



Connecticut

CASE STUDY

Updated February 2007

In 2002, the state of Connecticut faced an \$817 million budget deficit and a prison crowding crisis.¹ When confronted with the persistent growth of their prison populations, policy makers across states typically pursue one of two strategies:

1. They appropriate funds to build additional prisons, hoping the population growth will somehow abate, only to find a few years later that they need to build even more; or
2. They release numbers of inmates, often with insufficient discrimination between those who pose high and low risk, and generate a firestorm of public criticism.

Connecticut policy makers, however, chose a third way: a comprehensive long-term strategy known as justice reinvestment. Using data-driven analyses, they identified ways to check the growth of prison populations and spending, increase public safety, and improve conditions in the neighborhoods to which most prisoners return. In the two years following the development and adoption of this strategy, the number of prisoners declined—generating significant savings to taxpayers—while crime rates continued to drop.

By 2007, new challenges emerged: growth in the pretrial population, a segment of the prison population that was not a focus of the justice reinvestment initiative in 2003 and 2004, has created spikes in the prison population.² Recognizing that justice reinvestment is an ongoing strategy rather than a one-time policy fix, policy makers are now studying how their previous successes can be applied to this subset of the prison population.

The Challenge

"In this day and age, we have to be smarter with the dollars we have."

—Senator John Kissel (R-Enfield)

From 1995 to 2002, growth of the state's prison population exceeded regional and national trends.

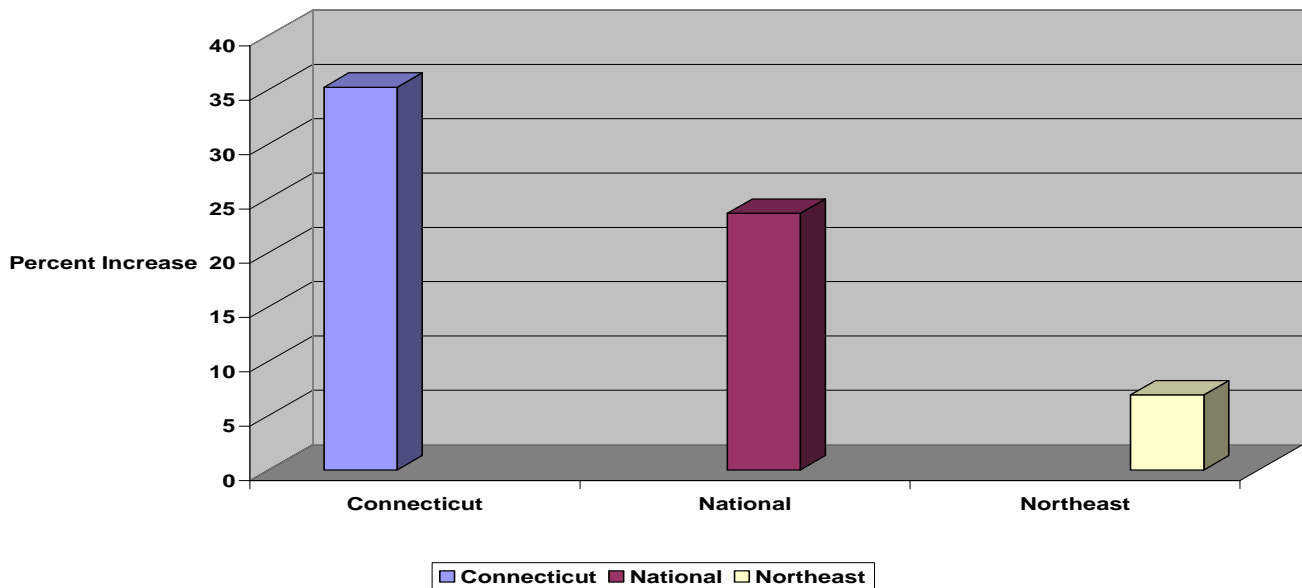
- Over a seven-year period, Connecticut's prison population increased by 35.2 percent, a growth rate exceeding the national average of 23.6 percent and significantly higher than the growth rate of 6.9 percent among Northeastern states.³

¹ This deficit refers to a general funds deficit in fiscal year 2002. See "Financial Schedule 54: General Fund Surplus or Deficit from Operations."

² Unlike most states, there is no county jail system in Connecticut; the Department of Corrections administers a unified system, responsible for both sentenced and unsentenced populations.

