It was rolling around; now I have it again. So, I just have a couple questions myself. What was your deficiency this past year?

ROLLIN COOK: What was my what?

REP. CANDELARIA (95TH): Deficiency for the Department. Do you want to speak to that?

ROLLIN COOK: For fiscal year 19 or fiscal year 20? The one we're in now, what we're projecting now, or what --

REP. CANDELARIA (95TH): No, 19.

ROLLIN COOK: If you bear with me for a moment.

REP. CANDELARIA (95TH): Was that 19 with an over \$20 million, if I recall correctly.

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ROLLIN COOK: It was around \$20; I want to say \$23 million.

REP. CANDELARIA (95TH): Twenty-three million. And what are you projecting for fiscal year 20?

ROLLIN COOK: This fiscal year, we are currently projecting a \$6 million dollar deficit in PS that we expect to be erased through end-of-the-year RSA transfers. We have a -- are projecting a \$3.3 million dollar OE deficit which we expect will be largely displaced by lapsing account transfers at the end of the year, bringing that down to about \$1.3 to \$1.5 million. And we are currently projecting a \$15 million dollar deficit in our inmate medical that we are hopeful that we can get that down to around \$11 to \$12 million dollars through savings that we are starting to accrue through new pharmacy and new lab vendor contracts as well as a concerted effort to reduce the overtime costs in our medical area.

REP. CANDELARIA (95TH): Thank you because you brought me to the point of inmate medical. So, what is the strategy behind that? I know we've been implemented. There've been a couple of issue with the setup and running. Are we at full capacity? Have the services improved since the last time because I know I've been hearing from some of the staff, and there have been some concerns for the level of services that are being provided to the inmates, raised certain questions in regard to the time spent with the provider. So, can you just elaborate a little bit on that?

ROLLIN COOK: Sure, absolutely. So, and I think we provided an update a couple of weeks ago to the Black and Puerto Rican Caucus in this particular

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area. We're definitely improved from last year, but we have a long way to go. It took a long time for the Health Services to get to the levels that it had reached prior to my arrival, and as I mentioned in that presentation, in my 30 years in Corrections as a national consultant and so on, I've never seen that many lawsuits from one particular unit in a particular agency in that manner. So, we have a long way to go. As we talked about, we have staffing challenges. But, as I also mentioned in my testimony, we've made significant strides in a lot of areas. For example, just this past summer -- I think he is probably in the audience -- Dr. Byron Kennedy was hired; that was big deal to us. We finally got a Chief Medical Officer. For a year and a half, they didn't have that when it turned over to us. We've made a lot of additions into different positions, important positions in management and in providing that care, but we still have challenges representative in the areas of getting enough nursing staff hired. That is also, though, why, as I mentioned, we've worked on an RFP and finally got the group identified that's going to come in and be able to provide an oversight from an outside perspective and specifically to Corrections Health Care which is a very specialized type of health care. A lot people don't understand that people that are incarcerated are guaranteed by the Constitution to have that health care because they can't go anywhere else; they're held in custody. So, we have them that will on the ground in the next 30 to 60 days. We're asking them to do things such as provide us a staffing analysis because there's been some even concern there about what is the right amount of staff that you need to be able to run a health services facility or organization within

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Corrections. They'll also be looking at all of our operations, our organization, how we have things set up, who answers to whom. But I would tell you it is a challenge every single day, and those people that are working there are making a real difference. Another thing that just came to mind. When I first got here, we weren't sending everybody out that needed care. If we have someone that needs to go out, in fact, sometimes that is what adds to the additional cost, is we are trying to figure out what that model looks like, but now we just don't say someone is not going to go out. If they need speciality care, we're sending them out to the provider.

REP. CANDELARIA (95TH): In regard to the specialty care, how long does it take from once the provider makes that referral and they receive the specialty care? How long is that taking for that appointment to be set up?

ROLLIN COOK: Dr. Richardson, do you want to answer that?

DR. RICHARDSON: Representative, that depends. We have what's known as a patient priority and transportation system where all these specialty care requests are filtered through, and once those are entered, we have a medical physician that converses with the field physicians, and they decide on a priority. So, it is on a case-by-case basis.

REP. CANDELARIA (95TH): But if we needed to average that out, how long does -- is it taking [Crosstalk]

DR. RICHARDSON: If something is urgent, our patient priority and transportation personnel will reach out to the specialty providers. They will convey the

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urgency, and they will work something out with scheduling to get the patient seen as soon as possible.

