



State of Connecticut

JUDICIAL BRANCH

OFFICE OF THE CHIEF COURT ADMINISTRATOR
COURT SUPPORT SERVICES DIVISION
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Testimony of William H. Carbone
Judiciary Committee Hearing
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Public Act No. 08-01 ("An Act Concerning Justice Reform")
Public Act No. 08-51 ("AAC Persistent Dangerous Felony Offenders and Providing Additional Resources to the Criminal Justice System")

Good Morning. I am Bill Carbone, Executive Director of the Court Support Services Division of the Judicial Branch.

Thank you for inviting me to speak to you this morning about the improvements made in the justice system since the passage of the Crime Bills in 2008. From a public safety standpoint, I am pleased to report to you that we are in a significantly better place today than we were 2 years ago.

Improvements have come in three major areas:

- The electronic sharing of critical criminal justice information with other state and local agencies;
- Increased and more effective management of sex offenders in the community; and
- More treatment options for substance abusing and mentally ill offenders.

Let me briefly elaborate on each item.

First, regarding critical criminal justice information sharing, we have achieved many notable improvements. I want to mention three in particular:

- In April of 2008, the Judicial Electronic Bridge, known as JEB, was opened. It enabled electronic access to Pre-sentence Investigations, Warrant Affidavits, and Youthful Offender and Juvenile records by the Board of Pardon & Paroles (BPP) and the Department of Correction (DOC). This new system replaced the old inefficient manual system which often resulted in lengthy delays, loss of documents and other errors which affected the quality of decision making on offender classification and releases. Now, from

their desks at DOC or the BPP, they have direct electronic access to all of this information.

- In June of 2008, the Branch expanded JEB access to Federal, State and Municipal police as well as state's attorneys allowing them to view important Adult Probation information. Now, when police conduct investigations or make a field contact, they can check to see if a person is on probation, what the conditions of probation are, if the probationer is in violation status, and who to contact in Probation for further information. Since its inception, there have been over 43,000 inquiries by multiple law enforcement agencies on this expansion, known as the Municipal Judicial Electronic Bridge (MJEB).
- In October of 2008, we expanded the Judicial Branch website to bring all Violation of Probation warrants to the attention of the public. Each day, there are at least 400 inquiries which often bring important information to adult probation that leads to the service of more warrants. Prior to this new electronic system, and prior to the sharing of VOP warrants with police which began in the fall of 2008, we had reached a high point in September 2007 of almost 8,000 unserved violation of probation warrants. Today, that number has been reduced to 4,600, a drop of 40%.

Second, regarding more effective management of sex offenders in the community, public safety has been surely strengthened through many enhancements made in the management and supervision of sex offenders and other high risk probationers.

By way of background, CSSD now supervises more than 2,500 registered sex offenders each day. This caseload increases by about 10% each year. This is because, while the average probation period for non-sex offenders is approximately 2.4 years, for sex offenders, it is 8.1 years and rising. To more effectively supervise this group, the following improvements have been made under the crime bills:

- Clinical evaluation and supervision classification for split sentence sex offenders are now completed before release from incarceration. Prior to the new resources granted under the crime bills, this more likely occurred post release, meaning that many offenders would be in the community for a period of time without the supervising officer having the benefit of a clinical study that informs on the level of supervision and treatment needed;
- 27 new adult probation officers were recently hired so that caseload size can be reduced in order to achieve more frequent monitoring, especially for those sex offenders living in shelters and on electronic monitoring. Sex offender probation officers routinely have had 45 cases each, a very high caseload given the complexity and severity of the population. The new resources will bring

that down to 35, closer to the goal of a 25 to 1 ratio, as recommended by the American Probation and Parole Association.

- New tools have been made available to sex offender probation officers who manage these cases:
 - Software is now used to monitor offender computer activity in order to identify inappropriate computer use;
 - More cases are now monitored by GPS; this technology had a rough start in Connecticut due to its limitations, but it has been substantially improved with the creation of a Statewide Electronic Monitoring Center which provides a 24/7 oversight for all cases where this technology is in place. This helped reduce the number of false alerts that had to be responded to and investigated by probation officers, a very significant time and resource savings;
 - Polygraph testing is now available to assist our officers and treatment providers in the verification of an offender's behavior and activities while in the community. All offenders have at least one test each year.

There is one area of sex offender management that clearly remains a problem. We continue to have too many sex offenders living in shelters for lack of any alternative. For example, in Hartford and New Haven alone, there is an average of 60 homeless sex offenders living in shelters every day.

Under the crime bills, funding was made available to create a "Day Monitoring and Treatment Program" in both Hartford and New Haven so that homeless sex offenders would be monitored more closely throughout the day. We were successful opening a program in New Haven in early 2009; however, due to siting problems, we have not had the same success in Hartford. However, last month, a site for Hartford was found and we are hopeful that this one will be acceptable and will open in the near future. The day program is important because it works with the sex offender to find suitable housing, employment and to insure their participation in treatment.

The crime bill also called for a 12 bed sex offender residential facility. We regret that we have been unable to accomplish that important objective. We have been working with DOC for the past 2 years on this project; a joint bid was issued in late 2008, and a vendor selected in January of 2009. Due to budget constraints since that time, we, in Judicial, have lacked the necessary funds to enter into a one year contract for 12 beds which would have cost \$1,000,000.

At this time, however, the Branch has decided to issue its own bid for up to 12 sex offender beds. As you know, DOC issued its own bid earlier this month. We continue to believe that the best approach to this lies in a coordinated effort with the DOC; we are willing to reopen our partnership with DOC and we remain hopeful that this can be accomplished in the future.

Third, regarding the expansion of new treatment options, the crime bill delivered some badly needed new resources intended to alleviate prison overcrowding and reduce offender recidivism.

One example of this is:

- The Supervised Diversionary Program for accused persons with psychiatric disabilities. This program, which went into effect October 1, 2008, was intended to create an alternative to pre-trial incarceration for individuals with chronic mental health problems. The defendant can apply for this in the same way as the state's accelerated rehabilitation program. Applicants undergo a mental health evaluation, which is done in cooperation with DMHAS; if granted, they immediately begin treatment. In its 1st year, nearly 530 investigations were ordered, and so far, nearly 300 have been granted, with 189 pending. To date, we have had only 9 unsuccessful completions of this program. Monthly applications are now averaging 50 across the state. We do believe this program will grow in volume and prove to be an effective strategy for recidivism reduction and for reducing prison overcrowding.
- The crime bills also added 135 treatment beds to CSSD. This was intended to address the significant waitlist problem stemming largely from the Jail Re-Interview program for pre-trial detainees, and those on probation, but doing poorly in out patient services, and therefore at risk of violation. That waitlist was lengthy in 2008 and it is today. As of January 15, 2010, there are 463 individuals waiting for inpatient treatment, but beds are unavailable; 322 of this number are pretrial detainees who remain incarcerated while their case is pending. While the crime bill authorized 135 new treatment beds which would have served about 400 persons annually, due to various budget constraints, to date, we have been able to purchase 75 of the 135 beds called for in the bills.

Needless to say, we still have many areas in the system still in need of further attention and resources. We have, however, improved the system in many substantive and fundamental ways that should, and I believe will, make Connecticut safer, save the taxpayers money and bring about the behavior change in offenders required for recidivism reduction to take place.

Thank you for this opportunity and I am happy to answer any questions you have.