

STATE OF CONNECTICUT

PERFORMANCE AUDIT ALTERNATIVE INCARCERATION

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AUDITORS OF PUBLIC ACCOUNTS
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Executive Summary

In accordance with the provisions of Section 2-90 of the Connecticut General Statutes and with Government Auditing Standards issued by the Comptroller General of the United States, we have conducted a performance audit of alternative to incarceration programs administered by the Judicial Department, Court Support Services Division (CSSD) and the Community Enforcement (CE) programs administered by the Department of Correction (DOC).

The conditions noted during the audit, along with our recommendations, are summarized below. Our findings and Agency responses are discussed in detail in the “Results of Review” section of this report.

Expansion of Programs

Connecticut’s prison population has continued to grow at an alarming rate. Monthly statistical reports prepared by the Department of Correction indicated that six of the correctional institutions reported inmate populations in excess of their bed ratings (or number of beds available) during all 12 of the semi-monthly reporting periods from July 2002 to December 2002. Additionally, in another seven facilities, inmate population was in excess of their bed ratings for more than 50 percent of the time during those same periods. Many inmates are eligible for, and are on waiting lists for alternative programs. If more eligible inmates were to be served in alternative programs, overcrowding would be eased and savings could be achieved.

Connecticut appears to be moving in the other direction. A successful program, known as Jail Re-interview, has been suspended due to a lack of staff caused by the recent layoffs. According to a Prison and Jail Overcrowding Commission study, this program had been freeing approximately 150 DOC beds daily.

It is clear that non-residential alternative programs are significantly less expensive than keeping an offender in prison, where the average cost in both fiscal years ended June 30, 2001 and 2002 was \$27,000. During these fiscal years, non-residential alternative programs cost from a few hundred dollars for counseling services, to approximately \$15,000 for day incarceration centers. Additionally, costs for residential alternative programs for the male population ran from about \$12,000 for transitional housing, to about \$31,000 for intensive substance abuse treatment programs. Most of the residential programs were less than \$25,000. The higher cost treatment programs must be weighed with the benefits gained in treating offenders’ problems prior to their release into the community.

Recommendation #1 –Expansion of the lower cost alternative programs and reinstatement of the Jail Re-interview Program, should be aggressively pursued in an effort to reduce overcrowded prison populations, and control the State’s rising costs for incarceration. (See Item 1)

**Combination
of Contracts**

Contracts:

Comparison of the service provider contracts used by Court Support Services Division (CSSD) and the Community Enforcement (CE) programs, found that the structures and clauses of the two types of contracts were similar enough to allow one contract. Special provisions could easily be addressed in clauses. CSSD requirements for service providers to submit separate proposals and copies of all associated documents (company documents, policies and procedures, etc.) for each type of service, and in some cases each location, resulted in numerous contracts with a single provider and numerous duplicate copies of company documents. The administrative burden of producing and maintaining records by both the State agencies and the provider was excessive.

Differences in Unit Costs:

Many aspects of the residential programs were identical between the two agencies, but the rates negotiated under contracts differed. In one case, DOC-CE paid \$13,844 and CSSD paid \$18,006 annually per bed to the same provider of residential substance abuse services at the same facility. In another case, DOC-CE paid \$20,280 and CSSD paid \$19,733 to the same provider for residential work release services at the same facility.

Recommendation #2 - The Department of Correction-Community Enforcement, the Judicial Department-Court Support Services Division, and other appropriate State agencies, including the Office of Policy and Management should take steps to streamline the contract process. One comprehensive uniform contract with each service provider, available to all State agencies with appropriate clients should be developed. (See Item 2)

**Adult
Residential
Programs**

Insufficient Court Support Services Division resources were dedicated to administering, monitoring and recordkeeping for adult residential programs, due to continuing budgetary constraints. Department of Correction resources dedicated to the adult residential programs included a comprehensive Community Enforcement Unit for program administration and monitoring. It would make economic sense to have similar programs administered by one Agency.

Recommendation #3 – The Court Support Services Division and the Department of Correction should study the potential benefits of consolidation of adult residential programs wherever possible. (See Item 3)

Monitoring

Our review found that although the program monitoring system was recently reorganized and improved, some issues remained. Some programs did not

receive a specific program monitor review and report during the fiscal year ended June 30, 2002. When the monitoring report requirements were reduced from quarterly to annually in the second quarter of the fiscal year ended June 30, 2001, programs that had been reviewed during the second and fourth quarters under the old schedule were not included in the start up schedule.

Recommendation #4 - The Court Support Services Division should evaluate if annual monitoring reports provide adequate assurance of service and program quality. Additionally, the Division should ensure that all programs are properly reviewed and reports submitted as required. (See Item 4)

Recidivism

The Legislative Program Review and Investigations Committee Report on recidivism included a recommendation that the Division of State Police (DPS) within the Department of Public Safety track and evaluate recidivism in the State's offender population. DPS initially agreed with the recommendation, under the condition that sufficient resources would be allocated to implement an additional program of this magnitude. The requested resources were not provided and the Division notified the Committee that it did not implement the recidivism program. The recent lay-off of the Department's two analysts exacerbated the inadequate resources issue.

Recommendation #5 - The Legislature, the Department of Public Safety, the Department of Correction and the Judicial Department should pursue all avenues to address the need for tracking and evaluating recidivism in the offender population. Sufficient resources for this program should be allocated. (See Item 5)

Audit Objectives, Scope, and Methodology

The Auditors of Public Accounts, in accordance with Section 2-90 of the Connecticut General Statutes, are responsible for examining the performance of State entities to determine their effectiveness in achieving expressed legislative purposes.

We conducted this performance audit of alternative to incarceration programs (AI) administered by the Judicial Department, Court Support Services Division (CSSD), and the community enforcement programs administered by the Department of Correction (DOC), Community Enforcement Unit (CE), in accordance with Government Auditing Standards issued by the Comptroller General of the United States. This audit encompassed economy and efficiency issues.

Audit Objective:

Our objective was to determine if State agencies were administering alternative programs, in an economic and efficient manner. More specifically, we considered the following questions:

- ❖ Can the contracts and programs be combined under one Agency, reducing administrative, operational and resource monitoring requirements, and standardizing unit costs?
- ❖ Are there duplicative processes that could be eliminated?
- ❖ Are eligible offenders remaining in prison because alternative program slots are not available?
- ❖ Does CSSD have satisfactory internal controls over contract monitoring?
- ❖ How, and by whom, is recidivism tracked and evaluated?

