



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

**Judiciary and Appropriations Committees
Joint Oversight Hearing on 2008 Criminal Justice Reforms
October 16, 2008**

**Status Report -- Judicial Branch's Implementation of
P.A. 08-1 of the January Special Session and P.A. 08-51**

The following charts detail the status of the Judicial Branch's implementation of P.A. 08-1 of the January Special Session and P.A. 08-51:

**PUBLIC ACT 08-01, JANUARY SPECIAL SESSION, *
AN ACT CONCERNING CRIMINAL JUSTICE REFORM**

| Sec #/(effective) | Description | Status 10/1/08 |
|------------------------------|---|--|
| 1 (3/1/2008) | Creates new crime of home invasion | To date, 40 cases that include this charge have been filed. One has been disposed of by a guilty plea |
| 2-4 (3/1/2008) | Changes to burglary statutes(53a-101, 53a-102 & 53a-100) | 745 cases involving these two statutes have been filed since the effective date (3/1/08). It is unknown how many of those fall under the new versions of the statute |
| 6 (3/1/2008) | Changes definition of "persistent dangerous felony offender" | Implemented |
| 7-11 (3/1/2008) | Changes in persistent offender sentencing statutes – eliminates language about the court's opinion | Implemented |
| 14 (1/25/08) | Requires the Judicial Branch's Office of Victim Services to assign 2 victim advocates to provide full-time assistance to victims appearing before the Board of Pardons & Parole | Implemented |

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| 18 (1/25/08) | <p>Requires CSSD to contract for additional Diversionary Beds:</p> <ul style="list-style-type: none"> • 35 immediately • 50 by July 1, 2008 • 50 by Nov. 15, 2008 \$245,000 for FY 07/08 (see Section 42(c)) non-lapsing to June 09). | <ul style="list-style-type: none"> • 39 beds obtained by July 1, 2008. • 6 beds obtained in Sept., 2008. • \$245,000 FY 08 funds expended. • Need additional 90 beds in FY 09. • \$3,275,000 budget for FY 09 reduced to \$1,358,406 as part of rescission budget. Contract start ups delayed. |
| 20 (1/25/08) | <p>Requires the establishment of Staff Secure Residential Sex Offender Treatment Facility</p> <ul style="list-style-type: none"> • 12 beds/1 facility by July 1, 2008. • Report Due to Governor & Legislature April 15, 2008. • \$250,000 for FY 07/08 (see Sec 42(c)) non-lapsing to June 09). | <ul style="list-style-type: none"> • 12/07 RFP for Sex Offender Housing Consultant received no responses. • No beds available by July 1, 2008. • Joint Judicial/DOC RFP issued by DOC in 5/08 – 3 proposals under review. • \$250,000 FY 08 carried forward to FY09 reduced to 0 as part of rescission budget. • \$1,000,000 FY09 appropriation reduced to \$500,000 as part of rescissions • Report to Governor and General Assembly filed in April, 2008. |
| 21 (1/25/08) | <p>Availability of VOP Information on the Internet:</p> <ul style="list-style-type: none"> • Requires the Judicial Branch to make information regarding violation of probation warrants available on the internet • Requires the Judicial Branch to make available on the internet a quarterly report listing by court all outstanding VOP warrants | Implemented effective October 2008 |
| 23 – 24 (1/25/08) | <p>Release of Juvenile & Youthful Offender Records</p> <ul style="list-style-type: none"> • Makes delinquency and youthful offender records available to DOC and BPP | <ul style="list-style-type: none"> • JEB (Judicial Electronic Bridge) opened in April, 2008 -- allows electronic access by DOC and BPP to records and electronic requests for records. • All procedures in place by June, 2008. • Scanning technology implemented in Juvenile Operations. |
| 25 (1/25/08) | <p>Requires a judge, when imposing conditions of release, to state for the record any factors it considered and the findings it made as to the dangerousness of the defendant</p> | All judges have been informed of this requirement |
| 31 - 32 (1/25/08) | <p>Requires the Judicial Branch to establish and implement a state-wide automated victim information and notification system</p> | <ul style="list-style-type: none"> • A committee has been established to oversee this project • An RFP is about to go out |

