

Testimony of Theresa C. Lantz, Commissioner
Department of Correction

Joint Appropriations and Judiciary Committees Oversight Hearing
on 2008 Criminal Justice Reforms

October 16, 2008

Good afternoon, Senator Harp, Senator McDonald, Representative Merrill, Representative Lawlor and members of the Appropriations and Judiciary Committees. I am Theresa C. Lantz, Commissioner of the Connecticut Department of Correction. Thank you for affording me this opportunity to appear before you this afternoon to speak about the challenges and accomplishments the Department of Correction has experienced since the enactment of Public Acts 08-1 and 08-51.

I am pleased to report that since the public acts took effect, the Department and its criminal justice partners have been able to further enhance public safety, through the implementation of the additional support provided to us. We are communicating better and sharing more. The process is much more effective and efficient than it was a year ago.

Let me start by stating that today's population count is 19,618. This is below last year's count at this time, which was 19,655, and down significantly from our all time high of 19,894 in February of this year. Our offender population has dipped as low as 19,369 in July, but with the surge in violence primarily in our urban cities over the summer, we have experienced an increase in our count since then. I remain confident that our incarcerated population will continue a measured decline, especially as the Board of Pardons and Paroles continues to expand its hearing schedule.

I would like to take this opportunity to commend the Department staff, which has continued to manage the population in a safe, secure and orderly manner. Despite the increase in our population of more than a 1,000 from July 2007 to February 2008, the number of incidents remains at historically low levels.

We are moving forward. The good news is that the process of supporting the successful re-entry of offenders returning to their home communities continues to improve. From July to September of this year, releases to parole now approach 67 percent of the number of parole releases during the same quarter of 2006. Releases to Department programs other than discretionary parole have increased over 31 percent during this same time period. The technical violation rates for all community supervision programs increased from July to September last year, but have since declined 22 percent from July to September this year. More importantly, the criminal violation rate has been reduced by 32 percent from 2006. These numbers represent the Department's commitment to effectively release and manage offenders in the community through appropriate supervision, which ultimately enhances public safety.

The provisions of Public Acts 08-1 and 51 that impacted the Department (1) eliminated my discretionary authority to place an offender on reentry furlough with supervision in the community 30 days prior to their end of sentence; (2) required the Department to contract for 12 staff secure sexual offender beds; (3) required GPS for an additional 450

parolees; (4) granted the Department access to juvenile records; (5) directed the Department to provide the Board of Pardons and Paroles with secure video conferencing at each correctional facility; (6) required the Department, the Board, and Court Support Services Division to develop a risk assessment strategy for offenders in DOC custody; and (7) appropriated additional funds for reentry and diversionary services in Bridgeport, Hartford and New Haven, halfway house beds and additional staff.

I'll address each provision, its impact or the status of its implementation:

- Reentry Furlough: One of the unanticipated consequences of the Public Act 08-1 was the elimination of my discretion to place an inmate on furlough, effectively extending the incarceration of inmates who might otherwise have qualified to end their sentence with 30 days of supervision in the community. The loss of reentry furlough, which had a 97 percent success rate, had a significant impact on the reentry mission and only served to increase the number of individuals discharged at the end of sentence with no supervision for transition. In FY 07, more than 3,000 offenders were released on reentry furloughs. The loss of this option effectively added 247 inmates to our standing population and eliminated our ability to supervise inmates during their most vulnerable period of transition back to the community. When utilized reentry furlough resulted in estimated cost savings to the agency of \$2.1 million annually.

Prior to the elimination of reentry furlough, the Department had developed an enhanced supervisory model for this release provision. The Governor's task force recommended reentry furlough consideration for up to 60 days prior to discharge. The proposed expansion of reentry furlough would have resulted in improved coordination and provision of services, enhanced public safety, reduction in recidivism and reduction in the confined population.

- Contract for 12 Staff Secure Sexual Offender Beds: We have completed the Request for Proposal process and a committee is in the process of reviewing bids. Once that process is completed, the committee will make a recommendation and the Department and CSSD will each enter into negotiations with the preferred bidder(s).
- GPS for 450 Additional Parolees: Parole and Community Services currently has approximately 200 offenders on GPS and 502 offenders on radio frequency (RF) electronic monitoring. Last year, we had 33 offenders on GPS and approximately 400 offenders on RF. We have increased and improved our electronic monitoring capabilities and are working with probation and the vendor to further improve that process.