Scope and Methodology:

Our audit covered alternative services available to adult offenders only, and audit field work was performed at the Court Support Services Division, which operates the alternatives to incarceration programs: the Community Enforcement Unit, which operates similar alternative programs that are transitional or work release programs intended for inmates returning to the community; and the Department of Public Safety, Division of State Police (DPS), for the status of a program for tracking recidivism on the State offender population. We conducted interviews of management and key staff at these State agencies to determine the policies, procedures and management controls over alternative incarceration, community release programs, and recidivism tracking. We reviewed current statutes, policies and procedures, records, reports and contracts available from the noted agencies. Additionally, an on-line survey was conducted to determine if other States had such programs, when they were implemented, which agencies administered the programs, as well as what the programs consisted of.

We accessed contract records at both agencies for comparison and analysis of specific locations, client eligibility, services provided and costs per offender in the adult AI and CE programs. Comparison of services offered and vendors used by the two agencies was performed to determine the extent of duplication in the contracts. Calculation of costs per offender in alternative programs, using actual contract payments, was performed to provide a comparison to

annual costs of incarcerated inmates as reported by DOC. This allowed for an evaluation of, and support for, economic benefits of improved and increased Alternative Incarceration and Community Enforcement program use.

We gathered statistics on the increasing prison population and waiting lists for all programs to evaluate the level of available program openings versus the number of offenders eligible for the programs. Those statistics were used to identify costs associated with keeping offenders incarcerated and on waiting lists, rather than increasing alternative program opportunities. Where information was available, we included comments on the impact to the programs of the current budget reductions.

We did not rely on computer-generated data to any material degree and did not, therefore, assess the reliability of such. We obtained some information from certain databases and considered the reasonableness of such data where possible.

Significant Prior Findings

Auditors of Public Accounts (APA):

An APA performance audit “Monitoring of State Financial Assistance, State Single Audit, Judicial Department – Court Support Services Division” was completed and a report issued on September 25, 2001. The report included a recommendation that the quarterly contractor monitoring process be improved, and the following observations were made:

- ❖ It was not clear who was responsible for monitoring each of CSSD programs and providers
- ❖ Reports on monitoring were missing sections or pages, and were not completed in a timely manner. Some were lacking necessary signatures.
- ❖ The CSSD staff were not indicating if corrective action plans or written responses, submitted by the providers, were acceptable.

According to CSSD management, the entire structure for monitoring service contractors was reorganized, and new policies and procedures were implemented based on our prior recommendation.

Current Status:

A follow-up review on the status of this recommendation is currently under way by our Office.

Connecticut General Assembly, Office of Fiscal Analysis (OFA):

Numerous documents were issued by OFA in response to fiscal and budgetary questions from the General Assembly regarding prison populations and alternative programs. Research topics included the fiscal impact of the Prison and Jail Overcrowding Commission’s January 2001 Report recommendation concerning the addition of 60 probation officers called for in phase 2 of the Adult Offender Supervision Project; the fiscal impact on the correctional system of a \$2,300,000 reduction to the Judicial Department’s fiscal year ended June 30, 2001 appropriation for Alternative Incarceration Programs; the fiscal impact of implementing a recommendation from the Prison and Jail Overcrowding Committee report issued during 2001, calling for the expansion of the Jail Re-interview residential program by 50 beds; and research on the details of, and later the status of, the implementation of the Governor’s allotment reductions to the AIP programs for the fiscal year ended June 30, 2001.

Connecticut General Assembly, Legislative Program Review and Investigations Committee (LPRIC):

A.) Report on Prison Overcrowding:

In 2000, the LPRIC released a report on prison overcrowding which stated “Connecticut requires a comprehensive community corrections strategy that is based on a system of graduated sanctions, and reserves prison for the most serious, violent, or habitual criminals. The basic elements of this model are already in place, but are not operating in a coordinated manner to:

manage the growth in the inmate population: impose the least restrictive sentence based on the offender's criminal history and current offense: provide effective and affordable public safety: and control crime and recidivism.”

Another section of the report noted, “Also, Connecticut has not made the necessary financial investment or policy commitment to a community corrections strategy. Policymakers and criminal justice administrators have not yet recognized the importance of community supervision in terms of public safety and reducing crime and recidivism. The community corrections strategy suffers from a poor public image. It has come to symbolize the leniency of the criminal justice system -- it is viewed as letting inmates out early or not sufficiently punishing them for their crimes.”

The report included 19 recommendations for administrative and legislative changes to the State’s community corrections policies and procedures. Recommendations included, but were not limited to:

- ❖ Establish in statute, a State policy for community corrections:
- ❖ Establish a sentencing task force responsible for evaluating the criminal sentencing process at the felony level:
- ❖ A prison impact assessment be required for any legislation modifying or impacting the rate of prosecution, rate or length of incarceration:
- ❖ That the Office of Policy and Management (OPM) ensure that their Justice Planning Division complies with its mandates, and conduct a system-wide study of recidivism:
- ❖ That the Prison and Jail Overcrowding Commission (PJOC) meet at least quarterly each year and comply with its statutory obligation for an annual Statewide plan; the Director of OPM Justice Planning Division, be designated permanent chairman of the PJOC; the chairman of the Board of Parole be added as a voting member of the PJOC; and a permanent Community Correction Subcommittee be established:
- ❖ That the General Assembly should reinvest in the community corrections strategy to protect public safety appropriately, and efficiently reserve prison resources for the most serious, violent, and repeat offenders:
- ❖ The Department of Correction conduct a feasibility study on establishing a revocation center for parole and probation violators.
- ❖ To encourage siting of necessary community-based programs, that the General Assembly consider:
 - 1) reimbursement to non-profits for local property tax,
 - 2) authorization to criminal justice agencies to purchase buildings for lease to non-profit service providers,
 - 3) requirements for these agencies to provide any assistance to non-profit providers in the local zoning and siting process, and
 - 4) setting aside funds in the community corrections budget to provide incentive payments for communities that host facilities

Current Status:

Legislation containing the committee’s proposals was introduced, but did not pass the House during the 2001, Regular Session of the General Assembly. Although additional legislation was

introduced during the 2003 Regular Session, it also was tabled in the House

B.) Report on Recidivism:

In December 2001, the LPRIC issued a report on a study conducted on recidivism (the trend of offenders who repeatedly commit crimes, or violate probation or parole, resulting in re-incarceration). Per this report, "Tracking the trends and patterns within the offender population is necessary to develop and implement effective and cost-efficient policies and programs that attempt to reduce crime and protect the public's safety. A key component of that information is an analysis of the new crimes committed by repeat offenders in the State. As this study showed more than half of the felony offenders committed new crimes after being discharged from prison or sentenced to probation. Therefore, tracking the rate of recidivism is crucial to a comprehensive understanding of crime. The program review committee found it is feasible to use existing automated criminal history data to calculate recidivism rates and to analyze the trends and patterns of re-offending among a large group of offenders. The report recommended the following:

The Division of State Police, within the Department of Public Safety (DPS), should begin to track and analyze the rates of re-arrest, reconviction, and re-incarceration of felony and misdemeanor offenders on a yearly basis."