ROLLIN COOK: I think what we will do is we can try to take a look at our numbers and the time and be able to provide you that number that you're looking for, Representative.

REP. CANDELARIA (95TH): Yeah, that will be great because I understand the source of crosses, but I'm a little bit concerned about what is that -- how long it actually takes to schedule the appointment because that is critical. That can determine and life-or-death situation for an individual that may need a colonoscopy, for example.

ROLLIN COOK: Yes, sir. I agree. I think the other thing I would add to that is one thing that we've tried to be is very much open. If there are your constituents, the citizens, that have a specific concern about one of their loved ones that we have in there and they want information, we have been very open to provide that. So, you are welcome to have them contact us so that we can look into those particular issues.

REP. CANDELARIA (95TH): And my last question is the governor made the reduction of \$779,000 dollars approximately in overtime in parole and community supervision. Can you achieve those savings -- that is the question?

ROLLIN COOK: Yes, we can. In fact, we were the ones that offered that or at least showed that we were making those kind of improvements in the overtime in that particular area.

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REP. CANDELARIA (95TH): Thank you. Representative Johnson.

REP. JOHNSON (49TH): Thank you so much, Mr. Chair. Thank you for all those good answers. Going back -- just a couple more questions, and that is one of my understandings, and you can correct me if I'm misunderstanding, is that when people are discharged from incarceration, if they are discharged with good time, for good behavior, then in that case, they are discharged into a halfway house and maybe with possibilities for a position. However, if they are discharged into the community and haven't been able to meet those requirements, they are just kind of discharged without anything, any place to stay or any of those kinds of things, and it seems to me that perhaps some of them are discharged maybe that have had to fulfill their whole time there and might have behavioral health disorders of some sort. So, that is the first question, and then I have a followup on behavioral health disorders.

ROLLIN COOK: Okay, Ma'am, I'm sorry, I'm not sure what the question was, but I'll try to respond.

REP. JOHNSON (49TH): Oh, let me just clarify then. If you have people who are discharged with good time, they're discharged into a halfway house, and then if they are not discharged with good time, then they are discharged onto the street.

ROLLIN COOK: So, we can probably provide you some additional information about that. We don't just discharge someone to the street. There is actually a plan that's put together for each one of the individuals that's released from our custody. So, if they've been with us and completed their sentence, we work with a plan with them to try and

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find housing for them, to release them to a halfway house, to find a family member or someone that they can be with. The thing I would tell you is that are there enough resources in the community? Probably not, but we do work closely with the resources in the community and with the providers to be able to help these folks find a particular spot. Is there someone? Yes, there may be someone who ends up in a situation where they are struggling to find a home, and that's why we're spending so much time trying to improve the access to housing and to employment and all those things. It is definitely not a perfect system, but I believe that we're heading in the right direction and should be able to over the next couple years be able to show the impacts that we're making by providing that planning, by providing that employment and that housing assistance. So, yes, it's a challenge every day, and there is probably someone that slips through the cracks, but I would tell you again, likely not as many as you may think because we put great effort into helping people find their way once they're released.

REP. JOHNSON (49TH): Thank you for that. I do have a lot of concerns in my community, as we have three homeless shelters, and one is a No Freeze shelter, and there is a lot of concern in terms of what people will do when they're discharged. So, we're still running into that difficulty where I am. The other question to follow up is you talk about access to medical care inside the system, but also when discharged, if people have a diagnosis of some type of chronic mental disorder, what are we doing to make sure that they're matched up with, say, a federally qualified health center or something like

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that where they can continue to receive some type of care.

ROLLIN COOK: Yes, Ma'am. I'll pass this to Dr. Richardson, but we do connect them with services in the community and also, you know, their prescriptions and different things that they need when they're released.

DR. RICHARDSON: Representative, our discharge planners will start working with an inmate anywhere from 90 days onward before end of sentence to prepare for that. That way they can match the inmate up with the appropriate services based on his or her needs in the community.

REP. JOHNSON (49TH): Thank you for that. And then, just approximately your guess as to how many people are incarcerated with behavioral health disorders at this point in time.

DR. RICHARDSON: I'll shoot just from the hip. From my experience over 30 years, it's typically about 75 percent of people have some sort of mental health challenge that are incarcerated. There's some sort of challenge that they've had throughout their life.

REP. JOHNSON (49TH): Thank you so much for your testimony. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. Representative Horn.