³ Jacobson, M. (2005). *Downsizing Prisons: How to Reduce Crime and End Mass Incarceration*. New York, New York: University Press. Hill, G. & Harrison, P. (2005, December 6). Prisoners Under State or Federal Jurisdiction. Washington, D.C.: Bureau of Justice Statistics. The growth in the prison population was not unique to this time frame. The population actually had grown steadily from 4,308 in 1980 to 11,022 in 1992.

Prison Population Growth (1995-2002)



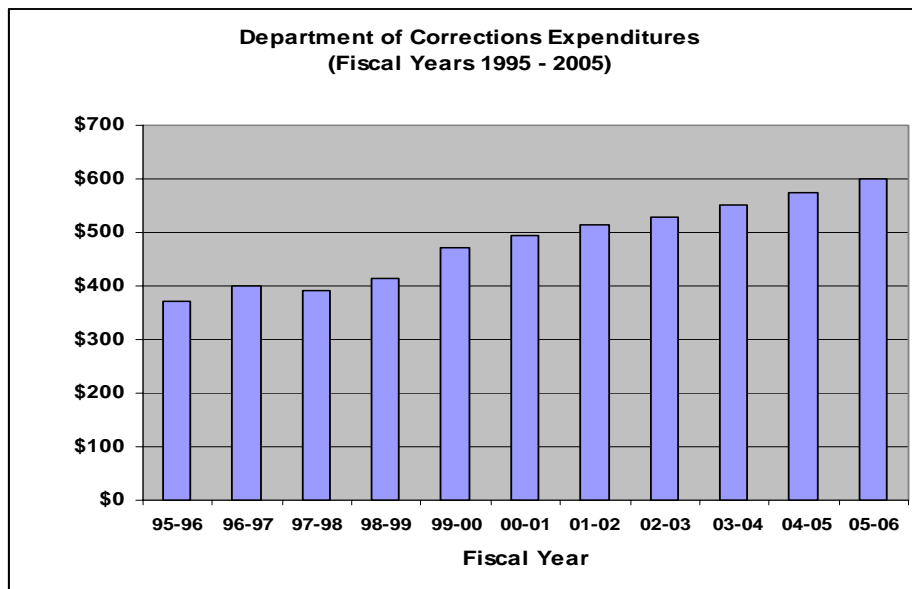
Connecticut increased its prison bed capacity significantly, yet the growth of the prison population outpaced the new construction.

- In 1996, the state completed a 10-year, \$1 billion project to build 12 new correctional facilities, renovate 13 existing prisons and increase the Department of Corrections' (DOC) authorized capacity by 50 percent.
- Just three years later, the state was once again out of prison beds. In response, the governor executed a contract with Virginia, sending 484 Connecticut offenders to facilities operated by the Virginia DOC. The contract cost Connecticut \$12 million per year.⁴
- By 2003, prison overcrowding had resumed. Several hundred inmates were sleeping on cots and floors in prison cafeterias and gymnasiums. That same year, the state legislature approved a proposal for 2,000 additional out-of-state beds in fiscal years 2004 and 2005.⁵
- Housing inmates outside Connecticut provided temporary relief to crowded DOC facilities. But the practice generated significant public controversy. Two Connecticut inmates died while in custody at a Virginia prison and there were allegations of racial harassment of prisoners transferred to Virginia facilities.⁶

⁴ Gary Fields, "To Cut Prison Bill, States Tweak Laws, Try Early Releases," *The Wall Street Journal*, December 21, 2005.

⁵ In 2002, then-Governor Rowland tried to increase the number of out-of-state beds from 500 to 1,000, but the state legislature rejected his proposal.

⁶ Family members of the deceased prisoners filed civil lawsuits against Connecticut, which the state paid several million dollars to settle. Subsequently, the state's Commission on Human Rights substantiated the claims of harassment and recommended the return to Connecticut of those prisoners who had been transferred to Virginia.



By 2002, the hurdles to building new prisons or expanding existing ones in Connecticut had become nearly insurmountable.

