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# PRISON AND JAIL OVERCROWDING:

## A REPORT TO THE GOVERNOR AND LEGISLATURE

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U.S. Department of Justice  
National Institute of Justice

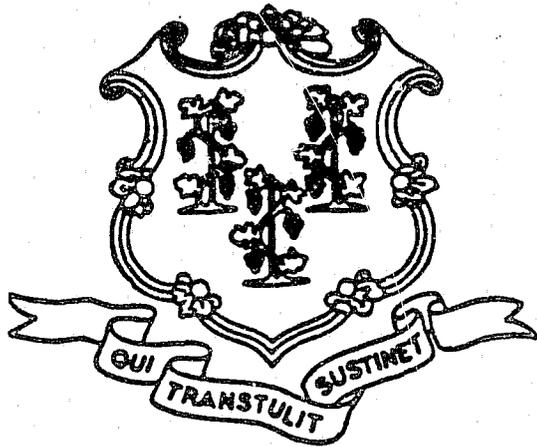
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# THE PRISON AND JAIL OVERCROWDING COMMISSION

JANUARY 1986

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# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

JUSTICE PLANNING DIVISION

January 15, 1986

TO: Governor O'Neill and Members of the General Assembly

FROM: William H. Carbone, Chairman  
Prison and Jail Overcrowding Commission *Witz*

On behalf of the members of the Prison and Jail Overcrowding Commission, I respectfully submit to you our 1986 report on correctional overcrowding in Connecticut, as mandated by C.G.S. 18-87K.

I can report to you that Connecticut is doing a great deal to manage its correctional overcrowding problem. Since 1981, we have made tremendous strides in developing safe and effective alternatives to incarceration for less serious offenders, while undertaking a major facility expansion program to provide secure beds for violent and repeat criminals. 1985 saw continued progress in these areas.

Despite our accomplishments, prison overcrowding is still a very serious problem in Connecticut. Better police work, shorter disposition times for serious criminal cases in our courts, and longer sentences for those committing the most serious crimes have resulted in continued pressure on our correctional resources.

This year's report offers a series of recommendations which which will continue our progress. We are confident that you will accept them as a sound course of action and support them in the upcoming legislative session.

We remain available to provide any additional information and clarification which you require in your deliberations.

WHC/tsj  
Enclosure

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## Section I: Extent of the Problem

The total number of individuals incarcerated in Connecticut continued to grow during 1985, as it has during each year since 1978. This section of our 1986 report will describe the extent of that growth and will compare it to the change in population in previous years. We will also present an updated forecast from the prison population projection model which was used in our 1984 report.

### A. Correction Population, 1985

The in-house correctional population grew steadily during 1985, from 5,475 in January, to 5,813 in December. During this twelve month period, the in-house population increased by 338 or 6.2 percent. Figure I-a depicts this population growth on a monthly basis.

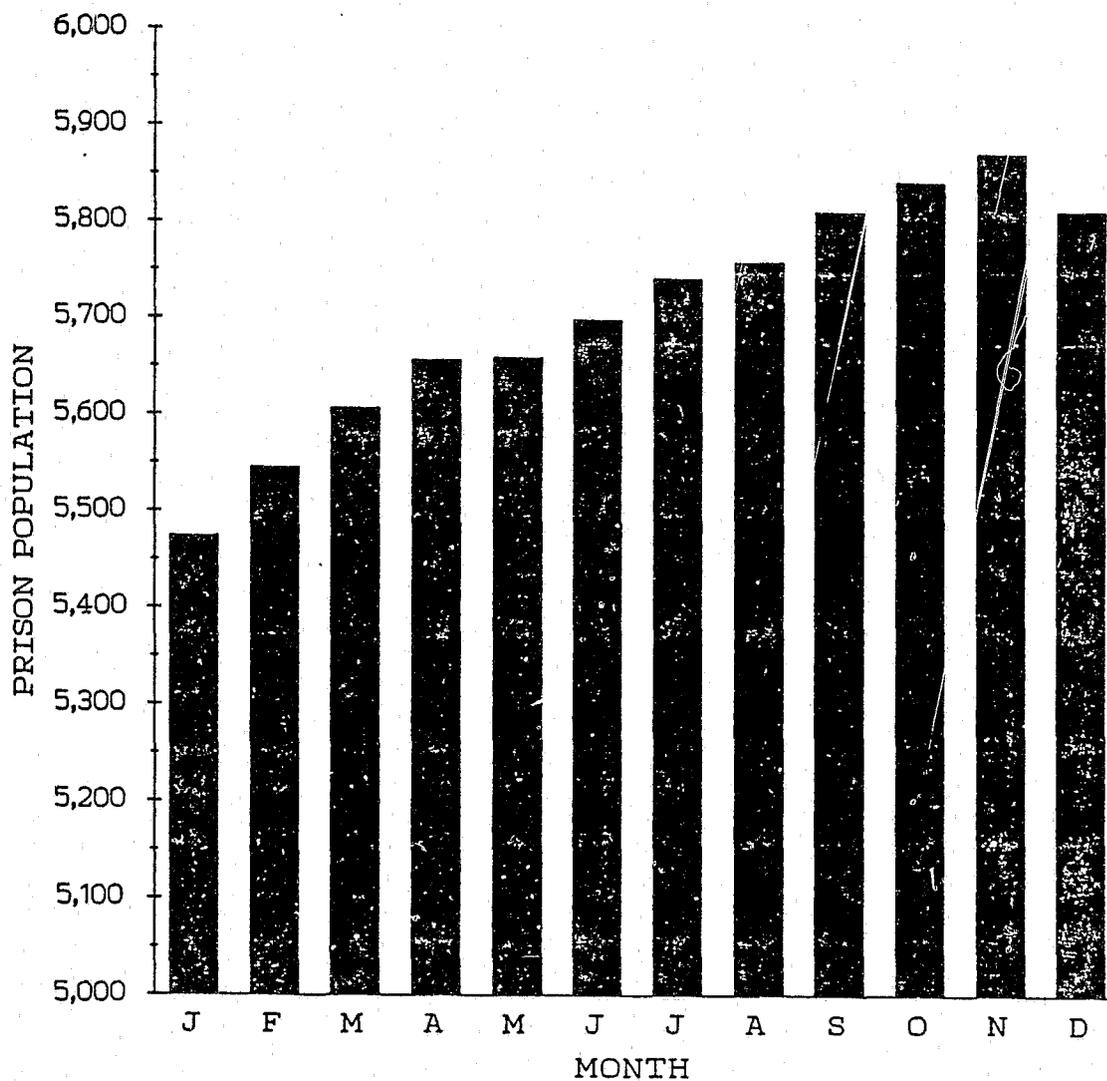
#### 1. Correctional population change, 1977-1985

The size of the incarcerated population has increased dramatically since 1977. Over the past eight years, the average daily incarcerated population has increased approximately 83 percent with a mean annual increase in the population of 321 inmates. As illustrated in figure I-b, the slope of the population line is somewhat less steep after 1982 but still with significant yearly increments of 251 (1983), 240 (1984) and 301 (1985). This recent three year trend of a 5 percent annual increase in the average daily in-house population is considerably less than the 7 to 16 percent annual increases for