REP. HORN (64TH): Thank you, Mr. Chair. I wanted to go back to something in your statement about your reform of the restrictive status policy and increasing meaningful out-of-cell time because I have constituent who reached out to me quite recently who works in one of the correctional

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institutions, arguing that that increase in out-of-cell time is increasing violence between -- violent, you know, acts between staff and inmates and also between inmates, and I wondered whether -- So, (a) my first question is just if you could comment on whether you see that happening, and (b) to relate it to something Representative Johnson asked earlier today about training and how you see that connection.

ROLLIN COOK: Yes, Ma'am. So, we're actually seeing a decline in violence across the board in all of our facilities, and I'm just referring to the year that I've been here. What I will refer to, though, I almost feel like it was softball, Representative Horn, because whenever we talk about reform, whenever we talk about progressive corrections reform, the people that we often forget about are the employees, and employees have to be trained. It is different. I'm sorry; there've been people here that have heard me say this before, and you're going to hear it again. So, I wasn't hired because I was smart or because I had emotional intelligence. I was hired for size and athletic ability. No, I don't have it anymore; I get it. But it sends the picture to you, right. The people that we hire and the people that are working there today need the opportunity to be trained in different ways of managing people forever. Honestly, in 1989, I was hired in a situation in a system where we warehouse people. Today it is very different. We're asking so much more of our employees that they need the opportunities to have the training, to be able to communicate more and to be able to understand and be part of that process. So, we're not seeing in our state -- there may be other states, and I don't want

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to throw them out in any way that may be having those problems. But as I mentioned, we go from facility to facility, and the incredible men and women that are working in our facilities are driving down the acts of violence in our facilities. They are driving down the use of OC spray, and a lot of this is coming from the training that is being provided at each facility by the individual wardens and the teams that are there. So, we're making significant progress. We still have ways to go, and that's part of that plan to be able to move us forward in a very positive way progressively. But they've got to be part of that.

REP. HORN (64TH): Thank you very much for that, and if you have any sort of data that can demonstrate that, that would be greatly appreciated.

ROLLIN COOK: We'll send that to you, absolutely.

REP. HORN (64TH): Thank you very much, and thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, and thank you, Commissioner Cook for joining us this morning. I was just checking to see if there was anybody else. We really appreciate it. After the Commissioner has moved on, we will hear from Judge Beverly Streit-Kefalas, and you'd think I'd get it right.

ROLLIN COOK: Okay, thank you.

SENATOR WINFIELD (10TH): Thank you. Good morning.

JUDGE STREIT-KEFALAS: Good morning. Thank you for giving me this opportunity. To those of you I haven't met, I'm Judge Beverly Streit-Kefalas, and I am the new Probate Court Administrator, having succeeded Judge Paul Knierim who retired late August

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last year. So, I did submit written testimony, and I'm looking forward to the opportunity perhaps to go into more detail at the subcommittee level, but I'm available to answer any specific questions you have. I can give you a few pointers that concern me about the governor's proposed adjustment to our budget. I do want to take an opportunity to reiterate Judge Carroll's concern about OPM not complying with Connecticut General Statute 4-73 in terms of the Judicial Branch budget submissions to the legislature as a unique branch of government. The approved fiscal year appropriation for the next biennium that the legislature recognized our need for last year is \$12.5 million dollars. The governor proposes a reduction of \$8.6 which nets a funding of \$3.9 million dollars. That is, in effect, only a funding of \$1.7 million dollars if we take off the top the Kinship and Respite Grants that are a pass-through grant that directly funds needs of children and guardians in the Probate Court system. That is not an expenditure of operations of the courts or PCA; it is direct grant program to meet critical needs of vulnerable children and guardians meeting their needs. So that really effectuates a slash to our funding of only \$1.7 million dollars. Although we have projected at this point, our forecast is a little more positive on the revenue side and expenditures due to attrition in positions. The reality is that we are still operating at a net loss, although we originally forecasted a net loss of \$3.85 million dollars, with this adjustment, we will continue to run a loss at \$2 million dollars. That does not take into account the reduction by the governor. As the committee members well know, the Probate Court System, as Judge Knierim, my predecessor, often called it, is

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the safety net's safety net. We serve the needs of critically compromised elders, individuals that suffer from mental health and addiction issues, children obviously, adults with intellectual disabilities. We are not the court of trust and estates that was traditionally known the Probate Court System to be. And as I know we've shared many times in the past, because of the services that the Probate Courts meet the needs of such vulnerable individuals, we are actually effectively saving the State from other agency expenditures, millions of dollars every year just in the placement of over 6700 children in Probate guardianships. Had they been placed in DCF Foster Care, that expense would be \$66 million dollars a year, and that is just one portion of the savings the Probate Court System offers. I'm happy to go into more detail. I appreciate you've given me time not originally allotted, so perhaps I could just answer questions for you at this stage.