- Among state policy leaders, insufficient support existed to finance the construction or the ongoing costs of operating additional corrections facilities. Local elected officials, particularly those representing areas of the state where prisons were already located, adamantly opposed building new facilities in their communities.
- A 2004 poll conducted by the University of Connecticut's Center for Survey Research Analysis revealed that more than 50 percent of state residents opposed additional prison construction generally, 61 percent supported reducing mandatory minimum sentences for first-time offenders, and only 45 percent supported transferring inmates to out-of-state facilities.⁷
- Nearly every major daily newspaper in the state published editorials between June 2003 and April 2004 urging policy makers to consider alternatives to incarceration instead of more prison construction or out-of-state transfers.⁸
- Community leaders, and members of the state's African-American and Latino Caucus of State Legislators who occupied influential posts in the General Assembly, called attention to a 2003 report that found the state's overall disparity in incarceration rates between whites, blacks and Hispanics was the highest in the nation.⁹

⁷ Keith M. Phaneuf, "Residents Favor Easing Sentences to Cut Crowding," *Journal Inquirer*, March 8, 2004.

⁸ See "A Budget Solution in Prison Reforms," *New Haven Register*, July 4, 2003; "Time to Examine Sentencing Options," *Connecticut Post*, December 14, 2003; "More Signs of Strain with State Prisons," *Greenwich Time*, December 26, 2003; "19,000 Connecticut Inmates," *The Hartford Courant*, April 13, 2004.

⁹ Commission on Racial and Ethnic Disparity in the Criminal Justice System, "Annual Report and Recommendations 2003-2004," Hartford, CT, p. 9.

The Approach

“Unless we make a systemic change, we’re going to be authorizing an additional transfer of 1,000 inmates to private prisons every year.”

—Representative Michael Lawlor (D-East Haven)

Policy makers sought detailed, data-driven analyses to go beyond anecdotal explanations for the growth of the prison population and to inform the development of options.

Like their counterparts in most states, policy makers in Connecticut did not have the tools, such as a management information system or dedicated staff positions, to generate frequent, up-to-date analyses of prison admissions and releases.

Leaders in Connecticut engaged the Council of State Governments (CSG), which through the support of the U.S. Department of Justice, private foundations and other partners provides assistance to help states interested in pursuing justice reinvestment strategies.¹⁰

Studies conducted by CSG showed that problems regarding probation and parole were driving, at least in part, the growth of the prison population.¹¹

- Offenders who had violated conditions of their parole or probation accounted for a significant percentage of prison admissions. Twenty-five percent of prison beds on any given day were occupied by people whose probation or parole had been revoked.
- In 2003, the average length of stay for parole violators was about one year, compared to three to four months in most other states.¹²
- Insufficient coordination between corrections and parole (which at the time were two distinct, independent agencies), as well as bureaucratic inefficiencies, bogged down the parole process. People in prison eligible for parole—70 percent of whom were incarcerated for nonviolent crimes and whom leaders in the system agreed were ready to be returned to the community—remained incarcerated an average of nine months beyond their parole eligibility date.¹³

¹⁰ CSG is a nonprofit, nonpartisan membership association serving elected and appointed officials in all three branches of state government.

