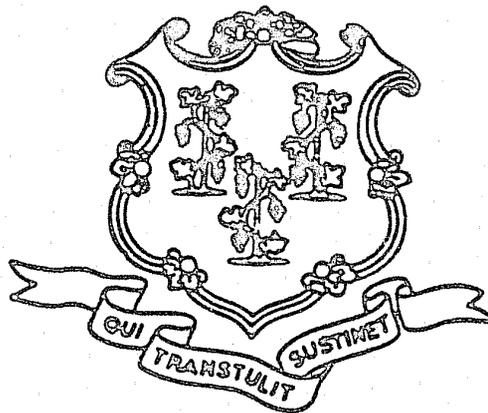


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PRISON AND JAIL OVERCROWDING:

A REPORT TO THE GOVERNOR AND LEGISLATURE

STATE OF CONNECTICUT



WILLIAM A. O'NEILL, GOVERNOR

THE PRISON AND JAIL OVERCROWDING COMMISSION

JANUARY 1987

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STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT
JUSTICE PLANNING DIVISION

January 15, 1987

NCJRS

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ACQUISITIONS

TO: Governor O'Neill and Members of the General Assembly
FROM: William H. Carbone, Chairman
Prison and Jail Overcrowding Commission *WHC*

On behalf of the members of the Prison and Jail Overcrowding Commission, I respectfully submit to you our 1987 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. From 1981 through 1986, nearly 1,400 permanent Department of Correction (DOC) beds have been added to our system and it is estimated that more than 2,000 additional beds have been saved through expanded alternatives to incarceration. In 1986 alone, 630 permanent DOC beds were opened, and more than 100 additional beds were saved by the continued growth of incarceration alternatives.

Despite our accomplishments, prison overcrowding is still an extremely serious problem in Connecticut, and sophisticated computer analyses indicate continued significant growth in Connecticut's incarcerated population through the 1990's.

This year's report offers a series of recommendations 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

U.S. Department of Justice
National Institute of Justice

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-Table of Contents-

	<u>Page</u>
Foreword	i
Section I: The Problem	1
A. Correctional Population Change, 1982-1986	1
B. Correctional Population, 1986	1
1. Accused population	4
2. Sentenced population	4
C. Prison Population Projection Model	6
Section II. Status of Overcrowding Initiatives	13
A. Alternative Programs	13
1. Bail Commission	13
a. supervised pretrial release	14
b. bail review in correctional centers	15
2. Alternative Sentencing Center	15
3. Alternative Pre-trial Release and Sentence Planning	16
4. Halfway house beds	17
5. Supervised Home Release	17
6. Intensive Probation	18
7. Electronic Surveillance	18
B. Facilities	19
1. D.W.I. facility - existing facility or facilities	21
2. Modular facilities - Hartford Correctional Center and Niantic Institution	21
3. Medium security prison - north central location	21
4. Jail facility - western location	22
5. Leasing	22
Section III: Recommendations	23

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Prison overcrowding remains one of the most serious problems facing state government in Connecticut. Since 1980, the number of persons incarcerated in our correctional system has increased from about 4,000 per day to more than 6,500 per day currently. This growth shows no sign of abating, based upon extensive computer analysis of trends in the criminal justice system. Despite a massive infusion of resources into alternatives to incarceration, and a concurrent facility acquisition program which is unparalleled in state history, we remain in a crisis.

The Prison and Jail Overcrowding Commission has been in existence since 1981, and was preceded by the Governor's Task Force on Jail and Prison Overcrowding in 1980. During six years of study, the Commission has examined the factors which cause or contribute to our present dilemma. Simply stated, crime is at the root of the problem. Violent crime, serious property crime, and drug offenses account for the bulk of our prison commitments and during the past 6 years, arrests for these crimes have increased significantly. Overall conviction and incarceration rates have not changed.

Sophisticated prison population projections have been made, utilizing our best data concerning the demographic makeup of the state, arrest rates, conviction and incarceration rates, and time served in prison. The result is a bleak scenario, relative to overcrowding, indicating continued prison population growth through the 1990's.

Connecticut's commitment to managing overcrowding through a balanced approach of alternatives to incarceration and new facilities is clear. The Overcrowding Commission, with broad representation, including corrections, the courts, prosecution, defense, and private citizens has recommended a great variety of programs which have been adopted by the state. Governor O'Neill has shown consistent support for our efforts by including our proposals in his recommended budgets and by supporting our legislative initiatives. The Legislature has responded favorably to recommendations as well, funding programs and passing legislation more than 90 percent of the time.

The key to gaining such broadly based support for our programs is a recognition of the need to ensure public safety and respond to the public's desire for justice. The alternatives to incarceration which are now in place save an estimate of more than 2,000 prison beds per day. Each alternative has carefully developed guidelines which structure offenders' eligibility according to required supervision and accountability. From the facility standpoint, we are proceeding with all haste to build a major prison and jail which we hope will be completed not later than the early 1990's. In the interim, the prison population continues to grow and we are embarking on a program to develop several hundred prison beds through alternative construction. This effort follows the completion of the 600 bed Enfield facility and the renovation and expansion of all existing correctional facilities where possible.

Despite our best efforts and the many successes which we have achieved in the past several years, we remain in serious trouble. Even if all of our current recommendations are adopted, we probably won't meet our capacity needs over the next 10-20 years. Building our way out of this problem seems unlikely. We are nearing the saturation point for minimum security, alternative construction facilities, and traditional construction, including siting, simply takes too long and can be prohibitively expensive. The best approach is to continue our mixed facility acquisition program and ensure that developmental timetables are met, while remaining strongly committed to safe and effective alternatives to incarceration. While there may be no new alternative programs which can save 500- or 600 beds per day by themselves, we do believe that careful expansion of our existing initiatives in concert with new efforts where possible, will expand the number of beds saved.

Overall, state government must remain on top of this issue, and state administrators, the legislature, and the citizens of Connecticut must realize that prison overcrowding is not solved, but merely being managed on a day-to-day basis.

Section I: The Problem

The number of inmates confined in Connecticut's jails and prisons is growing. The incarcerated population has increased substantially since 1985 and this section will show the size of that increase. This section of the report also features a prison and jail population forecast based on the Computer Simulation Model of Connecticut's criminal justice system.

A. Correctional Population Change, 1982-1986 (average annual population)

The average annual population for 1982 was 4,885. Since then, the population has grown 28.3 percent to reach its highest annual average of 6,266 for 1986. During these four years, the average annual population has grown by 251 (5.1%) in 1983, 240 (4.7%) in 1984, 301 (5.6%) in 1985 and 589 (10.4%) in 1986. Each year had a considerable increase in population but the one for 1986 was substantially greater, as illustrated in figure I-a. This may be attributed to the increase in court dispositions and the jump in the accused population during 1986.

B. Correction Population, 1986 (average monthly population)

The average monthly total population for 1986 grew steadily each month. From 5,950 in January to 6,534 in November, the population increased by 584 or 9.8 percent. This rate of growth can be translated into an average increase of 53 inmates per month. Figure I-b depicts the 1986 in-house population average by month.

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.

