

## Minutes

### **SITING INCENTIVES COMMITTEE Legislative Office Building, Room 1A Hartford, CT October 23, 2008**

**Members Present:** Brian Austin, Jr, statutory member as Undersecretary, Criminal Justice Policy and Planning Division, Office of Policy and Management, and Committee Chair; Woody Bliss, First Selectmen, Town of Weston, appointed by Senate Minority Leader John McKinney; Senator John Kissel, statutory member as Ranking Member of the Judiciary Committee; Theresa Lantz, statutory member as Commissioner, Department of Correction; Representative Arthur O'Neill, statutory member as Ranking Member of the Judiciary Committee; Maureen Price-Boreland, Executive Director of a community-based facility, appointed by House Majority Leader Christopher Donovan; and Sally Schenk, Board President of a community-based facility, appointed by House Minority Leader Lawrence Cafaro.

In addition, John ("Jack") Brooks attended for William Carbone, statutory member as Executive Director, Court Support Services Division, Judicial Branch; and Laneka Thomas attended for Sen. Andrew McDonald, statutory member as Co-Chair of the Judiciary Committee.

Chair OPM Undersecretary Brian Austin convened the meeting at 9:32am; the Committee members then introduced themselves. It was noted that a draft of the siting incentives strategy will be circulated to Committee members for review and discussion at the November 20<sup>th</sup> meeting, with the final strategy to be voted on by the Committee members at the December 18<sup>th</sup> meeting. The siting incentives strategy is due to the Governor and Legislature by January 1, 2009.

**Minutes:** Minutes of the September 25, 2008 meeting approved unanimously.

**Committee Correspondence:** There was no correspondence.

**Public Comment:** There was no public comment.

#### **Presentation and Discussion:**

Three (3) planned presentations were:

- Woody Bliss, First Selectman, Weston, Siting Incentives Committee member, and Board member of both the Connecticut Conference of Municipalities (CCM)

and the Council Of Small Towns (COST), and Chair of the South Western Regional Metropolitan Planning Organization; and Ron Thomas from CCM.

- Maureen Price-Boreland, Executive Director of Community Partners in Action, and Siting Incentives Committee member.
- Sally Schenk, Board President, Family Reentry, and Siting Incentives Committee member.

#### Woody Bliss and Ron Thomas

Woody Bliss, First Selectman, Weston, Siting Incentives Committee member, and Board member of the Board of the Connecticut Conference of Municipalities and the Council Of Small Towns, and Chair of the South Western Regional Metropolitan Planning Organization, and Ron Thomas, Manager of State and Federal Relations of the Connecticut Conference of Municipalities. CCM and COST circulated a questionnaire to their members. The municipalities understand the general concept of the halfway house, but lack knowledge of the program within the halfway house. The community's attention is drawn to these facilities in response to issues or incidents. Survey responses indicated that there was no enthusiasm for the siting of halfway houses in towns or cities, especially for arsonists, sex offenders (especially pedophiles), and career criminals. The one constant thread in the responses was the need for better regulation including licensing, periodic inspections, and a set of standards for the facility's mission and procedures.

Mr. Thomas explained that communities were surveyed to ascertain what kinds of economic incentives would the community want in order to accommodate halfway housing for offenders. The responses to the survey came from large and small, urban, suburban and rural communities; in general, the larger communities feel overwhelmed with the variety of existing facilities they are already accommodating (eg, 'overdevelopment'), while the smaller communities believe they lack the infrastructure (eg, transportation, jobs) needed by residents of halfway houses. Some responses outlined conclusions for initiating more community-based facilities in the State:

- Establish state regulation for halfway houses, including licensing, to ensure that such facilities meet state health and public safety laws and procedures.
- The State should ensure statewide coordination of controversial sitings to avoid over-development and to promote equity in siting. There should be a statewide inventory of such facilities; OPM should develop and maintain this 'registry'. Additional facilities to be included in the registry should be identified with the advice and assistance of representatives of local towns and cities.

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NOTE: Mr. Thomas referred the Committee to the *Siting Controversial Land Uses* report published by the Legislative Program Review and Investigations Committee of the Connecticut General Assembly, dated January 1992.

- Ensure that municipalities are notified monthly of new parolees returned to their communities.
- The State should consider financial incentives to municipalities for them to accommodate halfway houses. These incentives should include full funding for the PILOT program. (The Payment In Lieu Of Taxes grant provides compensation to municipalities for real property tax losses due to exemptions applicable to state owned and private college and hospital real property.)
- Also, there should be a 'new state PILOT' program for property owned by non-profit human service organizations. A relatively small number of municipalities accommodate a disproportionate amount of social services (including halfway houses) for Connecticut residents. These municipalities should be adequately compensated by the State for state0mandated property tax exemptions and social service rehabilitation costs. A PILOT program covering these costs would lessen the financial burden of lost property revenue from community-based facilities and general assistance to residents who need employment training and psychological care.

