

**TESTIMONY PRESENTED TO THE  
Appropriations & Judiciary Committees  
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Robert L. Genuario  
Secretary  
Office of Policy and Management

Testimony related to the implementation of criminal justice reforms

Good afternoon Senator Harp, Representative Merrill, Senator McDonald, Representative Lawlor and distinguished members of the Appropriations and Judiciary Committees. I am Robert L. Genuario, Secretary of the Office of Policy and Management and I thank you for the opportunity to appear before you today.

As you are well aware, the state's criminal justice system has undergone substantial change in the last year, change that was considered necessary after a thorough review of our criminal justice system conducted by the Governor's Sentencing and Parole Review Task Force last fall. The people of Connecticut must have confidence in their criminal justice system and offenders must know that community supervision is a privilege that can not be abused.

The General Assembly passed two substantial pieces of legislation; one in the January special session, Public Act 08-1, and one in the regular session, Public Act 08-51. This legislation passed with wide bipartisan support and made a variety of improvements to the criminal justice program, to be phased in during the 2008 calendar year. This afternoon, I will focus my remarks on three issues: OPM's responsibilities regarding this legislation, the status of the implementation of PA 08-1 and 08-51, and the Prison Population Forecast put forth by OPM and our state's Statistical Analysis Center in March.

The Criminal Justice Policy and Planning Division of OPM played a key role in implementing several of the initiatives created by the legislation. I am very pleased to report that we conducted two day-long training sessions for members of the state's criminal justice community. These two training sessions, one conducted at Southern Connecticut State University in June and the other held at the Connecticut Convention Center in September, were attended by over 800 individuals and featured 8 different workshops and several national speakers. I would thank the members of the legislature for their participation in the lunchtime policy panels held on each of the days. We are currently working on these training sessions for next year.

OPM provided administrative support to the Criminal Justice Information Systems Governing Board search for a new executive director. This tri-branch effort led to the hiring of Sean Thakkar, who sits on this panel today. We look forward to working with Mr. Thakkar as he tackles the information technology challenges faced by the criminal justice system.

The Criminal Justice Policy Advisory Commission (CJPAC), led by OPM, has begun to undertake a more detailed re-entry strategy. I expect the thoughtful discussions being conducted by this group will lead to a quality product when it is presented to the Governor and General Assembly in February. OPM is also chairing the Municipal Sitings Incentive Committee established in PA 08-1. This Committee which is examining the issue of siting community based facilities for use by parole and probation has heard from a variety of state agencies and from representatives of the Connecticut Conference of Municipalities and the Council of Small Towns. The Committee continues its work towards a January report. This is a very challenging issue, but I am optimistic the Committee's report will assist us in addressing it.

The programs contemplated and funded in Public Acts 08-1 and 08-51 are proceeding apace. The Board of Paroles had 57 filled positions in July of 2007, 68 filled positions in July of 2008, and 80 as of October of 2008. 11 of the positions are funded specifically to deal with the preexisting backlog of parole cases that had been built up as the legislation and funding was being approved. This will allow for an increasing amount of parole hearings each month. 5 fulltime members of the Parole Board have been hired as called for and community capacity is at its highest level in recent years. Additionally, as Parole ramps up DOC will fill an additional 8 Parole Officer positions as provided in PA08-51.

CSSD and DOC are in the process of completing a bid process for sex offender beds and both Judicial and DOC have begun contracting for new diversionary beds. As these programs roll out, they will increase community capacity as contemplated and provide alternatives to incarceration. There are still some questions as to whether the dollars appropriated are sufficient to fund the beds set forth.

At the same time funding has been provided for the Division of Criminal Justice, Public Defenders, DMHAS and DPS, consistent with the appropriated funds.

All this is occurring notwithstanding the current economic climate and the state's current fiscal condition. In fact, this area is one of only two policy areas that received new funding in fiscal year 2009.