FIGURE I-a

AVERAGE DAILY IN-HOUSE
POPULATION BY YEAR

1982 - 1986

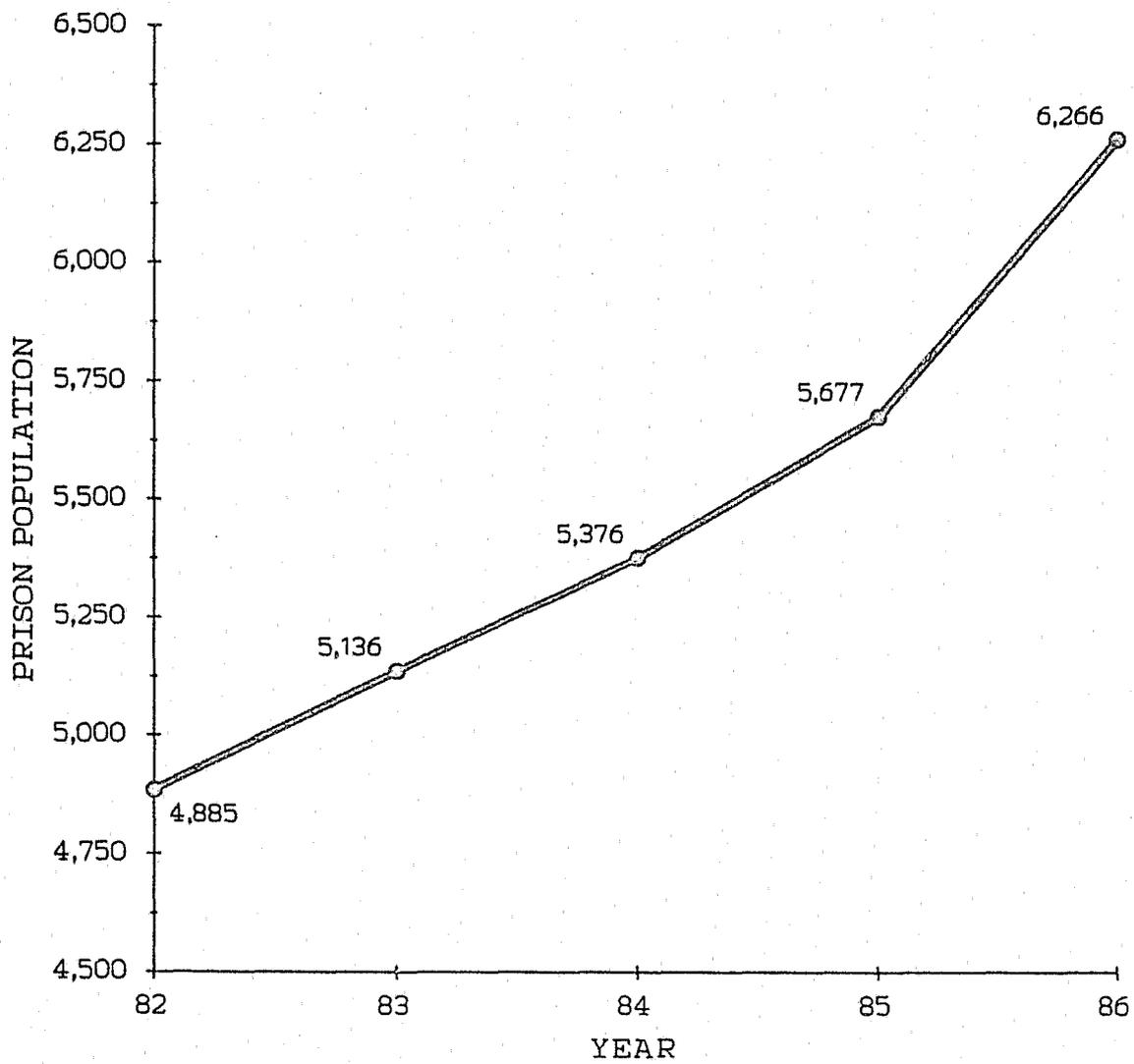
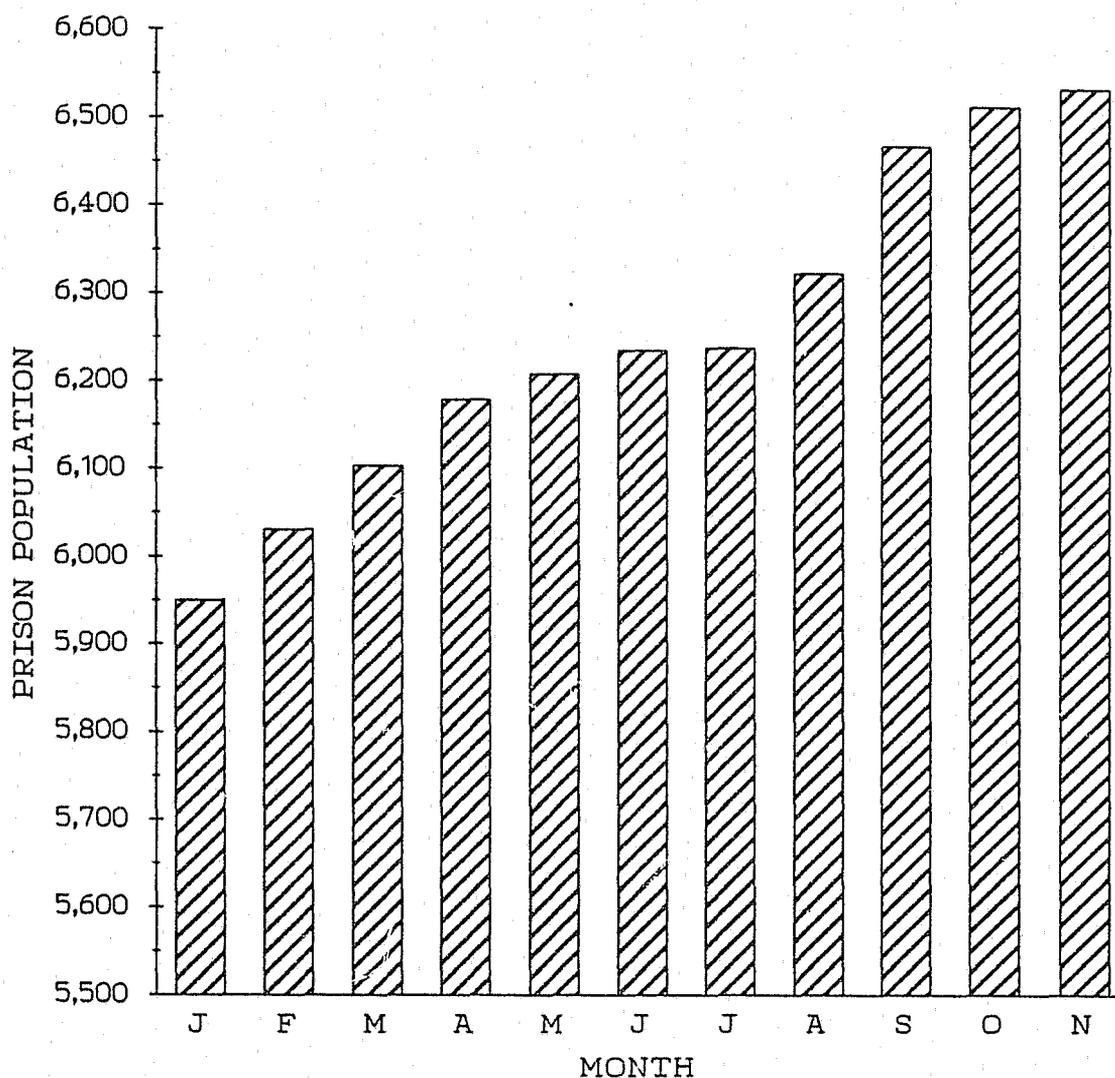


FIGURE I-b

AVERAGE DAILY IN-HOUSE
POPULATION CHANGE BY MONTH

JANUARY 1986 - NOVEMBER 1986



SOURCE: DEPARTMENT OF CORRECTIONS

1. Accused population

For the four years preceeding 1986, the average daily in-house accused population had remained relatively constant at approximately 1,000 inmates. The zero-growth rate, for those in accused status, allowed more bed space for the growing sentenced population, thereby minimizing the overcrowding problem. It is therefore alarming that the 1986 accused population broke from the four year trend and grew by 24.4 percent during the first eleven months. From 1,030 in January, to 1,281 in November, the average monthly accused population increased by 251, resulting in an average annual accused population of 1,123 for 1986.