In a memorandum dated January 8, 2002, DPS agreed to support the analysis of criminal data for recidivism evaluation as requested if the resources needed for the new and added responsibility were allocated to the Department. DPS provided specific requirements and associated costs to perform the analysis.

Current Status:

In a memorandum, dated July 29, 2002, DPS informed LPRIC that the Department was unable to include the recidivism analysis in the 2003 Crime in Connecticut report as recommended. The Department had not received the necessary additional resources to implement the system to do the study, therefore did not have the personnel or fiscal resources to commit to the new and added responsibility.

Prison and Jail Overcrowding Commission (PJOC):

The Prison and Jail Overcrowding Commission (PJOC) was established under Section 18-87j of the Connecticut General Statutes to develop and recommend policies for preventing prison and jail overcrowding; examine the impact of statutory provisions and current administrative policies on prison and jail overcrowding and recommend legislation to the Governor and the General Assembly, and prepare an annual State criminal justice plan for preventing prison and jail overcrowding. The most current annual report, issued in January of 2003, recommended:

- ❖ Amendment of existing legislation to authorize DOC to increase out-of-State housing up to 1,000 inmates
- ❖ Expansion of secure facilities proposed at the Osborn/Northern facilities for an additional 720 beds

- ❖ Allocation of operational funding for a 110-bed Community Justice Center on the grounds of York Correctional Institution (CI)
- ❖ Review and revision of mandatory minimum sentences for convicted non-violent drug offenders
- ❖ Enhancement of systems and resources for offenders with significant mental health issues
- ❖ Addition to the PJOC representatives
- ❖ Enhancement of the Jail Re-interview program
- ❖ Expansion of probation staff to assist in reducing violations of probation and re-incarceration
- ❖ Maintenance of manageable parole caseloads
- ❖ Partnership with Federal agencies for the housing of offenders in the State
- ❖ Legislative enablement for the implementation of conditional discharge of offenders at 95percent of sentence served, to re-entry supervision.

Current Status:

Since this report was very recently released, response and implementation of the recommendations have not yet been accomplished. It was noted that in the recent budget cuts, the Jail Re-interview Program was indefinitely suspended by the State Judicial Department, and the Department of Correction delayed all expansion of correctional facilities due to the lack of sufficient personnel to staff the expanded facilities.

The Justice Education Center:

Under an agreement with the Judicial Department, the Justice Education Center prepared two Longitudinal Studies (Phase One – Pretrial Defendants, August 1993 and Phase Two – Sentenced Offenders, Sept. 1996). The reports called for comprehensive, statewide evaluations of Connecticut’s Alternative Incarceration Program and provided information on the outcomes of pretrial and sentenced clients. Review results indicated that offenders sentenced to community programs in most instances posed less risk to public safety, than a comparable sample of offenders who were released after having been traditionally incarcerated.

Background

Program Expenditures:

The Judicial Department, Court Support Services Division (CSSD) expended \$33,158,109 and \$35,251,054 for adult programs, during the fiscal years ended June 30, 2001 and 2002, respectively. The Department of Correction, Community Enforcement (DOC-CE) expended \$17,532,861 and \$18,684,943 million for adult community release programs, during the fiscal years ended June 30, 2001 and 2002, respectively. The agencies supplied the following expenditure and program data.

Agency	# Programs	Total Amount	Total Slots	Cost Range Per Slot (3)	Total # Clients
<u>Judicial Court Support Services Division-Alternative Incarceration</u>					
Fiscal Year Ended June 30, 2001					
Residential	21	\$9,546,871	348	\$17,918-\$41,000	751
Non-Residential – Note (3)	90	\$23,151,996	6,177	\$344-\$14,422	20,729
Electronic Monitoring	1	\$300,050	Note (4)	\$3.52 per day	4,726
Urinalysis	1	\$159,192	Note (4)	Fee Schedule	36,878
Support Services Totals	113	<u>\$33,158,109</u>	<u>6,525</u>		<u>63,084</u>
Fiscal Year Ended June 30, 2002					
Residential	21	\$10,743,914	362	\$18,006-\$40,651	1,467
Non-Residential – Note (3)	90	\$24,095,179	8,864	\$271-\$14,630	47,237
Electronic Monitoring	1	\$238,920	Note (4)	\$3.68 per day	5,307
Urinalysis	1	\$173,041	Note (4)	Fee Schedule	35,641
Support Services Totals	113	<u>\$35,251,054</u>	<u>9,226</u>		<u>89,652</u>
<u>DOC-Community Enforcement</u>					
Fiscal Year Ended June 30, 2001					
Residential	39	\$15,959,583	767	\$13,376-\$42,476	1,833
Non-Residential – Note (3)	21	\$1,573,278	1,168	\$294-\$9,636	N/D Note (5)
Community Enforcement Totals	60	<u>\$17,532,861</u>	<u>1,935</u>		=
Fiscal Year Ended June 30, 2002					
Residential	39	\$17,036,670	780	\$13,844-\$43,963	1,902
Non-Residential – Note (3)	21	\$1,648,273	1,168	\$294-\$9,973	N/D Note (5)
Community Enforcement Totals	60	<u>\$18,684,943</u>	<u>1,948</u>		=

Table Notes:

(1) Amounts presented above represent expenditures directly related to the programs administered by agencies, and do not include miscellaneous other expenditures connected with the programs, such as training, equipment, software etc.

- (2) The most expensive programs in both agencies were those established for women and children, which represented the top two programs at DOC-CE and the top four at CSSD.
- (3) It should be noted that in some non-residential cases, the expenditures are for the overall services without designating a specific number of client slots, making it difficult & unreliable to calculate an accurate unit cost.
- (4) Electronic monitoring and urinalysis figures include all agencies' use (i.e. CSSD, DMHAS). Additionally, the services are provided under a schedule of fees, without a specific number of slots established. Electronic monitoring is a per day fee, and urinalysis fees are based on what tests are required (alcohol, specific drugs, etc.)
- (5) N/D indicated no data available.

Judicial Statistics:

Statistics supplied by the Judicial Department disclosed that 114,849 cases were processed through the State's judicial system during the fiscal year ended June 30, 2002. Of those cases, 50,070 went to trial. The remainder were dismissed (17,483), nolle (45,289), or forfeited (2,007). Of the 50,070 trial cases, 773 resulted in not guilty verdicts and 49,297 were found guilty of the charges. Of those found guilty, 15,478 were sentenced to the Department of Correction, 17,677 had suspended sentences with probation periods, and 16,142 were released for payment of a fine from misdemeanor charges or time served. The Judicial Department could not determine how many of the cases involved participation in alternative incarceration programs during the pre-trial or adjudicated periods. It should be noted offenders commonly have multiple cases (charges) adjudicated in their trial.

Judicial Department, Court Support Services Division - Alternative Incarceration:

Overview of the Court Support Services Division:

The Court Support Services Division (CSSD) was established in February 1999 under Section 51-1d of the General Statutes to respond to the changing needs of judges, attorneys, litigants, defendants, and communities, while providing on-going public safety.