FIGURE I-a

AVERAGE DAILY IN-HOUSE  
POPULATION CHANGE BY MONTH

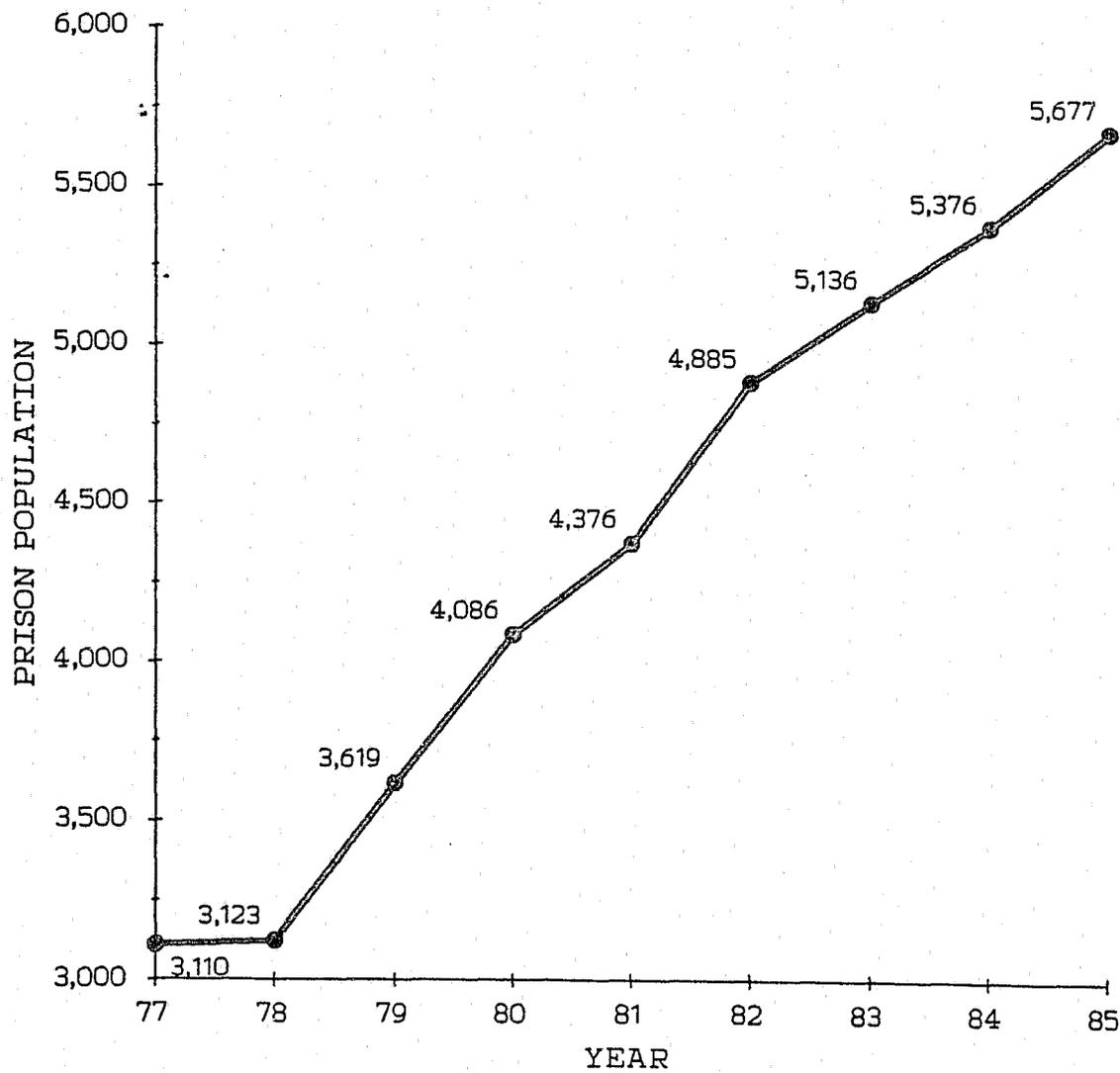
JANUARY 1985 - DECEMBER 1985



SOURCE: DEPARTMENT OF CORRECTIONS

FIGURE I-b  
AVERAGE DAILY IN-HOUSE  
POPULATION BY YEAR

1977 - 1985



the preceding five years. It may reflect, to a large extent, the effect of alternatives to incarceration in slowing population growth. Although the population growth rate has been slower, the total population has still been increasing annually with added pressure on the correctional system.

## 2. Sentenced and accused populations

The incarcerated population is composed of two major subsets, inmates convicted of a criminal offense and serving a sentence and inmates accused of a criminal offense and awaiting disposition of their case. The average population figures presented above reflect the total of both populations.

The average daily in-house accused population has remained consistently near 1,000 since 1982. It was 958 for 1985. This trend has run contrary to our 1980 short-term forecast of escalating population growth. Each year, while the total population has risen, the accused population has been contained at a near zero-growth rate. This can be largely attributed to the success of the Bail Commission, which was upgraded and expanded in 1981 through the recommendation of the Overcrowding Commission.

While the accused population has remained relatively constant, the growth in the total population has been directly related to the increases in the sentenced population. Since 1980, the sentenced population has grown each year and has become a greater portion of the total population for each succeeding year. Five years ago, the sentenced population represented approximately 69 percent of the total population; it has jumped to nearly 83 percent for 1985.