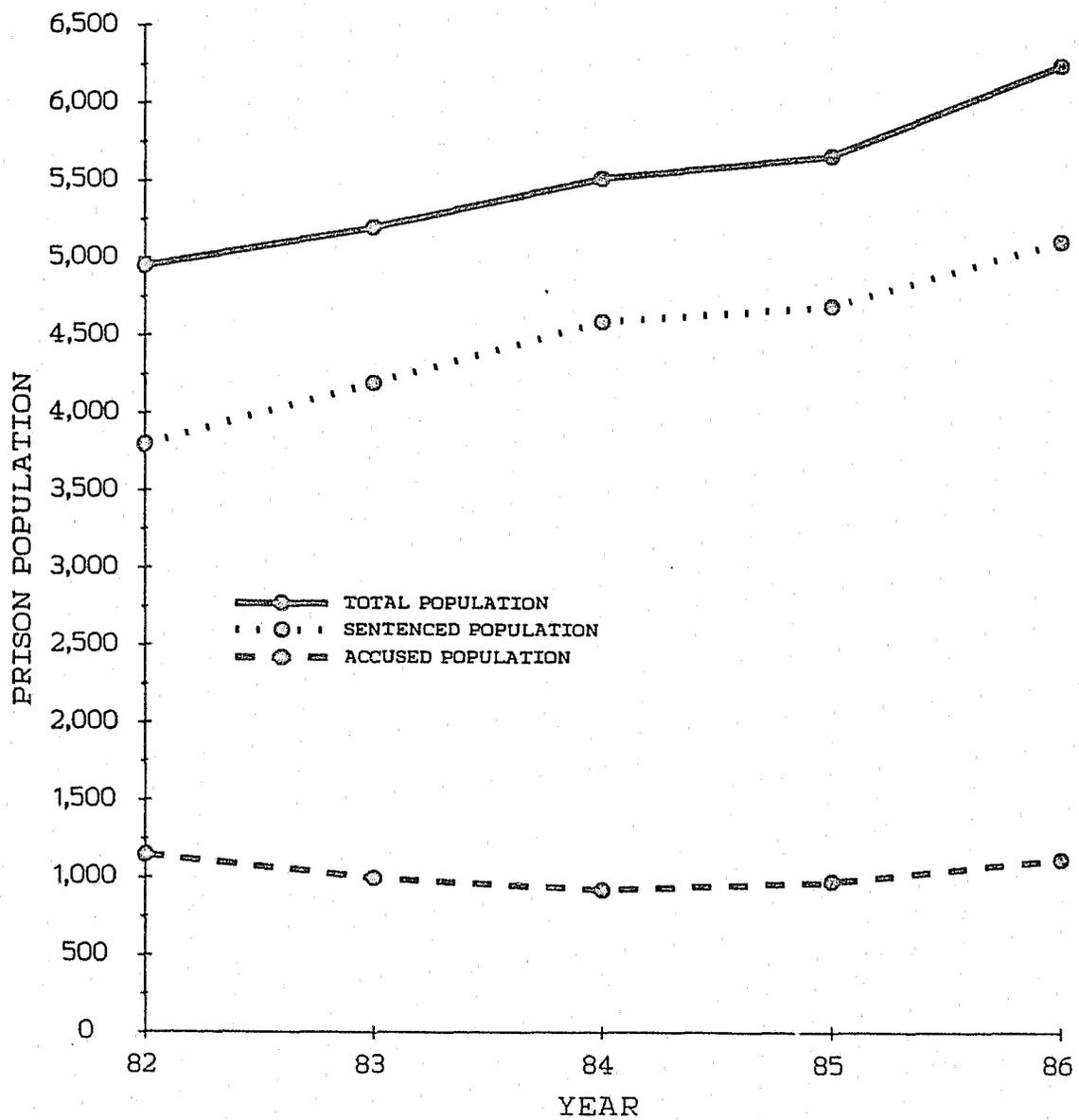
According to the Bail Commission, the jump in the accused population can be attributed to the an increase in the volume and seriousness of cases being seen by Bail Commissioners. Bail Commission statistics for November 1986 showed that nearly 90 percent of the pretrial jail population consisted of persons arrested on felony charges or who had previous felony convictions or charges pending. Most of the remaining pretrial jail population (8 percent of pretrial total) consisted of persons who in the past had been charged and/or convicted of failure to appear, violation of probation, or who were repeat offenders. Less than one percent of those recommended to be released by the Bail Commission were held by the court.

2. Sentenced population

In 1986, the sentenced population continued to grow at the same steady pace as it has for the four previous years. With an average population of 4,920 in January, the population grew by 6.5 percent reaching 5,240 in November. This population increase was at a rate of one additional inmate per day. The average sentenced population for the first eleven months of 1986 was 5,127 an increase of 9.3 percent over 1985.

FIGURE I-c

AVERAGE ANNUAL POPULATION
ACCUSED, SENTENCED AND TOTAL



As the previous statistics have indicated, both components of the correction population have contributed to its growth in 1986. Figure I-c presents the growth of the overall population, as well as the sentenced and accused population subsets since 1982. For 1986, the total population was comprised of 18 percent accused and 82 percent sentenced. This varied from the previous year's proportion of 17 and 83 percent which confirms the growth of the accused population.

C. Prison Population Projection Model

A computer driven prison population projection model provides a simulation of how the actual criminal justice system works in Connecticut. The model is a series of linked formulas which simulate critical decision points within the criminal justice system. Separate formulas for arrests, conviction rates, incarceration rates and average time served for different types of crime are dependent upon the availability of accurate and up to date data. In addition the model is driven by four different populations in the most crime prone age group, age 16-34, and the respective arrest rates for those populations. Population figures are taken from U.S. Census Bureau counts and projections to the year 2000. Arrest statistics are taken from the Uniform Crime Reports published by the Connecticut State Police.

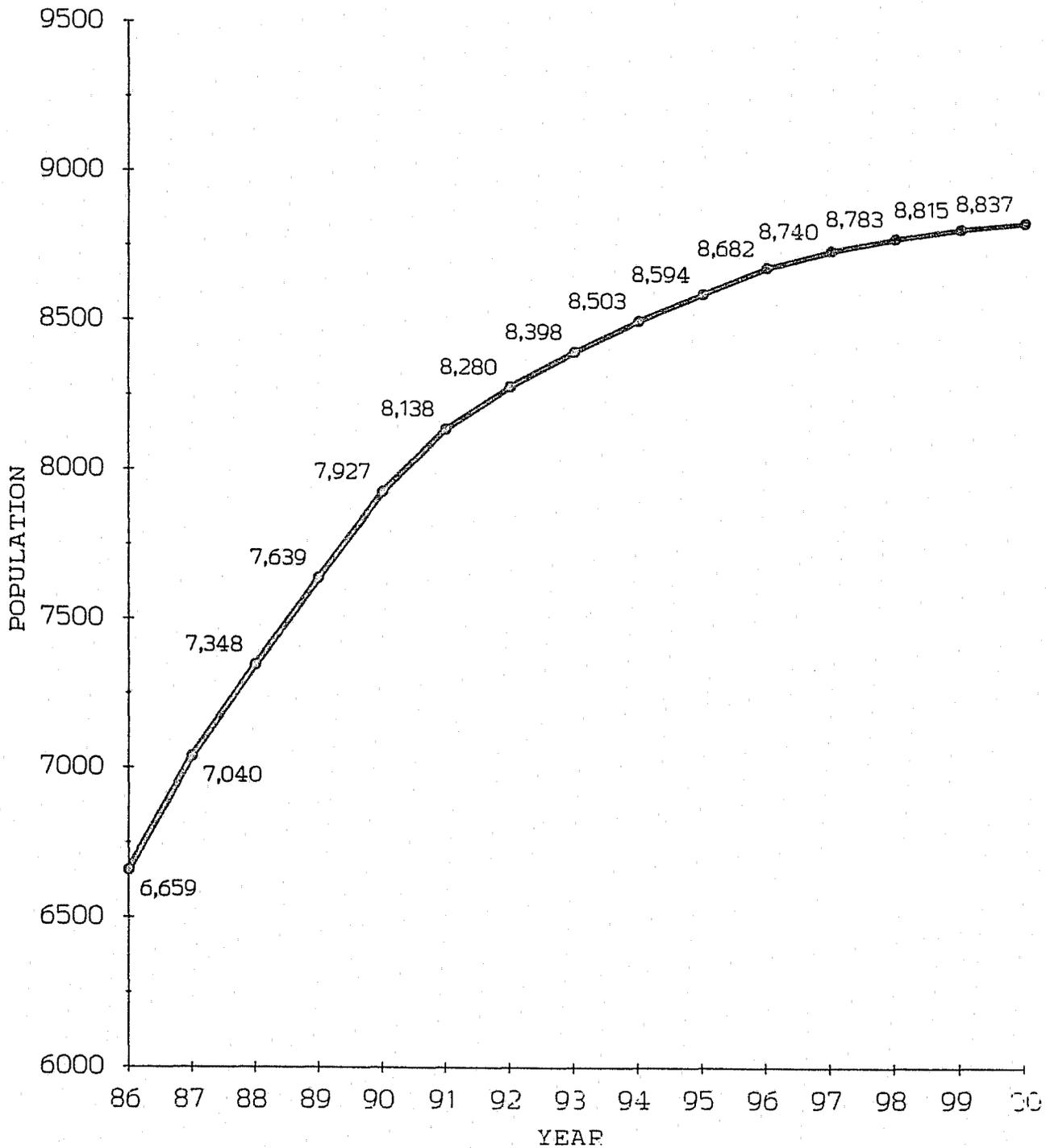
The model makes projections on the expected annual average of sentenced inmates for each year to the year 2000. The figures generated by the model for the years 1982 through 1986 were compared to actual DOC population figures for the same year in order to determine the accuracy of the simulated population. The average error was 3 percent, indicating that the model is very efficiently reflecting the flow through Connecticut's criminal justice system and the subsequent effects on the number of persons incarcerated.

