

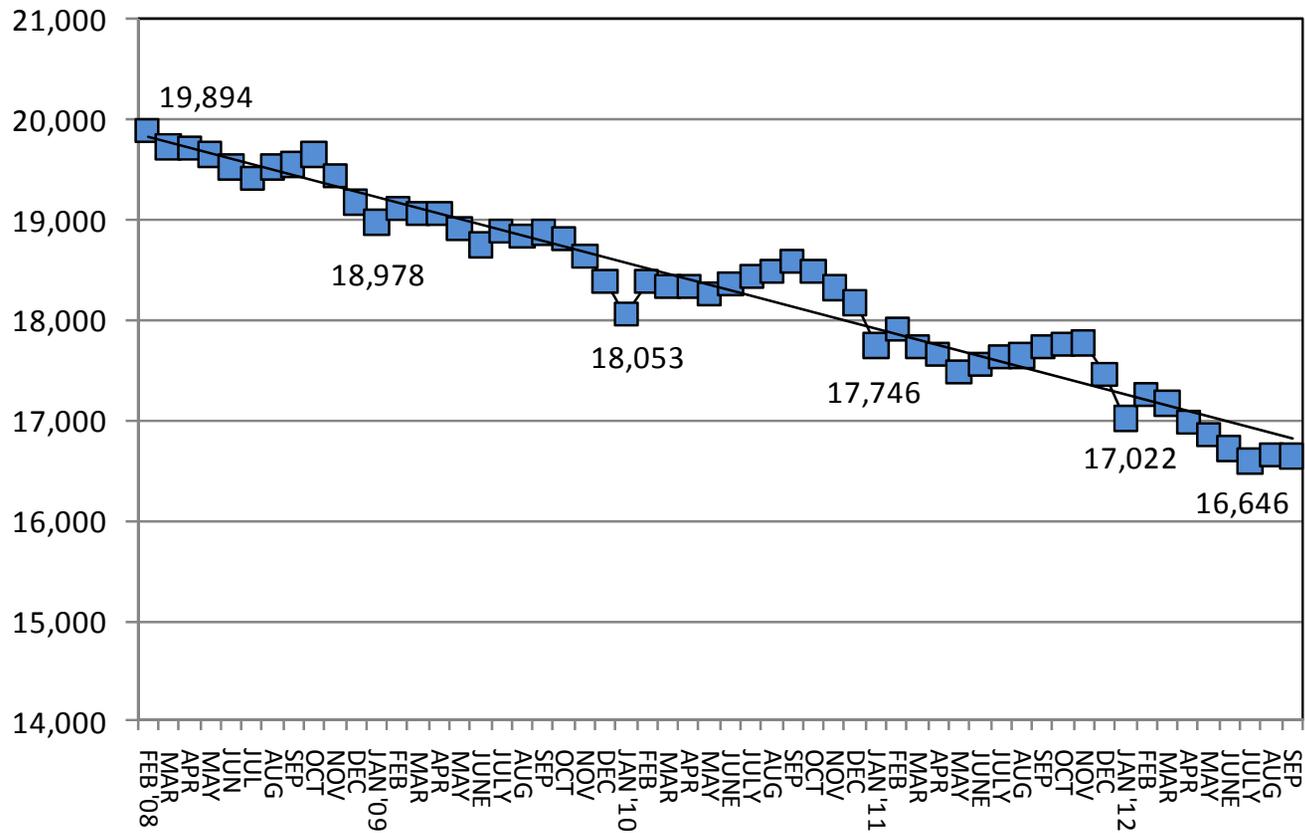
RREC – The Public Policy Perspective

Mike Lawlor, Undersecretary

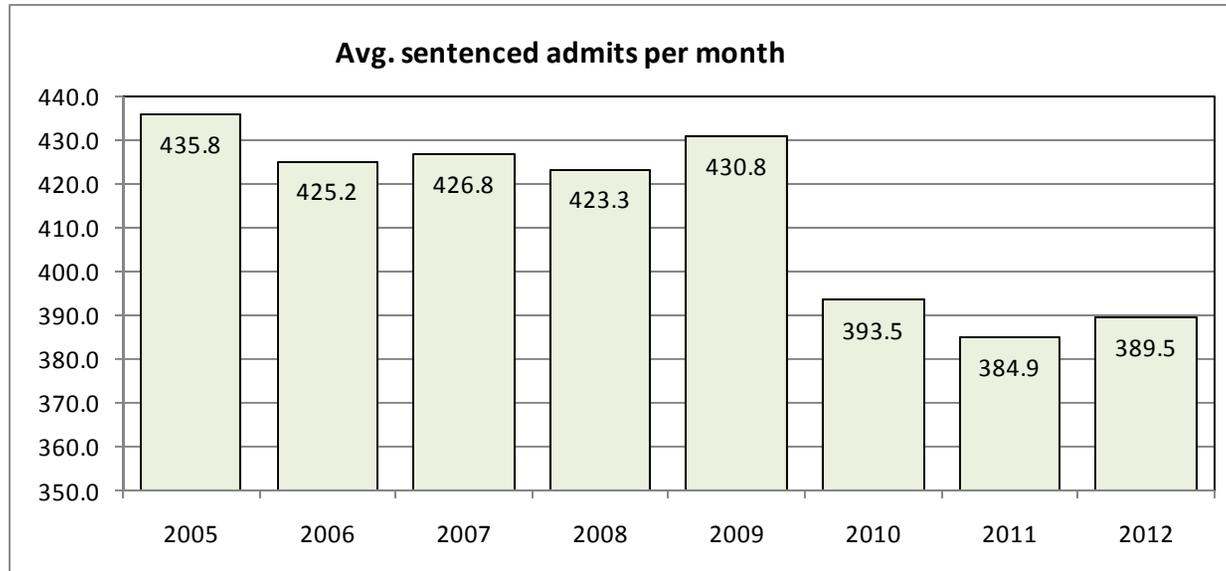
Criminal Justice Policy & Planning Division

Office of Policy and Management

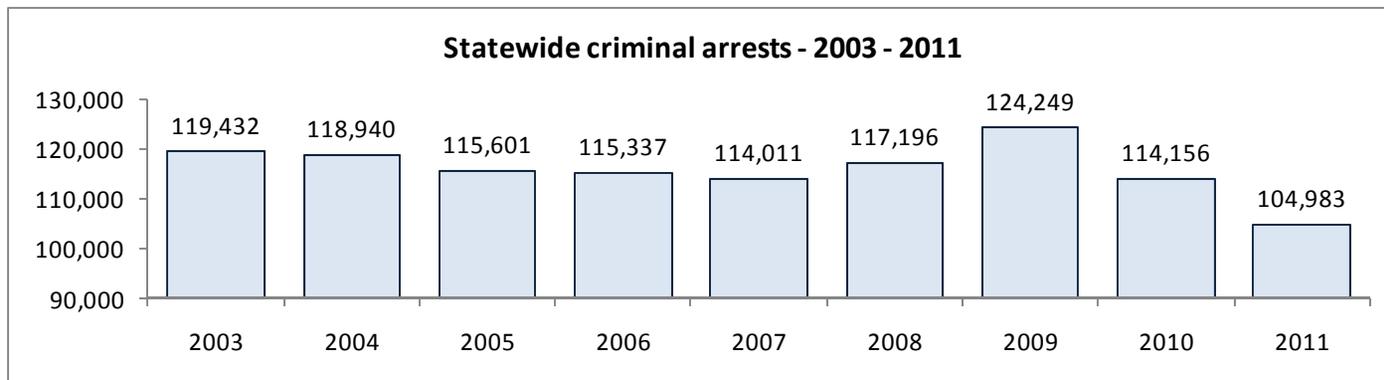
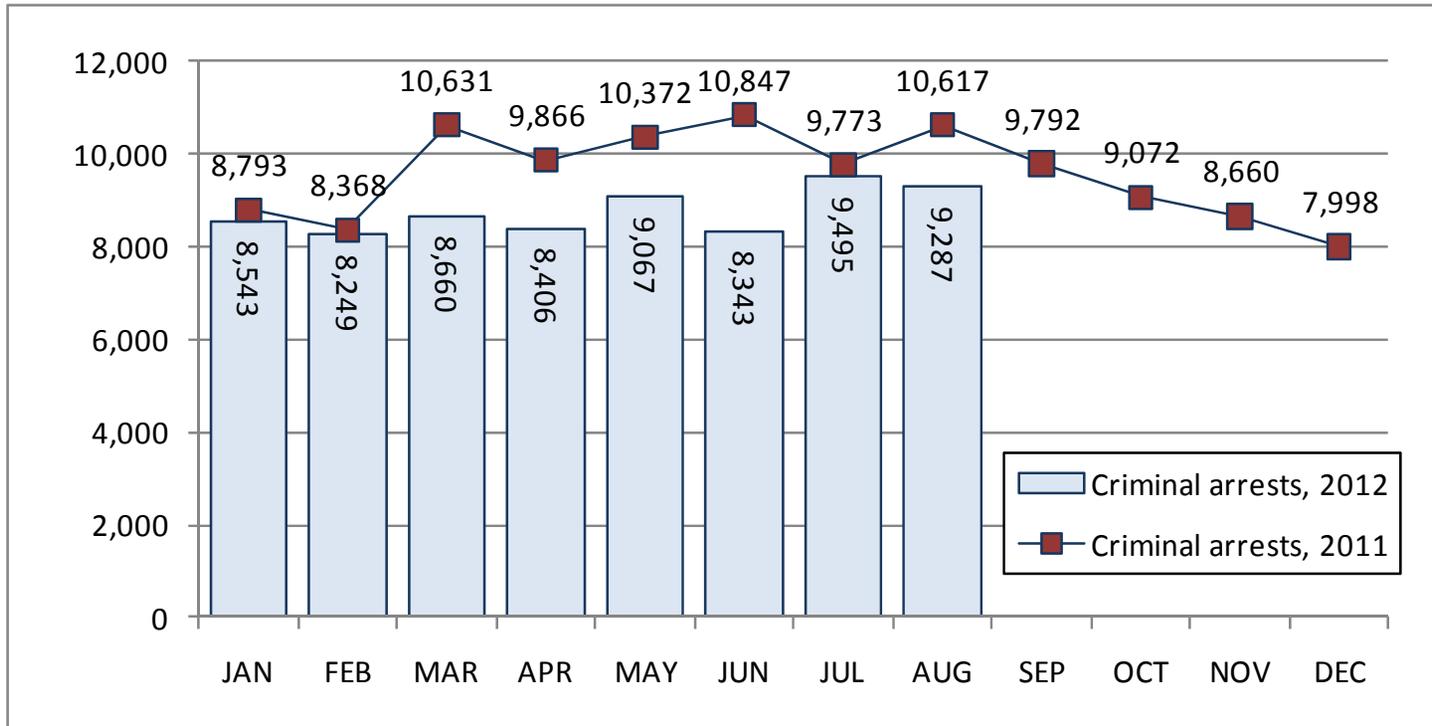
Connecticut's prison population since February 2008