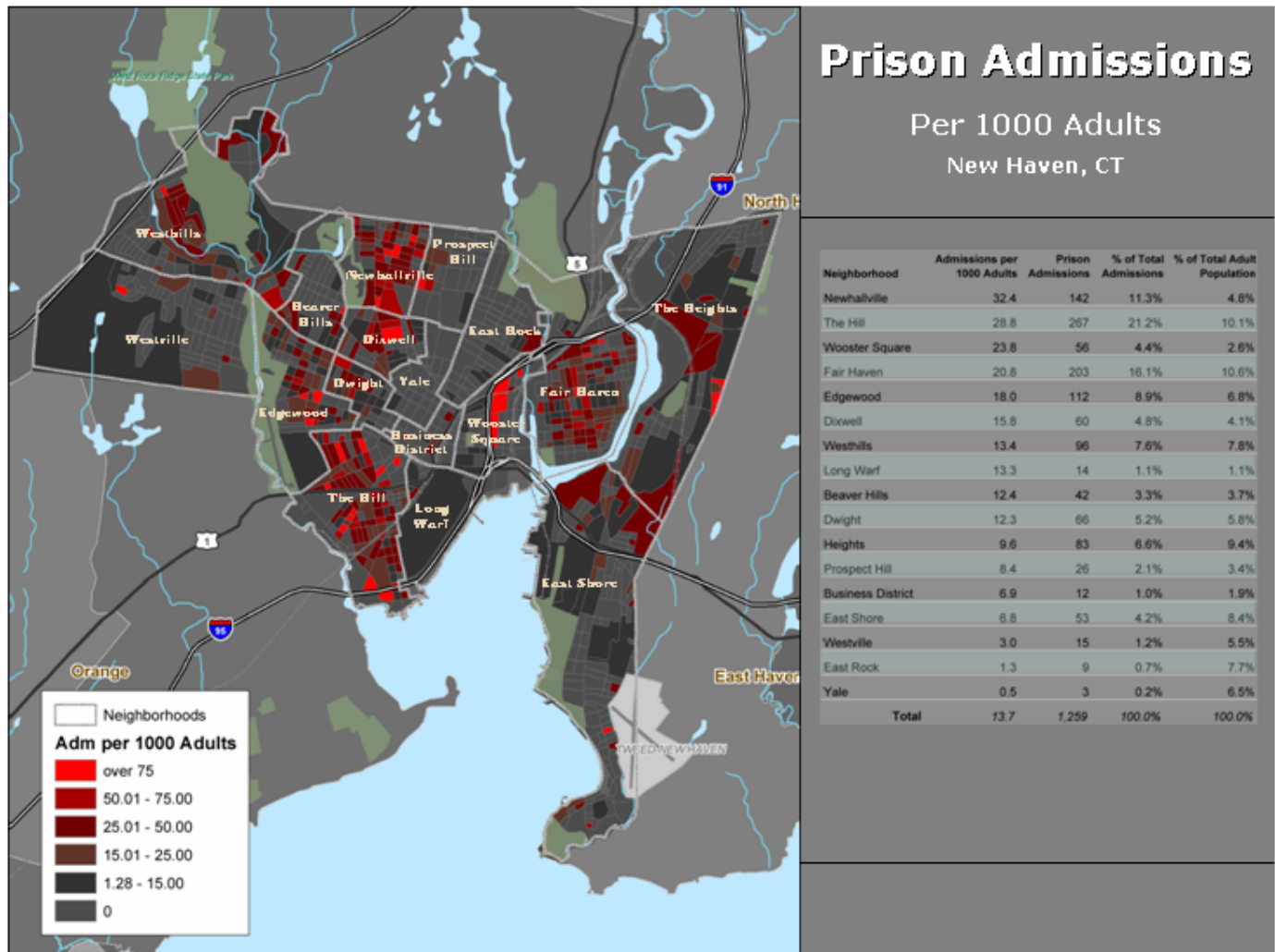
¹¹ These findings confirmed the results of initial analyses conducted by the state's Legislative Program Review and Investigations Committee. In this regard, CSG's studies helped validate reports that to date had received insufficient attention in the media or among key state leaders.

¹² James Austin, Eric Cadora and Michael Jacobson, “Building Bridges: From Conviction to Employment: One Year Later,” New York, Council of State Governments, 2004.

¹³ James Austin, Eric Cadora and Michael Jacobson, “Building Bridges: From Conviction to Employment,” New York, Council of State Governments, 2003. An analysis conducted by the Legislative Program Review and Investigations Committee showed most inmates who were parole-eligible after serving 50 percent of their court-imposed sentences were serving an average of almost 75 percent of their sentences before being granted parole.

The majority of people released from prison were returning to a handful of communities.

- Nearly 50 percent of male inmates came from the state's three largest cities—Bridgeport, Hartford and New Haven.
- Further analysis of New Haven revealed a single neighborhood from which the number of people incarcerated amounted to \$20 million in corrections costs. Of that total, \$6 million was spent for probation violators.
- A comparative analysis of criminal justice, Department of Labor and Department of Social Services data for New Haven revealed that the neighborhoods that received the largest share of people returning from prison also were home to a disproportionate share of recipients of unemployment insurance, Temporary Assistance for Needy Families and food stamps.

