

**CT Sentencing Commission**  
*Research Subcommittee Meeting*  
*Central Connecticut State University Clock Tower Room*  
Wednesday, June 8, 2011  
2:30 – 4:30 PM

**Persons in attendance:** Susan Pease (CCSU, Chair of Subcommittee), Andrew Clark (IMRP), Aileen Keays (IMRP), Kevin Kane (Chief State's Attorney), Susan Storey (Chief Public Defender), Vivien Blackford (CCJR), Bob Farr (Attorney), Bill Carbone (CSSD), Michael Norko (DMHAS), Jason DePatie (IMRP)

**Persons to invite:** Ivan Kuzyk (CT-SAC) and Brian Hill (CSSD) will be invited to join this Subcommittee.

**I. Meeting convened**

Subcommittee Chair Pease called the meeting to order at 2:32 PM.

**II. Approval of minutes**

After a review from members, Subcommittee Chair Pease asked for a motion to approve the 3/25/11 Research Subcommittee minutes. A motion was made, seconded and **approved by a unanimous voice vote.**

**III. Comments – Judge Joseph Shortall, Chair**

Judge Shortall was unable to attend this meeting so this agenda item was removed.

**IV. Establish procedures for review and selection of proposed research for recommendation to the Commission and oversight of research progress**

Andrew Clark reviewed the intent of the focus groups to be conducted at the upcoming full Sentencing Commission meeting on Monday, June 27, 2011. Mr. Clark explained the purpose of the focus group is to establish the Commission's priorities by soliciting members' ideas through an infinity exercise. The ultimate goal of this exercise is to develop priorities which will inform the creation of additional subcommittees and the Commission's future agenda.

Members then discussed what they saw as the subcommittee's purpose/mission and whether they wanted to establish procedures to govern how the subcommittee conducts business. It was decided that the subcommittee shall determine how best to accomplish its research needs and it was mentioned the University Partnership may be helpful in this process. One idea suggested was that it would be helpful to communicate with frontline researchers to determine what research projects are currently being conducted and what

may be of interest to the Commission. It was dually noted that researchers may be willing to pursue certain research projects in exchange for access to various state databases.

Subcommittee Chair Pease then suggested that oversight of research quality may be an important initiative for this subcommittee. IMRP can develop draft protocols to determine how best to review research. The subcommittee will look at what other sentencing commissions do in regard to the vetting process and how they utilize the University Partnership model. The overall question is: "How do other sentencing commissions manage quality of research?" The subcommittee decided it should also assess the value of research to ensure that it can be used to make policy recommendations. Members noted the University Partnership can help ensure research validity as it encompasses professors and researchers from a wide range of universities and disciplines.

Mr. Clark informed the subcommittee that he spoke to Mark Bergstrum, Executive Director of the Pennsylvania Commission on Sentencing, who indicated he has time this summer to work with this subcommittee to help further clarify its purpose/mission.

**V. Suggestions for data collection – e-mail submitted by David Shepack (State’s Attorney)**

David Shepack sent an e-mail to the subcommittee explaining that information collected by a snapshot analysis of people presently incarcerated could be a useful tool informing whether the people serving time in prison share the same characteristics as people who do well under alternative community programs. The scope of this snapshot would also include non-program completers to gain a complete picture of recidivism.

Attorney Farr followed up asking "How many inmates have 15+ convictions?" and expressing the need to identify the people who constantly cycle through the system. The subcommittee then discussed the need to look at the system’s effect on reentry and not just the characteristics of individuals. Sub-topics mentioned during this discussion include the factors that affect successful reentry, the potential benefit of programs utilizing former inmates as mentors for newly released inmates, and the length of most recidivism studies being two years as opposed to three.

**VI. Preparation for focus group meeting on June 27, 2011**

Subcommittee Chair Pease asked members to prepare for the next Sentencing Commission meeting by thinking of questions that could be answered by using existing data. The subcommittee should also consider how the commission may want to utilize this data. For example, with cost-benefit data the state could justifiably release inmates at the lowest risk.

**VII. Other business**

Attorney Farr discussed whether the state can show that the new program for DWI, home arrest vs. incarceration, is more effective at reducing recidivism than incarceration. He also asked the same question in regard to the earned risk reduction credits. Attorney Farr noted

the parole population has already had this incentive; people are only paroled if they participate in programming. The second part of this discussion focused on the idea that whenever a policy of this nature is changed, the state should be able to measure its effectiveness. The state should begin to follow these laws now in their implementation rather than trying to go back in a few years to evaluate the changes.

Attorney Storey discussed the collateral consequences of conviction and barriers to successful reentry into the community: barriers to employment, housing, student loans, conviction posted on the public state website, etc. She would like to look at no entry in the beginning because once in the system it is so hard to prevent the collateral consequences.

It was decided that the subcommittee's mission is: To recommend research ideas to the commission, accept the commission's research recommendations, determine how to best conduct research and then present the findings to the commission.

Mr. Clark mentioned that Mike Lawlor (Under Secretary for Criminal Justice Policy and Planning) and State Rep. Toni Walker may be going to Washington to be trained on cost-effective procedures. Discussion ensued as to Connecticut's lack of a formal risk assessment tool for offenders. Washington requires this sort of assessment for all offenders prior to sentencing. One concern raised was plea bargaining of weak cases: How would a risk assessment affect plea bargaining if the assessment determines the person is a high risk yet they have a weak case requiring a plea deal? The Washington Program is posted on the Washington State Institute for Public Policy website; the commission could explore whether this program could work in Connecticut. The Washington Institute has done extensive analysis and can present various models for cost-benefit implementation.

PEW may be willing to consider the funding of the implementation of cost-benefit analysis in Connecticut. Additionally, cost-benefit analysis may be a natural fit for the Sentencing Commission. It was decided that subcommittee members will familiarize themselves with this model and that cost-benefit analysis shall be a priority of the Research Subcommittee. There will be a technical side of the implementation that this model will require, yet it is unclear who will perform the technical tasks. Attorney Storey wants to explore the cost of incarcerating caretakers; this may be included in the implementation of cost-benefit analysis. Attorney Farr volunteered to send out the reports. Mr. Carbone commented that CSSD has the ability to answer whether offenders who enter probation are rearrested and how soon after entry. CSSD can also look at the program(s) the individual offenders entered (AICs, residential, other) and look at long-term recidivism.

#### **VIII. Meeting adjourned**

- a. Meeting adjourned at 4:15 PM.