SENATOR WINFIELD (10TH): Thank you, and I think we're happy to give you that time. I think what the Probate Court does is perhaps more critical than most people reckon. I think the committee over the years, thanks in part to your predecessor, Judge Knierim, has come to understand what that offset is. You put it in terms of millions of dollars; I think it's more accurate to suggest that it's in terms of hundreds of millions of dollars. And, so, I don't know if you've done the calculation, but given the budget that you are presented with, because I know it's not your budget -- given the budget that you're presented with, what impact does that have in terms of those hundreds of millions of dollars that we

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would have to find somewhere else in the budget that apparently we're not thinking about.

JUDGE STREIT-KEFALAS: Well, as you accurately said, it is hundreds of millions of dollars. If we were not able to furnish and compensate court-appointed attorneys for indigent respondents, if we were not able to fund payment of conservators for individuals who have no family members, have complex situations, that expenditure for indigency alone is about \$8 to \$10 million dollars, and that number continues to escalate. We through the conservatorship arena alone work toward ensuring that individuals age in their homes, that individuals with psychiatric issues are able to remain in the community, and but for the expenditure of the conservators, they would be in nursing homes. They would not be living in the community. They would be in inpatient psychiatric treatment programs. Obviously all of those expenses are geometrically significantly greater than the resources that we furnish in the Probate Court System. It would, in essence, remove our ability to furnish those services without the funding.

SENATOR WINFIELD (10TH): Thank you. Other members? Representative Lavielle.

REP. LAVIELLE (143RD): Thank you very much. Thank you for being here today. We go through this every year. It's astounding. Did you expect this? Was this a surprise?

JUDGE STREIT-KEFALAS: It was a complete surprise to my office, and in looking through the analysis by OPM, it is clear that they are looking to return to 2018 numbers which are not reflective of the escalating and continually growing number of cases

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in the Probate Courts, as well as the growing number of the needs of those indigent individuals.

REP. LAVIELLE (143RD): I don't know how -- I just don't even know how this kind of thing can be rationalized. We have an aging population. We have increasing numbers of people with needs. I don't see how it can be rationalized at all. I think that in consideration of what you do and what you save for other agencies in the government, I think your ask is pretty small, frankly. We have found ways to work around this in the past few years, and we've had the Probate Courts in the face several times. I hope we'll be able to do it again. Anything that -- I mean I usually commit to that insofar as I can do anything, but I would appreciate anything that you can give us that would help to push on this because I don't think the State can get along with a Probate Court that is hanging on projections of revenue that we can't be sure about at this point and, you know, consensus revenues that are supposed to fund what is being funded. So, thank you. I don't really have any questions for you because I understand the problem, and I hope that we can help. Thank you.

JUDGE STREIT-KEFALAS: Thank you, Representative. Thank you, Chair.

SENATOR WINFIELD (10TH): Thank you. Representative Johnson.

REP. JOHNSON (49TH): Thank you, Mr. Chair, and thank you so much for your testimony today and your comprehensive analysis that you've given. I also -- I just wanted to outline a couple of things that I think are very, very important, and that is the Children's Court, and it has been in effect now for about 15 years, is it, approximately?

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JUDGE STREIT-KEFALAS: July of 2004 was our year of inception, yes.

REP. JOHNSON (49TH): Yes, so tell us the importance of having the Children's Court and how it -- I think that will help outline your remarks with respect to the DCF issue.

JUDGE STREIT-KEFALAS: Thank you, Representative Johnson. Having been one of the originating judges at the establishment of what was then the pilot New Haven Regional Children's Court and most recently serving as its administrative judge, I can tell you that that model is very near and dear to my heart. We now have six regional Children's Probate Courts throughout the State of Connecticut. The legislature had approved seven, but we have not had sufficient funding to add a seventh location. The value of that regionalization is that the judges and the clerks have become specialized in addressing not only the legal ramifications of guardianships, but we have staff that are licensed clinical therapists and social workers so that we are able to uplift the families and the children to meet their social service needs, their psychiatric and psychological needs with really the end goal that families restore their rights and remain intact as a family. That, to me, is a significant savings not just in avoiding foster care dollar savings of \$66 million dollars per year, but we all are cognizant of the long-term trauma and damage to children and their future successes if we are not supporting them as children. And that's, I think, the priceless value that the regional Children's Probate Courts offer our children that are most vulnerable.