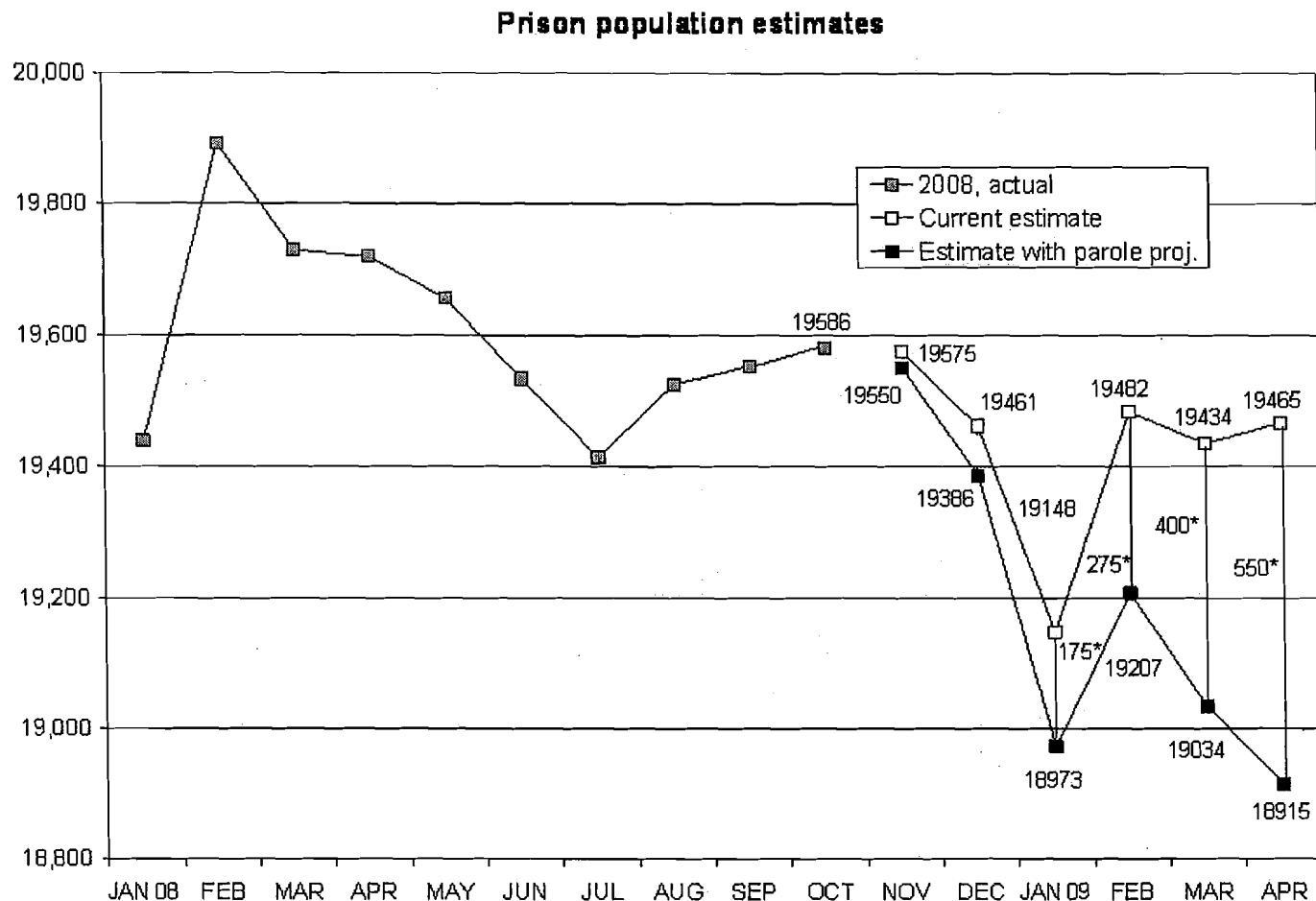
The final issue I will discuss today is the annual Prison Population Forecast issued last March. The CJPAC, led by OPM and the state's Statistical Analysis Center at Central Connecticut State University's Institute for the Study of Crime and Justice, has established a standing Forecast/Research Working Group of data analysts from across the spectrum of the criminal justice community in state government. The purpose of this working group is to provide an ongoing forum for the deliberation and development of criminal justice information work products. This group, which meets monthly, includes OPM, Central Connecticut State University, the Judicial Branch, Department of Correction, Board of Pardons and Paroles, Department of Public Safety, and Department of Mental Health and Addiction Services. Recently, the Office of Fiscal Analysis and the Office of Legislative Research have also been attending these meetings. This multi-agency working group of state research professionals assists in providing the backbone for the criminal justice system's research and data collection needs. I note this group because they are invaluable in assisting us in our prison population forecasting.

With regards to our annual forecast issued in March, despite 5 months of continuous decline between February and July, the monthly prison population remained 1% to 2% higher than previously projected. I believe that it is important to note that in recent years, the prison population has generally increased during late-summer and fall. This year, however, while the prison population had risen, the rate of increase during this time period has been substantially less than the historic trend. As a result, the difference in the number of inmates incarcerated in 2008 compared to the number incarcerated in 2007 has narrowed considerably in recent months. Because of this narrowing, the monthly prison population is currently expected to slip below the 2007 figure in November. If this estimate proves to be correct, November will be the first month in which the prison population in 2008 was lower than the 2007 figure.

We continue to believe that the capacity exists to safely and appropriately supervise more offenders in the community. A concern is the ability to conduct parole hearings for individuals eligible for community supervision. OPM has been meeting regularly with the Board of Pardons and Paroles, Department of Correction and the Judicial Branch regarding this issue. As a result of those meetings, OPM awarded a \$175,000 federal grant to the Board to hire temporary staff solely to concentrate on the backlog of inmates awaiting parole hearings. Progress has been made by the Board. In recent numbers reported to us, the Board increased the number of paroles granted from July to August by over 20% (144 to 184) and the number granted from August to September by almost 30% (184 to 236). OPM will continue to work with the board to insure that the backlog of parole cases is heard in a timely manner consistent with the new requirements of PA 08-1.

As we continue into 2009, the prison population should continue to track downward as we address the backlog of cases, eventually aligning with prison population levels reported in 2005 and 2006.

Continuing to improve our criminal justice system is important issue for our state, and I believe that in the past year we have begun to build the appropriate infrastructure to protect the people of this state.



OPM has produced a six-month projection of CT's prison population. The projection is based on several factors including an analysis of system-wide inputs and outputs, and historic and seasonal population-trend data. The monthly prison population (shown as Current estimate) in November is expected to slip below the 2007 figure for the first time this year.

Given that new BOPP resources are dedicated to reducing a backlog of parole cases, a second projection was produced to illustrate the potential contribution these resources could provide in reducing the State's inmate population. Since these new resources are focused exclusively on backlogged cases, any resulting inmate releases should have an immediate, and cumulative, impact on the

prison population. Building in some lag before optimum operation at BOPP, we estimate that in October an additional 25 inmates could be released. In November the number would rise to 50 and by December, about 100 extra offenders could be released. As a result, by January, 175 fewer inmates could be incarcerated by CT DOC. By March, the figure could reach 400 inmates.