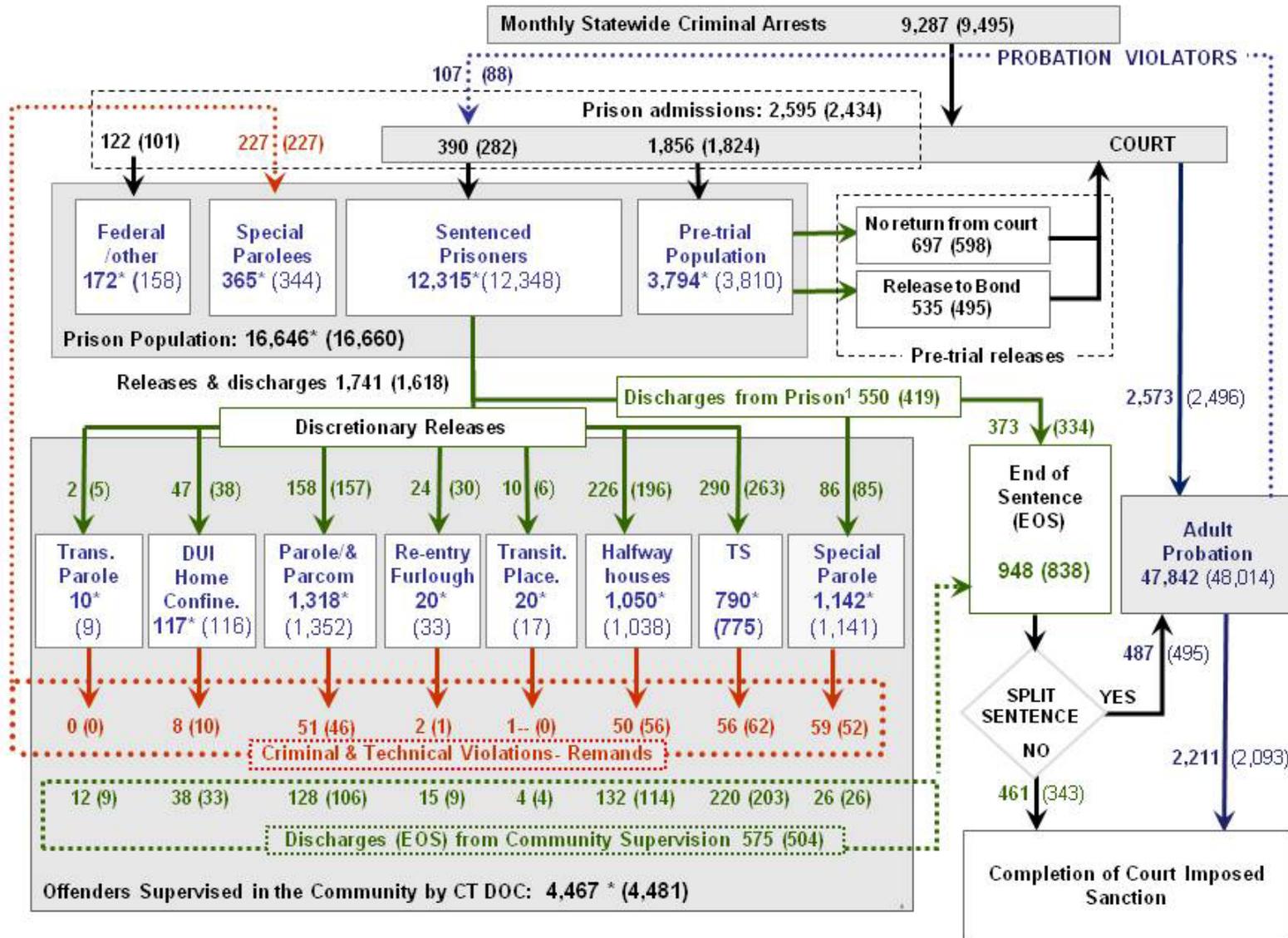
Average sentenced admits per month



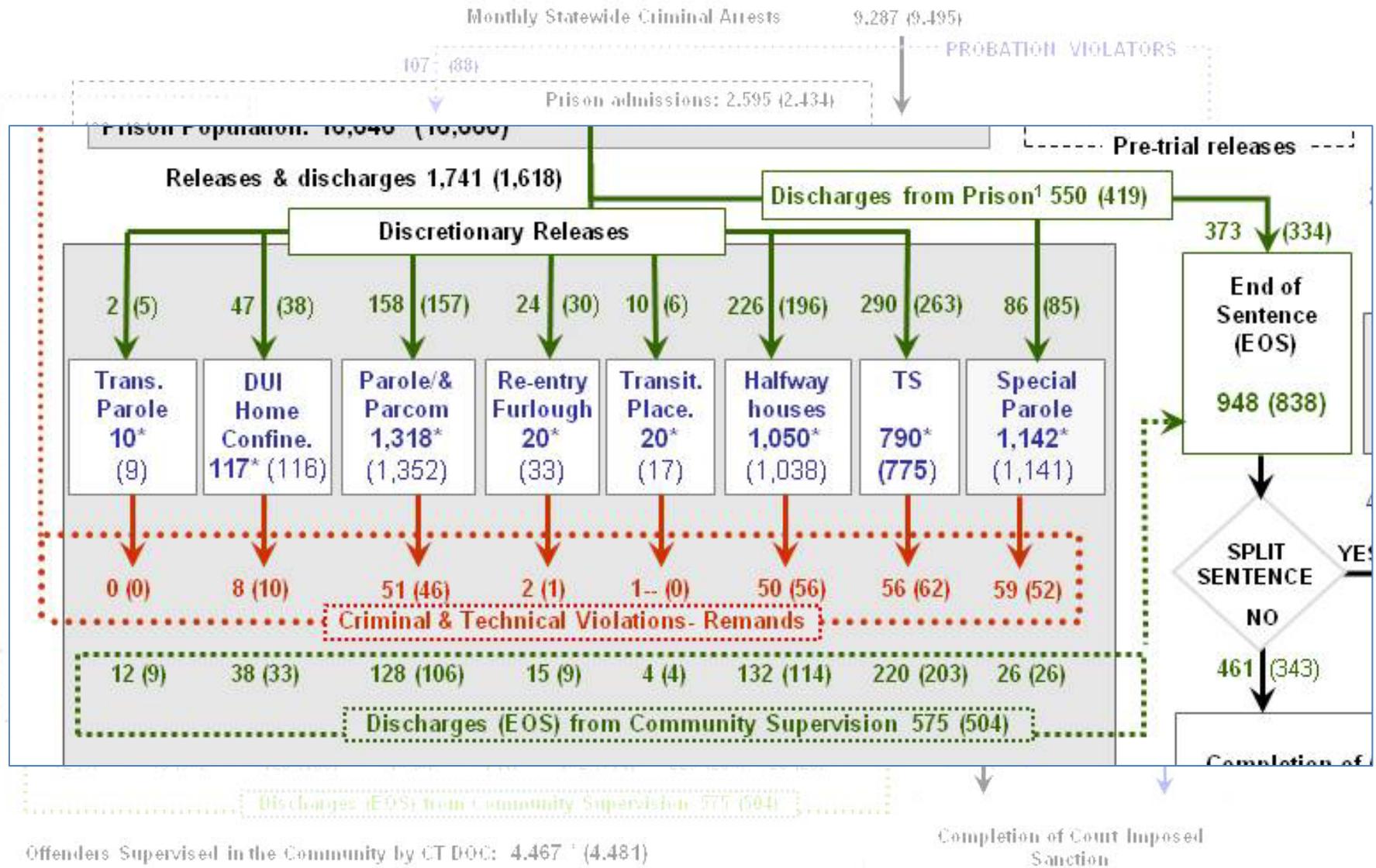
Monthly Criminal Arrests in CT



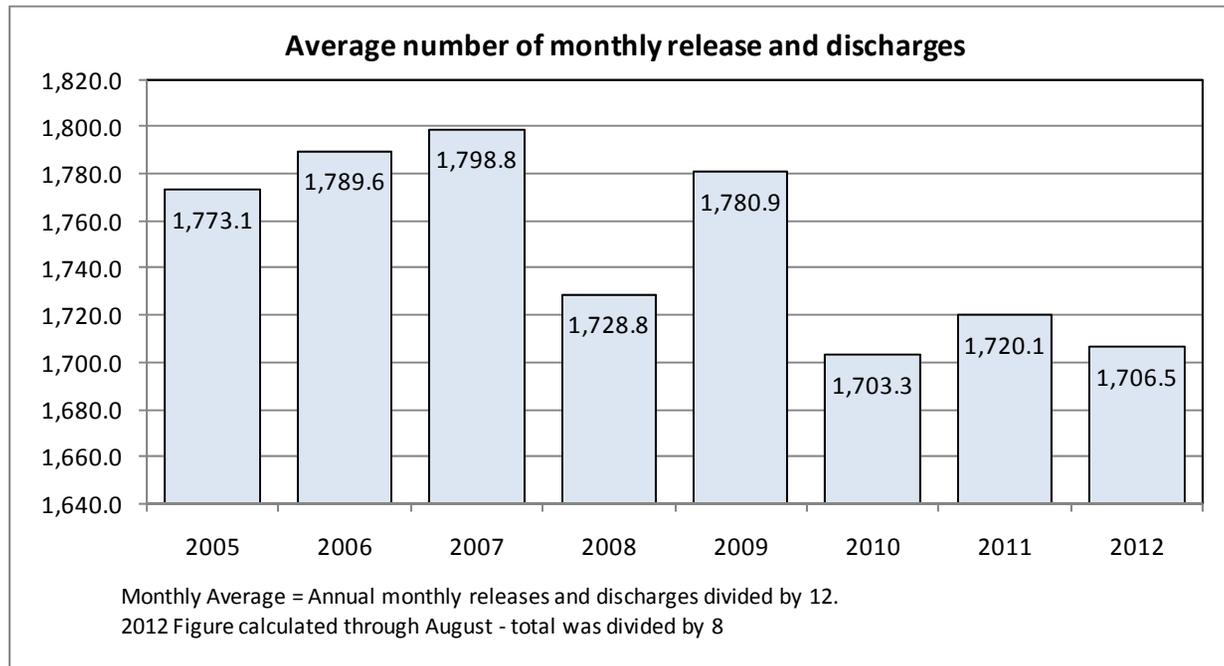
System Chart – Monthly Indicators Report, September 2012