A major strength of this simulation model is that it provides a means of examining the effects of proposed criminal justice policy decisions on prison and jail overcrowding prior to the implementation of the policies. Figure I-d shows model projections for 1986 through the year 2000. Figure I-e shows the effect through 1995 of a hypothetical situation whereby the pretrial

population gradually increases from 20 to 25 percent of the total incarcerated population by 1991. Figure I-f shows the effect on the incarcerated population if legislation is passed providing for a mandatory one year minimum sentence for sale/distribution of drugs. Figure I-g represents a hypothetical 7 percent increase in arrests for serious violent crimes over present projections for the next five years.

The numbers that appear in figure I-d through I-g represent the maximum population for each year to the year 1995. This maximum figure is derived by incorporating 2 additional items into the calculation. These are a 3 percent range factor, and a 3 percent error factor.

FIGURE I-d
 POPULATION PROJECTIONS *
 FOR CONNECTICUT JAILS AND PRISONS
 1986 - 2000



* PROJECTIONS REPRESENT MAXIMUM POPULATION FOR YEAR IF ACCUSED POPULATION REMAINS CONSTANT AT 20% OF TOTAL POPULATION

FIGURE I-e

HYPOTHETICAL MAXIMUM POPULATION
IF ACCUSED POPULATION INCREASES
GRADUALLY TO 25 % OF TOTAL BY 1991

1986 - 2000

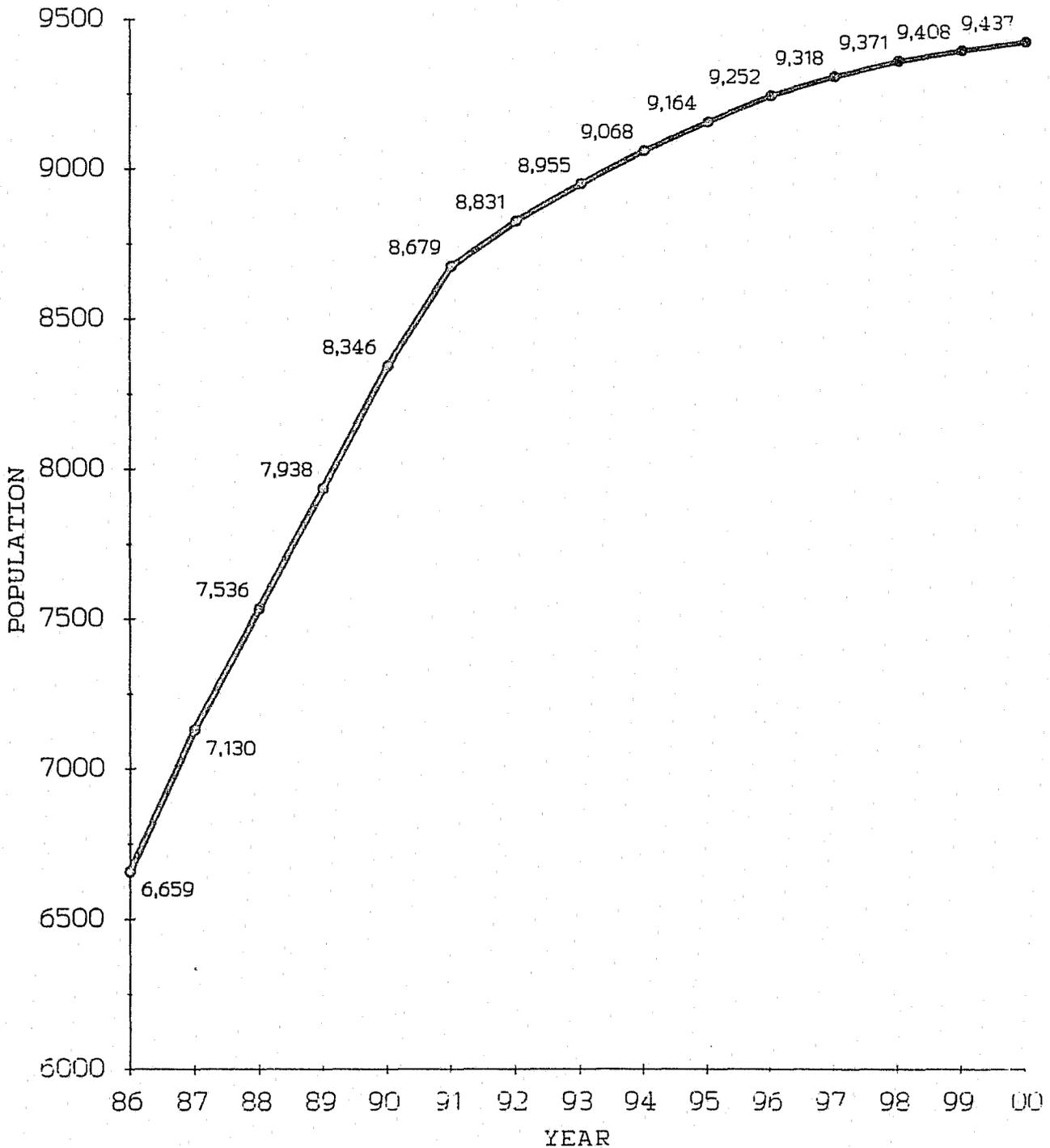


FIGURE I-F

HYPOTHETICAL MAXIMUM POPULATION IF
LEGISLATURE PASSES A MANDATORY ONE YEAR
MIN SENTENCE LAW FOR SALE/DIST OF DRUGS

1986 - 2000

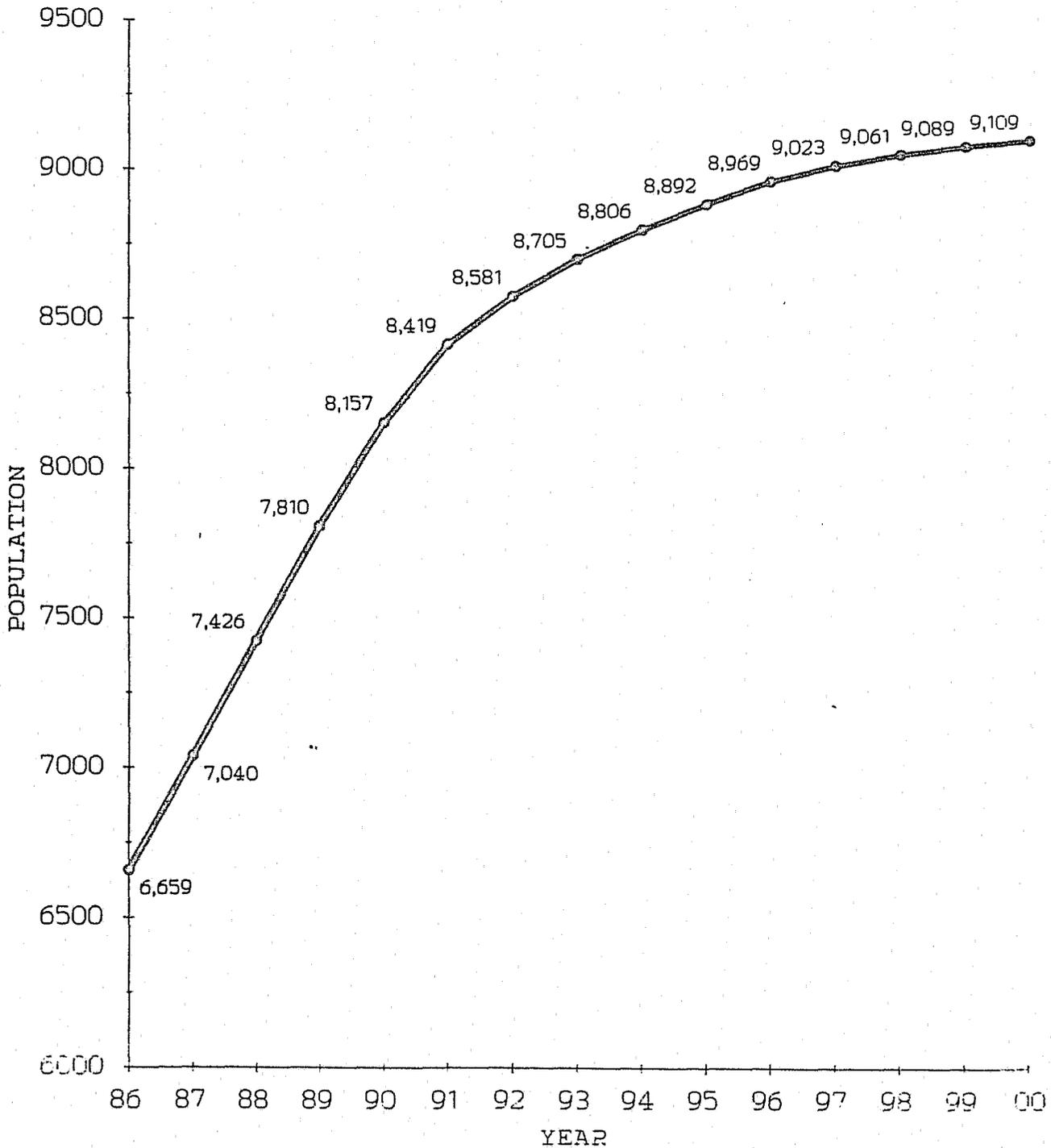
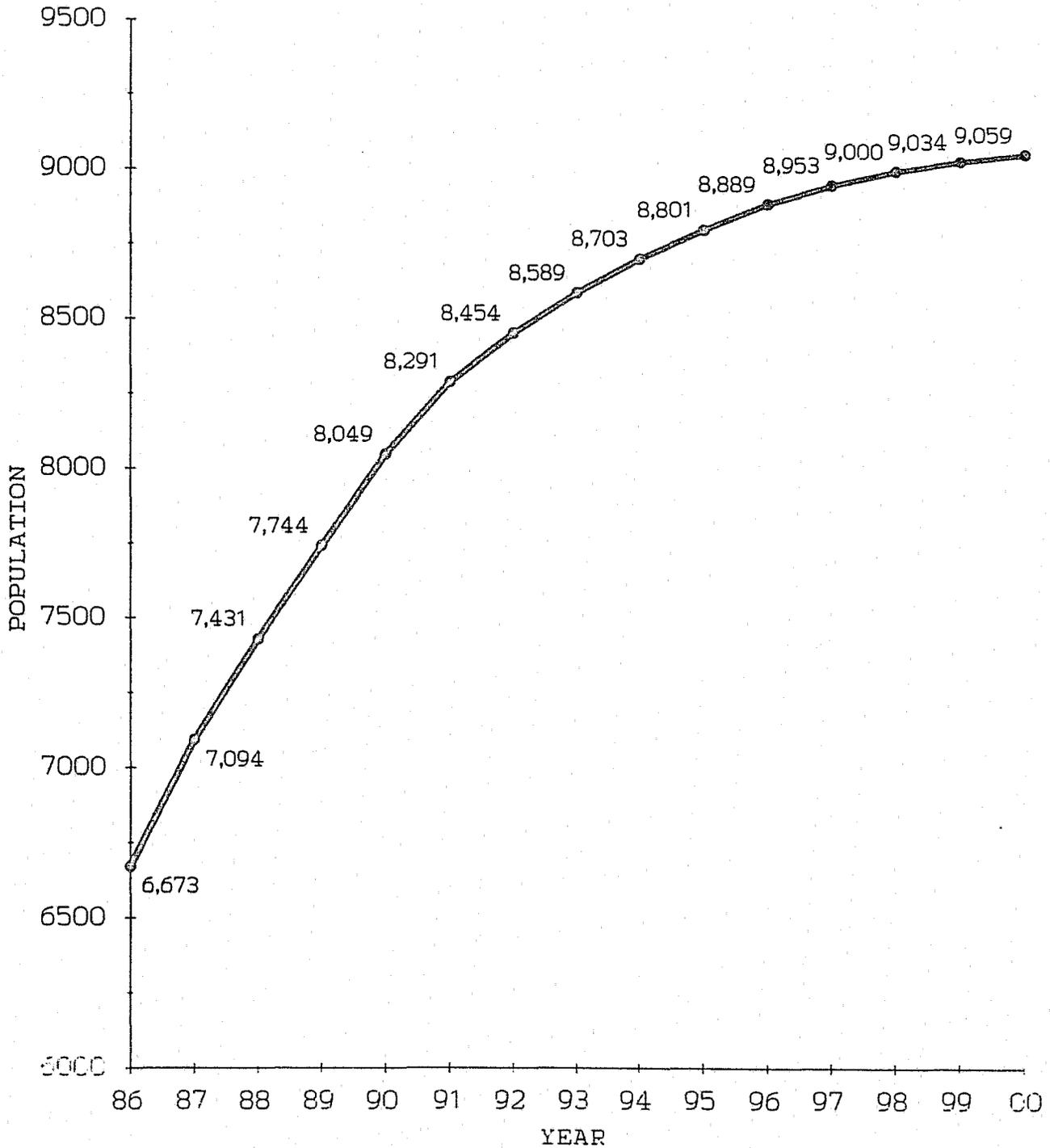


FIGURE I-g

HYPOTHETICAL MAXIMUM POPULATION
IF VIOLENT CRIME INCREASES BY 7%

1986 - 2000



Section II. Status of Overcrowding Initiatives