FIGURE I-c

EARLY FORECAST OF POPULATION GROWTH VS. ACTUAL POPULATION

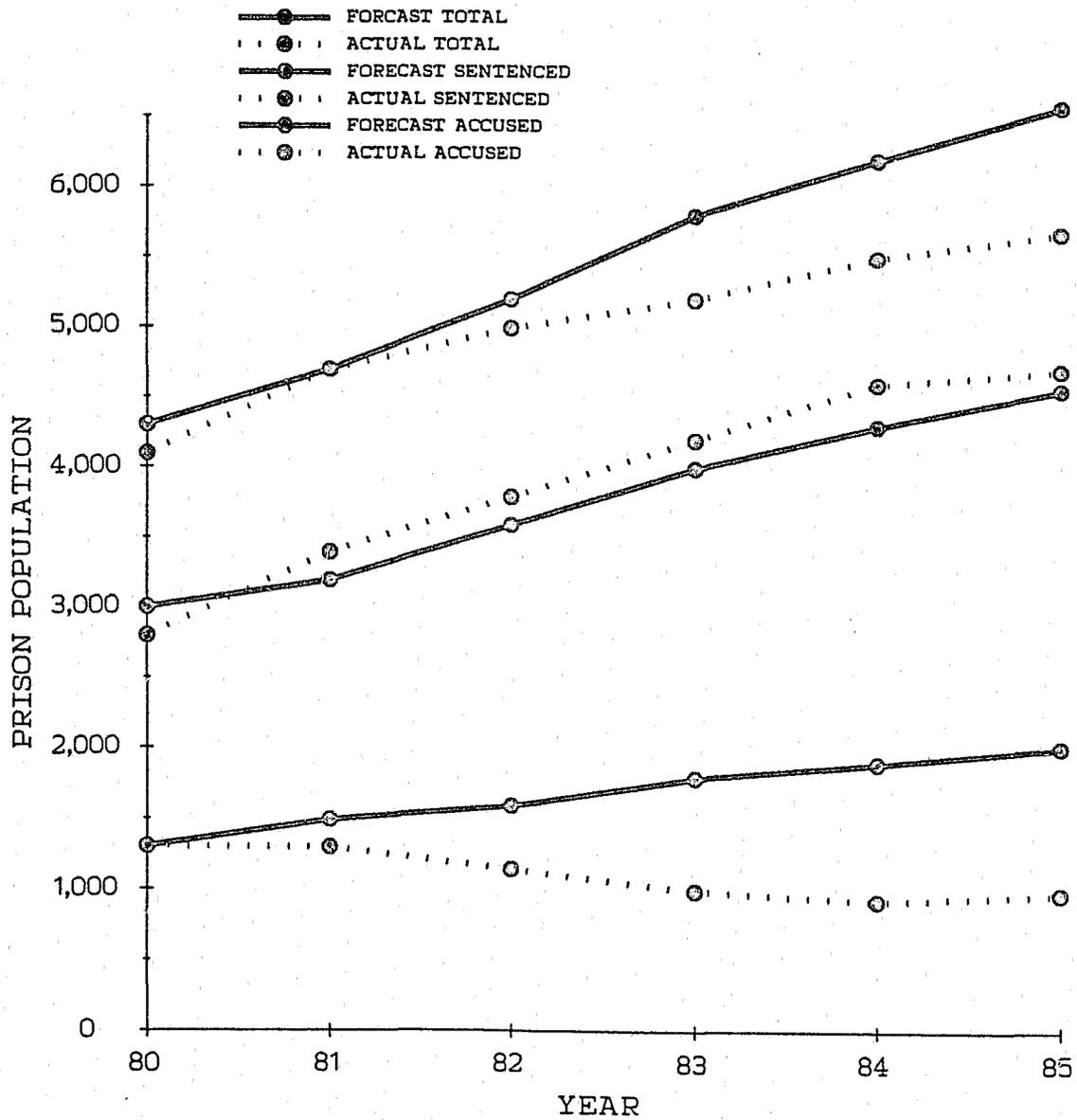


Figure I-c compares the growth of the overall population, as well as the sentenced and accused population subsets, with the Governor's Task Force 1980 short-term forecast of population growth. The actual accused population has remained constant, well below the increasing projection line. The actual sentenced population had out-paced the projection line in 1981 but in recent years has slowed and turned back towards the projection line. This was due to the lower growth rate for the sentenced population. The combined effect of the accused with the sentenced populations has created an increasing total population line but at a lower rate than the forecasted figures.

### 3. Prison population projection model

The prison population simulation model developed for the Overcrowding Commission has been described in great detail in previous Commission reports. Briefly stated, the model is a series of linked formulas which simulate the many key "decision points" within the criminal justice system. Using the most up-to-date data available on offenses reported to the police, clearance rates, incarceration rates, average time served by sentenced inmates and the number of males in the most crime prone age group, the model estimates the size of sentenced prison population. When combined with an estimate of the accused population, a sophisticated projection of the total prison population is available.

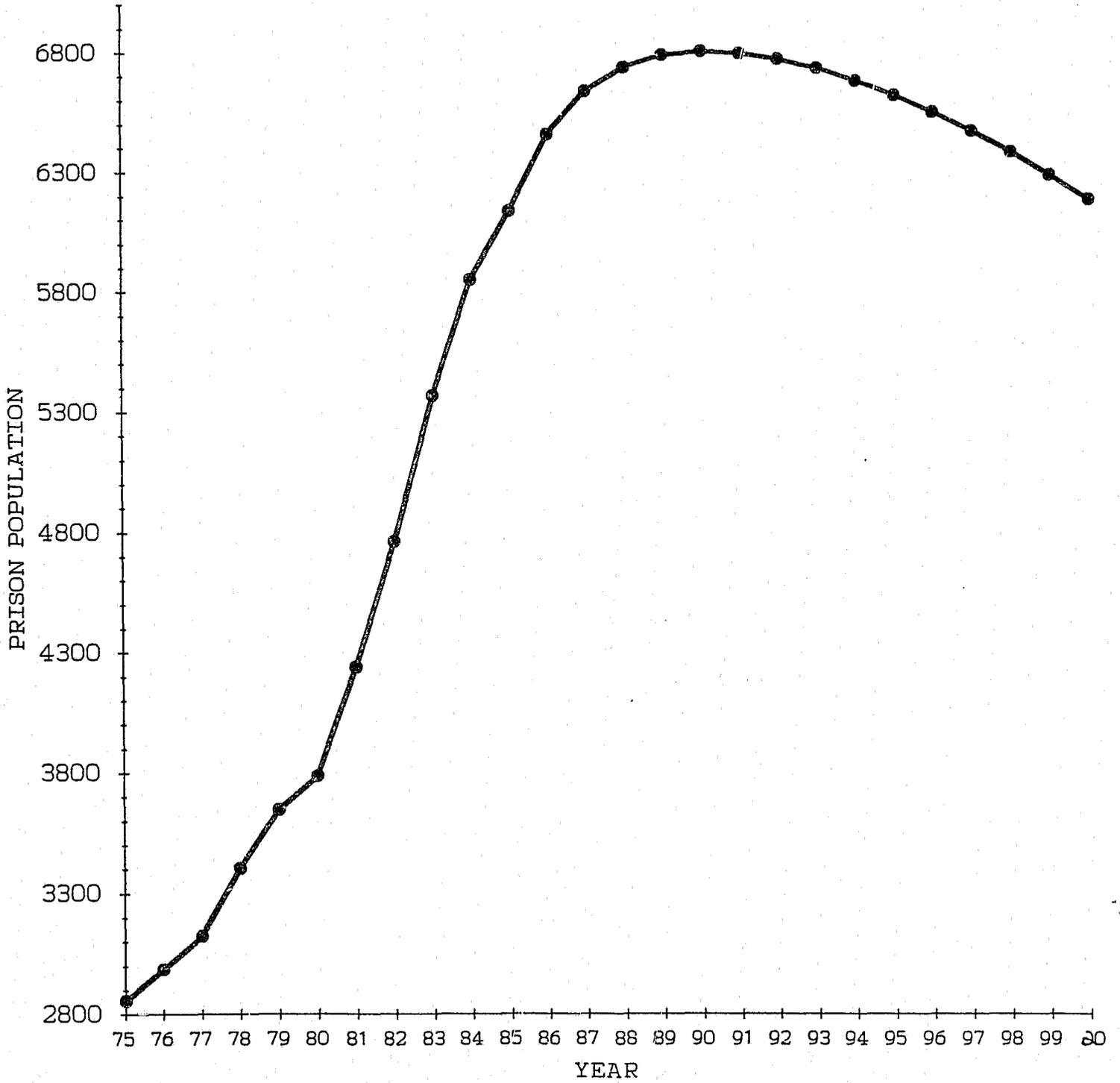
The model was run again in November of 1985 and produced higher projections than those seen in previous reports for each of the years from 1985 to the year 2000. This is due primarily to adjustments that take into account the large increase in cases handled by the part A criminal courts, revised population figures, and decreased processing time for serious criminal cases.

This current computer simulation of prison population must be viewed with caution because it is a very recent update of a model that has not been adjusted in two years, and as with any model, is most effectively used to illustrate trends rather than make precise predictions of population.

In spite of these limitations it is important to consider the results because the consequences of increases in population as shown for correctional overcrowding would be dramatic. This most recent projection shows the population peaking in 1990 at 6,807. The 1983 model showed the population peaking in 1987 at 5,911, a difference of three years and 896 persons. Figure I-d on the following page depicts the total average daily population in all D.O.C. facilities for 1975 to the year 2000, as simulated by the 1985 model.

FIGURE I-d

PRISON POPULATION PROJECTION MODEL



## Section II: Sentencing and Overcrowding

The Overcrowding Commission has long been concerned about the causes of prison overcrowding. Sentencing practices clearly play a major role in determining the size of the prison population. In the summer of 1985, the Commission requested that a detailed examination of the sentencing issue be undertaken.

The following analysis of Connecticut sentencing practices is based on a recent study of Connecticut Superior Court case processing by the OPM Justice Planning Division, and Department of Correction data.

It is important to note that in addition to sentence length, crime rates, clearance rates, conviction rates, the number of cases processed, and actual time served affect the number of persons incarcerated.