Releases and discharges – Monthly Indicators Report, Sept. 2012

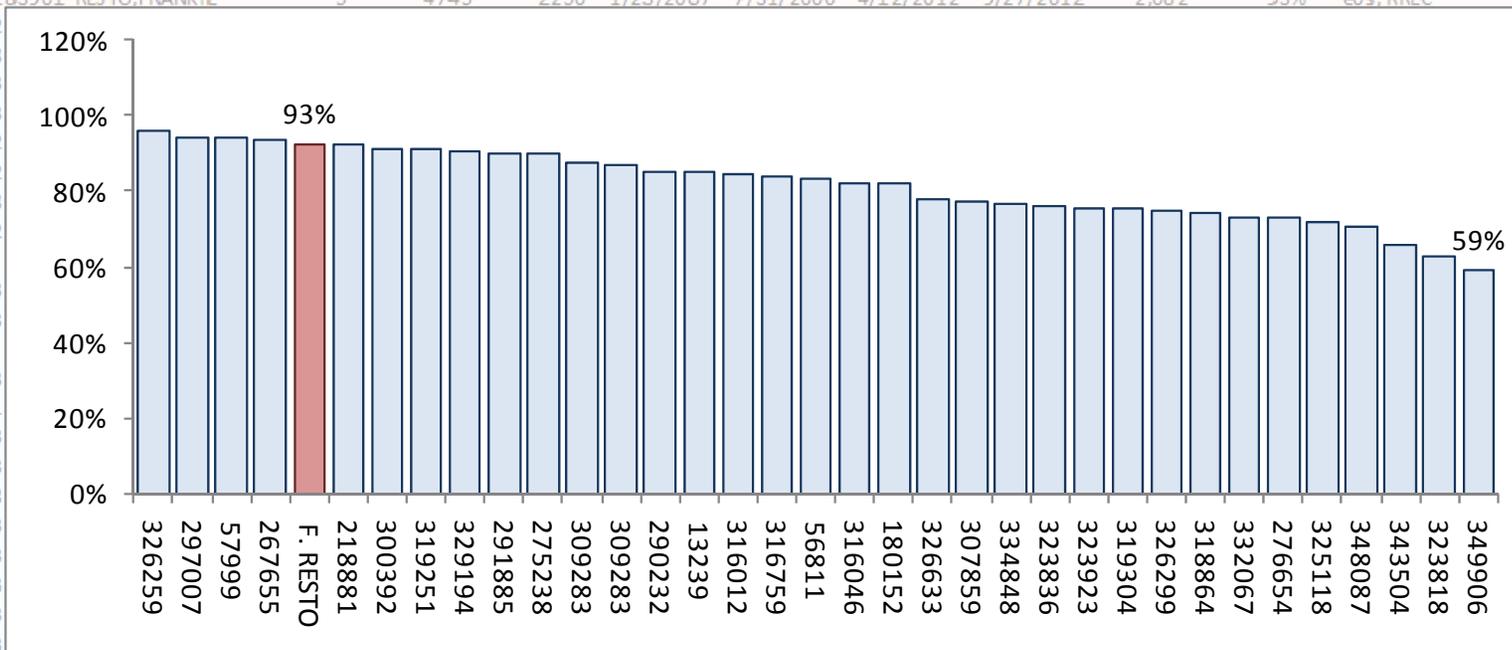


Average releases and discharges per month



	Immate id	Name	TPAI score	Sentence, days	Suspended after, days	Date sentenced	Last DOC admit	Actual release date	Estimated min. release date	Actual days incarcerated	Percent incarcerated	Release type
1	95277	WILSON,MARVIN	5	2920	2190	5/22/2003	3/18/2002	3/17/2008	3/16/2008	2,191	100%	eos to SP
2	302350	PHILLIPS,WADSWORT	5	6570	2190	4/30/2003	7/9/2002	7/8/2008	7/7/2008	2,191	100%	eos - jamaican citizen
3	268936	SALABERRIOS,NOEL	5	3650	365	9/19/2007	1/29/2007	1/29/2008	1/29/2008	365	100%	eos
4	306755	COLE,KEVIN	5	5100	2190	4/21/2004	12/4/2002	12/2/2008	12/2/2008	2,190	100%	eos -jamaican citizen
5	324484	PASCAL,BRENT	5	2555	1095	2/3/2006	2/2/2005	2/2/2008	2/2/2008	1,095	100%	eos, dominican citizen
6	338290	GUIRAND,FRITZ D	5	1460	365	7/9/2007	7/9/2007	7/8/2008	7/8/2008	365	100%	eos
7	306991	PADILLA,JIMMY JERRY	5	2920	1825	7/3/2003	6/30/2003	6/27/2008	6/28/2008	1,824	100%	eos honduran citizen
8	326259	ROBINSON,STEFAN N	5	3650	1460	11/4/2005	2/10/2005	12/15/2008	2/9/2009	1,404	96%	parole
9	297007	HARRISON,PAUL	5	4745	2555	2/14/2003	12/21/2001	7/29/2008	12/19/2008	2,412	94%	parole
10	57999	CIANCI,RICHARD	5	3650	1825	5/28/2004	9/14/2003	5/27/2008	9/12/2008	1,717	94%	parole
11	267655	DONNELLY,MICHAEL	5	2190	2190	6/26/2003	4/10/2003	11/12/2008	4/8/2009	2,043	93%	parole
12	283901	RESTO,FRANKIE	5	4745	2250	1/23/2007	7/31/2006	4/12/2012	9/27/2012	2,082	93%	eos, RREC
13	218881	ARRIAGA,ANGEL	5	5110	2190	7/17/2003	9/30/2002	4/14/2008	9/28/2008	2,023	92%	parole
14	300392	EVANS,ALEX GODFREY	5	4380	2555	7/21/2003	4/29/2002	9/19/2008	4/27/2009	2,335	91%	eos
15	319251	ROSS,NNAMDII R	5	3650	1350	7/20/2005	11/8/2004	3/25/2008	7/20/2008	1,233	91%	parole
16	329194	SCOTT,BERNARD	5	2555	1260	9/16/2005	3/3/2005	4/18/2008	8/14/2008	1,142	91%	CR
17	291885	GARDNER,DERMAINE	5	3650	1825	7/1/2004	3/18/2004	9/15/2008	3/17/2009	1,642	90%	CR
18	275238	PETTWAY,MARQUIS	5	6570	3560	9/6/2000	7/6/1999	4/10/2008	4/4/2009	3,201	90%	parole
19	309283	BANTON,STEVE ANTHO	5	1980	1980	11/14/2003	10/18/2003	7/8/2008	3/20/2009	1,725	87%	CR
20	290232	QUINONES,ALEXIS	5	2555	2555	4/1/2002	5/22/2001	5/10/2007	5/20/2008	2,179	85%	parole
21	13239	BURNEY,LEONARD	5	3650	3650	9/10/1998	2/9/1998	8/17/2006	2/7/2008	3,111	85%	CR
22	316012	KRASOWSKI,THOMAS	5	3650	1825	10/7/2004	8/26/2004	11/14/2008	8/25/2009	1,541	84%	CR
23	316759	JACKSON,ERICK	5	3650	1825	4/30/2004	11/21/2003	1/28/2008	11/19/2008	1,529	84%	CR
24	56811	DAVENPORT,DAVID	5	3650	3650	5/26/2000	3/12/1999	7/10/2007	3/9/2009	3,042	83%	CR
25	316046	HENNEBERRY,MATTHE	5	4380	1825	10/22/2004	4/3/2004	5/14/2008	4/2/2009	1,502	82%	CR
26	180152	DIAZ,SIGFREDO	5	5840	2920	6/7/2002	9/4/2001	3/31/2008	9/2/2009	2,400	82%	CR
27	326633	GREENE,DONALD L	5	2920	1825	9/2/2005	11/22/2004	10/10/2008	11/21/2009	1,418	78%	CR
28	307859	MARTIN,KENNETH JAC	5	3650	1825	4/12/2004	12/15/2003	10/29/2007	12/13/2008	1,414	77%	CR
29	334848	GARAY,JOEL	5	2555	1095	5/25/2006	10/3/2005	1/17/2008	10/2/2008	836	76%	CR
30	323836	RICHARDSON,STEVEN	5	4830	1825	11/21/2005	8/17/2004	6/4/2008	8/16/2009	1,387	76%	CR
31	323923	CLARK,MATTHEW T	5	4830	1825	5/16/2005	12/16/2004	9/24/2008	12/15/2009	1,378	76%	CR
32	319304	JOYCE,ROBERT	5	4380	1620	12/6/2004	3/20/2004	7/26/2007	8/26/2008	1,223	75%	CR
33	326299	JOHNSON,TYRON	5	3650	1095	11/4/2005	2/10/2005	5/8/2007	2/10/2008	817	75%	CR
34	318864	SMITH,STEVEN T	5	3650	1825	11/3/2004	9/28/2004	6/17/2008	9/27/2009	1,358	74%	CR
35	332067	LEE,DAVID	5	3650	1460	6/24/2005	6/24/2005	5/28/2008	6/23/2009	1,069	73%	CR
36	276654	HARRELL,JAMES C	5	6570	1825	11/10/2005	5/25/2003	1/19/2007	5/23/2008	1,335	73%	CR
37	325118	VILLEGAS,RAFAEL	5	2920	1260	2/4/2005	9/28/2004	3/22/2007	3/11/2008	905	72%	CR
38	348087	ARCE,LUIS	5	2920	730	2/9/2007	2/9/2007	7/9/2008	2/8/2009	516	71%	CR
39	343504	PASK,BENJAMIN	5	3650	1095	8/30/2006	8/30/2006	8/21/2008	8/29/2009	722	66%	CR
40	323818	HANSON,JEROME	5	2555	1460	7/8/2005	8/16/2004	2/19/2007	8/15/2008	917	63%	CR
41	349906	MOISE,JOHN	5	4380	900	12/20/2007	4/26/2007	10/10/2008	10/12/2009	533	59%	CR

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3	268936	SALABERRIO,NOEL	5	3459	365	9/19/2007	1/29/2007	1/29/2008	1/29/2008	365	100%	eos
4	306755	COLE,KEVIN	5	5100	2190	4/21/2004	12/4/2002	12/2/2008	12/2/2008	2,190	100%	eos -jamaican citizen
5	324484	MICAL,JOHN	5	2335	1095	2/3/2006	2/2/2005	2/2/2008	2/2/2008	1,095	100%	eos, dominican citizen
6	338290	GURRIND,FITZ D	5	1460	365	7/9/2007	7/9/2007	7/14/2008	7/8/2008	365	100%	eos
7	306991	PADELLA,JIMMY JEFF	5	2929	1825	7/19/2008	6/30/2003	6/27/2008	6/28/2008	1,824	100%	eos headman citizen
8	306997	PADELLA,JIM HARRY	5	2929	1825	7/19/2008	6/30/2003	6/27/2008	6/28/2008	1,824	100%	eos headman citizen
9	326259	ROBINSON,STEPHAN	5	3459	1460	11/4/2005	2/10/2005	12/15/2008	2/9/2009	1,464	96%	parole
10	297007	HARRISON,PALL	5	4745	2555	2/14/2008	12/21/2001	7/29/2008	12/19/2008	2,412	94%	parole
11	57999	CANCI,RICHARD	5	3459	1825	3/28/2004	9/14/2003	5/27/2008	9/12/2008	1,717	94%	parole
12	267655	DONNELLY,MICHAEL	5	2190	2190	6/26/2008	4/10/2003	11/12/2008	4/8/2009	2,049	93%	parole
13	283901	RESTO,FRANKIE	5	4745	2250	1/23/2007	7/31/2006	4/12/2012	9/27/2012	2,082	93%	eos, RREC
14	2											
15	3											
16	3											
17	3											
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29	3											
30	3											
31	3											
32	3											
33	3											
34	3											
35	3											
36	332067	LEE,DAVID	5	3459	1460	6/24/2005	6/24/2005	5/29/2008	6/23/2009	1,469	73%	0
37	276654	HARRIS,JAMES C	5	6579	1825	11/18/2005	5/25/2003	1/19/2008	5/23/2008	1,865	73%	0
38	325118	VILLERAS,JAFEL	5	2929	1260	2/4/2005	9/28/2004	3/22/2007	3/11/2008	365	72%	0
39	348087	ARCELLUS	5	2929	730	2/9/2007	2/9/2007	7/14/2008	2/8/2009	216	71%	0
40	343504	MARR,JEHAMIEN	5	3459	1095	6/30/2006	8/30/2006	6/21/2008	8/29/2009	722	66%	0
41	323818	HANSON,EROME	5	2335	1460	7/19/2005	8/16/2004	2/19/2007	8/15/2008	917	63%	0
42	349906	MOHE,JOHN	5	4980	900	12/20/2007	4/26/2007	10/18/2008	10/12/2009	388	59%	0



Risk Reduction Earned Credits (RREC):
a preliminary review of implementation and
performance issues

Karl Lewis – Director of Offender Classification and Population
Management , The Connecticut Department of Correction

&

Ivan Kuzyk, Director, Statistical Analysis Center
The Office of Policy & Management

Purpose of this analysis by OPM

- ❑ OPM has been tracking RREC discharges since they were implemented last year.
- ❑ This is the first opportunity OPM has had to summarize the impact of RREC on recidivism among offenders discharging from prison
- ❑ Purpose of this analysis is both to:
 - ❑ clarify the operations with respect to RREC,
 - ❑ and to report preliminary findings with respect to offender recidivism

Discretionary Release Mechanisms at DOC

- ❑ Discretionary releases are a time-tested, widely used tool in correction systems in every U.S. state.
- ❑ In October 2010, one year before the RREC began, 1,604 offenders were released or discharged from state prisons.
 - ❑ 747 of these offenders (43%) left prison through some discretionary release mechanism.
- ❑ In October 2010, the DOC released prisoners through 6 discretionary release programs.
- ❑ By September 2012, the DOC has expanded the number of discretionary release programs to 7
 - ❑ DUI Home confinement was introduced in March 2012
- ❑ In October 2011, 1,722 offenders were released or discharged from DOC facilities