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| 33 (1/25/08) | <ul style="list-style-type: none"> Establishes a committee to study the manner in which the state may provide incentives to municipalities to allow siting of community-based facilities Report due Jan 1, 2009 | <ul style="list-style-type: none"> Committee is chaired by OPM; CSSD is a member of the committee Committee has been provided with all information requested from CSSD |
| 36 (1/25/08) | Requires a Defendant to comply with conditions of original probation while a VOP is pending | <ul style="list-style-type: none"> Changed by P.A. 08-102, June Regular Session, Sec. 5 and Sec. 6 Revised language has been implemented |
| 41 (10-1-08) | Supervised Diversionary Program for accused persons with psychiatric disabilities (Psychiatric AR) | <ul style="list-style-type: none"> Program implemented as of 10/1/2008 The OCE of \$612,360 will be used to buy mental health evaluation and treatment services through CSSD's Adult Behavioral Health Services network. Recruitment for 8 Probation Officers completed in September 2008. |
| 42(c) (1/25/08) | \$530,875 to Judicial for FY 08 <ul style="list-style-type: none"> PS = \$27,500 OE = \$1,375 Equip = \$7,000 OCE = \$495,000 | <ul style="list-style-type: none"> \$245,000 of OCE was expended for residential beds (see Section 18 above). \$250,000 of OCE was unexpended in FY 08, carried forward to FY 09 as authorized by this Section and reduced to \$0 as part of the budget rescissions (see Section 20) |
| 43(3) (1/25/08) | \$7,094,076 to Judicial for FY 09 <ul style="list-style-type: none"> \$403,538 = PS \$770,178 = OE \$28,000 = Equip \$4,892,360 = AIP \$1,000,000 = Re entry | <ul style="list-style-type: none"> Includes funding for 8 Adult Probation Officers. The process for hiring the 8 Adult Probation Officers has been completed. \$3,275,000 was allocated to annualize the 39 beds contracted in FY 08 and to obtain 96 additional beds in FY 09 (see Section 18 above). This was reduced to \$2,413,053 as part of the budget rescissions \$1,000,000 was allocated to obtain 12 residential sex offender beds (see Section 20 above) but was reduced to \$500,000 for FY 09 as part of the Judicial Branch's rescission budget. \$612,360 was allocated for the purchase of mental health services in FY09 for referrals under the Psychiatric AR Program (see Section 41) \$1,000,000 was allocated for the purchase of reentry and diversionary services in Hartford and New Haven area but was reduced to \$0 as part of a budget balancing process necessitated by a lack of a mid-term budget |

PUBLIC ACT 08-51
AAC Persistent Dangerous Felony Offenders and Providing Additional Resources to the Criminal Justice System

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|--------------------------------|--|-------------------------|
| 1 (upon passage) | Amends the persistent dangerous felony offender statute to provide for longer sentences | Implemented |
| 2 (from passage) | <ul style="list-style-type: none"> Requires prosecutors to make certain statements on the record in persistent dangerous felony offender cases Prohibits the court from accepting a plea of guilty, not guilty or nolo contendere from any person unless the prosecutor has complied with these requirements | Implemented |
| Sec 5 (effective July 1, 2008) | Provides funding for additional court staff, prosecutors and public defenders, as well as enhancement of probation supervision | See detail below |

Description

- This Section of the Act provides the Judicial Branch with personnel and funds to increase access to and production of transcripts; to increase supervision services for sex offenders through caseload size reduction and day reporting services for homeless sex offenders; increased use of polygraph examinations and increased use of GPS units; to increase the capacity to serve warrants for violation of probation and to create new programs to reduce juvenile truancy and to provide pilot intervention projects to juveniles at risk of becoming delinquents.
- Of the 70 positions and \$5,232,000 appropriated to the Judicial Branch to support this Section, 50 positions and \$4,040,000 were assigned to CSSD, for FY 09, as follows:

Present Plans

SEX OFFENDER SUPERVISION

- Execute contract in October, 2008 for polygraph service expansion beginning in November, 2008.
- Identify sex offender criteria and cases for GPS supervision beginning April, 2009.

WARRANT SERVICE

- Train new Warrant Service Officers and deploy in January, 2008 to increase number of warrants served in more efficient time frames.

MONITORING OF HOMELESS SEX OFFENDERS

- Start New Haven resource coordinators and clinician no later than Nov., 2008. Resolve Hartford location issue for project start in early 2009.

MANDATED PRE-SENTENCE INVESTIGATIONS FOR SEX OFFENDERS

- Hire and train necessary staff for Jan., 2009 start-up.

EXPEDITED EVALUATION AND PRE-RELEASE SERVICES FOR SEX OFFENDERS

- Complete staff hiring and training for Oct., 2008 start. Complete policies and procedures for

identification and assignment of sex offenders to contracted clinicians to allow for evaluation of sex offenders three to six months prior to release to probation from incarceration.

TRUANCY PREVENTION PROGRAM

- Will be implemented by the Institute for the Study of Crime and Justice, CCSU.

JUVENILE JUSTICE URBAN CITIES PROGRAM

- Issue contracts with identified agencies/institutions in November for December, 2008 start-up.