Maureen Price-Boreland commented that the halfway houses have well-developed standards for accountability, and are regularly monitored by DOC and CSSD with canines. The programs are very creditable. It is the individually-operated sober houses that are not monitored by the state.

DOC Commissioner Theresa Lantz commented that all municipalities (usually the police official) are notified weekly of all DOC releasees, and stated that DOC would welcome suggestions to make the notification form more 'user-friendly'.

It was also noted that the Judicial Branch's Court Support Services Division notifies municipalities about offenders who are in the process of being released to probation from jails and prisons. In addition, the Judicial Branch website now allows the public access to records of outstanding arrest warrants for violation of probation by offender name; the site is [www.jud2.ct.gov/VOP/](http://www.jud2.ct.gov/VOP/) (CTRL+link).

#### Maureen Price-Boreland

Maureen Price-Boreland, Esq, Siting Incentives Committee member and Executive Director, Community Partners in Action (a non-profit organization). The Connecticut Association of Nonprofits (CT Nonprofits) is an organization with over 500 members of which 300+ member agencies contract with the State to provide a range of programming to meet the demands of community needs, including residential and non-residential services.

The goal of reentry is to increase public safety, decrease recidivism and incarceration costs to the state, and stabilize the offender in the community. It is important to recognize that these residential programs are not inconsistent with public safety. In

fact, they promote public safety because the releasees are supervised, compared to those released without supervision and pose problems for the communities.

Approximately 20,000 DOC inmates return to the community annually. The current census in DOC residential services is:

- Halfway Houses 1009 beds
- Alternative Supportive Housing 236
- Work Release Programs 774
- Inpatient Programs 207
- Mental Health beds 23
- Supportive Housing 246

The current need is an additional 400 additional beds

Judicial's CSSD has about 55,000-57,000 individuals on probation throughout the state.

- Adult beds - 628; services include transitional housing, substance abuse, women and children

- Juvenile Programs beds – 66; ranging from families with service needs, to alternative detention programs, to community detentions.

The current need is for 500 individuals who qualify for community residential beds

Given the size of these populations, this issue does not just impact local urban centers, but impacts every community in the state - all communities in the state have individuals involved in the criminal justice system.

The myriad of services are provided by the nonprofits indicate the challenges faced by the population:

- Substance Abuse Treatment
- Anger management
- Employment assistance
- Cognitive skills development
- Reasoning and Rehabilitation
- Parenting skills
- Domestic violence programming
- Case management
- Community Service
- Individual and Group Counseling
- Family counseling
- Sex offender services
- Gender specific services
- Mental Health services

The barriers and opposition to siting programs include:

- City/Towns - Getting more specific on zoning regulations and limiting programming.
- Citizens/Neighborhood/Community Opposition (NIMBY)
- Tax Loss Concerns
- Devaluation concerns

Serving "Out of Towners"  
Proximity = Victimization  
Saturation Concerns (overdevelopment)  
No perceived local benefit in advocating sites  
Offender "labels" shut down dialogue/consideration

There are benefits to community involvement:

96% of those incarcerated will return to the community  
Stable housing is a key determinative factor in the successful re-entry and recovery of our citizens  
Community residential treatment programs cost less than incarceration – the community residential program averages \$20,000 per person compared to a range of \$31,000-\$64,000 per person in prison depending on level of service provided by the DOC  
Offenders who participate in halfway houses have a significantly lower recidivism rate than end of sentence offenders  
Residential programs help prepare the individual for financial re-entry needs  
Criminal justice is not a suburban vs. urban issue  
A properly functioning criminal justice system benefits all residents of CT and improves public safety

There are also zoning challenges:

No clear-cut zones/requirements/regulations  
Inconsistent definition/understanding of criminal justice programs  
Outright ban of social and/or criminal justice programs  
No residential zoning for multiple unrelated persons  
Special use for children is being challenged  
City/Towns don't agree on where criminal justice programs fall in the zoning regulations

With respect to program performance:

Programs are designed to be responsive and accountable for participants non-compliance with program stipulations  
Recidivism rates for people in residential programs average 24% compared to 47% for end-of-sentence persons  
Providers, through funding from DOC and CSSD, operate several reputable and successful residential programs

Perceptions versus Realities:

Studies show that property values are not impacted by the placement/location of a residential program  
Every community in CT has individuals who are involved in the criminal justice system  
People are serving longer sentences, but longer sentences do not increase public safety  
Isolating the offender population does not promote public safety

Halfway houses and residential programs are not soft on crime but provide a very cost effective supervision of individuals returning to the community

Community Partners in Action (CPA) has successfully sited facilities:

CPA operated residential and non-residential programs in inadequate space in the south end of Hartford

CPA received opposition from city council

CPA worked with local NRZ and city council to relocate to acceptable and mutually-agreeable site close to the court house and on the bus line

CPA worked with local investor to coordinate funding and renovation of space

Site was renovated to be consistent with the surrounding architecture

Site is well-maintained and monitored

CPA developed a comprehensive program complex that has been serving the community since January 2000.