After six years of effort, a great many initiatives which were developed to address prison and jail overcrowding are in place. These initiatives cover a broad and balanced spectrum of areas, ranging from programs to reduce the number of persons incarcerated while awaiting trial, to major efforts to increase the bedspace available within the correction system. Sound alternatives to incarceration are 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. Sufficient secure bedspace is being made available for violent and repeat offenders who continue to pose a threat to the community and must be incarcerated. It is clear that only a balanced effort can effectively meet the public safety concerns of the citizens of the state, respect the functions of the various criminal justice agencies, and garner required gubernatorial and legislative support.

A. Alternative Programs

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 was reduced in five years from 31% in 1980 to 17% in 1985. However, as noted in Section I, court caseload increases in 1986 resulted in an increase in the accused population.

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 very effective pretrial screening mechanism and is a key factor in managing the overcrowding problem. The overall lack of growth in the accused population is startling when compared to growth in the sentenced population. Over the 6 year period between 1981-1986, the accused population remained relatively static while the sentenced population increased by 86 percent.

a. supervised pretrial release

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.

The supervised pretrial release program is presently operating in Norwalk, Bridgeport, New London, Hartford, New Haven, Stamford and Waterbury. 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.

b. bail review in correctional centers

In order to ease overcrowding, the Commission recommended a program in 1985 that would take a second look at pre-trial detainees who did not make bail the first time. A second interview may reveal a change in circumstance or a recommendation for a reduced bond. Since the start of the program, case screeners have re-interviewed 685 detainees and the court has approved bond reductions or conditional release orders for 174. The court also ordered 13 competency exams and disposed of 91 other cases by dismissal, nolle, or counting time served.

