

# CONNECTICUT SENTENCING COMMISSION

## ***Research, Measurement, & Evaluation Committee Meeting***

Friday, October 7, 2011

3:00 p.m.

*CCSU Student Center, 1849 Room*

*New Britain, CT*

***Members In Attendance:*** Susan Pease (Co-Chair), Thomas Ullmann (Co-Chair), William Carbone, Rich Sparaco (Representing Erika Tindill), Robert Farr, Linda Frisman

***Also Participating:*** Andrew Clark, Jason DePatie, Sarah White

### **MINUTES**

#### **I. MEETING CONVENED**

Susan Pease called the meeting to order at approximately 3:05 p.m.

#### **II. Introductions**

Committee members introduced themselves and identified their affiliations. For informational purposes, the chart from the Sentencing Commission focus group, which was further developed by the Ad Hoc Steering Subcommittee, was distributed.

#### **III. Establish procedures for review and selection of proposed research for recommendation to commission and oversight of research in progress**

##### **A. Type of Research**

Judge Shortall had asked each committee to develop one or two research questions to present to the Full Commission. There was discussion related to the procedures that would be used to develop research questions and the process by which researchers would be selected to engage in the research projects approved by the Sentencing Commission. Susan Pease explained that in a conversation with Judge Shortall, he thought that the draft procedures previously distributed for the selection of topics and prospective researchers may have been too cumbersome.

Andrew Clark raised the question as to how the Research Committee should operate in relation to other committees and the Full Commission. The committee briefly discussed this topic and decided to come back to it at a future meeting.

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## **B. Committee Mission**

The committee discussed the history of the previous Sentencing Task Force and the goals of the current Sentencing Commission. The issue of funding was raised and members felt that if the Commission could prove its value it would be in a good position to ask for funding. Discussion then turned to the importance of hiring a research director to increase the research capacity of the committee.

## **C. Research Questions**

The development of research questions was discussed in detail. It was suggested that the committee begin with questions that could be answered using existing data or to build on current research projects. Bill Carbone introduced the mental health pre-trial diversion project, an ongoing study being conducted by CSSD. William Carbone mentioned that the pre-trial diversion population has decreased, but it is unknown whether the mental health pre-trial diversion population has also decreased. He explained that evaluating the effectiveness of this program is possible in the short-term and would connect the activities of the Sentencing Commission to the prior Sentencing Task Force. Thomas Ullmann agreed that the program is worth evaluating and that there is a wealth of data on the population in prison and the population with mental illness. Linda Frisman mentioned that enrolling mentally ill individuals in programs does not always fix their underlying problems; however the programs can demonstrate that this population is not necessarily a risk to the community; an important outcome in and in itself. She also explained that when collecting information about individuals involved in the program, the researcher should match the data sources and check mortality files to ensure the data are accurate and up to date.

Thomas Ullmann suggested that data be collected to determine if the program is keeping people out of jail. Moreover, the extent to which jurisdictions utilize the mental health pre-trial diversion program would be valuable information to the Commission. It was acknowledged that there are inconsistencies on various systematic levels that make assessment of diversion programs difficult. For example, the process for probation termination may not be uniform among prosecutors and judges.

One potential policy recommendation of the committee may be to require individuals with mental illness who recidivate into pre-trial diversion programs be evaluated. Once these individuals are evaluated, a supervisor or probationer could return to the court with a treatment plan and collaborate with DMHAS to track outcomes. Some studies have suggested that required court ordered treatment plans are particularly effective.

William Carbone mentioned that other states have plans for the evaluation of the programs they have implemented. He suggested that this committee look to Washington State's model for guidance. For example, Connecticut's data could be entered into the Washington State model and similar tools implemented for program evaluation in Connecticut.

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## **E. Process for Conducting Research**

The committee agreed that an evaluation of the mental health diversion program would be a good starting point for the Research, Measurement, and Evaluation Committee. The fact that all major criminal justice agencies are represented on the Sentencing Commission should help with data collection and coordination. Generally, there is a process evaluation followed by an outcome evaluation. The process evaluation would incorporate the question posed by Thomas Ullmann regarding whether jurisdictions use the program and whether the program is actually doing what it claims to be doing. The outcome evaluation would compare offenders who participated in the program with offenders who did not participate in the program. Because there is no random assignment of participants to experimental or control groups, those participating in the program would have to be matched to a comparison group.

Susan Pease raised the question as to who would conduct the research for this project and what agencies should be involved. The importance of having strict research standards and qualified professionals involved in the evaluation was discussed. Linda Frisman suggested that this committee base their process on the CJPAC model. She explained that the researcher conducting this analysis would need to be highly qualified.

Thomas Ullmann discussed the prospect of using graduate students for research projects. He explained graduate students may be interested in researching topics of interest to the commission and could be supervised by their dissertation advisor. For example, Ryan Sakoda, a third year law student at Yale and an economics Ph.D candidate at Harvard is interested in sentencing and criminal justice issues and reached out offering assistance.

Andrew Clark and Jason DePatie suggested that an alternative to paid research could be to coordinate the research through the University Partnership. For example, CCSU and Quinnipiac Law School have been conducting research projects on behalf of the Legislative Committee since June with success. The IMRP is also expanding the University Partnership and finding areas of potential collaboration between professors and students statewide. Andrew Clark discussed the importance of identifying researchers who are neutral and non-partisan. He explained that it is critical that potential researchers are not bias or reflect the agenda of a particular agency. This will preserve the integrity of the Commission's evidence based recommendations when they are evaluated by the legislature and general public. For this reason, a safe model may be to have academics from across the state collaborate on peer-reviewed research projects.

Some general issues were also discussed. Some members raised concerns about whether agencies involved in the research would be reluctant to release findings they felt were unflattering. However, it was pointed out that the enabling legislation of the Commission requires state agencies to cooperate fully with the Sentencing Commission and provide any information it requests to make evidence based recommendations. Some members brought up the issue of establishing procedures for the protection of human subjects and the protection of data bases with identifying information. University researchers would be

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required by their universities to have projects approved by their respective Institutional Review Boards (IRB's) as well as agency IRB's.

## **F. Conclusions**

The committee agreed to meet one more time before the November 10<sup>th</sup> Full Sentencing Commission meeting. At this meeting, CSSD will be presenting information in regard to the mental health pre-trial diversion program. Thomas Ullmann closed the meeting by pointing out that other committees should be advised that they can refer research projects to the Research, Measurement, and Evaluation Committee.

## **IV. OTHER BUSINESS**

Approval of the June 8, 2011 Research Subcommittee minutes were deferred to the next meeting.

The next meeting of the Research, Measurement, and Evaluations Subcommittee will be held 3:00 p.m. Friday, November 4, 2011 at CSSD.

## **V. MEETING ADJOURNED**

Meeting adjourned at approximately 4:25 p.m.