Discretionary Release Mechanisms at DOC (2)

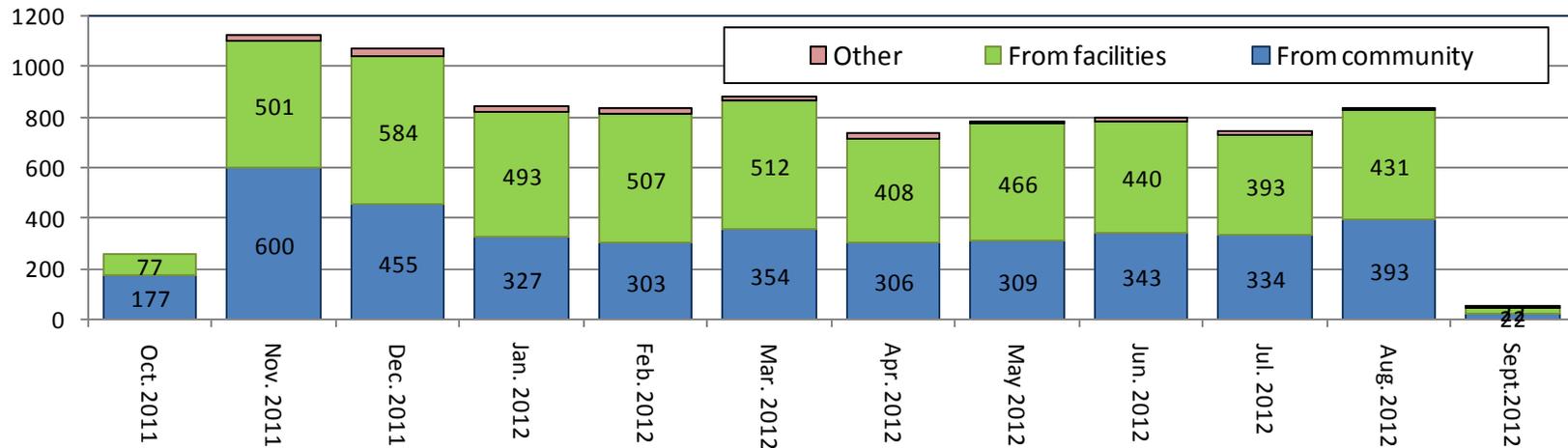
Discretionary release mechanisms:

- Parole
- Transitional Supervision
- Transfer Parole
- Transfer Placement
- DUI Home Confinement
- Re-entry Furlough
- Halfway Houses

Each mechanism provides an alternative pathway to completing a prison sentences in lieu of incarceration.

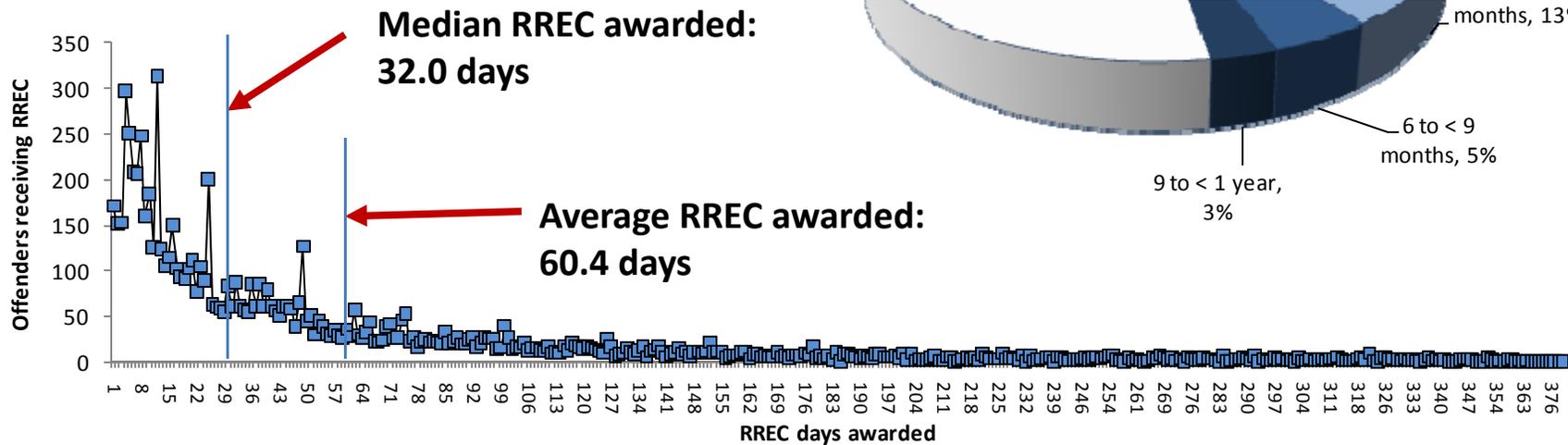
Discharges

- Between October 5, 2011 and September 5, 2012,
 - 8,941 offenders were eligible to earn RREC
 - only 8,700 were awarded at least one day of RREC.

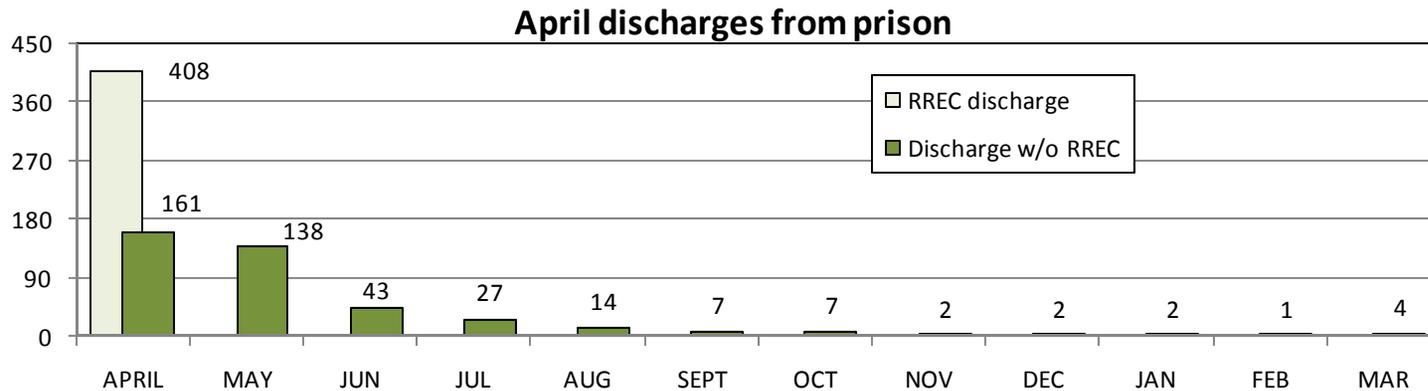


RREC receivers

- ❑ The average offender who was granted RREC earned 60.4 days.
- ❑ The median offender earned 32 days of RREC
- ❑ 79% earned under 3 months



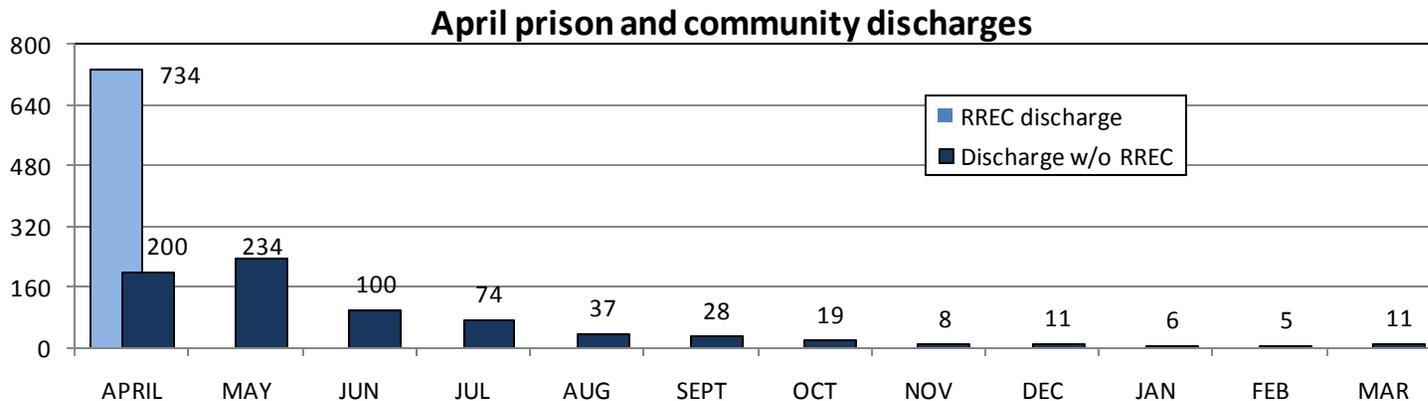
RREC and discretionary releases



In April 2012, 84% of offenders who discharged from prison, discharged with less than 90 days of RREC

In August 2012:

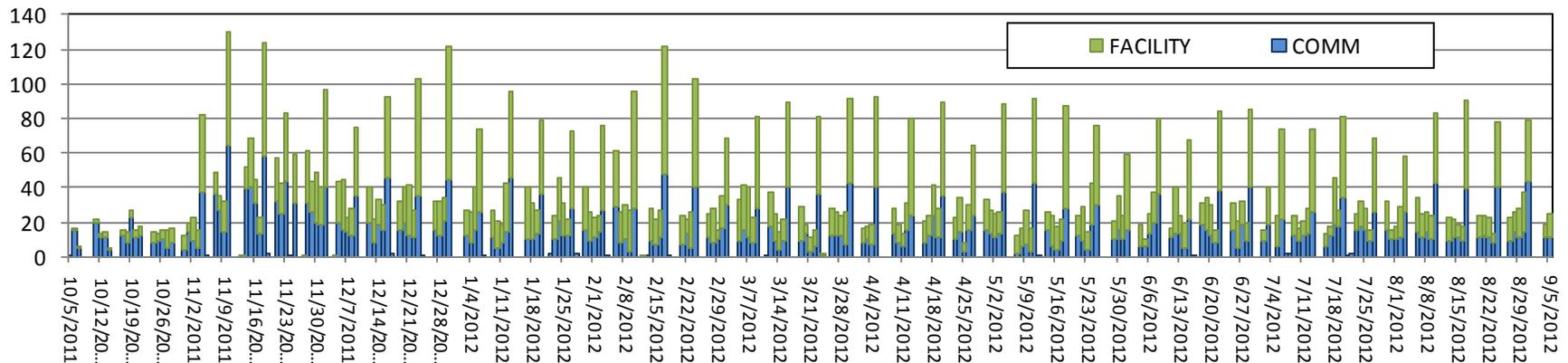
- the *average offender* discharged from prison earned 49.3 days of RREC
- the average offender discharged in the community earned 89.5 days.



Measuring recidivism (2)

Between October 5, 2011 and September 5, 2012,

- ❑ 8,941 offenders discharged from prison having earned RREC
- ❑ of these, 8,700 were awarded RREC



- ❑ By September 5, 2012, there were 1,403 readmits to DOC facilities by these 8,941 men.
- ❑ These 1,403 admits were made by 1,202 offenders

So, can we compute the recidivism rate of these offenders from this data?