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REP. JOHNSON (49TH): Thank you for that. And then, the other project that I think has been very, very valuable that also started in New Haven was the Melissa's Project, and I think going into that. I often use that when I'm talking to people in my community about how services could be coordinated to keep people out of institutionalization.

JUDGE STREIT-KEFALAS: Thank you, Representative Johnson, for highlighting another asset of the Probate Court System. You know, again, that's another project, I think, that isn't sufficiently funded. There is always a wait list for having individually conserved individuals served through the guardian ad litem services of Melissa's Project. It is a project where Melissa's Project guardians ad litem are also coordinating the care and the community-based services so that psychiatrically disabled adults can actually live in the community successfully, avoiding inpatient hospitalizations, maintaining and often fostering reestablishment with their families that have long overdue abandoned them. It is a very important, again, success measure of what the services of the Probate Courts offer to our most vulnerable constituents in our communities. We all know the number of individuals suffering with behavioral health and mental health challenges just continues to grow, and but for allowing the support services in our communities, they would be in significantly more expensive placements.

REP. JOHNSON (49TH): Thank you so much for that, and I appreciate your work, and thank you, Mr. Chair.

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SENATOR WINFIELD (10TH): Thank you. Representative Candelaria.

REP. CANDELARIA (95TH): Thank you. Judge, if you don't mind, can you please, I guess, elaborate for the committee why is it that we appropriated the additional dollars? Why are you losing revenue?

JUDGE STREIT-KEFALAS: We are using revenue because our expenditures overall for this fiscal year are \$50.6 million dollars. The actual Probate fee revenue in our system is -- right now we did upgrade our forecast, so it is approximately \$40 million dollars. That revenue is largely, candidly due to the revenue from decedent estates which is calculated based on the value of assets. That is a volatile, changing number. The economy is arguably strong at the moment, but it is unpredictable, and it's not a measure that we can rely on sustainability to meet the services of the court. Even with that revenue and even with the funding through the General Fund appropriation for the current fiscal year, we are still running at a loss of \$2 million dollars, and that number will continue to grow because of the expenses of meeting the needs of indigent constituents.

REP. CANDELARIA (95TH): Thank you for that answer. And also, just going over your testimony, you talk about that you're seeing 100,000 cases annually, and you've seen a growth of 29 percent within the last 5 years. Now, when we look specifically, the increase has been in children's matters. We've seen a lot of mental health cases. My question to you: Are you receiving any additional funding from DMHAS or DCF to handle a lot of the increased volume that you're getting from them?

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JUDGE STREIT-KEFALAS: We receive no direct service dollars, services, or resources from either one of those departments. DCF's involvement is limited. It is limited only to an investigation at the inception of petitions filed in the Probate Court, and then they close their case. So, any post-guardianship and ongoing service needs are met directly by the Probate Court staff.

REP. CANDELARIA (95TH): If we assume that we do cut the funding, and we follow what the governor recommended, what would be the impact, specifically to DCF, those specific cases that you handle, what would happen to those families?

JUDGE STREIT-KEFALAS: If each of those children were no longer stable and placed with family, right now, as I indicated earlier, there are approximately 6700 such children. If they were in foster care placement, again that number is calculated on an annual basis of at least \$66 million dollars. Clearly, the long-term cost is even greater because we know the success rate or the lack thereof of children who grow up in the foster care and their eventual success in life. They track strongly to be incarcerated, they don't graduate or attend college, they continue the cycle of trauma and challenges that our youth are facing, and that's a cost I couldn't even begin to measure from this seat right now, but I think we're aware that that exceeds the hundreds of millions, never mind the psychological costs.

REP. CANDELARIA (95TH): We cannot even imagine the societal impact that that has and the cost in the long-run to the State of Connecticut. So, I think this investment that we're making today will save us

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a lot of dollars in the long run. So, thank you, and thank you for answering my questions. And thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you. Are there other comments or questions from members of the committee? If not, thank you once again for joining us today.

JUDGE STREIT-KEFALAS: Thank you very much for giving me this opportunity. Have a great day.

SENATOR WINFIELD (10TH): Always. I believe -- we're done, right? Yeah, okay. I thought you were telling me no. I believe that is all for the work of this subcommittee. The Conservation and Development Subcommittee will be here at 1 o'clock. Thank you.