Challenges with the procurement process:

No State level coordination of siting across the state

Nonprofits are expected to take the lead and put resources on the line

No landlord incentives

High transaction cost to nonprofits

Potential litigation cost

No bonding/ limited capital money

Site renovation cost high

Nonprofits are penalized for errors in the process

Recommendations:

State agencies becoming a significant partner and leader in the siting process

State sponsored incentives for communities

Careful assessment and education of the community before entering

Engaged public officials

Community input, an engaged public

Well-managed programs with access to adequate re-entry resources

Placement of small programs in an acceptable neighborhood/section of the community

There is no consistency in the zoning regulations between municipalities for siting residential programs. Hartford feels inundated with programs, and has placed a moratorium on new programs.

Nobody wants to live near rundown properties. Halfway houses and residential programs have come a long way; the community programs today are designed to reflect the community, and the properties are well-maintained. Well-maintained properties do not cause devaluation of neighboring properties.

The population in the residential programs is closely monitored, eg, supervision, curfews, substance abuse testing. Efforts are made to create accountability and

standards. When there is a violation, the agency of cognizance (eg, DOC, Probation, Parole) is notified. However, for those offenders leaving the prison at end-of-sentence, there is no such supervision, monitoring or accountability; oftentimes,

Longer sentences means the offender requires longer transition periods and more support and assistance in social skills building and stabilization, and obtaining financial resources, housing and employment. The end-of-sentence releasee is essentially released to the streets without any supporting resources, and so is not stabilized; again, the end-of-sentence person causes problems for the community. As we create a better transitional system, including for the end-of-sentence offender, we enhance public safety.

It is easy to say what we don't want to happen with the offender population (*we don't want them in our community*), but we are not dealing with the other side of the equation; if we isolate this population and leave them to their own resources to achieve what they want, this will not result in a positive outcome.

Isolating offenders, even the sex offender, does not promote public safety. Offenders often stay in shelters or residential motels, which allow them to roam the streets without supervision. Siting residential facilities on the grounds of state properties (eg, prisons) is antithetical to a community-based re-entry milieu, because it does not offer the person a true re-entry process; this would essentially replace incarceration with another type of incarceration. Residential programs need to be appropriately located in a community; Facilities should be transparent and open to answering questions from the public. The community needs to feel comfortable.

Small facilities are easier to site and more effective in getting wrap-around services for the population.

Steps to siting a residential facility by a non-profit agency include, but are not limited to:

- Go the municipality to negotiate the facility
- Foster relations with the community (towns are becoming suspicious that programs will come into the community 'under the radar')
- Attend (multiple) planning and zoning meetings
- Pay fees for proper documents, zoning fees, and perhaps legal representation
- Pay building rehabilitation/renovation costs if the state cannot

The non-profits must go through the zoning approval process on their own. But the nonprofits are very limited in their financial capital to pay for such expenditures.

Recommendations for moving forward:

- State agencies must become a leader and significant partner in the siting process. There needs to be recognition that this is a mutually beneficial relationship designed to provide services
- There needs to be careful assessments of the community and in looking for partners on how to educate the community on the issues and to put their mind at rest

- Public officials must be engaged in the process; the officials, police chiefs, etc, need to be involved and converse with community residents
- The programs need quality management, including openness to the public to allay concerns
- Appropriate placement of small programs in acceptable areas in the neighborhood

Senator Kissel commented that when Enfield held a hearing on the Criminal Justice Reform Bill (which became Public Act 08-01) there was testimony that dilapidated buildings were renovated into residential facilities, and with the random checks, good physical maintenance, and integration into the community, these facilities were 'models' for the community; they could be the anchor to turn around a community that was struggling.

DOC Commissioner Lantz noted that the Department of Correction relies on the non-profits to do the negotiations with the communities because the non-profits are more neutral, and have better rapport and respect than does the State. DOC can provide funding for program operational costs but cannot use State monies for building expenditures (renovation, maintenance), while the Judicial Branch (a different branch of State government) does have the ability to rehabilitate and renovate and maintain buildings.