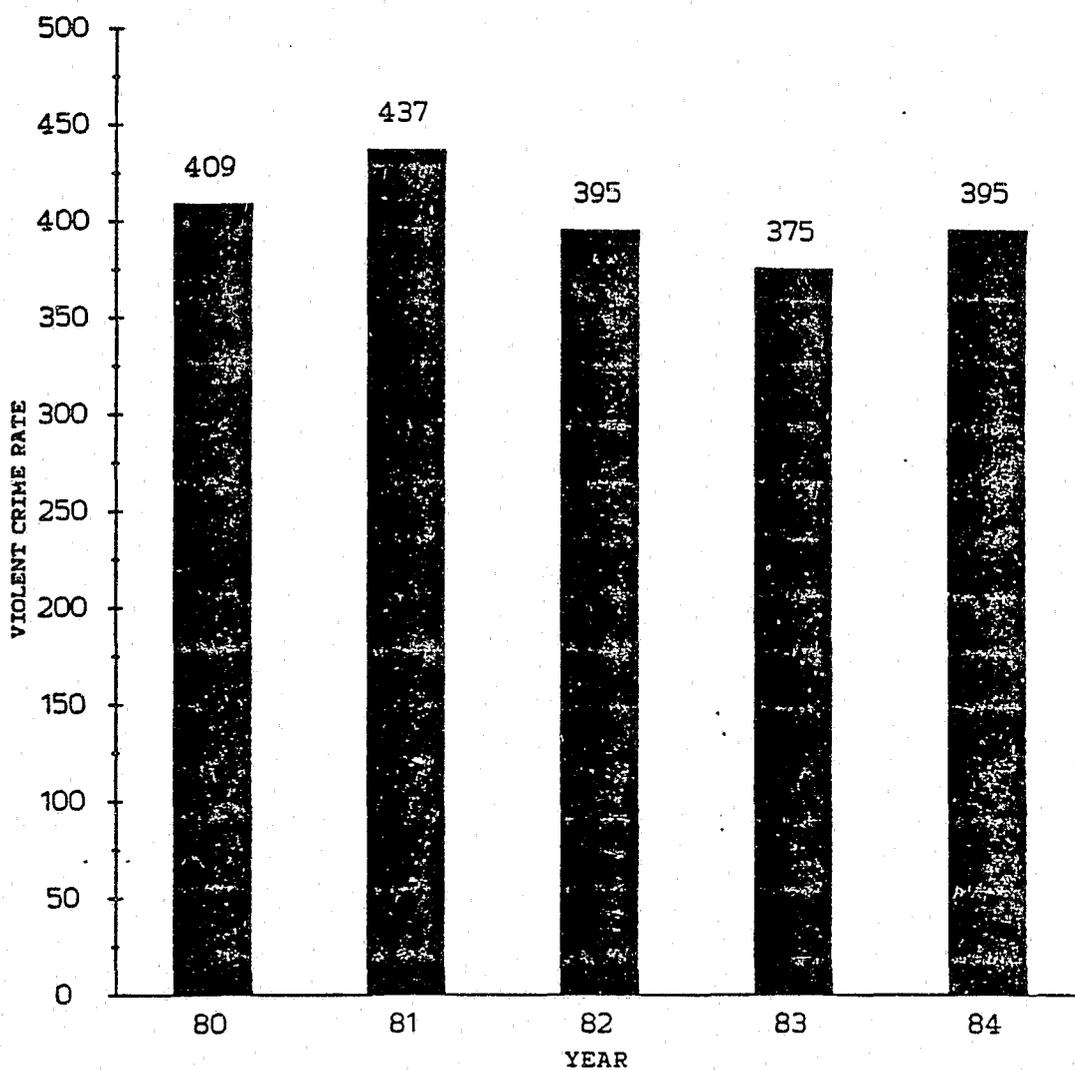
In order to keep any sentencing information in context, a few salient facts that work with sentencing to affect prison and jail populations are noted.

1. Serious crime (i.e. violent) has not diminished significantly from 1980-1984. Figure II-a shows the violent crime rate in Connecticut by year from 1980-1984. Violent crimes included murder, rape, robbery, and aggravated assault.
2. Clearance rates for violent crimes are up. This means more serious crime arrests. Figure II-b shows the violent crime clearance rate in Connecticut by year from 1980-1984.

