



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT
Criminal Justice Policy & Planning Division

Briefing on Status of Public Act 08-01 Criminal Justice Reforms

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Good Morning Senator Coleman, Representative Fox and members of the Judiciary Committee:

Our state's criminal justice system continues to fulfill the expectations of the General Assembly expressed in Public Act 08-01. Front line professionals throughout the system have more tools, more information and more resources than ever before. Crime is down, spending is down and outcomes meet or exceed expectations.

Former Governor Rell, working together with the last two legislatures, established two important goals:

- Incarcerate repeat, violent offenders for as long as possible and supervise them carefully upon completion of their sentences.
- Punish non-violent, low level offenders in more of a cost-effective fashion in order to free up expensive prison beds for violent and serious offenders.

Governor Malloy is committed to full implementation of the 2008 reforms. The combination of public safety and cost-effective best practices will continue to be the hallmark of our state's justice system.

These dual objectives have shaped criminal justice practices throughout the system. You have status reports from all of the relevant agencies for your review today. These supplement the reports provided during similar oversight hearings of the Judiciary Committee conducted on October 16, 2008 and on January 19, 2010.

Public Act 08-01 mandates the Criminal Justice Policy Advisory Commission monitor developments throughout the state's criminal justice system and to annually report on a variety of outcomes, including the statewide re-entry strategy, recidivism and best practices. As chair of CJPAC, I am providing you with those reports today.

Our state's inmate population is at a 10 year low, hovering at approximately 17,700 inmates. The record highpoint in inmate population was 19,894 on February 1, 2008. Compared to 2001, there are significantly more unsentenced inmates and significantly fewer sentenced inmates. The usual "super bowl effect", an annual increase in prison population during January and February of each year, was minimal this year. In fact, the February 1 to March 1 change in inmate population was the lowest in 20 years. This is a reliable indicator of a decline in total inmate population for the remainder of the year.

In January we projected that, without policy changes adopted by the General Assembly, the total inmate population will decline to 17,375. We can now say that, based on more recent data that projection should be revised downward. This will have a significant impact on the Department of Corrections budget.

I would also like to call your attention to the following issues:

Criminal Justice Information System

Under the leadership of Executive Director Sean Thakkar and with the recent bond allocation initiated by Governor Malloy, the Connecticut Information Sharing System (CISS) is finally on track, with an expected completion date of late 2012. This system was the single most urgent request of Former Governor Rell's Sentencing and Parole Review Task Force convened in the aftermath of the Cheshire tragedy in 2007.

Urban Violence

The overall indexed crime rate, as measured by both the Uniform Crime Rate (UCR) and the National Crime Victimization Survey (NCVS) reached a highpoint in the early 1990's, crime in Connecticut and nationwide has returned to a relatively moderate to low rate comparable to the early 1970's. Shootings and homicides in urban areas is an exception. The number of shootings in our larger cities continues to be a major problem. We are committed to working with the legislature and local leaders to end to this violence. In part, this can be best accomplished through our prison re-entry strategy of targeting convicted gun offenders leaving prison at the completion of their sentences.

Enforcement of Crime Victims' Rights

Connecticut has among the strongest crime victims' rights guarantees in the state constitution, and many more specific procedural and substantive protections in the general statutes. Enforcement of these rights continues to be a problem throughout the criminal justice system and is a major concern of both the Governor and the Criminal Justice Policy and Planning Division at OPM.

Sex Offenders

Public Act 08-01 called for enhanced sentencing for repeat offenders, the expanded use of global positioning technology and for 24 secure beds for prisoners reaching the end of their sentence and re-entering the community. The reports submitted today demonstrate that the goals have been met and that the secure sex offender reentry beds will be available by June of this year. In 2010 sex offenders who were supervised on parole after leaving prison had no new sex offenses. This 0% recidivism rate is in large part attributable to enhanced supervision made possible by Public Act 08-01. It is also worth noting that sex offender probationers had a relatively low (11%) recidivism rate during a follow-up period of three years. We are now focused on improving the information on our sex offender registry by adding risk assessment summaries for high risk offenders and working with other states and the federal congress and Department of Justice in order to comply with the Adam Walsh Act.

Racial Disparities and Racial Profiling

There are several encouraging statistical trends showing measurable progress. Although the DOC sentenced population shows a slight drop in the percentage of African American and Latino: (69% down from 72%), the unsentenced population is 64% African American and Latino. More research would be necessary to understand why the sudden drop in disparity in the unsentenced population, but

it is reasonable to believe that recent pretrial diversionary initiatives, including the Jail Re-Interview Program, have made a significant impact. There have been a number of suggestions regarding reforms to the existing Alvin W. Penn Racial Profiling Prohibition Act and our office is continuing to work with community groups and members of the General Assembly to develop a proposal to bring law enforcement agencies into compliance and to develop a data analysis capability.

Raise The Age

The Governor is committed to meeting our statutory obligation and expanding juvenile court jurisdiction to seventeen year olds on July 1, 2012. We are working with Judicial and Legislative leaders to ensure a smooth transition.

Habeas Corpus Reform

I am working with the Chief State's Attorney, the Chief Public Defender and officials of the Judicial Branch to eliminate frivolous appeals and reduce the backlog of Habeas petitions. We will report to the Judiciary Committee on any workable modifications to existing law and procedure.

Domestic Violence

The Governor is committed to supporting reforms being developed by the Speaker's Task Force on Domestic Violence. We are working with legislative leaders on these comprehensive proposals. In particular, we are focused on bail bond reform initiatives that will protect victims of domestic violence and ensure compliance with the laws and regulations governing the private bail bond industry.

Plea Bargaining/Trials

Preliminary data indicate a sharp decline in the number of jury trials in our state's Geographical Area criminal courts. For example, in Hartford's GA 14 there were only 3 trials reported in FY 10. That is out of 22,322 total cases. More research is needed to identify the causes of this trend.

State Crime Lab

Connecticut has among the longest wait times for crime scene evidence processing in the nation. There are serious staffing challenges at the crime lab and we are working with the Department of Public Safety and federal officials to remedy this problem. For example, the average wait time for processing crime scene fingerprints is one year. For forensic analysis of computers it is 2 years, 6 months.

Wrongful Convictions

The existing Advisory Commission on Wrongful Convictions has not met in two years. Recent discussions have focused on moving the commission from the Judicial Branch to the Legislative Branch. We are willing to participate in those discussions and would support such a change.

Thank you for giving me the opportunity to update you on Public Act 08-01. I would be happy to answer any question you may have.