Documentation supplied by Division management, states that "The CSSD established service areas that closely resemble those of the Executive Branch, enabling the effective and efficient integration of treatment planning and service delivery by the state's human service agencies. Five regions were established to more effectively align service needs to available resources. Management oversight takes place locally within the regions under the authority of Regional Deputy Directors. Regional Managers and field staff, with specialized expertise in services to juveniles, adults and families, support each region. Day-to-day management of private sector contracts also occurs on a regional level. In recognition of the distinct needs of adults and juveniles, two separate but parallel, service delivery systems have been developed."

Alternative Incarceration Programs:

CSSD supplied the following information: the Alternative Incarceration Programs were legislatively created in 1990 in response to the growth in the State's correctional system during the 1980's, when the prison population increased from 5,500 to over 16,000. This rapid growth

outstripped the State's ability to add correctional beds, and forced the Department of Correction to rely heavily on early release programs. The increased dependence on early release programs resulted in offenders serving only 10 percent of their sentences. Criminal offenders quickly realized that the amount of time they would actually serve would be much less than their sentence and that the rules governing behavior within correctional facilities would have little or no bearing on their ability to qualify for early release programs. The State's limited ability to incarcerate offenders drastically reduced the deterrent effect of sentencing. A hierarchy of programs was developed as a system of graduated sanction programs.

The major types of alternative programs administered by CSSD include the following: (note that programs at the top of the list serve clients with specialized needs but are more expensive, and those lower down are the most cost effective and serve the largest number of clients):

- ❖ Traditional Inpatient Drug & Alcohol Treatment – CSSD currently contracts for approximately 186 treatment beds. Treatment services include detoxification and counseling, with short-term stays (30-120 days) to long-term stays (120-730 days).
- ❖ Women and Children Programs – The 66 beds available through these programs provide the court with a community based sanction option that is directed at the special needs of female offenders. The programs permit female offenders' children to live with them during their participation in the program.
- ❖ Community Service Projects – In an effort to build community support and provide meaningful and highly structured sanctions, an extensive and innovative community service network has been developed in the alternative programs. According to the January 2003 PJOC report, during FY 01-02 over 276,985 hours of supervised community service were performed. Offenders completed these services at State parks, the Nutmeg State Games, Special Olympics, and numerous other municipal and non-profit agencies provided service projects.”
- ❖ Alternative Incarceration Centers (AIC) – CSSD currently maintains seventeen AICs with a total slot capacity of 1,680. The centers provide the following services: substance abuse services, full time education component, vocational assistance, counseling, supervision and extensive community service.
- ❖ Day Incarceration Centers – CSSD currently funds two centers strategically located in Bridgeport and Hartford with a total of 80 slots available. These programs serve clients who are considered the most serious offenders in the Alternative Incarceration hierarchy. Clients are supervised by the programs during the daytime hours and are provided educational/vocational services, anger management, life skills and substance abuse services; they are electronically monitored during the evening hours.
- ❖ Electronic Monitoring – Electronic monitoring permits the court to ensure that the offender remains in his or her home at night or during other specified time periods. On a daily basis, there are approximately 300 offenders who are electronically monitored. 4,726 and 5,307 clients were electronically monitored during the fiscal years ended June 30, 2001 and 2002, respectively.

In addition to providing services to the offenders, these programs are contracted to carefully supervise and monitor offenders and report on their compliance and progress to the judges on a regular basis.

Department of Correction – Community Enforcement Unit – Community Release (DOC-CE):

The DOC-CE programs and facilities are for Community Release programs for certain eligible inmates. Community Release is the conditional release of an inmate to a halfway house or transitional supervision for a statutorily set period at the end of an inmate's sentence. It is used to transition inmates back into the community and to aide in reducing prison overcrowding. CE management noted that approximately 150 inmate referrals are reviewed each week by the Community Enforcement staff. There are two types of Community Release programs: Transitional Supervision and Residential Program Placement.

Transitional Supervision:

According to the DOC Inmate Classification Manual, an inmate incarcerated by DOC for a total effective sentence of two years or less is, subject to certain criteria (i.e. classified below risk level five; served at least 50 percent of the sentence imposed less adjustments; remain discipline and escape free for specific periods; have an approved sponsor and/or secured housing; etc) eligible for consideration for transitional supervision. Within two weeks of sentencing, unit classification staff determine the date that an eligible inmate can be placed on transitional supervision. Supervision includes, but is not limited to, unannounced visits to work and home, curfew checks by phone and in person, electronic monitoring for some individuals, weekly scheduled office visits and urinalysis testing. All monitoring activity is logged to individual files, with the master copy maintained at the Community Enforcement Unit. As of January 1, 2003, 1026 inmates were under TransitionalSupervision.

Residential Programs:

During the fiscal year ended June 30, 2002, there were 39 halfway houses with 780 beds under contract with DOC. As defined by the DOC Inmate Classification Manual, inmates are eligible for residential program placement when they have met certain criteria in their classification level, time served, and prison record. Residential services include substance abuse and work release programs, with some required participation in urine/breathalyzer monitoring, drug and mental health treatment, education and therapy groups, individual and group counseling, 12 step programs and community service projects. Houses are monitored by the Community Enforcement staff, who are responsible for program operations and response to house and client issues.

Additionally, each halfway house has a Correctional Counselor who coordinates all inmate activity (is aware of the occupancy of the houses and ensures all beds are kept full) and monitors the facility. Halfway house applications and eligibility verification documents go to the appropriate community enforcement unit office, where they are reviewed by the regional counselors for placement of the inmate. The house/program director is notified of the case and supplied with the case specifics, and given the option to accept or reject the case. If accepted, the inmate is put on the waiting list. Once a bed opens up, a message is sent to the prison to transfer the inmate to the house/program.

Each Community Enforcement jurisdiction (Bridgeport, New Haven and Waterbury, and Hartford) has a Residential Coordinator who ensures that all residential beds are kept full at all times.

During our review of monthly occupancy reports submitted by service providers, it was noted that normally when a client is discharged, the bed is filled the same or next day. It was extremely unusual for a bed to sit empty in any facility.

Overall Program Background:

DOC Correctional Institutions:

Based on reports provided by the Department, there were 20 correctional facilities and two out-of-state inmate contracts during the audited period. During the fiscal year ended June 30, 2002, two sets of correctional facilities were combined, (Walker and MacDougall, and Corrigan and Radgowski Correctional Institutions) and all out-of-state inmates were transferred to the Greenville Correctional facility. Annual expenditures for correctional institutions totaled \$332,585,138 and \$344,031,572 (including out-of-state costs of \$10,995,264 and \$11,553,365) for the fiscal years ended June 30, 2001 and 2002, respectively.