FIGURE II-A  
CONNECTICUT

VIOLENT CRIME RATE \*  
BY YEAR

1980-1984

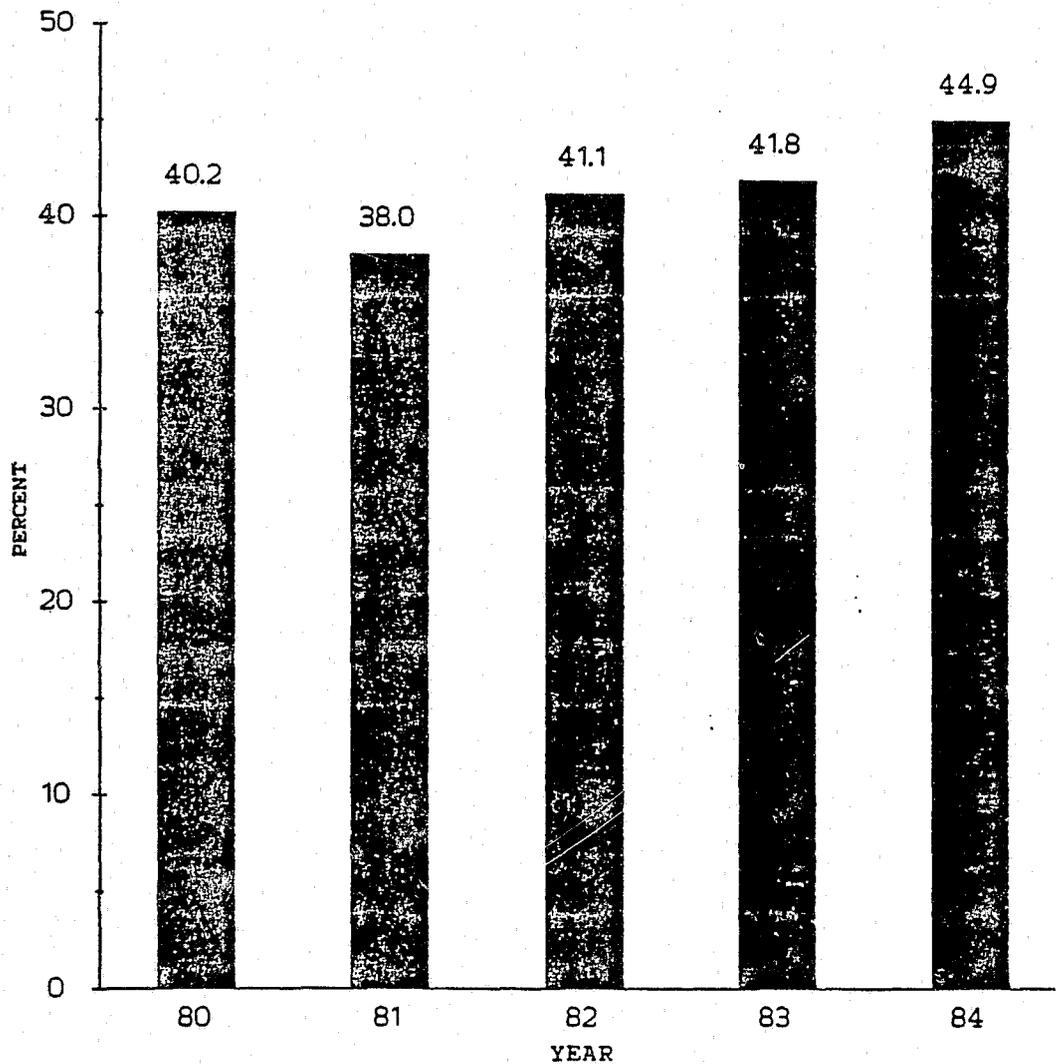


\* VIOLENT CRIMES PER 100,000 POPULATION

FIGURE II-B  
CONNECTICUT

VIOLENT CRIME CLEARANCE  
RATE BY YEAR

1980-1984

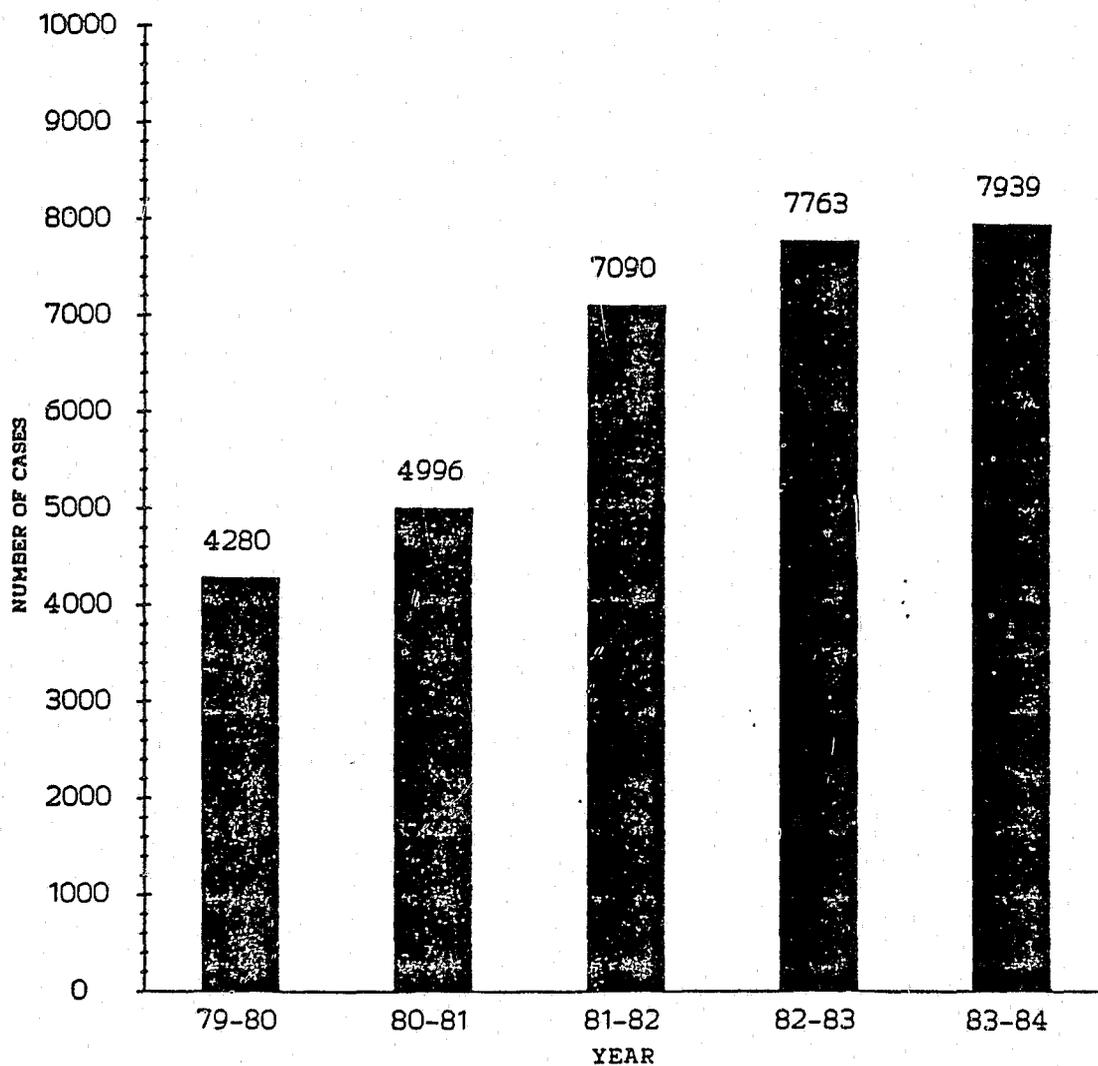


3. The conviction rate for serious crime remains stable at about 70 percent.
4. The incarceration rate for convicted felons has remained stable at about 60 percent.
5. The number of serious (A, B, & C felony) cases processed by the court each year has increased over 85 percent from 1980-1984. Figure II-C shows the increase in the disposition of serious cases from 1980 to 1984.
6. The number of persons incarcerated each year has nearly doubled from 1980-1984.
7. The number of man months to prison (number of persons x average sentence) has increased by a factor of 2 1/2 times from 1980 to 1984.
8. Overall average sentence length for convicted felons has not increased significantly from 1980-1984.
9. Sentence length has increased substantially for certain very serious offenders. For example, the average sentence length for robbery increased 73 percent from 1980 to 1984 and the average sentence length for serious sexual assault is four times what it was in 1980.

FIGURE II-C  
CONNECTICUT

DISPOSITION OF SERIOUS  
CASES BY YEAR

1980-1984



If present trends continue, an increasing proportion of the incarcerated population will be long term prisoners. This will increase the average turn around time for DOC beds and thus reduce the flexibility of DOC to respond to overcrowding pressures.

Recent Connecticut data on actual time served by prisoners is not available, but any reduction in this area would have to be substantial to overcome the pressures on DOC from other factors mentioned.

### Implications

1. There is a continuing need for all authorized minimum, medium, and maximum security beds.
2. Increasing attention will have to be devoted to resources and programs for long term prisoners.
3. Continuing if not increased support for alternatives to incarceration on all fronts such as the Bail Commission, probation, community corrections, etc. is essential.

### Section III: Status of Overcrowding Initiatives

After five years of effort, a great many initiatives which were developed to address prison and jail overcrowding are in place. These initiatives cover a broad spectrum of areas, ranging from programs to reduce the number of persons incarcerated while awaiting trial, to several efforts to expand the bedspace available within the correctional system. The need for a diversity of strategies became clear early in the life of the Overcrowding Commission. Investigation of the composition of the incarcerated population, the nature of the overcrowding problem, and the practical concerns of cost and public safety all pointed out the need for a balanced approach to solving overcrowding.

What constitutes a balanced approach to prison overcrowding? Basically, the Commission's work has been framed by two concepts. First, the Commission wished to develop a myriad of sound alternatives to incarceration which could be in place at both the pre and post-trial levels to insure that persons who can be safely placed in the community not occupy valuable correctional bedspace. Second, the Commission recognized that sufficient secure bedspace must be available for violent and repeat offenders who continue to pose a threat to the community. It has been clear that only a balanced effort could effectively meet the concerns of the citizens of the state, respect the functions of the various criminal justice agencies, and garner required legislative support.

This section of the 1985 report will briefly review the status of the major programs developed to combat prison and jail overcrowding. It will be apparent that substantial efforts have been made, that a very significant number of bedspaces are being saved and an equally significant number of new bedspaces are available.

#### A. Alternative Programs

Alternatives to incarceration have proven to be very efficient and cost-effective means for reducing correctional overcrowding. Generally, alternatives can be quickly implemented, especially in comparison to the time required to build new facilities, and their costs, except for halfway house beds, are much lower than bed costs within correctional facilities. In 1985 more than 2,000 bedspaces per day were saved through alternatives to incarceration.

##### 1. Bail Commission

One of the most successful recommendations by the Overcrowding Commission concerning alternatives to incarceration has been the upgrading and expansion of the Bail Commission. Through a comprehensive pretrial screening and release program, the percent of the incarcerated population in accused status has been reduced in five years from 31% in 1980 to 17% in 1985.

Based upon an evaluation of the deficiencies within the existing Bail Commission and an examination of successful pretrial programs in other jurisdictions, the Governor's Task Force on Jail and Prison Overcrowding in 1981 proposed a program which would insure the following:

- o sufficient staff to provide 24 hour coverage in at least all major urban centers, thereby minimizing the number of detainees held over night or over an entire weekend;
- o sufficient staff to conduct a standardized review and verification of information on all pretrial detainees not released by the police;
- o adequate support services for the Bail Commission to allow for ongoing collection and evaluation of release data and to provide a system of notification of court appearances for each released detainee;
- o a standardization of the Bail Commission interview and release criteria on a statewide basis.; and
- o ongoing training for Bail Commissioners.