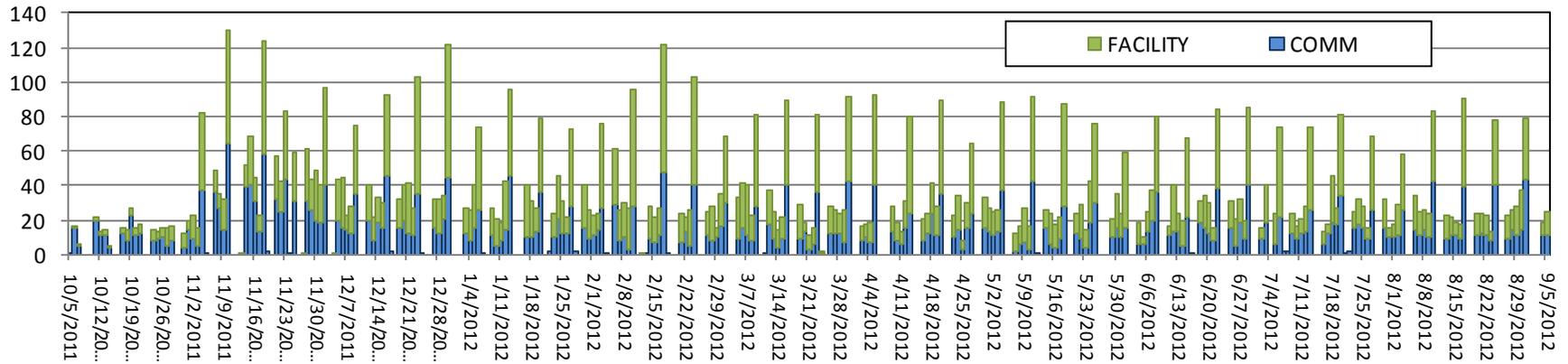
Measuring recidivism (1)

Recidivist: a convicted criminal who reoffends

- ❑ By extension, recidivism rates explain how and how long it takes for groups of criminals to reoffend

- ❑ There are two main concerns:
 - ❑ What events constitute recidivism, and
 - ❑ How long should you wait before calculating rates.

Measuring recidivism (3)



To compute recidivism rates you require

- a fixed time component
- and a meaningful cohort



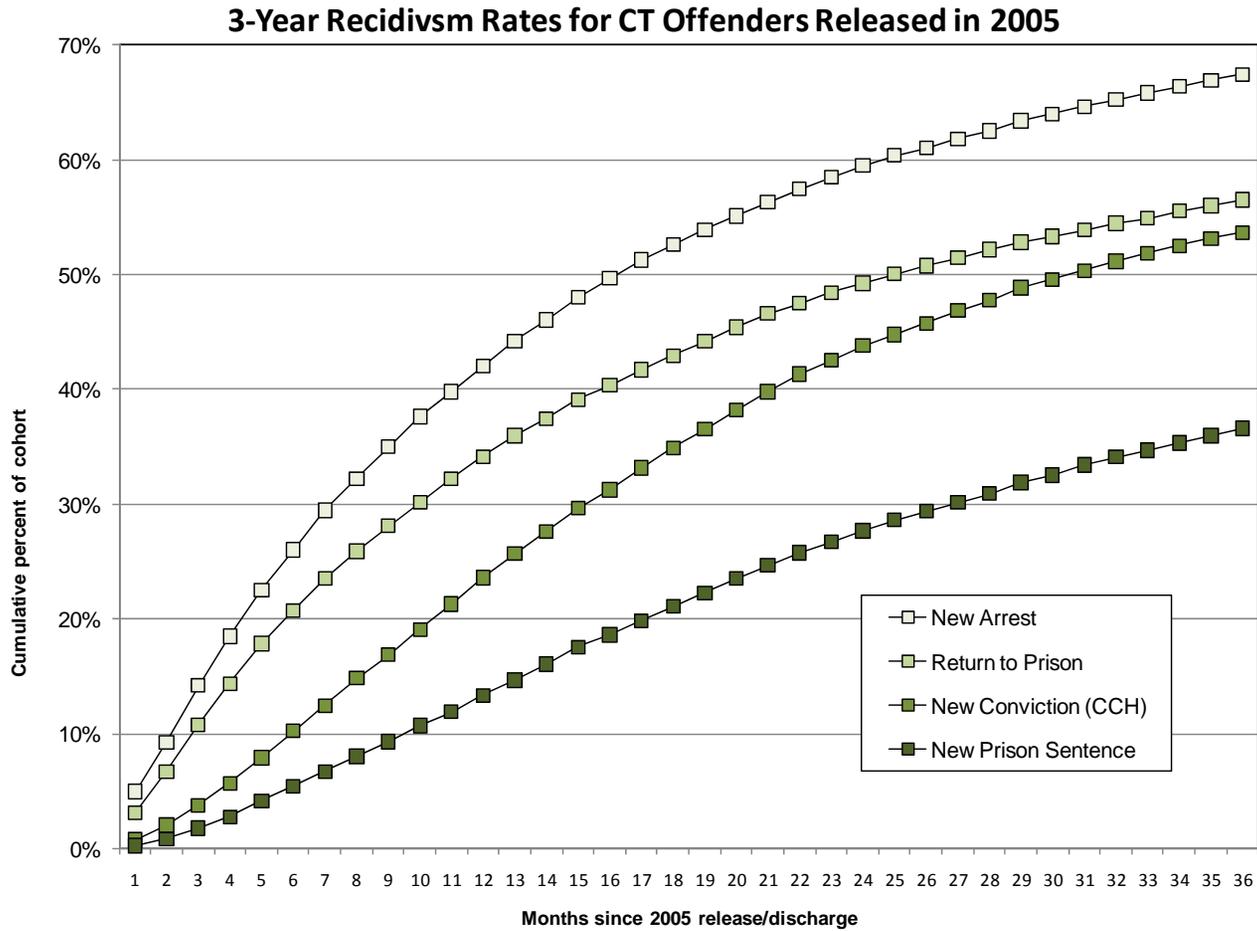
Measuring recidivism (2)

- ❑ OPM had been publishing annual recidivism studies of state prisoners for almost a decade.
- ❑ OPM uses:
 - ❑ Data from the Dept. of Correction, the State Police and the Judicial Branch (CSSD)
 - ❑ We apply a consistent methodology to our studies based on US DOJ practice
- ❑ We track four measures
 - ❑ New arrests
 - ❑ New convictions
 - ❑ Reincarceration events, and
 - ❑ Returns to prison with a new sentence

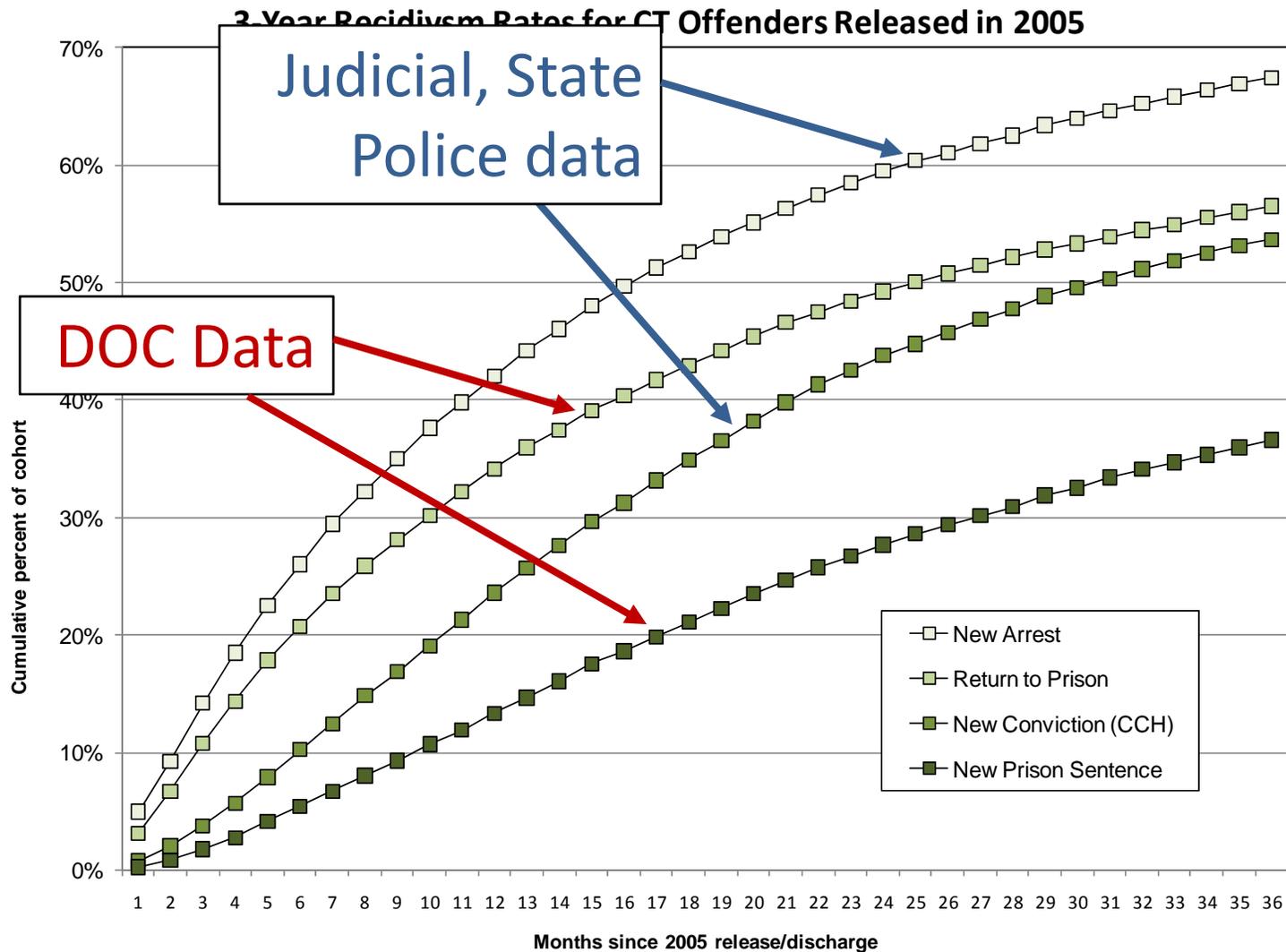
Measuring recidivism (3)

- ❑ In recent years OPM has published recidivism studies based on 2-year, 3-year and 5-year outcome data.
- ❑ We have tracked recidivism among sex offenders, high risk offenders, career criminals and gun felons.
- ❑ Our reports are available on the OPM website.
- ❑ OPM has developed excellent benchmark recidivism data for cohorts of offenders who were released in 2004, 2005 and 2008.