2. Alternative Sentencing Center

The Alternative Sentencing Center operates in Hartford and is a pilot program that began in January 1986. The Connecticut Prison Association runs the program which takes many clients whose borderline offenses probably would have resulted in incarceration. The program draws its clients from 3 populations: (1) the pre-trial population, (2) the "at-time-of-sentencing-population", and (3) the supervised home release population. The Center is an intensive supervision program which requires clients to check in daily and have personal contact with staff at least twice weekly. The Alternative Sentencing Center also maintains contact with service agencies to follow a client's progress.

From April 1986 to the end of the year, the Center served 60 clients. Sixty percent were from the "at-time-of-sentencing-population", 30 percent from the supervised home release population, and 10 percent from the pre-trial population. The average daily population is about 30 people. Fifteen percent fail the program for the following reasons: (1) failure to keep appointments, (2) positive testing for drugs, or (3) new arrest.

The Center plans to serve 40 clients per day by April 1987 in the Hartford area. A client's average stay with the program is 3 months.

3. Alternative Pre-trial Release and Sentence Planning

Alternative pre-trial release and sentence planning are efforts to encourage judges to release accused persons on a promise to appear or low bond and/or to suspend part or all of a jail sentence when the public defender's office has devised an alternative plan for the accused or convicted individual. The plans may call for community service, counseling, drug/alcohol treatment, vocational training, etc.

The Division of Public Defender Services has been providing alternative pre-trial and sentence planning for the past several years in a variety of ways. These services include, among others, finding shelter, treatment centers, counseling, job training, etc. while in the pre-trial stage. These plans both reduce the accused jail population and increase the chance that at the time of sentencing a definite plan with specific recommendations can be developed for the court's consideration.

Upon receipt of Justice Assistance Act money in 1986 three contract social workers were hired to provide alternative pre-trial and sentencing planning to other areas of the state.

The social workers are usually referred clients early in the pre-trial stage. At this stage the social worker would attempt to secure the defendant's release, if in custody. The social worker many times works with the bail commissioners in order to secure release.

For fiscal year 1985-86, 57 cases were referred for alternative sentencing plans. The court accepted 34 of the plans, saving an estimated 57 years of jail/prison time. An additional eight plans were partially accepted, which meant a completely suspended sentence was not granted, but the plan helped reduce the amount of time to be served.

From April 1986 through September 1986, the two contract social workers received 64 referrals from the public defenders in New London and Bridgeport. As of the end of September, 19 of these clients had been sentenced, with the court accepting 17 of the alternatives proposed. It is estimated that 11 years, eight months and four days were saved in jail/prison time. (The four days were for two clients who were facing 48 hours in jail for D.W.I. convictions.)

The two full time social workers in New Haven and Hartford have just started to keep more formalized statistics. For the months of October and November they received a total of 117 referrals, with 62 clients being sentenced. It is estimated that a total of 27 years of jail/prison time was saved.

4. Halfway house beds

The halfway house is designed to be more than "a place to stay." Inmates making the transition from locked cells to community living need more than food and shelter. Halfway house staffs provide support such as counselling and employment referrals. So instead of an abrupt re-entry into society, halfway houses allow former inmates to prepare for the common but vigorous demands of responsible community living.

The Department of Correction currently has 267 beds under contract. DOC plans to have 300 beds under contract by the end of the 1986/87 fiscal year. Halfway house beds accomodated 988 inmates during FY 86. The average stay at a halfway house is 3 months. The DOC expects to increase the number of halfway house beds by 15-35 during FY 87-88.

5. Supervised Home Release

The Supervised Home Release program allows the Department of Correction to place certain inmates in an approved community residence. Thus, DOC can make more institutional beds available for dangerous inmates. Supervised Home Release beds are not halfway house beds, but DOC screens inmates for the program in the same way. The screening includes a determination of an inmate's ties to the community in which he or she wants to live. If the inmate participates in the program, the Division of Parole Services at the Department of Correction becomes responsible for supervision.

In 1986, 1,500 inmates participated in the program. The program averaged about 400 community releases per day during early 1986, and that number is expected to increase to 500 per day by the end of the fiscal year.

6. Intensive Probation

Intensive Probation modifies sentences of incarcerated offenders and is a program of intensive supervision of offenders in the community. In Fiscal 1985-86 there were 962 applications and 183 interviews for the program. The courts allowed 56 inmates to participate. As of November, 1986, 152 inmates have been released to the program. The Office of Adult Probation reports that, overall, 40 participants have been re-incarcerated, and 31 have completed the program satisfactorily. There are 81 persons currently on intensive probation. There are 8 intensive probation officers statewide. By statute, each officer is limited to a caseload of 20 probationers for a total program capacity of 160 persons at any one time.

The Office of the Chief State's Attorney and the Office of Adult Probation have been discussing ways to increase the number of persons released to this program. A tentative agreement has been reached which both parties believe will be successful. Under the proposed guidelines offenders serving a sentence for homicide, those convicted of an offense carrying a mandatory 5 year minimum sentence, those convicted of being persistent offenders, and anyone with pending escape charges or a history of failures to appear in court would be excluded from the program.

7. Electronic Surveillance

The Electronic Surveillance program is expected to begin by early 1987. The program involves the Department of Correction (community release program), the Bail Commission (pre-trial release program) and the Office of Adult Probation (intensive probation program).

Connecticut's proposed system will require offenders or accused persons to wear a wrist band device and also have another device attached to their telephones. At certain hours during the day, calls will be made to their homes. A tape will identify the agency calling and will require the offender

to identify himself or herself and insert part of the wristband unit into the attached telephone device. This check-in procedure will help the above agencies determine an accused person's or offender's compliance with the rules of their release.

Electronic surveillance aims to free beds among the pre- and post sentence populations. Although the pilot project calls for 25 modular units, the Bail Commission, the Office of Adult Probation and the DOC want to increase the number to 75. The Electronic Surveillance program was among the alternatives administrative judges proposed at an April meeting with the chairman and staff of the Overcrowding Commission.

B. Facilities

In addition to the development and expansion of alternatives to incarceration, the State of Connecticut has continued to actively pursue facility acquisition during 1986. The immediate goal is to meet the current demand for permanent beds. Once this has been achieved, there will also be a need to replace existing obsolete beds. With this in mind, the State has recently completed a number of new facilities and has made progress on other long-term building projects. The following table presents the growth in the number of permanent beds added to the Department of Correction during the past year and what is currently planned for in the near future.

Growth in Department of Correction Permanent Beds

<u>Facility</u>		<u>Number of Beds</u>	<u>Date Available</u>
Enfield	(new minimum)	200	11-85
"	"	200	2-86
"	"	200	7-86
Bridgeport	(modular)	100	8-86
Gates	(Niantic, men)	100	11-86
Bridgeport	(U.S. marshals)	30	11-86
D.W.I.	(undetermined site)	75	5-87
Hartford C. C.	(modular)	100	late 1987
Niantic	(modular, women)	100	late 1987
Jail	(western region)	400	1991
Prison	(north-central region)	800	1992

The new minimum security prison in Enfield was completed in 1986. This 600 bed facility opened beds in increments of 200, in November, 1985, February, 1986 and July, 1986. Two 100 bed modular units also became available last year. The first, in Bridgeport, was a replacement of 100 obsolete beds from the old Bridgeport facility and the second, in Niantic, netted the state correctional system 100 new beds at the Gates facility for men. A Federal facility for U.S. marshals also opened in Bridgeport in which the State of Connecticut was granted the use of 30 of its 50 beds. Although 630 new beds became available in 1986, the total capacity of the correctional system did not increase by that number. The Department of Correction had removed a number of existing beds from Somers, Enfield, Litchfield, Brooklyn and Bridgeport facilities that were deemed unsuitable for long-term use.