Since implementing the new program, the Bail Commission has become a most-effective pretrial screening mechanism and is a key factor in managing the overcrowding problem. Based upon population forecasts which are described earlier in this report, the accused population is fully 1,000 less than expected. The accused population had been forecasted to reach 2,020 inmates by the end of 1985. In reality, the number now ranges between 900-1,000 and since the inception of the new Bail Commission in 1981, the number of incarcerated accused persons has declined by about 325. The lack of growth in the accused population is even more startling when compared to growth in the sentenced population. Over the 5 year period between 1981-1985, the accused

population decreased by about 25 percent while the sentenced population was increasing by 67 percent.

## 2. Supervised pretrial release and temporary shelter

In this program, the Bail Commission, through its interviews of detained accused persons, identifies those who are not accused of a serious crime but who are unsuitable for release on a written promise to appear in court (WPTA). The Bail Commission screens this pool to identify those accused unlikely to post bail. Selected defendants (non-serious crime, unsuitable for WPTA, and unlikely to make bond) are then referred to the case screeners who determine eligibility for the supervised release program. The bail commissioner then recommends to the court the conditional release of the accused to the program. If the court orders the conditional release the program maintains close contact with the accused, may make referrals to needed social service agencies, and informs the Bail Commission of the defendant's status and compliance with the program.

There has been no change to the program in the current fiscal year from 1984-85, the first year in which program administration was centralized under the Bail Commission. The supervised pretrial release program is presently operating on a full time basis in Norwalk, Bridgeport, New London, Hartford and New Haven and on a part-time basis in Stamford. The Bail Commission reports that 205 persons per day, who would otherwise be incarcerated, are enrolled in the program. It is significant to note that individuals released to this program are appearing in court as required, even though many have a history of failures to appear.

In addition to the supervised pretrial release component, funds were allocated to the Bail Commission for fiscal year 1985-86 to contract for private sector living quarters (hotel, motel, YMCA, etc.) for those indigent and homeless defendants who would otherwise be incarcerated simply due to unstable living arrangements. The Bail Commission is currently contracting for approximately 10 beds to meet a portion of this need.

### 3. Halfway house beds for sentenced offenders

In each of its five reports to the Governor and the Legislature, the Overcrowding Commission has recommended increasing the number of halfway house beds for sentenced offenders as an effective means to reduce overcrowding. Additionally, halfway houses offer inmates a structured transition period between the rigidity of life in prison and the complete freedom of being in the community. The halfway house provides an inmate with a place to stay, meals and various supportive services such as counseling and employment referrals.

The network of halfway houses under contract to the Department of Correction has grown appreciably since 1980. In late 1980, there were only 80 halfway house beds under contract. As of the end of 1985 there were 250 beds available. The Department of Correction intends to raise that figure by the end of the fiscal year if funds are available. This represents a substantial number of beds which do not have to be provided within existing correctional facilities. Although halfway house beds are expensive in comparison to many other alternatives, their costs are far less than the costs of providing a like number of correctional bedspaces.

#### 4. Supervised Home Release

In 1982, the General Assembly approved an amendment to C.G.S. 18-100, thereby permitting the Commissioner of Correction to transfer an inmate, under the close supervision of Department of Correction personnel, to an approved community residence until the completion of the inmates's sentence. This authorization has had a positive impact upon prison and jail overcrowding by permitting the Department of Correction to place non-dangerous inmates in the community, freeing institutional bedspace for more appropriate offenders.

Inmates are screened for participation in this program under the same administrative guidelines used to identify persons eligible for halfway house placement, community release, work release, etc. This screening includes an assessment of the inmates's ties to the community, in order to determine whether or not a suitable community placement exists. Upon release under the provisions of this program, an inmate is closely supervised by Division of Parole Services staff, and is subject to specific conditions of release. Since its inception, supervised home release has proven to be a very effective means of reducing prison overcrowding. In 1983, approximately 120 inmates per day were participating in this program. By the end of 1984, the number of participants had increased to 350 and in 1985, there were 550 inmates enrolled in this program. In the coming year, the Department of Correction anticipates as many as 600 inmates per day will be participating in supervised home release. Recent program evaluations have reported that in addition to relieving overcrowding, the program has resulted in lower and less serious recidivism compared to other offenders discharged from custody.

## 5. Intensive probation

In 1984, the General Assembly passed legislation establishing an intensive probation program within the Office of Adult Probation and authorized first year funds for the purpose of implementing the program. The intent was to modify the sentences of offenders already incarcerated and place them in a program of intensive community supervision by the Office of Adult Probation. Probation officers working this program would have much lower caseloads than in the regular probation program to permit much greater control over probationers. The key element of the intensive probation program was to greatly increase contact with probationers including office, home and employment visits and drug and alcohol screening.

Although the program has been in operation for a year, its success has been minimal. In 1985, there were nearly 4,000 applications received from inmates but fewer than 100 of the offenders were actually accepted and released to the program. This was due to the reluctance of the sentencing court to modify an incarcerative sentence. It may be necessary for changes to occur in the review process before any significant number of inmates are actually released to the program.

## 6. Bail review in correctional centers and alternative sentencing planning

In its 1985 report, the Prison & Jail Overcrowding Commission recommended state funding of two alternative programs. It supported the establishment of a system of bail review within correctional centers and the expansion of the alternative sentence planning capability available to public defenders.

In the case of bail review in correctional centers, the Commission believed that additional pretrial beds could be saved by having Bail Commissioners review the status of accused persons who had not made bail when first interviewed. After re-interviewing these individuals, the bail commissioner could, in some cases, lower the condition of release for the accused.

Alternative sentence planning had been used in several sites in Connecticut and operated under funding from the Public Defender's Office and grant funds. The program prepared detailed alternative sentencing plans for a judge's consideration prior to sentencing. The highly structured plans, which incorporate community service, restitution, counseling and other conditions, frequently resulted in a decision by a sentencing judge to forego incarceration of an offender or to reduce the length of an incarcerated sentence.

Together, these two programs were viewed by the Commission as filling out a network of alternatives to incarceration. These programs were recommended for funding by the Governor in his fiscal year 85-86 budget, but funding by the legislature was not forthcoming. However, the Justice Assistance Act of 1984, a federal block grant program to improve the criminal justice system in key areas, provided another opportunity for funding. Both of these initiatives will receive funding under Justice Assistance grants, beginning in January 1986.

In addition, the Act will fund an Alternative Sentencing Center, administered by the Department of Correction. The Center will consist of a physical location serving populations in both pretrial and sentenced status. The Center will be an alternative or supplement in cases where more structure than community supervision is indicated but less structure than outright incarceration is needed. It will operate days, evenings, and weekends and provide a place for individuals to either stay for a specified number of hours or to check into for supervision and/or services.

#### B. Facilities

In addition to the alternatives to incarceration which are described above, an active campaign of facility acquisition has been undertaken by the State of Connecticut during the past five years. The following table presents the growth in the number of permanent beds added to the Department of Correction since 1981 and what is currently planned for the near future.

#### GROWTH IN DEPARTMENT OF CORRECTION PERMANENT BEDS

<u>Facility</u>		<u>Number of Beds</u>	<u>Date Available</u>
Gates	(Niantic)	90	February, 1981
Manson Youth	(Cheshire)	360	September, 1982
Morgan St.	(Hartford)	180 (leased)	January, 1983
Union Ave.	(New Haven)	100 (leased)	January, 1984
Enfield	(new minimum)	200	November, 1985
Enfield	(new minimum)	400	late February, 1986
Bridgeport	(modular)	100	Late Spring, 1986
Niantic	(modular)	100	Late Spring, 1986
Prison	(north-central)	500	Unknown
Jail	(western)	400	Unknown

There are presently 1,500 new bedspaces in various stages of planning and development as well as approximately 140 bedspaces which have been gained through the leasing of two local police lock-ups. The new beds will result from the soon-to-be completed Enfield prison, an addition of modular units at the Bridgeport Correctional Center and from the planned construction of two other facilities in the north-central and western regions of the state. These beds will increase the capacity of our correctional system over the next several years. However, with the projected increase in inmate population and the eventual phasing out of approximately 1,400 beds due to unsuitability for long term use or obsolete facilities, there will not be a dramatic permanent increase in available bedspace.