Measuring recidivism – Typical analysis

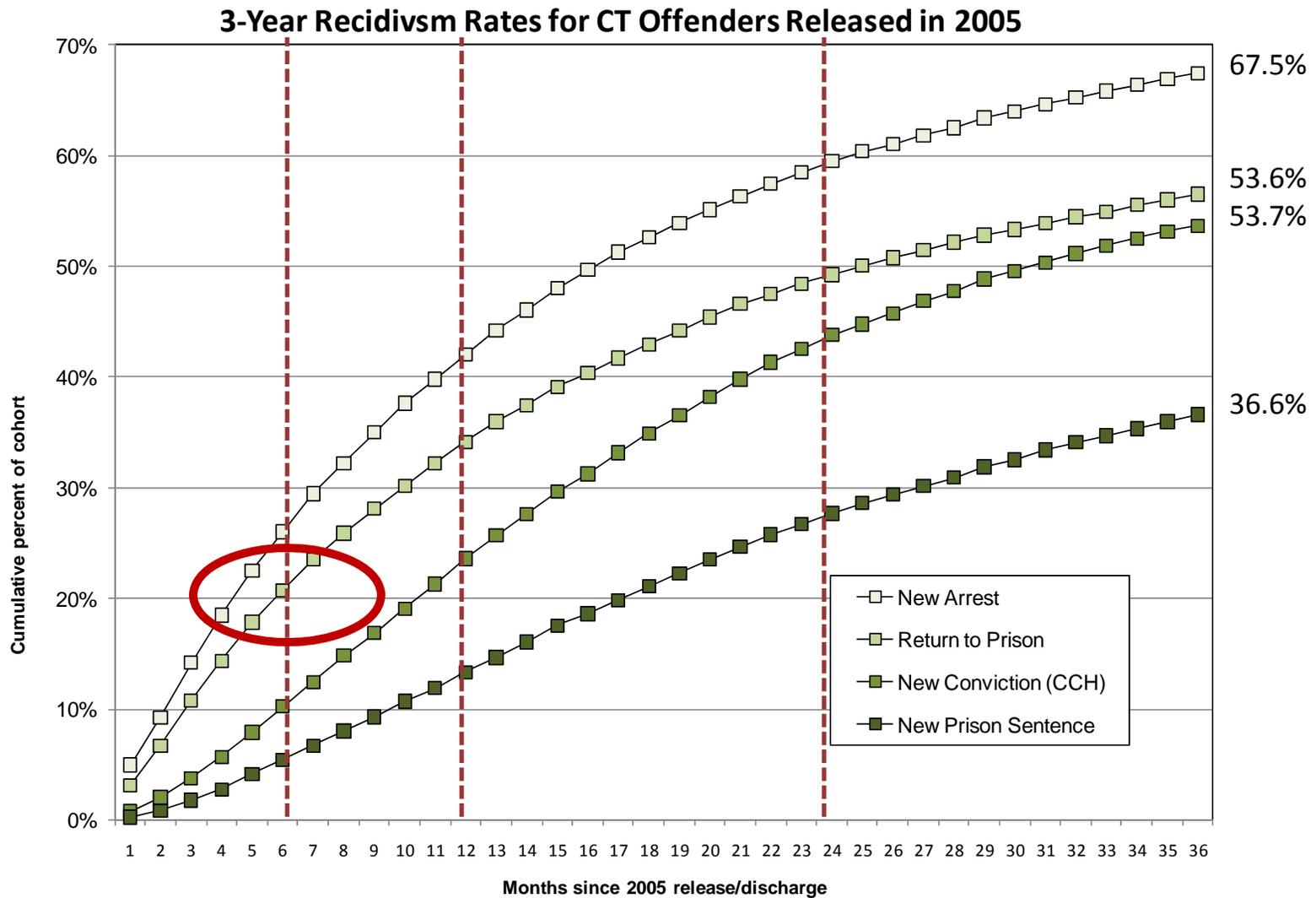


Measuring recidivism – Data Required + Time



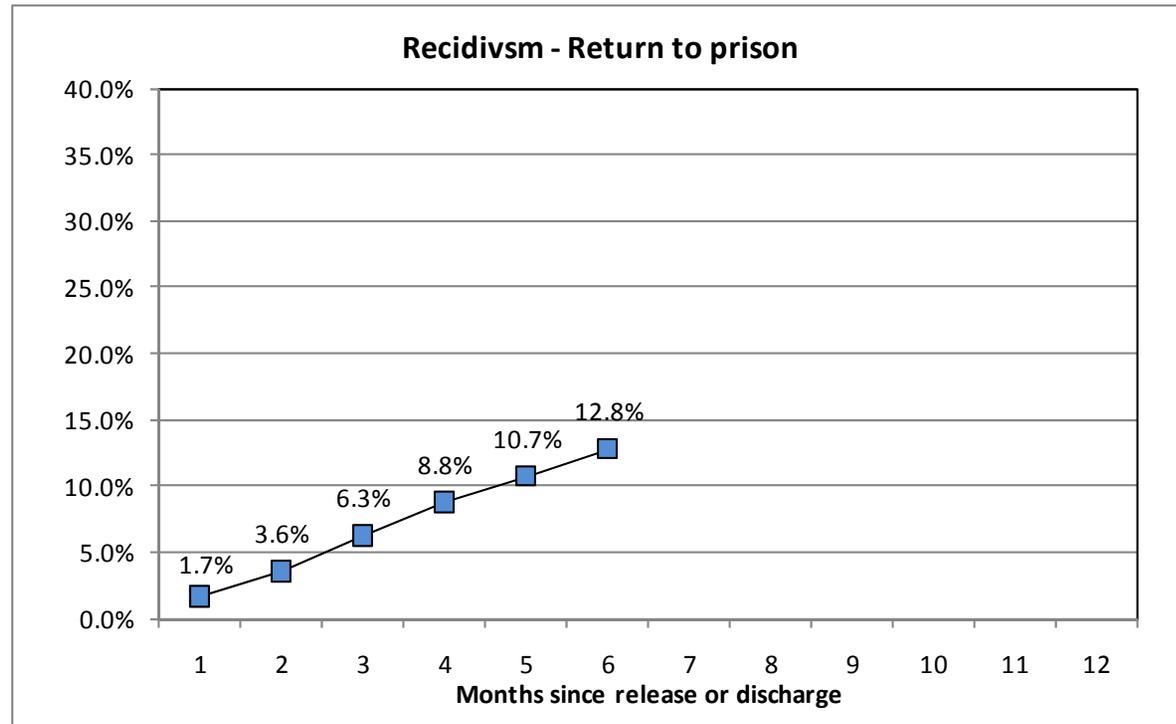
Time to gather data

Measuring recidivism – 4 measures over time



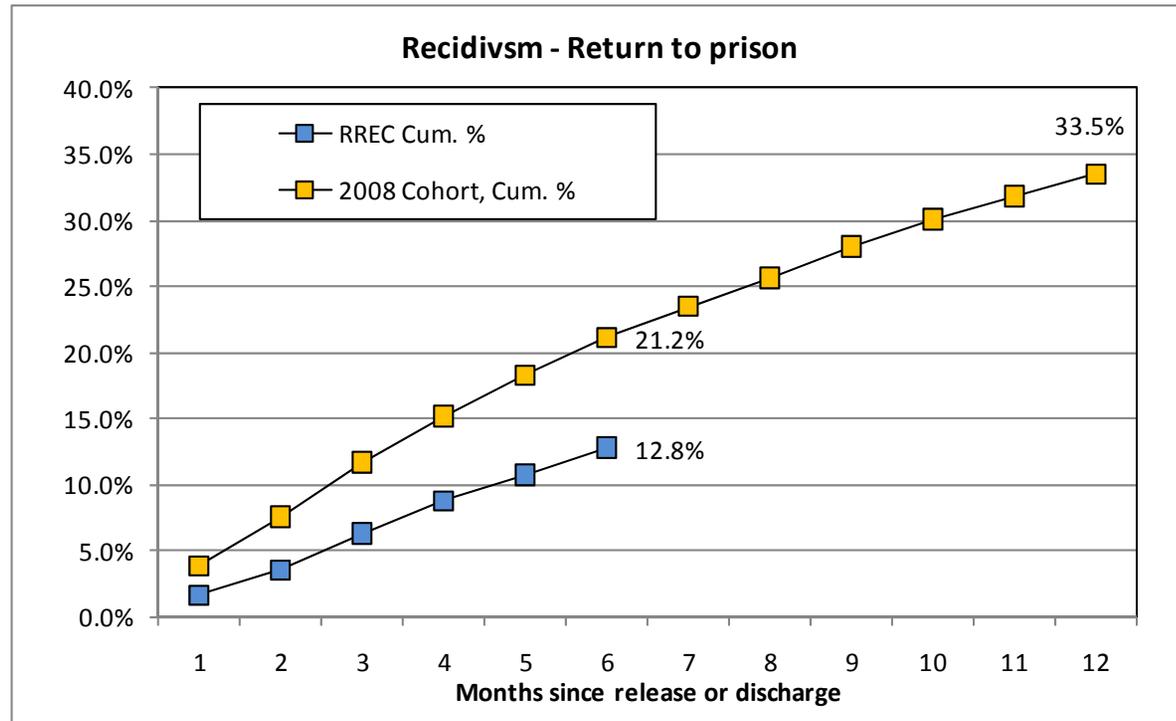
Predictive and stable

Recidivism – Return to prison w/in 6 months



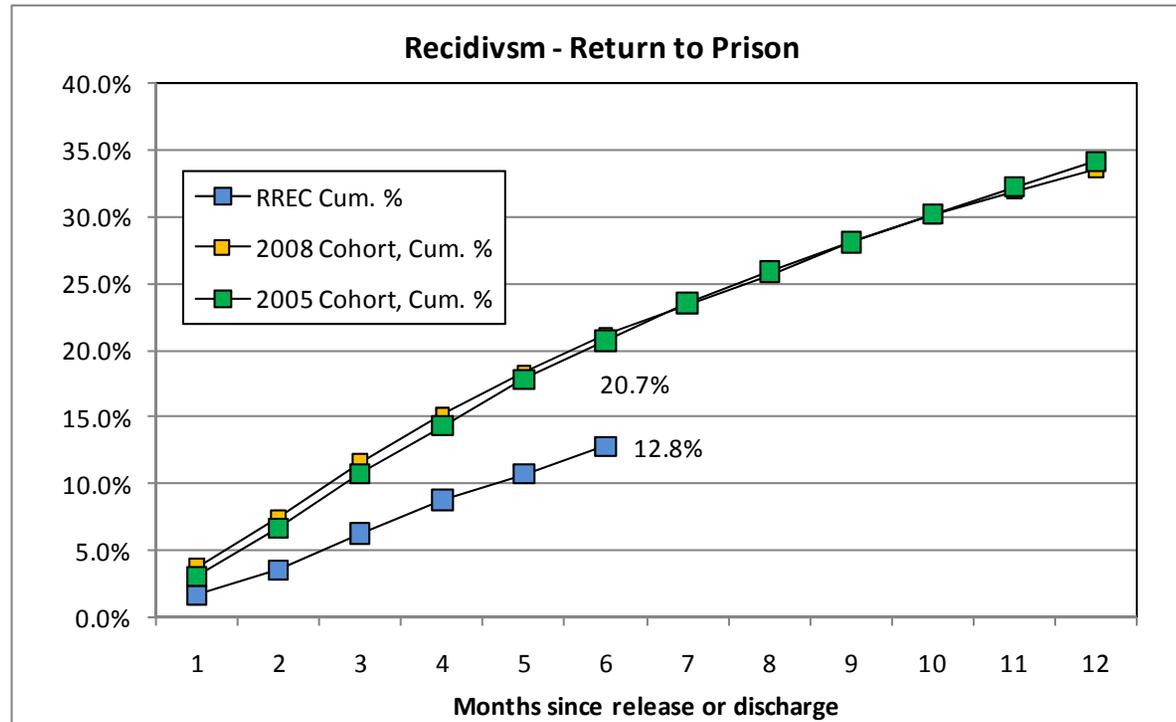
- ❑ 3,279 offenders who had earned RREC were released or discharged between October 1, 2011 and January 31, 2012 .
 - ❑ 3,178 were awarded at least one day of RREC
- ❑ During the 6-month period following their discharge dates, 420 offenders were returned to prison (12.8%)
- ❑ By September 9, 2012 – 628 offenders in the group of 3,279 had returned to prison 769 times.

Recidivism – Return to prison w/in 6 months



- ❑ In 2008, 16,286 offenders were discharged or released from prison.
- ❑ In the 6 months follow there releases, 21% were returned to prison
- ❑ Offenders receiving RREC during October through January returned to prison at considerably lower rates than offenders in 2008.

Recidivism – Return to prison w/in 6 months



- ❑ 16,241 offenders were discharged or released from prison during 2005. These offenders returned to prison at rates similar to the rate for offenders in 2005.
- ❑ Offenders receiving RREC during October 2011 through January 2012 returned to prison at considerably lower rates than offenders in 2005 or 2008.

