

**Judicial Branch Implementation of  
P.A. 08-01 of the January Special Session, AAC Criminal Justice Reform  
March 2011 Update**

Section # (Effective Date)	Description	Status 1/10
1 (3/1/2008)	Creates new crime of home invasion Codified at CG.S. 53a-100aa	<b>IMPLEMENTED</b> As of 3/8/11: <ul style="list-style-type: none"> <li>• 522 arrests have been made</li> <li>• 215 cases are pending</li> </ul>
2-4 (3/1/2008)	Changes to burglary statutes	<b>IMPLEMENTED</b>
6 (3/1/2008)	Changes definition of "persistent dangerous felony offender"	<b>IMPLEMENTED</b>
7-11 (3/1/2008)	Changes in persistent offender sentencing statutes – eliminates language about the court's opinion.	<b>IMPLEMENTED</b>
14 (1/25/08)	Requires the Judicial Branch's Office of Victim Services to assign 2 victim advocates to provide full-time assistance to victims appearing before the Board of Pardons & Parole.	<b>IMPLEMENTED</b>
18 (1/25/08)	Requires CSSD to contract for additional Diversionary Beds: <ul style="list-style-type: none"> <li>• 35 immediately.</li> <li>• 50 by July 1, 2008.</li> <li>• 50 by Nov. 15, 2008 .</li> </ul> Requires the establishment of Staff	<b>PARTIALLY IMPLEMENTED</b>  75 of original 135 beds required in the section are on-line and funded through FY 10.  <b>BACKGROUND</b> <ul style="list-style-type: none"> <li>• The full number of beds have not been funded</li> </ul>

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20 (1/25/08)	Secure Residential Sex Offender Treatment Facility <ul style="list-style-type: none"> <li>• 12 beds/1 facility by July 1, 2008.</li> <li>• Report Due to Governor and Legislature April 15, 2008.</li> <li>• \$250,000 for FY 07/08 (see Sec 42(c)), non-lapsing to June 09).</li> </ul>	RFP issued by DOC and Judicial separately and proposals reviewed; bid jointly awarded by DOC and Judicial to The Connection, Inc. in June 2010; site development underway, but pending litigation may delay implementation. <p><b>BACKGROUND</b></p> <ul style="list-style-type: none"> <li>• Judicial Branch 12/07 RFP for Sex Offender Housing Consultant received no responses.</li> <li>• Joint Judicial/DOC RFP issued by DOC in 5/08.</li> <li>• \$250,000 FY08 carried forward to FY09 reduced to 0 as part of July 08 Judicial Branch allotment reduction.</li> <li>• \$1,000,000 FY09 appropriation reduced to \$500,000 as part of July 08 Judicial Branch allotment reduction.</li> <li>• Contractor selected 1/9/09.</li> <li>• Contractor negotiations underway February, 2009 for late FY09 contract start.</li> <li>• March 23, 2009, DOC notifies CSSD that it has no FY09 funds for project.</li> <li>• Governor's FY10 recommended budget rolls out FY09 \$500,000 allotment reduction.</li> <li>• Governor's recommended budget mistakenly included removal of \$250,000 from Judicial's budget base as if the FY08 carry forward of \$250,000 had been annualized – it had not been.</li> <li>• State FY10 budget included Governor's recommendations.</li> <li>• Judicial Branch receives allotment reduction, September 21, 2009, from OPM of \$12.9 Million in OE account.</li> <li>• FY10 \$500,000 for sex offender beds used to offset Judicial Branch OE allotment reduction.</li> </ul>
21 (1/25/08)	Availability of VOP Information on the Internet: <ul style="list-style-type: none"> <li>• Requires the Judicial Branch to make information regarding violation of probation warrants available on the internet.</li> <li>• Requires the Judicial Branch to make available on the internet a quarterly report listing by court all outstanding VOP warrants.</li> </ul>	<b>IMPLEMENTED OCTOBER, 2008.</b> <ul style="list-style-type: none"> <li>• Over 10,000 visits to site since opening.</li> <li>• 400 daily visits, on average.</li> </ul>
23 – 24 (1/25/08)	Release of Juvenile & Youthful Offender Records <ul style="list-style-type: none"> <li>• Makes delinquency and youthful offender records available to DOC and Board of Pardons and Parole (BoPP).</li> </ul>	<b>IMPLEMENTED</b> JEB (Judicial Electronic Bridge) opened in April 2008; it allows electronic access by DOC and BoPP to records and electronic requests for records