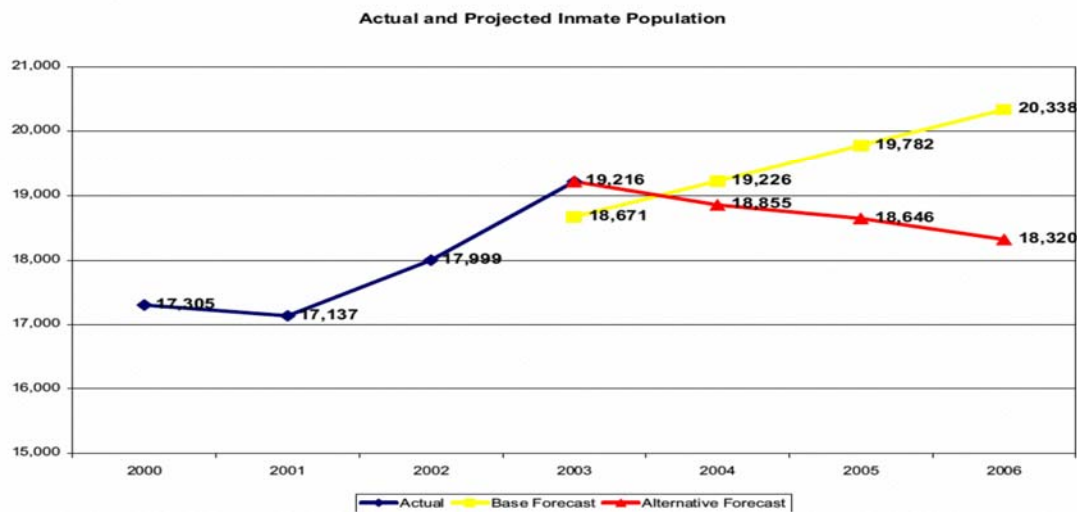


CSG identified policy options that would enable the state to reverse the growth of the state's prison population and increase public safety.

- The policy options included requiring persons sentenced to at least two years to serve no more than 85 percent of their sentence, reducing the length of stay for people returned to prison for a technical violation, and reducing the number of technical violations admissions by 25 percent by seeking to increase compliance among probationers and parolees.¹⁴
- Implementing these policy options was projected to reduce the prison population (from 2003 to 2006) by as much as 2,000.

Legislators and representatives of the governor and the judiciary led an intensive effort to educate state policy makers and the public about the problem and a possible justice reinvestment response.

- Representative Bill Dyson, then chair of the Appropriations Committee, convened a statewide forum, "Building Bridges: From Conviction to Employment," in January 2003 at Central Connecticut State University to bring together state leaders and hundreds of agency staff and advocates, and focus their attention on corrections issues.
- Theresa Lantz, commissioner of the Department of Corrections, and Bill Carbone, executive director of the Court Support Services Division, testified at various hearings affirming the results of the analyses and recommending that policy makers take action.
- Representative Dyson and Representative Mike Lawlor (the chairman of the Joint Committee on Judiciary), together with the ranking members of their committees, held bipartisan press conferences and appeared on numerous radio shows to explain the analyses and make the case for a policy response.¹⁵



¹⁴ Austin, J.F., Cadora, E., & Jacobson, M., (2003). *Building Bridges: From Conviction to Employment*. New York: Council of State Governments. Legislative Program Review and Investigations Committee, (2005, December 13). *Public Act 04-234 Compliance Monitoring Project*. Hartford, CT: Connecticut General Assembly. The analysis conducted by the Legislative Program Review and Investigations Committee found that people sentenced to prison for a violent offense were parole eligible after serving 85 percent of their court-imposed sentences, but they were serving, on average, 95 percent of their sentences before being granted parole. As a result, most of this portion of the prison population was completing their sentence in prison, which meant that they went straight from prison to the community without supervision.

¹⁵ Blint, D.F., "State Urged To Adopt Prison Reforms," *Hartford Courant*, June 25, 2003. Bipartisan press conferences were held on June 24, 2003, and February 18, 2004.

With overwhelming bipartisan support, the General Assembly enacted laws to manage prison growth safely, generate savings and reinvest in particular high-stakes communities.

- An “Act Concerning Prison Overcrowding,” passed in 2004, set goals for the parole, the court system (which oversees probation) and the Department of Corrections to reduce by 20 percent the number of parole and probation revocations. It also included provisions to ensure a period of supervision for all persons released from prison, and require the state to develop a comprehensive reentry plan to address high recidivism rates.
- In 2004, policy makers canceled the state’s contract with Virginia for 2,000 additional beds, and reduced the budget request for the Department of Corrections by \$30 million.
- Policy makers reinvested \$13 million of the savings in community-based strategies for reducing recidivism and increasing public safety. As part of this reinvestment, \$1 million was dedicated to community-led planning processes in New Haven and Hartford to develop neighborhood-focused initiatives to further integrate funding streams and achieve better outcomes for residents. Funding also was provided to the Department of Mental Health and Addiction Services to support community-based programming.
- With the reinvested funds, probation officials established two programs. The Probation Transition Program (PTP) targets “split sentence” probationers, focusing on opportunities to reduce the number of technical violations while the person is on probation. The Technical Violations Unit (TVU) provides intensive treatment and supervision for probation violators who otherwise would have been incarcerated.
- The state hired 96 new probation officers between 2004 and 2005, reducing caseloads from approximately 160 cases per officer in January 2004 to about 100 cases per officer in June 2005.¹⁶

The Results

“Connecticut’s experience shows that major statutes don’t need to be tossed out to reduce prison overcrowding.”