RREC – The Numbers (3)

	3-year	6-month	6-month
Cohort	2008	2008	RREC*
New admits	4,897	1,521	339
Other**	110	116	13
New sentences	783	169	23
Tech/criminal violations	2,613	1,640	45
Returned to prison	8,403	3,446	420
Cohort	16,286	16,286	3,279
Rate	52%	21%	13%
Recidivism, rate by type			
Recid New admits	30%	9%	10%
Recid Other	1%	3%	3%
Recid New sentences	5%	1%	1%
Recid for Tech/criminal violations	16%	10%	1%
Recidivism, distribution by type			
New admit	58%	44%	81%
Other	1%	3%	3%
New sentence	9%	5%	5%
Crim. & tech. violations	31%	48%	11%
Recid RTP	100%	100%	100%

*RREC - Releases and discharges, Oct. 1, 2011 through Jan. 31, 2012

** Other includes non-prejudicial returns and other jurisdictions

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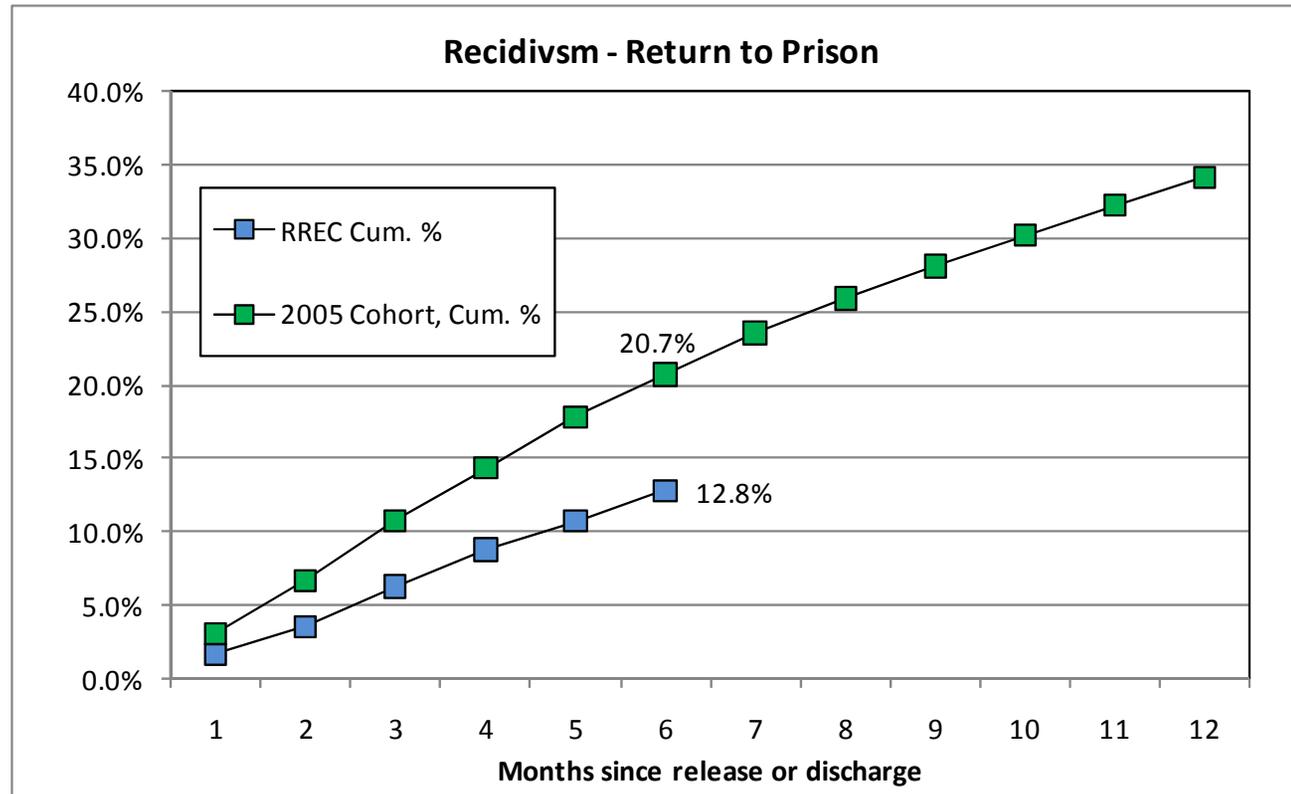
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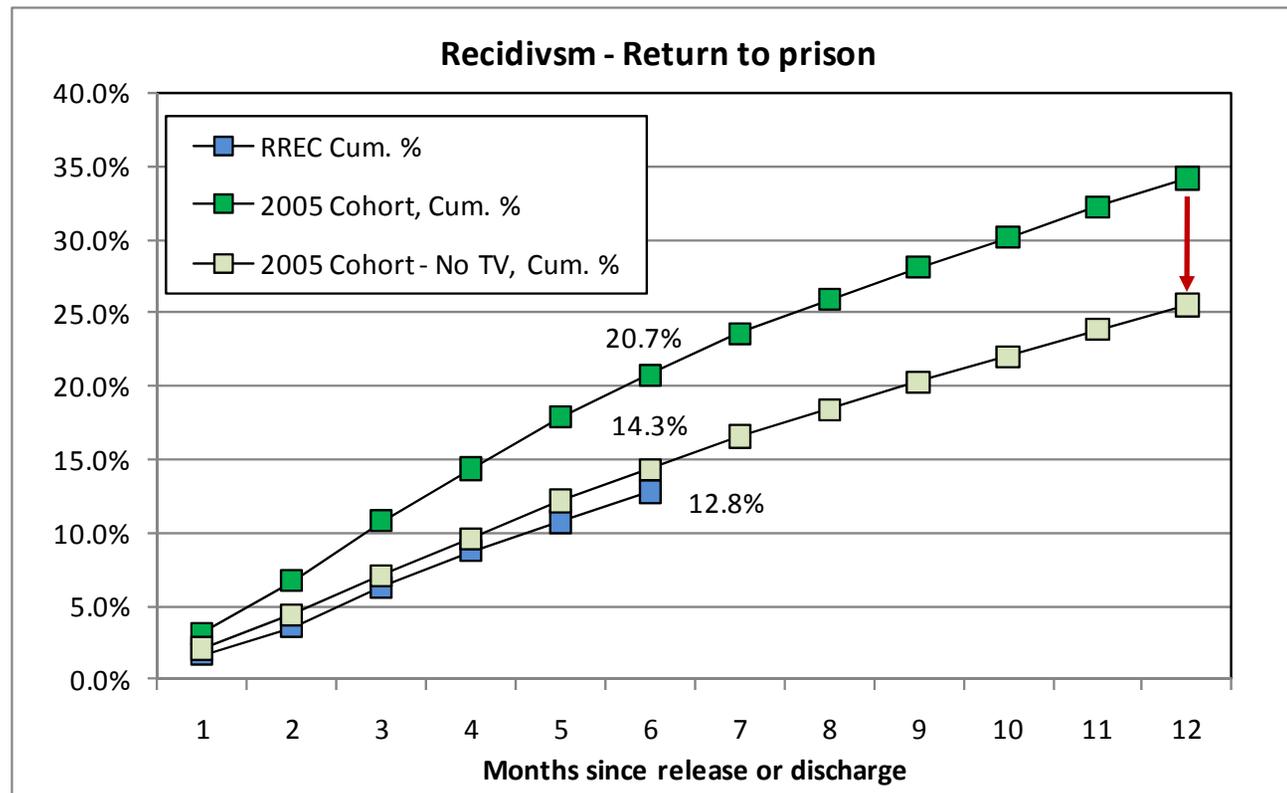
** Other includes non-prejudicial returns and other jurisdictions

6-month rate: 13% vs. 21%



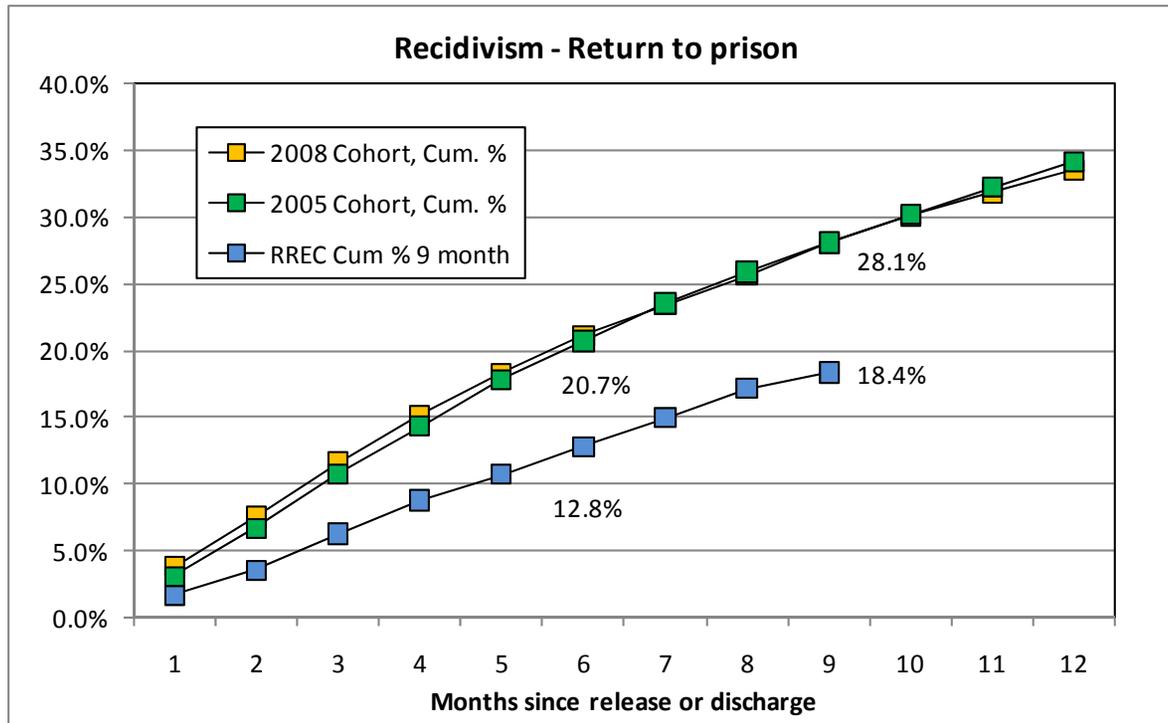
Comparing the recidivism rates for 2005 and RREC receivers, OPM tested what would happen if technical violations were not counted in the 2005 rate.

2005 recidivism w/o technical violations



- ❑ When technical violations were not added in, the 2005, 6-month recidivism rate for returns to prison dropped from 20.7% to 14.3%.
 - ❑ Criminal violations in 2005 were still counted.