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25 (1/25/08)	Requires a judge, when imposing conditions of release, to state for the record any factors it considered and the findings it made as to the dangerousness of the defendant.	<b>IMPLEMENTED</b> <ul style="list-style-type: none"> <li>• All judges have been informed of this requirement.</li> </ul>
31 - 32 (1/25/08)	Requires the Judicial Branch to establish and implement a state-wide automated victim information and notification system.	<b>PENDING</b> <ul style="list-style-type: none"> <li>• Federal and State funds sufficient to cover project cost through FY11.</li> <li>• Estimated first phase available Summer, 2010</li> </ul> <b>BACKGROUND</b> <ul style="list-style-type: none"> <li>• A committee was established to oversee this project.</li> <li>• RFP responses received 12/08.</li> <li>• Contract for system design and implementation signed June, 2009.</li> <li>• Federal grant application sent 1/09 for estimated ½ of development costs.</li> <li>• Federal grant for \$190,000 with 50% State match required for total project cost of \$380,000, received in July, 2009.</li> <li>• Governor's Recommended Budget provides for \$250,000 in each year of biennium, compared to \$750,000 originally appropriated for FY09.</li> <li>• Budget passes without any change to Governor's recommendation.</li> </ul>
33 (1/25/08)	<ul style="list-style-type: none"> <li>• Establishes a committee to study the manner in which the state may provide incentives to municipalities to allow siting of community-based facilities.</li> <li>• Report due Jan 1, 2009.</li> </ul>	<b>IMPLEMENTED</b> <ul style="list-style-type: none"> <li>• Committee was chaired by OPM; CSSD was a member of the committee.</li> <li>• Committee was provided with all information requested from CSSD.</li> <li>• Committee Report issued 12-30-08.</li> </ul>
36 (1/25/08)	Requires a Defendant to comply with conditions of original probation while a VOP is pending.	<b>IMPLEMENTED</b>
41 (10-1-08)	Supervised Diversionary Program for accused persons with psychiatric disabilities.	<b>IMPLEMENTED</b> <ul style="list-style-type: none"> <li>• 8 probation officers hired; program began 10/1/2008</li> <li>• Over 900 persons have taken advantage of the program</li> <li>• The program success rate based on 196 program discharges is 86 percent.</li> </ul>

Section # (Effective Date)	Description	Status 1/10
42(c) (1/25/08)	\$530,875 to Judicial for FY08 <ul style="list-style-type: none"> <li>• PS = \$27,500</li> <li>• OE = \$1,375</li> <li>• Equip = \$7,000</li> <li>• OCE = \$495,000</li> </ul>	<ul style="list-style-type: none"> <li>• \$245,000 of OCE was expended for residential beds (see Section 18 above).</li> <li>• \$250,000 of OCE was unexpended in FY 08, carried forward to FY09 as authorized by this Section and reduced to \$0 as part of the July 09 Judicial Branch allotment reduction (see Section 20 above).</li> </ul>
43(3) (1/25/08)	\$7,094,076 to Judicial for FY09 <ul style="list-style-type: none"> <li>• \$403,538 = PS</li> <li>• \$770,178 = OE</li> <li>• \$28,000 = Equip</li> <li>• \$4,892,360 = AIP</li> <li>• \$1,000,000 = Re entry</li> </ul>	<ul style="list-style-type: none"> <li>• Included funding for 8 Adult Probation Officers. The process for hiring the 8 Adult Probation Officers has been completed. (see Section 41).</li> <li>• \$3,275,000 was allocated to annualize the 39 beds contracted in FY08 and to obtain 96 additional beds in FY09 (see Section 18 above). This was reduced to \$1,719,793 as part of the budget rescissions.</li> <li>• \$1,000,000 was allocated to obtain 12 residential sex offender beds (see Section 20 above) but was reduced to \$500,000 for FY09 as part of the Judicial Branch's budget rescission – Dec. 17, 2008.</li> <li>• \$612,360 was allocated for the purchase of mental health services in FY09 for referrals under the Supervised Diversionary Program (see Section 41 above).</li> <li>• \$1,000,000 was allocated for the purchase of reentry and diversionary services in the Hartford and New Haven areas, but was reduced to \$0 as part of a budget balancing process necessitated by a lack of a mid-term budget. Funds were used to support Adult Behavioral Health Services for same population.</li> </ul>

## Judicial Branch Implementation of P.A. 08-51, AAC Persistent Dangerous Felony Offenders and Providing Additional Resources to the Criminal Justice System

Section # (Effective Date)	Description	Status 1/13/10
1 (upon passage)	Amends the persistent dangerous felony offender statute to provide for longer sentences	<b>IMPLEMENTED</b>
2 (from passage)	Required prosecutors to make certain statements on the record in persistent dangerous felony offender cases. Prohibited the court from accepting a plea of guilty, not guilty or nolo contendere from any person unless the prosecutor complied with requirements of this Section.	<b>IMPLEMENTED</b>
(July 1, 2008)	Provided funding for additional court staff, prosecutors and public defenders, as well as enhancement of probation supervision.	<b>See details below</b>

**Description**

This Section of the Act provided the Judicial Branch with personnel and funds to increase access to and production of transcripts; to increase supervision services for sex offenders through caseload size reduction and day reporting services for homeless sex offenders; increased use of polygraph examinations and increased use of GPS units; to increase the capacity to serve warrants for violation of probation and to create new programs to reduce juvenile truancy and to provide pilot intervention projects to juveniles at risk of becoming delinquents.