Residential Programs under CSSD and DOC-CE:

The following program descriptions were obtained from the program inventories maintained by both agencies.

Residential programs were primarily in five major categories:

- ❖ Substance abuse treatment – these facilities are for clients with identified substance abuse issues. The facilities have a highly structured environment, where substance abuse rehabilitation treatment is the main focus and is provided through individual, group and family counseling. The programs also provide in-house education on daily living skills, spirituality, relationships and interpersonal communication skills.
- ❖ Transitional Housing – these facilities are provided to clients/inmates who are eligible for Transitional Supervision, but do not have a sponsor or safe residence. In addition to basic life skills and employment services, the program serves as a liaison to other social service agencies to insure that inmates meet their treatment stipulations.
- ❖ Women and Children – the programs are designed for women and their dependent children. Services provided include parenting education, daily in-house supervision and assistance, weekly individual, group and family sessions, substance abuse education and counseling, independent living skills, GED assistance, educational services, pre-employment training as needed, child care assistance as needed in-house and community, and medical referrals for routine and specialized needs. Some facilities include provisions for children living with their mother.
- ❖ Work Release – work release programs provide residents with employment readiness as well as the development of life and work skills. Individual and group counseling is offered, as well as fellowship experiences. Other services include pre-employment training, identification card assistance, transportation assistance to job interviews, medical services

assistance, random urinalysis, life skills training, financial planning, and family issues groups.

- ❖ Jail Re-interview – CSSD staff reassessed defendants held incarcerated on bond by DOC, to determine treatment needs or potential circumstantial changes and develop a supervision plan to present to the court. Defendants were typically low risk, non-violent offenders who would benefit more from the services available in the alternative incarceration programs than in a traditional jail cell. When a client is arrested, the Bail Commissioner does an initial interview, and bond is set. If the client cannot meet the bond, they are put in jail to await court. Each day, DOC provides CSSD with listings of all arrested individuals that are still in a cell. CSSD also has access to court and arrest records. The Re-Interviewer goes to the jail and ‘re-interviews’ the client. This is basically a reassessment of whether the client would be better served by placement in an AIP. The Re-Interviewer makes a recommendation to the court and if the judge grants the motion, the client is either immediately transferred to the AIP, or placed on a waiting list. This program was completely eliminated in the recent layoffs and budget cuts.

Non-Residential Programs under CSSD and DOC-CE:

The largest areas of non-residential services were:

- ❖ Adult services – Most clients involved with the adult criminal system have multiple-service needs. A broad array of services are available for CSSD clients through contracts including substance abuse evaluations and treatment, mental health evaluations and treatment, individual and/or group counseling, marital/family counseling, anger management, life skills training, vocational assessments, job preparation/employment counseling, GED preparation, emergency housing, educational services, and parenting skills.
- ❖ Alternative Incarceration Centers (AIC) and associated transitional housing is a community based program which provides supervision and services to accused and court sentenced individuals who are ages 16 and above. The goal of the program is to provide an alternative for individuals who, if not for the availability of such a service, would otherwise be incarcerated. AIC supervision entails a client’s daily personal contact and/or telephone contact with staff, employment assistance, counseling, urinalysis, community service, individual, family or group counseling, recreation, life skills assistance, referral for specialized services, and evaluation/assessment for sentence planning.
- ❖ Family Services are geared toward family violence education programs, which focus on the participant’s ability to manage and control behavior in order to stop violent behavior. There were an additional 10 programs on domestic violence under the Evolve (three 26 or 52 week programs) and Explore (seven 26 week programs) programs for adult male offenders who had been found guilty of family violence crimes against their female partners (post-plea only).

The remaining non-residential services were in a wide variety of categories including, but not limited to, inmate counseling and childcare, employment, substance abuse counseling, day incarceration centers, youthful offender services, Latino youth offenders, Latino treatment tracking, mediation, mental health, parole, sex offender services, and zero-tolerance drug services. Electronic monitoring and urinalysis programs were also administered by CSSD.

National Survey of Alternative Programs:

Using the websites for each of the other 49 states, alternative and early release programs, and the agencies responsible for the programs in the other states, were identified. Two states (Maine & Nevada) did not have any form of alternative incarceration or early release programs in place. Maine had abolished parole in the state. Of the remaining 47, 38 states used their Departments of Correction to administer all forms of incarceration, including alternative programs and early release programs. In the nine other states, these programs were administered by agencies other than the Department of Correction (Public Safety – Hawaii, Louisiana, Maryland: Criminal Justice – Colorado, Texas: Office of the Trial Court – Massachusetts: Probation – New York, Tennessee: Judicial – South Dakota: Military Affairs & Public Safety – West Virginia.) Ten states administered programs from the county level, with the rest of the states administering from the state level or a combination of state & county responsibilities.

Programs and services provided through alternative and early release programs were fairly standard throughout the country, with a few distinct programs in some states (victim offender mediation – Indiana: HIV Hospice – New Jersey: Citizen’s Reparative Board – Vermont.)

Results of Review

Both prison overcrowding and alternatives to traditional incarceration programs continue to be major topics of discussion for all state governments. Internet research indicated that most states have researched and evaluated alternative incarceration programs as a form of addressing rising prison costs, and of reducing prison overcrowding and recidivism. In Connecticut, numerous studies have been performed in this area and legislative interest continues to increase.

The LPRIC Report on Prison Overcrowding, issued in 2000, noted that “As a result of the aggressive "tough on crime" approach taken by Federal and State policymakers, criminal justice administrators, and the judicial system since the mid-1990s, a series of laws (referred to as "truth in sentencing") aimed at increasing penalties and reducing the discrepancy between the court-imposed prison term and the actual time served by an inmate has lengthened incarceration periods...” The report discusses the history and actions by the State in dealing with prison overcrowding over the last decade.

Our performance audit focused on the economy and efficiency of the adult alternative to incarceration programs under both the Court Support Services Division of the Judicial Department (CSSD), and Community Enforcement Unit of the Department of Correction (DOC-CE). It included comparisons of programs, costs and administration by the two Departments, and a national survey of similar programs in the other 49 states. For the purposes of our review, “Alternatives to Incarceration” programs were defined as any program in which a client of the judicial system was placed in-lieu of a traditional jail cell. This included all types of graduated sanctions, alternative programs, community release, and work release programs. We restricted our testing, evaluations, and comments to the adult programs administered by the two agencies.

There are two major systems of alternatives to incarceration programs employed by the State. The Alternative Incarceration Programs (AI) under CSSD are geared toward new clients in the justice system and toward adjudicated split-sentenced offenders, who receive both traditional jail time and court ordered participation in alternative programs as their sentence. The Community Enforcement (CE) programs under DOC are intended for prisoners at the end of their sentence. Both programs are discussed in greater detail in the Background section of this report.

