

CONNECTICUT SENTENCING COMMISSION

Research, Measurement, & Evaluation Committee Meeting

Friday, October 7, 2011

4:00 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 (Acting Executive Director), Jason DePatie, Sarah White

MINUTES

I. MEETING CONVENED

Susan Pease called the meeting to order at approximately 4:05 p.m.

II. INTRODUCTIONS

Committee members introduced themselves and identified their affiliations.

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 asked the committee to develop one or two research questions to present to the Full Commission. Discussion addressed the process of brainstorming questions and selecting researchers. Susan Pease explained Judge Shortall thought that the procedures for selecting 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 reserved it for a future meeting.

B. Committee Mission

The committee discussed the history of the previous Sentencing Task Force and the mission of the Sentencing Commission. Funding issues, hiring a research director and the ways in which the Commission could add value by helping to reform the criminal justice system were discussed.

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C. Research Questions

The development of research questions was discussed in detail. It was suggested that the committee begin with questions that can be answered using existing data. 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 Sentencing Task Force. Thomas Ullmann agreed that the program is worth evaluating and that there is a wealth of data on the prison 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. She also explained that when collecting information about these individuals, the researcher should match the different data sources and check mortality files to ensure the data are accurate.

Thomas Ullmann explained that the critical question that the data can answer is whether 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 for 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 recommendation of the committee may be to require the evaluation of individuals with mental illness who recidivate into pre-trial diversion programs. After evaluation, 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 regular evaluation of the programs they have implemented. He suggested that this committee look at Washington State's model.

D. Process for Conducting Research

It was 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 how different jurisdictions use the program. 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

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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 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 do not 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. A safe model may be to have academics from across the state collaborate on peer-reviewed research projects.

Some members raised concerns about whether the agencies involved in the research would be reluctant to release unflattering research findings and provide the information. However, it was pointed out that the enabling legislation of the Commission requires state agencies to cooperate fully with the Sentencing Commission and provide requested information. Some members brought up the issue of establishing procedures for the protection of human subjects and the protection of data bases which contain personally identifiable information. University researchers would be required by their universities to have projects approved by their respective Institutional Review Boards (IRB's) as well as agency IRB's.

IV. OTHER BUSINESS

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

The next meeting of the Research, Measurement, and Evaluations Committee will be held 3:00 p.m. Friday, November 4, 2011 at CSSD. At this meeting, CSSD will be present on the Mental Health Pre-trial Diversion Program. Thomas Ullmann closed the meeting by reminding members to advise other committees that they can refer projects for research.

V. MEETING ADJOURNED

Meeting adjourned at approximately 4:25 p.m.