Planned Reduction In Department of Correction Permanent Beds

<u>Facility</u>	<u>Number of Beds</u>
Somers	325
Enfield	150
Morgan Street	180
Litchfield	100
Brooklyn	150
Old Bridgeport	500

The following is intended as a brief summary of each new correctional project, and does not begin to describe the incredibly complex and time-consuming capital development process associated with projects of this magnitude.

### 1. Minimum security prison - Enfield

Following a 1981 recommendation by the Governor's Task Force on Overcrowding, the state had planned to construct a minimum security 500 cell prison on the grounds of the Enfield Correctional Institution. Plans for the facility were later altered when the overcrowding problem had become more serious. Changes included an increase in the number of cells by 100 and an improvement in security to upgrade the status of the Old Enfield prison from minimum to medium. The first 200 of the 600 total beds were activated on November 1, 1985. As presented in the previous table, scheduled opening of the remaining beds will be in early 1986.

### 2. Modular facilities - Bridgeport Correctional Center and Niantic Institution

Additional housing units are under development at both the Bridgeport Correctional Center and the Niantic Institution. These units, 100 bedspaces each, are scheduled to open by late spring of 1986. Coinciding with the completion of these new units will be the elimination of very poor accommodations at the old Bridgeport facility.

### 3. Medium security prison - North central location

In 1983, the Overcrowding Commission recommended the construction of 1,000 additional cells to relieve overcrowding, rid the correctional system of emergency bedspaces unsuitable for long term use, and replace outmoded

facilities scheduled for phase-out over the remainder of the century. The 500 cell prison described here is a portion of that recommendation. At this time, preliminary design work is ongoing and site selection will occur in the near future.

#### 4. Jail facility - western location

In addition to the development of the prison facilities described above, the Department of Correction previously expressed the need for a jail facility in the western portion of the state to house pretrial and short-term sentenced inmates. Currently, inmates in these categories are housed in the Bridgeport and New Haven facilities and cause an added strain on already crowded space. It has been determined that a 400 bed unit would meet the need in this area and when combined with the medium security prison described above, meet the called for increase in bedspace. Considering the size and complexity of the project, it is extremely difficult to predict when actual construction will begin and occupancy will occur. However, given the overcrowding problem, facility construction has the highest priority by all concerned.

#### 5. Leasing

The Overcrowding Commission recommended in both 1983 and 1984 that the Department of Correction pursue the leasing of local police lock-ups as a means to provide short-term bedspaces and ease crowding in correctional centers. The Morgan Street lock-up in Hartford and the New Haven police lock-up were deemed to be the only local units of sufficient size to warrant consideration. The Department of Correction currently leases both facilities,

gaining approximately 180 bedspaces in Hartford and 100 in New Haven. The leasing arrangements are cost-effective and timely, however Morgan Street is scheduled for redevelopment-related demolition in 1986.

### C. Emergency Release Mechanism

In 1984, the General Assembly approved the proposed legislation by the Prison Overcrowding Commission to revamp the emergency release process. The purpose of the legislation was to insure that the correctional population would not exceed levels deemed safe by creating an orderly system for releasing prisoners in an emergency situation. Under this Act, the Commissioner of Correction is empowered to establish a capacity for the correctional system. A committee consisting of the Chief Court Administrator, the Chief State's Attorney and the Attorney General can offer advice to the Commissioner on this matter. When the population of the system exceeds this limit for 30 days, an emergency is in effect, and prisoners closest to the end of their sentences will automatically be released on parole, if qualified, or to an approved community residence. This process continues until the system is returned to its approved capacity level.

On October 18, 1985, the male inmate population exceeded its established capacity of 5,542. This activated a 30 day count-down to an emergency release in accordance with the legislation. The delivery of the first 200 beds at Enfield on November 1 alleviated the potential emergency and increased the population limit by 200 beds. Had those beds not been available, the release process would have commenced 18 days latter. It is therefore essential to the corrections system and the safety of the state that the remaining new facilities under construction are opened on schedule.

#### Section IV: Prison and Jail Overcrowding Commission Recommendations, 1986

As described previously, the 1986 report of the Prison and Jail Overcrowding Commission is predominantly a review of the status of recommendations to reduce overcrowding which have already been implemented. Section II of this report clearly illustrates that a significant number of programs are in place which either reduce the number of persons incarcerated or provide additional correctional bedspace. The alternatives to incarceration address a variety of clients at both the pretrial and post-incarcerative levels, and in total are saving more than 2,000 bedspaces per day. Additionally, 1,500 new beds are in various stages of development, and 140 beds are being leased from local police departments. The recommendations presented in this section are essentially expansions of these existing initiatives.

## Facilities

### Recommendation:

GIVEN THE EXTENT OF THE CURRENT CORRECTIONAL OVERCROWDING PROBLEM AND THE EXPECTATION THAT OVERCROWDING WILL CONTINUE TO BE A SERIOUS PROBLEM THROUGH THE YEAR 2,000, THE PRISON AND JAIL OVERCROWDING COMMISSION STRONGLY RECOMMENDS THAT THE STATE PROCEED EXPEDITIOUSLY WITH THE CONSTRUCTION OF THE TWO NEW FACILITIES CURRENTLY IN PLANNING AND DEVELOPMENT STAGES. WE ALSO RECOMMEND THAT THE PLANNED 500 BED PRISON FACILITY BE ENLARGED TO 800 BEDS, IN ORDER TO MEET THE FUTURE NEED FOR ADDITIONAL LONG-TERM BEDSPACE.

### Rationale and Impact:

Over the past 5 years, the state has made significant progress in expanding available prison bedspace and in developing safe and effective alternatives to incarceration. By expanding bedspace within existing facilities, constructing the new Cheshire and Enfield prisons, and leasing local police lock-ups, more than 1,000 additional beds have been gained. Also, alternatives to incarceration are saving more than 2,000 beds on a daily basis. Despite these accomplishments, prison overcrowding remains a very serious problem.

As described in Section III of this report in late 1985, the prison population grew to a point where the correctional capacity cap, set in accordance with the Emergency Release mechanism, was exceeded for the first

time. Further, available information concerning future prison population forecasts, as well as significant increases in the number of long term inmates, offers a scenario of continued concern with this issue.

It is clear from the above that additional secure bedspace is necessary. Effective alternatives to incarceration are already widely available and new initiatives which can safely remove additional large numbers of inmates from our prisons are not likely to be forthcoming.

In 1982, the Prison & Jail Overcrowding Commission recommended that the state proceed with the development of 900 new bedspaces. Since that time, this recommendation has been translated into a 500 bed prison and a 400 bed detention facility. Planning and developmental work is progressing on both of these facilities.

We recommend that the state move with all haste to complete these facilities. Given the long lead time associated with capital development projects of this size, special attention must be given to assure that the shortest possible construction timetable is maintained. We also support the DOC intent to increase the size of the planned prison facility from 500 to 800 beds. The total of 1,200 new beds would do much to insure sufficient bedspace for those offenders requiring long term incarceration as well as those serving shorter sentences. Should prison population growth subside, the new beds can be used to replace the oldest DOC facilities which are scheduled for phase out over the remainder of the century.

## Halfway Houses

### RECOMMENDATION:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT THE DEPARTMENT OF CORRECTION BE GIVEN SUFFICIENT RESOURCES TO EXPAND THE NETWORK OF COMMUNITY-BASED HALFWAY HOUSES FOR SENTENCED INMATES.