Our examination disclosed matters of concern requiring disclosure and attention. We addressed our recommendations to several agencies that were either referred to in our report and/or have the authority to make changes in response to our findings. All such agencies were afforded the opportunity to present comments and/or responses, which are incorporated within this section of the report.

Item No. 1 Expansion of alternative programs:

We compared programs and unit costs of correctional institutions to the costs of alternative programs under both Alternative Incarceration Programs and Community Enforcement Programs to determine if expanding the alternative programs would cost less, while reducing prison overcrowding.

Criteria: Programs that cost less and provide alternatives to incarceration should be made available to eligible offender population and be utilized as much as possible.

Condition: #1 – Program Costs

The annual costs for an inmate in the DOC correctional system ranged from \$17,593 per year for minimum security to \$46,910 per year for maximum security. Annual unit costs for inmates housed out-of-state were \$23,360 during the audited period. Since high (level four) or maximum (level five) security inmates would not be considered for any alternative forms of incarceration, or out-of-state service, these facilities were not considered in comparing the costs of traditional jails to alternative programs. Based on the annual costs, by facility, provided by DOC, the remaining institutions showed costs ranging from \$17,830 per year for minimum (level one) security at Willard/Cybulski Correctional Institution, to \$25,594 per year for medium (level three) security at Enfield Correctional Institution. It should be noted that these figures include only the basic incarceration provisions, various inmate programs, and general services for the whole inmate population. Higher levels of individual medical, mental health, and substance abuse treatment, education, and program services would be pursued through service providers.

Unit costs for alternative male residential services under both agencies, ranged from approximately \$12,000 per year for transitional housing to approximately \$31,000 per year for intensive substance abuse treatment, with the majority of program costs under \$25,000 per year. The higher cost programs were for intensive treatment facilities, whose costs must be weighed with the benefits in treating offender's problems prior to release into the community. Non-residential programs provided by both agencies, ranged in cost from a few hundred dollars for counseling services to approximately \$15,000 per year for day incarceration centers.

It was noted that alternative programs for women were more expensive than traditional incarceration, since the inclusion of their dependent children in the services drove up the costs of these programs. The participation of dependent children in the residences and services provided in these programs was considered significantly beneficial in the offender's rehabilitation. The associated cost to the State of caring for the dependent children, under both circumstances, should also be considered when comparing the programs.

Overall, we found that when all factors were weighed (i.e. benefit of services to offenders prior to release in the community), alternative programs offered a more economical option to control the rising cost of incarceration.

Condition: #2 - Prison Overcrowding:

Alternative incarceration programs were established in the early 1990s to address prison overcrowding. The PJOC report issued in January 2003 noted that, "Between January 1, 1992 and January 1, 2003, the prison population increased 82 percent, rising from 10,573 to 19,216 inmates." The report also noted that in "...the past two years, the facility population has increased twelve percent, a growth of 2,079 inmates." It further states that in order to accommodate the increased inmate population, the Department of Correction reopened previously closed buildings, double-bunked most cells, converted program space at facilities to inmate housing, increased the number of dormitory beds, and renovated other existing facility space for housing. The report went on to say that there were approximately 850 inmates housed in non-traditional living spaces as of January 1, 2003. Our review of the semimonthly report statistics on prison populations for July to December 2002 supported this information, as evidenced by the frequency that inmate populations exceeded the number of beds listed. Six of the Correctional Institutions reported inmate populations in excess of their bed counts during all twelve reporting periods between July 1, 2002 and December 31, 2002. Additionally, seven correctional facilities maintained inmate populations in excess of their bed ratings over fifty percent of the reviewed period. Only four of the facilities consistently maintained inmate populations under their rated bed totals.

Condition: #3 - Waiting Lists:

Waiting lists were maintained for all programs by both agencies. Between the two agencies, 1,747 clients/offenders were on waiting lists for alternative and early release programs as of February 1, 2003. This figure represents 1,088 waiting for non-residential programs at CSSD, and 659 (316 at CSSD and 343 at DOC-CE) waiting for residential programs. It was noted that waiting lists for residential programs had significantly dropped after the recent budget reductions from layoffs and suspension of the Jail Re-interview program, due to a shortage of staff processing applications and references. At the beginning of November 2002, there were 439 clients under CSSD and 577 offenders at DOC-CE on waiting lists for residential services.

Condition: #4 - CSSD Jail Re-interview:

The Prison and Jail Overcrowding Committee Report recommended the expansion of the Jail Re-interview program and stated "During the last fiscal year the Jail Re-interview staff assessed 2,416 defendants at various DOC facilities across the state. Of those screened, 1,607 (67 percent) were released through alternatives or family interventions." It further noted "the diversion of these defendants...saves the Department of Correction approximately 150 beds daily." According to Agency management, this program was indefinitely suspended in

the recent layoffs and budget cuts. The PJOC report described the Jail Re-interview process as “staff reassess defendants held on bond for treatment needs or circumstantial changes for the development of a supervision plan to present to the court in the form of a bond modification.”

Effect: Judicial and Correctional clients have remained in the community, or in correctional facilities due to reduced availability of alternative program slots and residential beds. This not only may compromise community safety, but by keeping clients in prison cells, drives up the cost of maintaining such clients and reduces the availability of cells for more hardened criminals.

Cause: Budgetary reductions and constraints in recent years have caused the agencies to continue to lose ground in their alternative programs through the loss of both Agency staff and program funding. As a result, availability of residential beds and program slots has been considerably reduced, and offenders have remained in the community or in correctional institutions.

Recommendation: Expansion of the lower cost alternative programs and reinstatement of the Jail Re-interview Program, should be aggressively pursued in an effort to reduce overcrowded prison populations and control the State’s rising costs for incarceration. (See Recommendation #1)

Agency Responses:

Department of Correction:

“We support the expansion of lower cost alternative programs and have assigned a high priority to bringing the CJC facility on line. While budgetary constraints have occasioned some decrease in the number of beds which the Agency can support, we look forward to returning to the prior level should funding become available.”

Judicial Department, Court Support Services Division:

“Under a balanced approach to addressing the Judicial Branch’s personnel and resource needs, a restoration and expansion of alternative programs would be welcomed and supported.”

Item No. 2 Combination of Contracts:

Criteria: Economic and efficient business practices would include a single streamline standard contract, negotiated for the optimum rates available, with each service provider stating service locations, overall and unit costs, specific programs and services. It should be available to all State agencies with appropriate clients.

Condition: #1 – Contracts:

Comparison of the service provider contracts used by CSSD and DOC-CE found that the structures and clauses of the two types of contracts were similar enough to

allow one contract to be used by both agencies. Items not common to both agencies could easily be addressed in contractual clauses.

CSSD requirements for service providers to submit separate proposals and copies of all associated documents (company documents, and policies and procedures) for each type of service, and in some cases each location, resulted in numerous contracts with a single provider and numerous duplicate copies of company documents. Combining that with the other State agencies' requirements, the administrative burden was excessive.