There are presently five planned facilities in various stages of development which will create almost 1,500 new bedspaces. Three facilities are expected to be completed this year, two modulars and one to house D.W.I. offenders. The Department of Correction intends to locate, purchase and renovate an existing facility or facilities to provide a minimum of 75 beds for D.W.I. offenders by the end of spring, 1987. The addition of modular units at the Hartford Correction Center and the Niantic Institution will add 100 new beds each for male and female inmates by the end of the year. The state has also been proceeding with the planned construction of two other facilities in the north-central and western regions of the state. These two facilities, a 400 bed jail and a 800 bed prison, will not become available until 1991 and 1992 respectively.

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. D.W.I. facility - existing facility or facilities

The Department of Correction is presently in the process of examining vacant or underused state-owned facilities for use as minimum security jails. They intend to recondition one or two of these facilities by the end of spring, 1987 for the purpose of housing low-risk short-term offenders such as those convicted of driving while intoxicated. It is expected that a minimum of 75 beds will be gained through this project.

2. Modular facilities - Hartford Correctional Center and Niantic Institution

Additional housing units will soon be under development at both Hartford Correction Center and Niantic Institution. These units will add 100 bedspaces each to the mens and womens facilities respectively. The Department of Correction is anticipating a completion date by fall of 1987.

3. Medium security prison - north central location

Progress has been made on the planned new construction of a 800 bed facility. At this time, preliminary design work is near completion and site selection will occur in January, 1987. When it is opened in 1992, the facility will serve as a 500 bed medium security prison and a 300 bed central processing and classification unit. Besides increasing the bed capacity of the correctional system, this new facility will allow a more effective management of inmate population through a model classification system.

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. The Department of Correction is currently accepting bids for the preliminary design contract which will be followed by site selection and facility design. It is expected that the project will be completed in 1991.

5. Leasing

The Department of Correction currently leases two local police lock-ups as a means to provide short-term bedspaces and ease crowding in correctional centers. The New Haven police lock-up provides 100 beds. The Morgan Street lock-up in Hartford has been providing approximately 180 beds, however it is scheduled for redevelopment-related demolition in 1987.

SECTION III: RECOMMENDATIONS

RECOMMENDATION:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT THE STATE PROCEED WITH ALL HASTE IN A PROGRAM OF LONG TERM AND INTERIM CORRECTION FACILITY EXPANSION.

RATIONALE AND IMPACT:

The need for new prison space is indisputable. The number of inmates incarcerated in Connecticut's correctional system is increasing at a relentless pace, despite a broad system of alternatives to incarceration. In fact, as seen earlier in this report, the pretrial population has increased significantly for the first time in five years.

Connecticut has been ambitious in its pursuit of additional bedspace during the past 6 years. Virtually every correctional facility has undergone renovations ranging from modest to wholesale in an attempt to maximize available bedspace. Modular facilities, characterized by their relatively low initial cost and speedy construction, are also an integral part of Connecticut's facility plan. The 600 bed medium security prison at Enfield was the state's initial foray into alternative construction. Completed in July of 1986 it was followed in the fall by 100 bed modular units at Bridgeport and Niantic.

Two major capital projects are underway as well. An 800 bed prison and central classification facility are well into the design phase and program design for a 400 bed jail is in progress. These two facilities are essential to meeting the states long term need for correctional space. However, despite intense effort by all involved to move forward with these projects, neither facility is expected to be completed before 1991.

Clearly, interim steps must be taken to acquire additional beds. Population projections described previously in this report underscore the seriousness of the problem. Prison population growth is not expected to subside in the near future. In order to meet Connecticut's need for inmate housing the Prison and Jail Overcrowding Commission recommends the following strategy:

1. Expedite the 800 bed prison and 400 bed jail projects

Modular construction, renovation of existing facilities and other alternative housing options have been invaluable in meeting population demands. However, the longevity of these facilities is limited as is the number of inmates suitable for such housing. These major capital projects simply must be completed as quickly as possible. Using traditional construction, the prison project is scheduled for completion in 1992 and the jail in 1991. These target dates assume no major problems or delays. The Overcrowding Commission recommends that the Department of Correction and Bureau of Public Works continue their close working relationship to ensure that any problems or delays are avoided or their impact minimized. Moreover, the Commission recommends that these agencies thoroughly review and evaluate the many alternative capital development programs used by other states to expedite prison construction. These include design/build, lease purchase, precast construction, and financial incentives for timely construction, just to name a few. Each alternative has its advantages as well as major drawbacks. However, given our need to quickly complete these projects, the Commission believes that all options must be explored.

2. Additional Alternative Facilities (600 beds)

The quick availability and relative low cost of modular prisons are attractive, although Connecticut is approaching a saturation point for this type of facility. The Overcrowding Commission recommends that the state acquire 600 more alternative facility beds within the next 18 months. Two hundred beds are already being sought for FY87-88 by the Department of Correction, 100 beds at the Hartford Correctional Center and 100 beds for women at Niantic. We recommend that the Department seek emergency authorization from the legislature to proceed more quickly on the 200 beds. If emergency authorization is sought in the upcoming legislative session, these beds can be on line by fall of 1987. The Commission also believes that 400 more beds can be acquired in a similar manner. Approval and funding for the 400 should be sought for FY87-88 as well, and these two units could be available in spring of 1988.

3. Develop sites for DWI (150 beds)

During the last year, the Department of Correction has sought a site for a specialized short-term facility to house those incarcerated for driving while intoxicated. The state's crackdown on drunk driving and the mandatory incarceration of drunk drivers have placed a significant strain on bedspace. Prior to late 1985, about 30-35 drunk drivers were incarcerated on a daily basis. Currently the number is 150. Realizing that these offenders must serve their sentences, but recognizing that those incarcerated on drunk driving charges do not require the level of security or programs found in current Department of Correction facilities, the Department has evaluated under-used or vacant state-owned buildings for this purpose. The Commission recommends that the DOC acquire, by early 1987, a site or sites capable of housing 150 DWI offenders at a time. Appropriate agreements must be worked out with current holders of the facilities in order to meet this timetable.

4. Acquire use of the Hartford Superior court lock-up (110 beds)

Corrections currently leases the local police lock-ups at Morgan Street in Hartford and Union Avenue in New Haven. These lock-ups, provide 280 beds (double-celled). Recently the new Superior Court was opened in Hartford. In its basement is a lock-up with 55 cells. Double-celled, the DOC could house 110 short-term inmates. The Commission recommends that the Department of Correction and the Judicial Department negotiate an agreement to permit the DOC to take over this lock-up indefinitely. Of course, this facility was not intended to be used for extended housing of inmates and therefore appropriate guidelines concerning length of stay, support services, etc. will have to be worked out. This facility is doubly important, because the Morgan Street lock-up in Hartford is scheduled for demolition in late 1987.

5. Develop Camp Hartell as emergency bedspace

If the above facility acquisitions occur, there will be a much greater chance of managing prison population growth until the opening of the major prison and jail projects. However, even with the addition of these interim measures, we by no means have excess prison capacity and, in fact, we will continue to operate from a very tenuous position. This assumes no increase in population size beyond our expectations. Should an event or events occur which increase the size of the population even further, a housing crisis and the threat of exceeding the system's population cap become very real. A facility which could be held in reserve for short term use in the event of an emergency is desirable. Camp Hartell, a National Guard facility in Windsor Locks, is a good choice. It has recently been substantially renovated and could be quickly taken over by the DOC. The Prison and Jail Overcrowding Commission recommends that the DOC work out a formal agreement with the National Guard to hold Camp Hartell in reserve for emergency correctional use.

RECOMMENDATION:

IN ORDER TO PROVIDE A MEANINGFUL LEVEL OF SUPERVISION FOR PROBATIONERS, AND TO PROMOTE PUBLIC SAFETY, WE RECOMMEND THAT THE OFFICE OF ADULT PROBATION RECEIVE AUTHORIZATION AND FUNDING FOR 94 NEW OFFICERS, PLUS REQUIRED SUPERVISORY AND SUPPORT RESOURCES BY DECEMBER 31, 1988.

RATIONALE AND IMPACT:

Increased caseloads and inadequate probation resources have forced a relaxation of classification standards within the Office of Adult Probation, which has led to moderately serious offenders receiving no supervision in the community. As of December 1986, 41,175 offenders were on probation. Of these, 20,176 probationers (49 percent) were classified as inactive cases and received no supervision after initial intake. The remaining 20,999 probationers (51 percent) classified as serious active cases are allotted an average of 23 minutes per month.