Of the 70 positions and \$5,232,000 appropriated to the Judicial Branch, 50 positions and \$4,040,000 were assigned to CSSD and 20 positions and \$1,192,000 to Court Operations for court staff, for FY 09, as follows:

	<u># of positions</u>
- Sex Offender Supervision	27
- Warrant Service	9
- Provide monitoring of homeless sex offenders	0
- Mandated pre-sentence investigation for sex offenders	8
- Expedited evaluation/assessment and pre-release services for sex offenders	6
- Truancy Prevention Program	0
- Juvenile Justice Urban Cities Pilot	0
- Criminal Data Entry	15
- Production of Transcripts	5
- Temporary Assistant Clerks	0
<b>TOTALS</b>	<b>70</b>

## BACKGROUND AND STATUS BY PROGRAM

PROGRAM	BACKGROUND	STATUS
<b>Sex Offender Supervision</b>	<ul style="list-style-type: none"> <li>• Contract executed in November, 2008 for polygraph service expansion (\$280,000 FY09). There was a staggered implementation between January and November 2009 during which 4 new examiners were hired and trained. The new examiners completed over 600 examinations during this time period.</li> <li>• Policy and criteria were developed to enhance supervision of offenders with GPS beginning in April 2009 (\$26,500, FY09).</li> <li>• A new centralized Electronic Monitoring Center opened in August, 2009 to improve the contractor's 24 hour/7days per week response to detected violations capability.</li> <li>• Hiring of 27 probation officers deferred from 4/1/09 to 7/1/09 due to budget shortfall.</li> <li>• 2100 sex offenders under supervision – December 2009 (up 37% from December 2005); average officer caseload at 45.</li> <li>• Governor's proposed FY10 budget eliminates 27 sex offender officer positions authorized under this Act.</li> <li>• Final FY10 State budget restores 27 probation positions.</li> </ul>	<ul style="list-style-type: none"> <li>• CSSD now supervises more that 2,550 registered sex offenders each day. This caseload has increased by as much as 10% annually;</li> <li>• The Judicial Branch hired 27 new Probation officers between October 2009 and January 2010 to reduce the average caseload to 30 currently for the highest risk sex offenders;</li> <li>• Polygraph services implemented (funding began November 1, 2008 to hire and train staff (over 1,200 examinations in FY10));</li> <li>• GPS surveillance implemented April 1, 2009 with approximately 124 sex offenders monitored per month.</li> </ul>
<b>Warrant Service</b>		<ul style="list-style-type: none"> <li>• There are currently 5,061 un-served VOP warrants on adult probation caseloads, down 37 percent from a high of 7,890 in September 2007. The Paperless Re-Arrest Warrant Network (PRAWN) has contributed significantly to this reduction in outstanding VOP warrants;</li> <li>• Nine (9) officers originally appropriated were removed in the final state budget;</li> <li>• In December 2009 CSSD assigned five (5) officers from supervision caseloads to warrant service.</li> <li>• Average warrant service caseloads reduced to 260 from over 400.</li> </ul>
<b>Monitoring of Homeless Sex Offenders</b>		<ul style="list-style-type: none"> <li>• The sex offender day reporting program in New Haven began November 1, 2008. The total number of homeless sex offenders served in New Haven for FY 10 was 32.</li> <li>• The program began in Hartford in June 2010 and served 12 clients total in that month.</li> </ul>

PROGRAM	BACKGROUND	STATUS
Mandated Pre-Sentence Investigations for Sex Offenders:		Governor's recommended budget and final FY10 State Budget removed six (6) probation officer and two (2) clerical positions for this initiative. CSSD assigned six supervising probation officers to write Pre-Sentence Investigations, as PSI's have increased by nearly 50 percent since 9/2007.
Expedited Evaluation and Pre-Release Services for Sex Offenders:		Contract for sex offender therapists to conduct evaluations executed in November 2008. CSSD staff hiring and training completed and policies and procedures completed for identification and assignment of sex offenders to contracted clinicians to allow for evaluation of sex offenders three to six months prior to release to probation from incarceration
Truancy Prevention:		Project eliminated due to budget rescission in FY09
Juvenile Justice Urban Cities Program:		Project eliminated due to budget rescission in FY09