GPS is an additional tool incorporated into the overall community supervision strategy to monitor offender compliance and increase accountability. It is a valuable tool and we have been using it wisely in conjunction with the electronic monitoring technology that we have used for years. We use GPS primarily for curfew monitoring. In limited cases, active GPS units are used when a phone line is not available or for certain high profile cases. The majority of GPS utilization is for sex offenders and those offenders in the community for Burglary 1 and Burglary 2 assigned to the Special Management Unit. These offenders are placed on GPS based on offense characteristics or clinical evaluation of risk.

The Department through its Parole and Community Services Division adopted an electronic monitoring policy targeted toward a specific population of offenders for GPS monitoring. The GPS monitoring criteria includes instant offense conviction for Burglary 1, Burglary 2 and Burglary 2 with a firearm, Board of Pardons and Paroles stipulations, certain Transitional Supervision cases, and incremental sanctions for misconduct. Additional policy modifications include GPS installation and activation to coincide with an offender's release to the community, review and investigation of GPS alerts and the assignment of officers to monitor.

We developed our policy with the highest risk level offender in mind. This category typically comes from the parole eligible population. As the parolee population increases, we should see an increased number of offenders meeting these criteria. Additionally, our parole officers received initial and advance training on GPS technology, and specialized GPS cases were established in each district to better enable parole officers to review and investigate GPS alerts more closely and maintain competency with this complex technology.

- Access to Juvenile Records: We have coordinated extensively with the Judicial Branch and signed a Memorandum of Agreement in April 2008 to access these records. We are utilizing those records in a secure, confidential manner.
- Secure Video Conferencing: We have accelerated the installation of video conferencing equipment, which allows for its utilization for parole hearings, court appearances and any other activity that can be completed via video communications, thus reducing the need to transport inmates and other parties to a court or other central location.

Video conference capability is now in place at all 18 Department facilities. We went beyond the provisions of the public act and installed video conferencing equipment in our three largest Parole and Community Services Offices, with two units in place at the Board of Pardons and Paroles. Training has been completed, and hearings are being conducted between the facilities and other remote locations to also include the courts, immigration, Social Security Administration, and the Whiting Forensic Institution. Since two-thirds of the Department's facilities came on line in September, we doubled the number of hearings. In May, there were hearings for 77 individuals, in September there were 150. We have also enhanced video conferencing in certain judicial districts; the Judicial Branch went from three to six locations with video capability. With increased use of video conferencing, we anticipate reduced transportation costs for both offenders and staff, improved security, and expedited hearings that will allow for enhanced population management.

- Risk Assessment Strategy: We have a risk assessment instrument (LSI-R) currently in operation in our Bridgeport and Hartford parole offices, and are in the process of implementing it system wide. This is the same instrument being utilized by Probation, thus ensuring consistency in the criminal justice system. Per the public act, we will submit a risk assessment strategy report, in conjunction with CSSD and the Board, by January 1, 2009.
- Funding for Reentry and Diversionary Services in Bridgeport, Hartford and New Haven: Public Act 08-1 provided \$725,000 to the Department, which allowed us to

expand the funding of our contract with the Family ReEntry Fresh Start Program in Bridgeport. The program is designed to serve up to 300 male offenders discharging into the Greater Bridgeport area. Prior to their release, program staff work to provide services, including substance abuse counseling, employment services, job training, housing assistance, and offender mentoring. The program is affiliated with Yale University, School of Medicine, Department of Psychiatry to provide program evaluation.

- Funding for Halfway House Beds: When I became commissioner in 2003, there were 685 halfway house beds. During my administration that number has grown to 1,297. In the last year, the Department has added 88 beds to date and we plan to add about 26 more in the near future, for a total of 114.
- Funding for Additional Staff: The Department has complied with Public Act 08-1 and hired nine parole officers. With regard to Public Act 08-51, we are in the process of hiring eight additional parole officers based on the October 1st funding. We also have nine correctional officer positions that will come aboard for the December pre-service class.

Thank you for the opportunity to talk about the progress the Department has made in the last nine months to enhance our public safety mission. I would be happy to answer any questions you may have.