Condition: #2 – Differences in Unit Costs:

Overall, our review found that many aspects of the residential programs were identical between the two agencies, but the rates negotiated under contract by the two agencies differed. In one case, DOC-CE paid \$13,844 and CSSD paid \$18,006 annually per bed to the same provider of residential substance abuse services at the same facility. In another case, DOC-CE paid \$20,280 and CSSD paid \$19,733 to the same provider for residential work release services at the same facility.

The vast majority of non-residential services were administered by CSSD, with very little overlap to DOC-CE. Ninety programs, in 19 categories were administered by CSSD. An additional 21 programs in six categories were administered by DOC-CE, including six programs for inmates. Two categories were identical (mental health and youth offender services), but DOC-CE counseling services were similar to various types of counseling services under CSSD (adult services, family services, mediation, domestic violence). In most cases, DOC-CE contracts established slightly lower unit costs than the matching CSSD programs.

Effect: The use of multiple contracts with the same providers resulted in duplication of effort by agencies and providers and unnecessary complications of the process. Inconsistent rates between the agencies for alternative services resulted in overall higher program costs, leading to fewer beds/slots available under contract. This resulted in fewer clients benefiting from the alternative programs and remaining in the higher cost traditional jail cells.

Cause: The two agencies have separate organizations with similar programs, and multiple contracts for the same or significantly similar services, with the same service providers.

Recommendation: The Department of Correction-Community Enforcement, the Judicial Department-Court Support Services Division, and other appropriate State agencies, including the Office of Policy and Management should take steps to streamline the contract process. One comprehensive uniform contract with each service provider, available to all State agencies with appropriate clients should be developed. (See Recommendation #2)

Agency Responses:

Department of Correction:

“The department stands ready to work with other agencies to develop a uniform contract. However, past experience has led to the present practice of contracts for each provider and, in some instances, each location run by a provider. Often this is because of different rates at different locations or different requirements, including monitoring, set by different departments. However, perhaps something analogous to a Department of Administrative Services contract award would be feasible.”

Judicial Department, Court Support Services Division:

“Contract documents are similar because the Judicial Branch, although not required by law, has participated in the Purchase of Service Task Force and related efforts that coordinate instrument contents. This is on-going. Judicial would welcome the opportunity to join other state agencies in a renewed effort to find a more uniform purchasing structure for related services.”

Office of Policy and Management:

“...The Office of Policy and Management cannot comment on the possible duplication of contractual language in contracts issued by DOC or the Judicial Branch, CSSD. However, it may be that you have identified the product of past efforts to standardize state contracts. In 1993, the General Assembly mandated in C.G.S. 4-70b that OPM “establish uniform policies and procedures for obtaining, managing and evaluating the quality and cost effectiveness of human services purchased from private providers”....

We have spoken with the Department of Correction and the Judicial Branch and have an understanding of their responses to you as a result of their findings.... To the extent that the Office of Policy and Management can be helpful to inform any changes to the contracting process, we stand ready to help, but understand your findings to suggest only an ancillary role for OPM.”

Item No. 3 Potential Combination of Adult Residential Programs:

Criteria: When two or more State agencies administer the same or similar programs, it would be economical and efficient to consider combining the programs wherever possible.

Condition: Our review of the CSSD Alternative organization found that inadequate resources had been allocated to administer and monitor adult residential facilities. One employee was responsible for all aspects of adult residential facilities. Duties included being the only monitor for all adult residential programs, being responsible for program referrals, obtaining data and documenting program utilization, site visits, and monthly reports for the adult residential programs for both CSSD and Parole clients. In addition, the same employee was program manager for all electronic monitoring for both adult and juvenile clients under CSSD and Parole, for CSSD adult sex offender programs: and CSSD urinalysis

testing for both adult and juvenile clients. It was noted that he periodically had assistance with the residential programs, but not on a permanent, full time basis. Staff assisting him had recently been transferred as a result of the Statewide layoffs and budget cuts.

The Department of Correction appeared to have sufficient resources dedicated to the residential programs. The Community Enforcement Unit administers and monitors the residential programs and employs approximately 80 staff, including six overall management staff and seven positions specifically dedicated to residential facilities. One of the residential staff is solely responsible for auditing the residential facilities.

Our research on the national trend of alternative programs, using the websites for each of the other 49 states, found that of the 47 states with alternative programs, 38 states used their Department of Correction to administer all forms of incarceration, including alternative programs and early release programs.

Effect: Insufficient resources weakened the overall internal control over residential service provider contracts. Services could deviate from the agreed upon terms without consistent program management activities ensuring contractual requirements are being met.

Cause: Budgetary reductions and constraints in recent years have caused the agencies to continue to lose ground in their alternative programs through the loss of both Agency staff and program funding.

Recommendation: The Court Support Services Division and the Department of Correction should study the potential benefits of consolidation of adult residential programs wherever possible. (See Recommendation #3)

Agency Responses:

Department of Correction:

“The department concurs with the need to explore potential benefits of program consolidations. However,... should such consolidations occur, the DOC would require additional personnel to support the larger responsibilities. These increased demands on staff support would occur in our Community Enforcement Unit, as well as our fiscal services division, from our contracts unit through our fiscal accounting unit.”

“...While it is evident that you have carefully researched the national standard for how community residential programs are administered in other states, we wish to caution, ...that such arrangements are not necessarily directly appropriate for Connecticut.”

Judicial Department, Court Support Services Division:

“CSSD will work with the DOC on a study of the potential benefits of consolidation of adult residential programs wherever possible. We continue to believe...that our

program's current success is directly linked to our ease of access to residential programming and our ability to tailor terms to the conditions ordered by the court; both of these benefits result from our direct management of the contracts; nevertheless, we will work with the DOC to identify any opportunities to improve efficiency, effectiveness, and to achieve cost savings.

Item No. 4 Monitoring

Criteria: Programs contracted by State agencies should be adequately monitored to assure compliance with contract terms.

Condition: The prior CSSD monitoring process involved quarterly program monitoring reports. Beginning with the second quarter of the fiscal year ended June 30, 2002, program monitor reporting procedures were amended to annual report requirements as outlined by CSSD Policy and Procedure #5.4, Comprehensive Contract Monitoring, and #5.5, Administrative Contract monitoring.

Previously the administratively monitored programs were reported on either in the first and third quarters, or the second and fourth quarters of each fiscal year. When the new procedures were implemented in the second quarter of the fiscal year ended June 30, 2002, programs that had not been reviewed during the first quarter, did not receive a specific program monitor review and report during the entire fiscal year ended June 30, 2002. Nine (six adult residential facilities, three adult service non- residential providers) of the 22 programs tested for program monitoring reports were not reported on during the entire fiscal year ended June 30, 2002.