*—“To Cut Prison Bill, States Tweak Laws, Try Early Releases,”
Gary Fields, The Wall Street Journal, December 21, 2005*

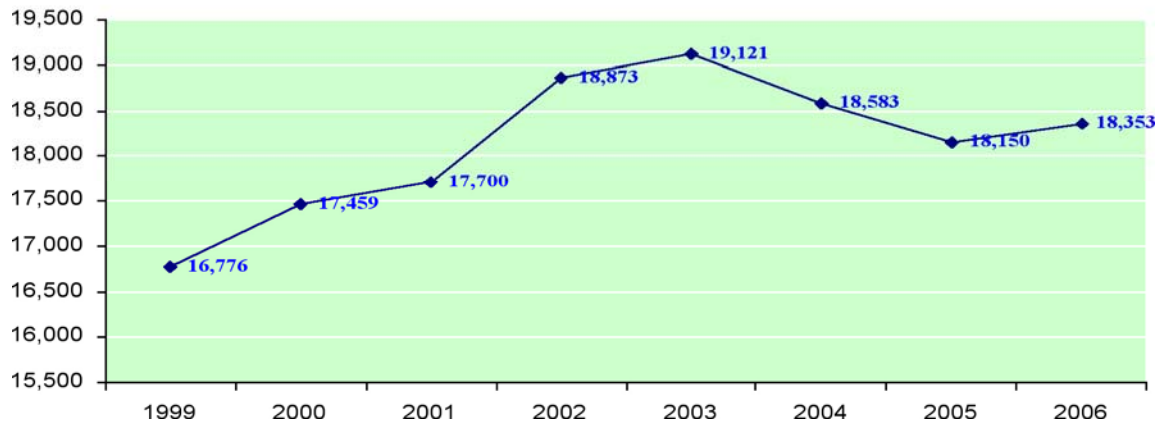
Over a three-year period, Connecticut experienced a sharp decline in its prison population.

- Connecticut went from having one of the fastest-growing prison populations in the nation to experiencing a decline steeper than almost any other state.

¹⁶ Legislative Program Review and Investigations Committee, “Public Act 04-234 Compliance Monitoring Report,” December 13, 2005. Of course, caseloads of 100 still greatly exceed national standards. The Court Support Services Division received funding for the 2007/08 biennium to hire additional probation officers to manage specialized caseloads and provide intensive pre-trial supervision.

- By mid-year 2004, the sentenced population had decreased for the first time since 1990. The 2.5-percent drop was the second-largest decrease in the country.¹⁷
- The state experienced a 4-percent decline in the prison population between mid-year 2003 and mid-year 2006.

Connecticut Prison Population



Governor Rell instructed the DOC to return all inmates being held in out-of-state prisons to Connecticut facilities.

- By November 2005, all 500 inmates had been returned to Connecticut prisons and the time remaining in the Virginia contracts was allowed to expire.

Evaluations of the probation violation programs show promising results.

- A Central Connecticut State University evaluation suggests that the PTP and TVU programs have been successful in reducing recidivism among high-risk probationers.¹⁸ By December 2005, the number of persons re-incarcerated for technical violations had dropped by 20 percent.¹⁹
- Because of the success of the PTP and TVU programs, state policy makers anticipate savings of \$6.3 million in fiscal year 2007 and \$8 million in fiscal year 2008 once the two programs are implemented statewide.²⁰
- Based on the initial results, policy makers approved \$11 million in the FY2007-2008 budget to expand community-based treatment and residential programs, and expand the PTP and TVU programs to adult probation offices statewide.

¹⁷ See Commission on Prison and Jail Overcrowding, "Report to the Governor and the Legislature 2006," State of Connecticut, Hartford, CT, January 15, 2006; Paige M. Harrison and Allen J. Beck, "Prison and Jail Inmates at Midyear 2004," U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C., 2005 (NCJ 208801); and Bureau of Justice Statistics, "Prison and Jail Populations at Midyear 2004."