Maureen Price-Boreland commented that the State could support and provide assistance to the non-profits in working with the municipal officials and in the local zoning approval process.

First Selectman Woody Bliss suggested that one marketing strategy is to stress cost avoidance: the average per capita cost of a residential facility is \$20,000 compared to the average cost of imprisonment at \$45,000. Regarding 'saturation', he asked how many people are being incarcerated from a given geographical area, and how many of them return to that community, and the associated costs. Chair Brian Austin noted that this data was difficult to obtain, but was hopeful that it would be available in the draft report for review/discussion at the November 20<sup>th</sup> Committee meeting.

Other strategies: counter myths/perceptions with reality; hard data should be provided to calm concerns about property devaluation. Also, instead of citing a failure rate, it is more persuasive to focus on a success rate, especially if the success rate is larger than the failure rate as in the case of residential placement.

The major challenge is how to communicate and convince the community-at-large that these residential programs are worthy and beneficial to the public in general, and as part of the social good, that it is in the best interest of all to provide resources and opportunities for better re-entry service.

DOC Commissioner Lantz commented that the high-end offender (eg, sex offender, arsonist, serious violent offenders) which cost the State on average \$64,000 are difficult

to place in halfway houses, and therefore are often discharged at end-of-sentence. This is a concern because they do not benefit from the support of a re-entry process.

Jack Brooks, CSSD, noted that CSSD has 140 funded programs that are visited 1-5 times per month. Siting is not just a DOC and CSSD issue. These issues also affect the Department of Children and Families, the Department of Mental Health and Addiction Services, Department of Developmental Services (formerly the Department of Mental Retardation); even day reporting centers and nursing homes may be considered comparable to halfway houses by a community. CSSD, as a division within the Judicial Branch, cannot take a lead in siting because of the possibility that a law suit may be filed which could appear as a conflict of interest.

Incentives could include: a lump sum of the program's operating cost (eg, 20% - 50%) going to the municipality to offset any additional costs of police, fire, ambulance, parking); or an annual fee attached to the percentage of the cost of the program.

If there is indeed a general need, even a mandate, to create a system intended to do 'the larger good', then we all need to work on the process, even incrementally.

#### Sally Schenk and Steve

Sally Schenk, Siting Incentives Committee member, and Board President, Family Re-Entry (a non-profit program), and Steve Lanza, Executive Director, Family Re-Entry. Family re-entry was established in 1984 as a support group for men in Bridgeport; it operates 15 programs in Fairfield County and in 3 prisons to help with re-entry. The establishment and opening and pilot re-entry program, Fresh Start Enterprise House, in Bridgeport is a case study (a 10:37 minute video was played regarding this initiative; this video may be viewed at [www.ctn.state.ct.us](http://www.ctn.state.ct.us), go to on demand, chose October 23, 2008 for the Municipal Siting Incentives Committee).

Several programs were visited, especially the Delancey Street Foundation in San Francisco. The program started 40 years ago, and now consists of a 480-person condo facility on the Bay. It's large moving company generates \$6M in revenues annually and is the largest moving company in northern California; Delancey Street also has a \$2M catering business, a corporate theme decorating business, a limo repair shop and executive limo service to the airport, etc. All of this is self-run, self-regulated and self-governed.

Effective marketing strategies include:

- Knowing how to frame the concept/subject
- Talk to people with social consciences:
  - Private donors
  - Foundations
  - Churches
- Blend the role of the private sector and the public sector
- Effective solutions require the involvement of community and state leaders

- The model needs to be inspiring, especially for the private sector
- An entrepreneurial aspect can be extremely powerful for the community; very appealing
- Good marketing is best when real and genuine
- Outcome studies are key to credibility
- The theme of rebuilding the neighborhood is key:
  - Build joint community solutions
  - Municipal government
  - Mayor's/selectman's office
  - Other non-profits
  - Faith groups
  - Neighborhood leaders themselves
- Don't rule out seeking siting in the at-risk neighborhoods. Start with easy places
  - prices and barriers are lower. Become a visible public symbol/agent for social change
- Start with the easier target populations to build success, not the specialized populations. Build success, confidence and support with the larger population; the specialized population (eg, sex offenders) need attention but are smaller in scale.

#### Initial steps included

- discussions with the mayor
- canvassing door-to-door about siting the house and neighbor concerns
  - by block
  - townwide
- public forums were held
- promised to be the best neighbor
  - managed others properties
  - cleaned vacant lots
- parole officer has a desk in the house - supervision
- a roundtable consortium was established to work together; the town has a liaison

The house is siting in a high crime neighborhood. The residents are careful watchdogs and help keep the neighborhood clean and safe.

Meeting adjourned at 11:40am.