Under the new contract monitoring process, Compliance Specialists, in the Grants and Contracts Unit, would have worked in cooperation with the Grants accountants on Compliance Teams to perform contract compliance reviews and fiscal monitoring. These teams would have been responsible for the total fiscal monitoring of the provider. Although the Compliance Specialists were hired during the fiscal year ended June 30, 2002, they were laid off during the recent budget cuts before the new procedures were implemented.

Effect: The reduction from quarterly monitoring reports to annual reports and the loss of the Compliance Specialists weakened very important internal controls of the monitoring system. In addition, even with the reduced reporting requirements, annual program monitoring reports for compliance with contractual terms and the delivery of quality services were not completed.

Cause: The Court Support Services Division reduced program monitor reporting requirements as part of a restructuring of the overall contract monitoring system. The Division did not anticipate the timing issues when implementing new annual reporting policies and procedures, to ensure all programs were adequately monitored.

Recommendation: The Court Support Services Division should evaluate if annual monitoring reports provide adequate assurance of service and program quality. Additionally, the Division should ensure that all programs are properly reviewed and reports submitted as required. (See Recommendation #4)

Agency Response

Judicial Department, Court Support Services Division:

“Although, as you note, the new policies and procedures for contract monitoring were barely in place when workforce reductions affected the design, programs have been and continue to be monitored according to policy. The annual monitoring process does not stand on its own as the only measure of contract compliance. Financial reporting is quarterly, all projects are site visited monthly and operations staff interact with service providers on a daily basis, with problems/issues forwarded to central management as discovered. Contractors file monthly statistical and narrative reports as well as incident reports following any events involving health, safety or legal matters.”

“The annual monitoring report, as supplemented by activities noted above, is adequate. A system for logging reports due is in place and utilized by CSSD management.”

Item No. 5 Recidivism:

Although various evaluations on recidivism rates have been completed on the Juvenile Alternative programs versus traditional juvenile lock-down facilities, there was no information on the same data for the adult offender population. The prior LPRIC recommendation in this area was addressed to the Department of Public Safety. Tracking and evaluation of recidivism rates is essential in determining the success of the judicial and correctional systems, both through the alternative incarceration programs and the correctional institutions.

Criteria: A significant measure for evaluating the success of the State’s correctional and alternative incarceration programs would be the recidivism rates for the offender population. The Legislative Program Review Report included a recommendation that the Department of Public Safety, Division of State Police perform this function.

Condition: No single State agency tracks the rate of recidivism among released inmates or the large group of convicted felons placed on probation rather than incarcerated in prison.

Effect: Effective and cost-efficient incarceration programs that address the reduction of crime and protect the public's safety cannot be evaluated and developed without tracking and evaluating recidivism in the offender population.

Cause: The Department of Public Safety stated that resources were not available to implement an additional program of this magnitude. The recent lay-off of the Department's two analysts exacerbated the resources issue.

Recommendation: The Legislature, the Department of Public Safety, the Department of Correction and the Judicial Department should pursue all avenues to address the need for tracking and evaluating recidivism in the offender population. Sufficient resources for this program should be allocated. (See Recommendation #5)

Agency Response

Department of Correction:

“The department agrees that tracking recidivism is an important function. We do not necessarily agree that the Department of Public Safety is the best repository for this activity, but, regardless of where the responsibility is assigned, new resources, primarily to support, additional staff, will have to be developed. As you are aware, the appropriate channel would be the budget option process which makes this a long term goal.”

Judicial Department, Court Support Services Division:

“The CJIS (Criminal Justice Information System) Project should be in the best position to address this issue. In addition, the Judicial Branch is currently undertaking a three year longitudinal study of our Risk Reduction Program which includes following clients served in our alternative incarceration programs to determine changes in their behavior and recidivism. We will be happy to share the results when available.”

Department of Public Safety, Division of State Police:

“Unfortunately the Department of Public Safety continues to be unable to perform the function of producing a report on Recidivism. Although we continue to recognize the importance and value of producing such a report, we still lack the personnel and fiscal resources to complete this task. The recent layoffs and early retirements have only compounded this issue.”

Recommendations

- 1. Expansion of the lower cost alternative programs and reinstatement of the Jail Re-interview Program, should be aggressively pursued in an effort to reduce overcrowded prison populations, and control the State's rising costs for incarceration.**

Comment:

Our review disclosed that current levels of alternative programs are inadequate in meeting the needs of controlling costs of the State's offender population and in easing prison overcrowding (through increased use of alternative programs, including Jail Re-interview practices, and the reduction of waiting lists). It is generally accepted that the offender populations will not decline, so alternative programs should be expanded to accommodate judicial and correctional populations.

- 2. The Department of Correction-Community Enforcement, the Judicial Department-Court Support Services Division, and other appropriate State agencies, including the Office of Policy and Management should take steps to streamline the contract process. One comprehensive uniform contract with each service provider, available to all State agencies with appropriate clients should be developed.**

Comment:

Administration of programs through multiple systems and contracts, in some cases with the same providers, without comparison or coordination between the user agencies resulted in differing rates for identical services. In addition, we noted significant duplication of efforts by both the agencies and the providers and unnecessary complication of the contract process (in the form of multiple record requirements and interaction with various State liaisons and monitors).

- 3. The Court Support Services Division and the Department of Correction should study the potential benefits of consolidation of adult residential programs wherever possible.**

Comment:

In addition to streamlining the service provider process for programs similar to both agencies, and standardizing unit costs of residential services, consolidation of adult residential programs under one Agency would alleviate the need for increased CSSD resources.

- 4. The Court Support Services Division should evaluate if annual monitoring reports provide adequate assurance of service and program quality. Additionally, the Division should ensure that all programs are properly reviewed and that reports are submitted as required.**

Comment:

Our follow-up of a prior audit recommendation disclosed that although CSSD had reorganized their monitoring system policies and procedures (including creation of Compliance Specialist positions), the new system was only partially implemented. A significant number of residential facilities were not reviewed during the fiscal year ended June 30, 2002, due to the timing of the implementation of the new reduced reporting requirements. Finally, although significant improvement was found in the monitoring functions, the recent layoff of the Compliance Specialists eliminated a major process in the updated monitoring system.

- 5. The Legislature, the Department of Public Safety, the Department of Correction and the Judicial Department should pursue all avenues to address the need for tracking and evaluating recidivism in the offender population. Sufficient resources for this program should be allocated.**

Comment:

A strong measure for evaluating the success and determining the future course of the State's alternative and correctional programs could be the tracking and evaluation of recidivism rates of the offender population. Although the Department of Public Safety expressed willingness to implement the additional responsibility, adequate resources were not supplied or available through the Agency's budget.

Conclusion

In conclusion, we wish to express our appreciation for the cooperation and courtesies extended to our representatives by the officials and staff of the Court Support Services Division of the Judicial Department, the Department of Correction and the Department of Public Safety, Division of State Police.

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