¹⁸ See Central Connecticut State University, Department of Criminology and Criminal Justice, "Addendum to the Final Report of the Court Support Services Division's Probation Transition Program and Technical Violation Unit," June 2006.

¹⁹ Ibid.

²⁰ See Fiscal Impact "Raised Bill #5651 An Act Adopting The Recommendations of the Report Of The Commission On Prison And Jail Overcrowding."

The state institutionalized systems to provide policy makers with regular reports reviewing trends in the prison population, and to develop population projections, track outcomes and recommend policy options.

- In 2005, lawmakers enacted “An Act Concerning Criminal Justice Planning and Eligibility for Crime Victim Compensation,” establishing the Criminal Justice Policy and Planning Division (CJPP) to collect data from multiple criminal justice agencies and produce ongoing analyses of, and recommendations for, improving Connecticut’s criminal justice system. CJPP is housed within the Office of Policy and Management.²¹
- In 2006, lawmakers passed “An Act Concerning Criminal Justice Policy and Planning and the Establishment of a Sentencing Task Force.”²² The Connecticut Sentencing Task Force will review criminal justice and sentencing policies, analyze sentencing trends, and assess the impact of corrections and sentencing policies.

The Next Steps

The state’s prison population has stopped declining and shows signs of increasing in 2007.

- Since January 2006, the pretrial population, which was not a focus of the justice reinvestment strategy designed between 2003 and 2004, has grown significantly. Preliminary analysis shows that the pre-trial population increased 10 percent in 2006.²³
- CJPP will need resources, including personnel and access to data, to assess the reasons for this growth and to determine whether additional dollars should be appropriated to increase the capacity of the prison system. It also will need to facilitate problem-solving discussions among elected officials and administrators of the state’s criminal justice agencies.

Planning processes in Hartford and New Haven did not generate comprehensive neighborhood initiatives for policy makers to reinvest in.

- Planning processes in both cities resulted in two modest reentry programs that target a small number of people released from a particular prison—rather than targeting a particular neighborhood disproportionately affected by returning ex-offenders. Preliminary results of a study show that neither project appears to have had a demonstrable impact on the neighborhoods targeted by justice reinvestment.
- State officials will need to work with community leaders, help them get past their competing agendas, and facilitate planning that everyone agrees will ensure that various government-funded programs that converge in the same “high-stakes” neighborhoods are well coordinated and deliver strong results.

The Public Safety Performance Project has supported Connecticut’s data-driven reform efforts with nonpartisan research, assistance and expertise since January 2006, principally through the work of the Council of State Governments and its consultants. The project will continue to work closely with Connecticut leaders to explore additional policy options for improving public safety and controlling corrections spending.

²¹ Connecticut General Assembly, “Substitute House Bill 6976, Public Act No. 05-249, “An Act Concerning Criminal Justice Planning and Eligibility for Crime Victim Compensation,” enacted 2005.

²² Connecticut General Assembly, “Substitute House Bill 5781, Public Act No. 06-193, “An Act Concerning Criminal Justice Policy and Planning and the Establishment of a Sentencing Task Force,” enacted 2006.

²³ Note: Final statistics are forthcoming.

PUBLIC SAFETY PERFORMANCE PROJECT

An operating project of The Pew Charitable Trusts, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable and control corrections costs.

The project helps states diagnose the factors driving prison growth and provides policy audits to identify options for reform, drawing on solid research, promising approaches and best practices in other states. The initiative also helps state officials, practitioners and others share state-of-the-art knowledge and ideas through policy forums, public opinion surveys, multi-state meetings, national, regional and state-level convenings, and online information about what works.

The project works with the Pew Center on the States and a number of highly respected external partners, including the Council of State Governments (CSG) Justice Center and the Vera Institute of Justice, to provide expert, nonpartisan information and assistance to states.

CONNECTICUT PARTNERS

The Public Safety Performance Project currently is working in Connecticut with CSG, a national nonprofit organization that serves policy makers at the local, state and federal levels from all branches of government. CSG's Justice Center provides practical, nonpartisan advice and consensus-driven strategies, informed by available evidence, to increase public safety and strengthen communities.

CONTACT

info@pewpublicsafety.org

215.575.4744

www.pewpublicsafety.org