### RATIONALE AND IMPACT:

Section II of this report describes the substantial growth of the halfway house network since 1980. In each of the five prior reports on prison overcrowding, increases in the number of halfway house beds have been recommended and have received favorable budgetary action. The result of an infusion of funds has been an increase from 80 beds under contract in 1980 to 250 currently under contract to the Department of Correction.

The use of halfway houses has been a proven success in combating the overcrowding problem. They require comparatively less time and money to expand than correctional facilities. They also provide necessary transitional services for clients and free limited bed space for the Department of Correction. The Overcrowding Commission supports the expansion of the present network of community-based halfway houses by 60 beds in FY86-87, 35 beds for men and 25 for women, bringing the total number of available beds to 310.

There is a pressing need to provide a halfway house for female offenders. The Niantic Institution is the only facility within the state that houses women in both accused and sentenced status. Its population is at the highest level in history and will soon reach capacity. Under the Emergency Release Act, if the population of Niantic exceeds its separate capacity limit of 330 for more than 30 days, there will be an automatic release of inmates. In order to provide community based alternatives for women and avert the prospects of an emergency release of female inmates, we recommend that the state establish a community-based halfway house for women.

## Alternative Detention Facilities

### Recommendation:

THE PRISON AND JAIL OVERCROWDING COMMISSION SUPPORTS THE ESTABLISHMENT OF ALTERNATIVE DETENTION FACILITIES BY THE DEPARTMENT OF CORRECTION FOR OFFENDERS WHO ARE LOW RISK AND SERVING SHORT-TERM SENTENCES.

### Rationale and Impact:

All incarcerated offenders are currently housed within correctional institutions or centers. Over the years these facilities have handled all types of offenders with a wide range of incarcerative sentences from a few days to sixty years and more. However, prison overcrowding has become more severe, the incarcerated population is composed of a greater proportion of more serious and dangerous offenders with long sentences. The least serious offenders have been placed on probation or in other alternatives to incarceration.

Recently there have been changes in state law that mandate incarceration for such offenses as driving while intoxicated. Although these offenders, and other low-risk offenders, will require detention, it may not be prudent for the Department of Correction to house them with the general population. Alternative detention facilities can offer a more appropriate incarcerative setting for these offenders. These centers can also offer services such as

alcohol counseling and drug-treatment programs for these offenders. The specialized facility would simplify the rapid intake and release of inmates and would also not tie-up secure bedspace needed for violent and repeat offenders.

The Overcrowding Commission recommends that the state examine existing state-owned facilities that can be brought on line as alternative detention facilities. They can provide immediate relief to overcrowding without incurring major capital costs.

## Intensive Probation Program

### Recommendation:

THE INTENSIVE PROBATION PROGRAM, ADMINISTERED BY THE OFFICE OF ADULT PROBATION, HAS BEEN UNDERUTILIZED IN ITS FIRST YEAR OF STATEWIDE OPERATION. WE BELIEVE THAT THE METHOD OF REVIEWING PETITIONS BY THE SENTENCING JUDGE HAS RESTRICTED THE NUMBER OF QUALIFIED APPLICANTS ADMITTED TO THE PROGRAM. WE RECOMMEND THAT THE CHIEF COURT ADMINISTRATOR BE PERMITTED TO SELECT A JUDGE, OR A PANEL OF JUDGES, TO REVIEW PETITIONS TO MODIFY AN INCARCERATIVE SENTENCE TO ONE OF INTENSIVE PROBATION PROGRAM. WE ALSO RECOMMEND THAT THOSE INMATES SERVING SPLIT-SENTENCES, WHOSE INCARCERATIVE SENTENCES FALL WITHIN THE PROGRAM GUIDELINES, BE CONSIDERED AS POTENTIAL CANDIDATES.

### Rationale and Impact:

The Overcrowding Commission continues to support the concept of intensive probation for suitable cases. We believe that it is not only feasible but necessary to employ such alternatives to incarceration for less serious offenders. If offenders can be adequately punished, controlled and rehabilitated in a non-incarcerative manner, then more prison bedspace will be available for the most serious offenders.

As we have stated in Section II of this report, the intensive probation program did not achieve the anticipated savings of 100 bedspaces per day in 1985. This appears to be due to the reluctance of the sentencing court to modify an incarcerative sentence that it had just imposed upon an offender. We believe that an alternative judge or panel may review a petition from a different perspective and identify the offender as a promising candidate for the intensive probation program. We also believe that the pool of candidates for the program could be increased by allowing those serving split-sentences, whose terms fall within the guidelines, to be considered.

The Prison and Jail Overcrowding Commission recommends that the Judicial Department establish the policy of having an alternate judge or panel of judges, selected by the Chief Court Administrator, hear and decide on petitions for the intensive probation program. We also support the rights of victims to be informed of the petition for modification and to comment to the court in regard to the case.

Office of Adult Probation

Recommendation:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT THE OFFICE OF ADULT PROBATION, WHOSE CASELOAD HAS BEEN GREATLY INCREASING, BE GIVEN SUFFICIENT RESOURCES TO MAINTAIN ADEQUATE SUPERVISION AND SERVICES FOR THEIR CLIENTS. WE ALSO RECOMMEND THAT THE STATE UNDERTAKE AN EXAMINATION OF THE CHANGING ROLE OF PROBATION WITH RESPECT TO PROVIDING A VIABLE ALTERNATIVE TO INCARCERATION.

Rationale and Impact:

Efforts made to alleviate jail and prison overcrowding have had a tremendous impact upon the caseload of the Office of Adult Probation. Five years ago, Probation was responsible for the supervision of 20,690 cases. By last year, cases under supervision had risen to 48,000, a 132 percent increase. During the same period, the number of staff available to work with cases increased by only 5 percent, from 152 to 160. This has resulted in an average of 290 cases per probation officer for last year compared to an average of 136 cases per probation officer in fiscal year 1980-81. As a result, the amount of time available for supervision of each probationer is severely limited.

In addition to supervision duties, probation continues to have responsibility for the preparation of presentence investigation (PSI) reports. Nearly 4,500 PSI reports were completed in FY 1984-85. This represented 20.6 percent of the total workload.

The sentencing of convicted offenders to probation has become the primary alternative to incarceration. The Probation Department has had to contend with an escalating caseload and a minimal improvement in resources. They also have had to undertake new overcrowding initiatives such as the intensive probation program.

The Overcrowding Commission recognizes the fact that our efforts to control jail and prison overcrowding may cause an unmanageable situation for Probation. We therefore recommend a substantial increase in resources for the Office of Adult Probation in order that their caseload may return to realistic levels.

We also recommend that the state undertake a comprehensive evaluation of how probation's high caseload and current supervisory capabilities compare to its mandated mission and goals. The outcome of this study would consist of a redefinition of the state's expectations of the Office or a concerted effort to provide the resources and organization to meet its original mandate.

## Community Based Offender Agencies

### Recommendation:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT AN INCREASE IN FUNDING BE GIVEN TO THE NETWORK OF COMMUNITY BASED OFFENDER SERVICES AGENCIES.

### Rationale and Impact:

The network of private non-profit community based offender services agencies has provided a wide-range of services for the ex-offender for many years. These services have been instrumental in aiding the transition of participants from prison into the community. Services such as furnishing residence, drug and alcohol treatment, job training and placement, as well as counseling have proven to be critical to their clients rehabilitation.

Besides being successful in serving the individual offender, the community based offender services agencies are an invaluable asset to the state criminal justice system. Selected non-dangerous offenders have been placed in community residences under close supervision as an alternative to incarceration. This has allowed the institutional bedspace to be used by more appropriate offenders.

The Prison and Jail Overcrowding Commission would like to insure the continued success of these offender service agencies. With the prison overcrowding problem becoming more acute, not only have more offenders been placed in the network of agencies but more serious and difficult offenders have been placed as well. The resources of these agencies have not kept pace with these changes. We foresee the continued utilization of the community based offender services agencies as an alternative to incarceration and therefore recommend an increase in their funding.