A subcommittee of the Prison and Jail Overcrowding Commission was established in the spring of 1986 to review OAP caseloads and supervisory resources and make recommendations to the full commission. Extensive data was collected by commission and OAP staff and a draft report was produced during the summer of 1986.

The report found that according to a 1984 survey of states, Connecticut probation officers had the second highest caseload of the 39 states that responded to the survey. Only the State of Maine reported a higher probation officer caseload, and discussion with officials from Maine revealed the figure used in the national survey was incorrect. In fact Maine's probation caseload was also lower than Connecticut's.

Nationwide, a typical probation officer supervises an average of 112 probationers compared to 270 for Connecticut. The national average annual cost per probationer, according to the same 1984 survey, was \$635.00. Connecticut spent \$156.00 per probationer.

The number of serious offenders on probation has grown steadily over the past five years and many high risk cases are not seen even once a month. Probation officers have been assigned more cases than they can effectively supervise. The result is a deterioration of staff accountability and a breakdown in the probationer's accountability to the officers and to the court. Community protection is diminished because with the present resources, it is not possible to provide the supervision services that the public generally associates with adult probation.

A number of options were considered by the Probation Subcommittee to improve the quantity and quality of supervision and services provided for probationers. At the present time a budget option for 20 additional officers has been submitted by the Judicial Department for Fiscal Year 1987-88. Given the continued increase in probation cases however, an additional 20 officers would merely serve to maintain the status quo. Therefore, the committee recommended the adoption of a variable intensity supervision plan developed by the Office of Adult Probation that would add 74 officer positions to the twenty already requested by OAP for a total of 94 new probation officers.

The Prison and Jail Overcrowding Commission supports the expansion of OAP resources as a means of assuring public safety and the continuation of probation in Connecticut as a viable alternative to incarceration. The addition of 64 probation officers in 1987-88 will decrease the total caseload from 270 per officer to 203. The additional 30 probation officers in the first half of 1988-89 will further reduce the total caseload to 189. This would move Connecticut from the highest, to the second highest caseload of the 39 states responding to the aforementioned 1984 survey of states.

RECOMMENDATION:

THE INTENSIVE PROBATION PROGRAM ADMINISTERED BY THE OFFICE OF ADULT PROBATION HAS BEEN UNDERUTILIZED IN ITS FIRST TWO YEARS OF STATEWIDE OPERATION. WE RECOMMEND THAT THOSE INMATES SERVING SPLIT-SENTENCES, WHOSE INCARCERATIVE SENTENCES FALL WITHIN THE PROGRAM GUIDELINES AND WHO HAVE SERVED A MINIMUM OF ONE HALF OF THEIR INCARCERATIVE TERM, BE CONSIDERED AS POTENTIAL CANDIDATES.

RATIONALE AND IMPACT:

The Overcrowding Commission continues to support the concept of intensive probation for suitable cases. We believe it is feasible to employ this alternative to incarceration without compromising public safety. 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. 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.

RECOMMENDATION:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT A STATEWIDE COMMUNITY SERVICE PROGRAM EMPHASIZING SUPERVISION AND FOLLOW-UP REPORTING TO THE COURTS BE LEGISLATIVELY ESTABLISHED AS AN ALTERNATIVE TO INCARCERATION.

RATIONALE AND IMPACT:

During the past six years the Prison and Jail Overcrowding Commission has recommended the establishment of a wide variety of pre and post-incarcerative alternatives to incarceration. Based upon the knowledge that no one alternative program suits all offenders, programs such as pretrial supervised release, halfway houses, supervised home release, intensive probation and, most recently, electronic surveillance have become part of the state's network of alternatives.

In an effort to further expand this network and to offer an opportunity for offenders to make meaningful contributions to worthwhile community efforts, the Overcrowding Commission is recommending a statewide community service program. This recommendation is offered in response to a suggestion made by the Superior Court's Administrative Judges at a seminar on prison overcrowding in April, 1986.

The judges offered that they would be willing to sentence certain offenders to a period of community service in lieu of, or combined with a term of incarceration. However, they stressed that the program should be a formal one, with specific criminal justice placements, an evaluation mechanism within Probation to assess an offenders suitability for the program, and a system for performance monitoring and follow-up reporting to the courts.

The Overcrowding Commission believes that this program can be established quickly. Utilizing the assistance of the Office of Adult Probation and the network of Voluntary Action Centers and other community based agencies, a program could be implemented by mid 1987. The Office of Policy and Management, Justice Planning Division is prepared to fund this proposal for its first year.

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 BY AT LEAST 35 NEW BEDS IN FY 87-88.

RATIONALE AND IMPACT:

Six prior reports on prison overcrowding recommended increases in the number of halfway house beds. Each recommendation was followed by favorable budgetary action. This has resulted in an increase from 80 beds under contract in 1980 to 267 currently under contract to the Department of Correction. By June 30, 1987, DOC will have 300 beds under contract.

The increased use of halfway houses has been an effective means of dealing with the overcrowding problem. They require less time and money to expand than correctional facilities, free limited bed spaces in institutions and provide necessary transitional services for clients. The Overcrowding Commission supports the expansion of community based halfway houses by 35 beds in FY87-88, bringing the total number of available beds to 335.

There is a pressing need to provide additional specialty halfway house beds, i.e., those where the capability exists to treat clients with drug and/or alcohol abuse problems. At the present time, halfway houses that accept criminal justice clients with substance abuse problems have substantial waiting lists. This means that persons who might be successfully treated in a halfway house environment, instead occupy scarce bed space in correctional facilities.

RECOMMENDATION:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT A CONFINEMENT LEVEL IMPACT ASSESSMENT BE REQUIRED FOR ANY LEGISLATION WHICH MODIFIES IN ANY WAY THE RATE OF PROSECUTION, RATE OR LENGTH OF CONFINEMENT, COMPUTATION OF INCARCERATIVE TIME TO BE SERVED, OR ANY OTHER STATUTORY CHANGES WHICH WOULD REASONABLY BE EXPECTED TO AFFECT THE NUMBER OF PERSONS INCARCERATED IN THE DEPARTMENT OF CORRECTION.

RATIONALE AND IMPACT:

As often described in Commission reports, the prison population results from a variety of interacting factors, including demographics, crime and arrest rates and conviction and incarceration rates, among others. When criminal justice policies are revised, or when new policies are adopted, the number of persons incarcerated also changes.

The prison population projections presented in this report are based on a variety of assumptions about the factors listed above. The primary projection is predicated upon current policies and practices remaining relatively constant. The result is an expected prison population much larger than we can effectively manage.

In the real world, however, policies and practices do change. In criminal justice, there may be a tendency for penalties to be made more severe for specific offenses in response to demands of the citizenry. During the past six years, a great many criminal justice initiatives have been undertaken which have had significant effects on the whole criminal justice system. Examples of issues include drunk driving, family violence, arson, sexual assault, and illegal drugs among others.

The Commission understands that broad public policy cannot be dictated by the number of available prison beds. However, we do believe that the legislature should be fully informed of the implications of legislation under consideration. This recommendation would ensure that the relationship between policy making and prison cells is clear and that legislation is enacted with full understanding of its consequences.

RECOMMENDATION:

THE PRISON AND JAIL OVERCROWDING COMMISSION RECOMMENDS THAT THE ALTERNATIVE SENTENCING CENTER, CURRENTLY OPERATING AS A PILOT PROGRAM IN HARTFORD, BE EXPANDED TO ADDITIONAL SITES IN FY 87-88.

RATIONALE AND IMPACT:

The Alternative Sentencing Center, operating in Hartford on a pilot basis since spring of 1986 has become a highly effective alternative to incarceration.

As described earlier in this report, the Center is having an impact on the pretrial population, on those convicted offenders for whom incarceration is a judgement call, and on the intensive supervised home release program. By providing formalized daily supervision and a referral mechanism for other services, the Center is freeing about 40 beds per day. Currently, the Center is funded by a small grant through the Justice Assistance Act.

In an effort to further increase the bed savings of this program, we recommend that funds be made available to extend this program to additional sites in FY 87-88.