Nine month rates – 18% vs. 28%



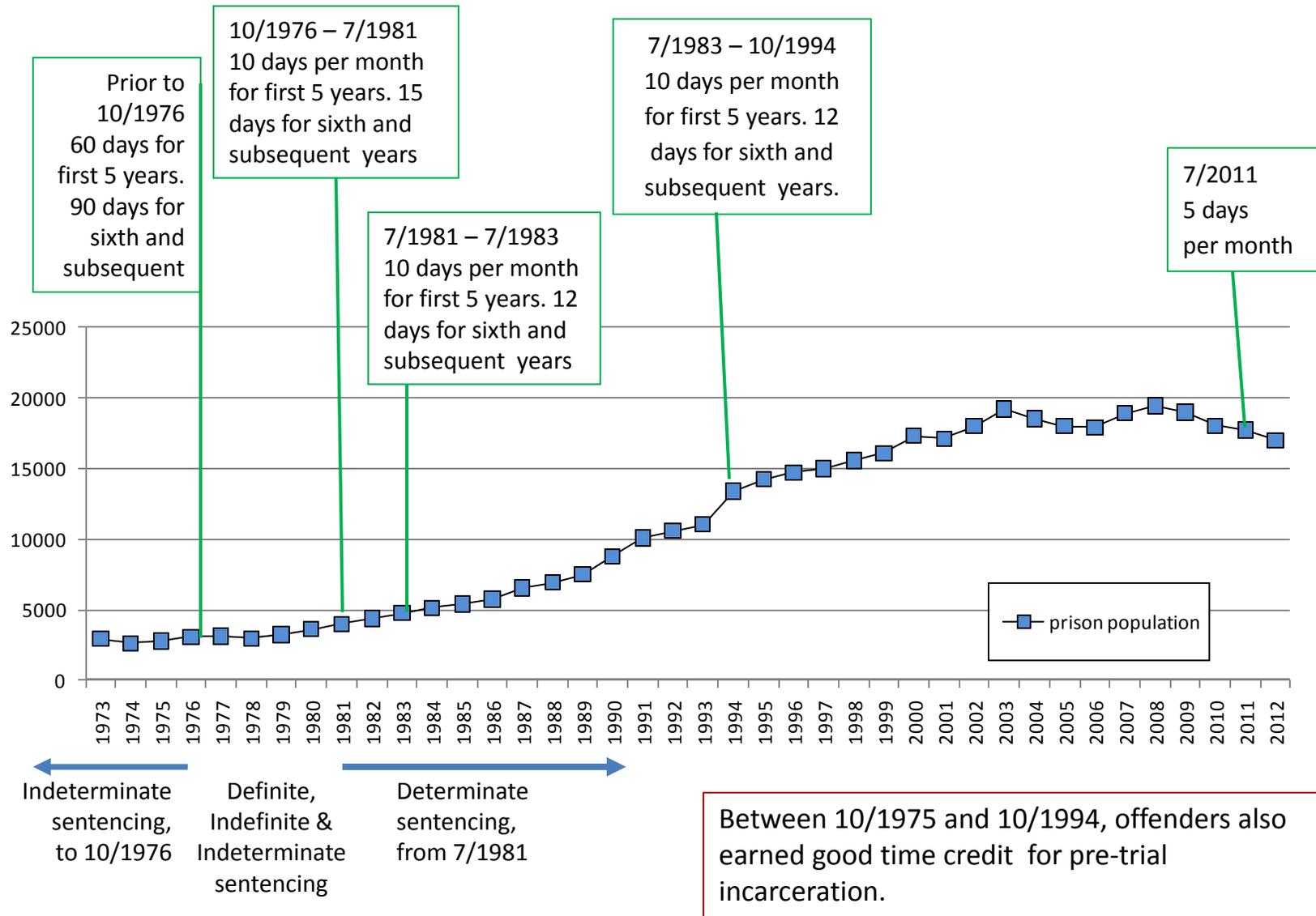
Summary of the analysis

- ❑ 6-month recidivism rates for offenders discharged with RREC were significantly lower than the rates for offenders discharged during 2005 and 2008.
- ❑ The difference in rates appears to be largely accounted for by the drop in the number of returns-to-prison for technical violations.
- ❑ When technical violations were removed – the recidivism rates for both 2005 and 2008 cohorts declined to the near the level of RREC offenders.

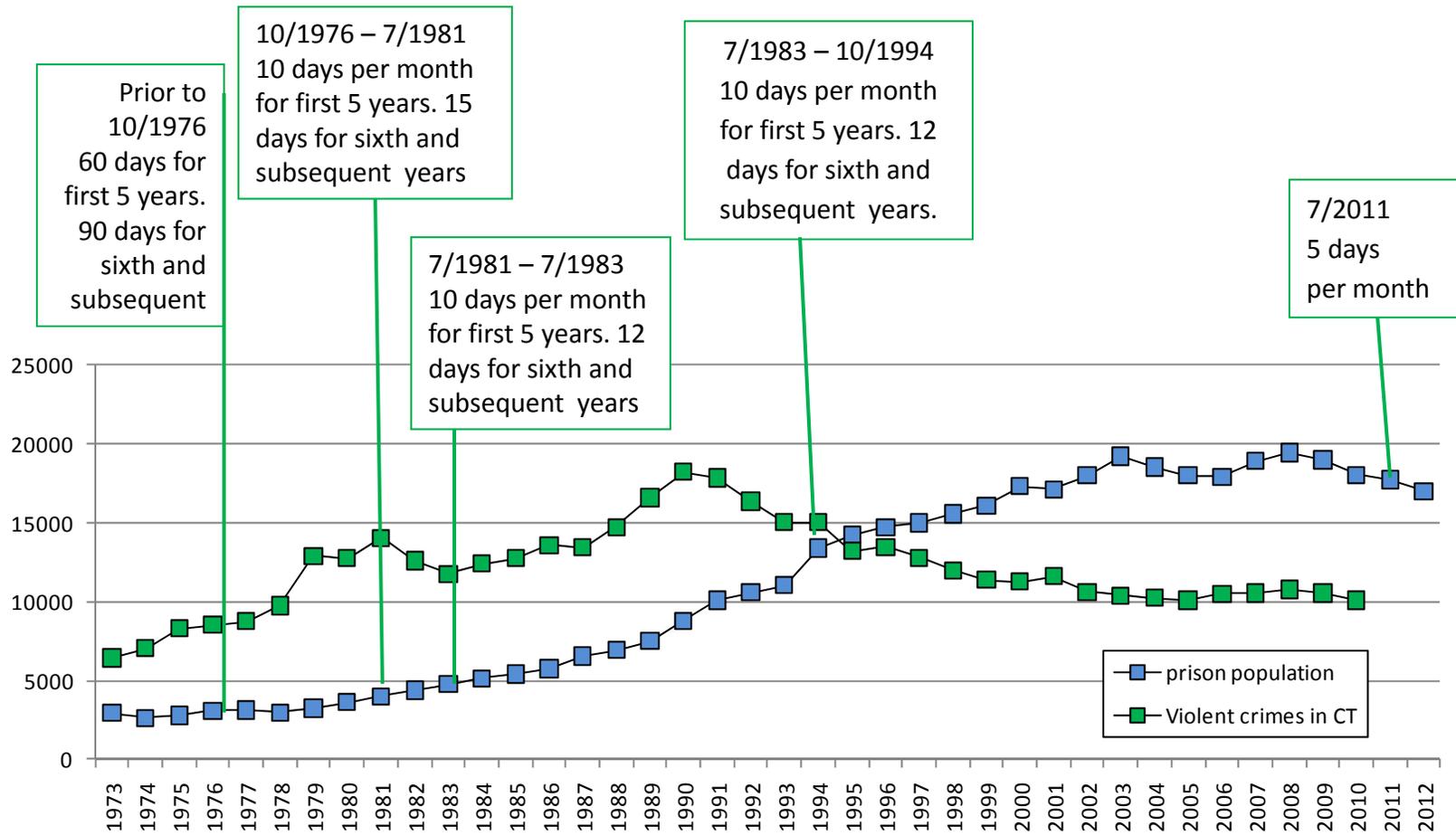
Sentence Credits: The Historical Perspective

- ❑ Connecticut's sentencing structure has evolved greatly over the past three decades.
- ❑ Currently, sentencing credits are more restrictive than at any time that these credits have been available.

Connecticut's prison population 1973-2012



Connecticut's prison population 1973-2012



Prior to 10/1976
60 days for first 5 years.
90 days for sixth and subsequent

10/1976 – 7/1981
10 days per month for first 5 years. 15 days for sixth and subsequent years

7/1981 – 7/1983
10 days per month for first 5 years. 12 days for sixth and subsequent years

7/1983 – 10/1994
10 days per month for first 5 years. 12 days for sixth and subsequent years.

7/2011
5 days per month

← Indeterminate sentencing, to 10/1976 Definite, Indefinite & Indeterminate sentencing Determinate sentencing, from 7/1981 →

Between 10/1975 and 10/1994, offenders also earned good time credit for pre-trial incarceration.

Incentives and disincentives

- ❑ Inmate-on-inmate assaults declined by 11% from FY 10-11 to FY11-12.
- ❑ Disciplinary reports declined by 6% during the same period.
- ❑ Anecdotal evidence indicates that program participation is up significantly and programs waiting lists have been reduced.

RREC – The Details (1)

- ❑ The Risk Reduction Earned Credit (RREC) was implemented in accordance with Public Act 11-51.
- ❑ Purpose: to provide an incentive for sentenced offenders to
 - ❑ act in accordance with Department rules, and
 - ❑ participate in programming that will reduce the likelihood of re-offense.
- ❑ The Commissioner of Correction is authorized to award up to five days per month credit for good behavior *combined with* adherence to rehabilitative programming recommendations.

RREC – The Details (2)

- ❑ Only inmates sentenced to a crime committed on or after October 1, 1994 are eligible to earn RREC. Accused prisoners may not earn RREC regardless of whether they accrue Jail Credit.
- ❑ An inmate shall not earn credit, and may forfeit any or all credit earned (or credit that might be earned in the future), for:
 - ❑ institutional misconduct
 - ❑ refusing needed programming
 - ❑ refusing to provide DNA
 - ❑ being on escape or absconder status,
 - ❑ or placement on a restrictive status.

RREC – The Details (3)

- ❑ The maximum amount of days earned per month is five. Thus, the maximum number of days that can be earned for a year is 52.
- ❑ Inmates convicted of the following crimes are not eligible to receive RREC:
 - ❑ 53a-54a – Murder
 - ❑ 53a-54b – Capital Felony
 - ❑ 53a-54c – Felony Murder
 - ❑ 53a-54d – Arson Murder
 - ❑ 53a-70a – Sexual Assault, First Degree with a Firearm
 - ❑ 53a-100aa – Home Invasion

RREC – The Details (4)

- ❑ RREC shall not reduce the mandatory portion of a sentence. There are more than 60 criminal statutes that carry mandatory minimums of this type in Connecticut.
- ❑ Inmates earn credit on each separate sentence; however, an aggregate sentence will be reduced by no more than five days per month.

RREC – The Details (5)

- ❑ Retroactive credit at the rate of 5 days per month may have been applied if an inmate was serving a continuous sentence from April 1, 2006 or later through October 1, 2011 and met the conduct and programmatic criteria outlined above. By statute, the Department of Correction had until June 30, 2012 to complete the implementation of retroactive credit.
- ❑ Credits that are forfeited due to a disciplinary finding may be restored after a prolonged period of good behavior and program participation.

RREC – Implementation (1)

- ❑ The Department implemented the RREC program in October, 2011 and had until June 30, 2012 to complete implementation, including application of retroactive credits as authorized by the Public Act.
- ❑ Application of retroactive credit within the implementation period was prioritized, with the lowest level offenders evaluated first and the highest level offenders last.

RREC – Implementation (2)

- ❑ Approximately 4000 manual reviews for application of retroactive credit were completed.
- ❑ Implementation presented considerable logistical challenges which were compounded by an antiquated information system and the fact that our central inmate records remain paper-based.
- ❑ For example, because the Department's computer system cannot docket full statute numbers, DOC staff had to manually review about 9,500 files to determine which sentences met mandatory-sentence criteria.

RREC – Implementation (3)

- ❑ To accomplish the implementation in the given time frame, the Department diverted resources at the Correctional Counselor and Records ID Specialist levels and utilized overtime.
- ❑ In order to increase the number of class sessions available and reduce inmate waitlists for recommended programs, the Department utilized overtime, generally on second shift, and redeployed resources from two correctional facilities that closed. This practice has reduced waitlists substantially.

RREC – Implementation (4)

- ❑ The Department is establishing a Discharge Review Board that will:
 - Review all inmates discharging from facilities two weeks before discharge.
 - Ensure all credit has been applied correctly.
 - Ensure all programs have been accurately credited.
 - Ensure all non-compliance and disciplinary action has resulted in appropriate penalties
 - Review relevant victim impact information and suspend or reduce credit as appropriate.

RREC – Implementation (5)

- ❑ The Department is establishing a Discharge Review Board that will:
 - Ensure that dangerous offenders who are not in compliance with an Offender Accountability Plan, or who present a continued threat to public safety, receive negative RREC adjustments.
 - Integrate the new state-of-the-art risk assessment tools (SCORES) into the discharge review process.