



Published on *The Connecticut Mirror* (<http://ctmirror.com>)

[Home](#) > Unsentenced inmate population bucks the declining trend

Unsentenced inmate population bucks the declining trend

Keith M. Phaneuf

September 13, 2011

Although Gov. Dannel P. Malloy's administration is counting on a continuing decline in the state's prison population--having closed two institutions in the past four months, laid off 21 front-line correction supervisors, and planning to close another facility soon--one group of inmates is bucking the trend.

Numbers of accused but unsentenced inmates have risen each of the past three months, climbing almost 8 percent since May and reaching 3,632 in August, according to the state's Criminal Justice Policy and Planning Division.

Former state Rep. Michael P. Lawlor, who heads the division, attributed the surge to a seasonal trend. And while Lawlor acknowledged this is one of the most volatile components of the inmate population, the rising unsentenced number hasn't prevented overall prisoner levels from declining from last year's totals.

"It's a very cyclical thing, and these numbers are always higher in the summer," Lawlor said Monday. "For 10 years now it's been a real area of concern."

"We attribute it to increased police activity, to increased criminal activity," during the summer, Department of Correction spokesman Brian Garnett said Monday, adding that while the growth in the unsentenced population is a concern worth tracking, it is not an insurmountable problem.

The Malloy administration is counting on all populations to fall as it seeks to curtail spending in the Correction Department, which was issued a \$695.2 million budget for this fiscal year, virtually unchanged from the \$693.4 million the agency spent in 2010-11, according to the legislature's nonpartisan Office of Fiscal Analysis.

The administration closed most of the Gates Correctional Institution in East Lyme in June, though

one annex building continues to house about 400 offenders. A second facility, the Bergin Correctional Institution in Mansfield, closed this month. That prison typically held between 900 and 1,050 inmates.

Following the initial rejection of the labor concession deal in June, the Malloy Administration issued a budget-cutting plan calling for closing the Enfield Correctional Institution by October. Although that plan was withdrawn following approval of the concession deal last month, Malloy's budget director, Office of Policy and Management Secretary Benjamin Barnes, has said plans call for still another prison to close either later this fiscal year, or in 2012-13.

Lawlor said Tuesday that inmate population trends still are on pace to accommodate such a move.

The overall August inmate population of 17,666 still fell 144 inmates, or 0.8 percent, below the population forecast issued by the criminal justice division last February. That projection also calls for inmate levels to reach 17,375 by January 2012.

The unsentenced population in August was down just slightly from the January level, but almost 12 percent below the level recorded in August 2010.

And the legislature enacted a measure this past spring to further drive down prison populations by empowering Correction Commissioner Leo Arnone to transfer some inmates to home confinement at the end of their sentences, provided they participate in treatment services, education and other re-entry programs.

But lawmakers also have been reluctant to reform Connecticut's bail bond system, which critics have said is crucial to reduce the unsentenced population.

Connecticut is one of just six states that hold unsentenced prisoners in correctional facilities, rather than in a separate county jails or comparable regional institutions. The 3,632 unsentenced inmates reported in August is roughly 1,000 above the level reported 10 years ago.

As numbers of bail bondsmen in Connecticut have grown considerably over the last decade, there have been increasing concerns that many are charging clients discounted fees and accepting payment by credit--in violation of state rules.

Critics have argued that police, bail commissioners and judges have tried to compensate for this trend by setting higher bond amounts. In some instances, this increased the numbers of accused who fail to make bail and must await their court appearance in prison.

A 2003 study by the legislature's Program Review and Investigations Committee concluded that the bail industry is "dangerously unregulated" and that fee under-cutting, posting of fraudulent bonds and other illegal practices are "pervasive and persistent."

Connecticut's prisons once held as few as 6,000 inmates of all classifications in the mid-1980s, after which the population rose steadily for two decades, due in part to tougher sentencing policies adopted in 1993 and 1994. But Lawlor has said it also could be attributed to policy changes and new societal attitudes that lead to increased reporting of certain crimes.

The prison population peaked at 19,984 in February 2008--seven months after the Cheshire home invasion that claimed the lives of three people. Then-Gov. M. Jodi Rell responded by suspending of one of the primary procedures for issuing paroles.

The state employee unions representing Connecticut's prison guards and their front-line supervisors have argued repeatedly that a system built to handle 17,000 inmates still has overcrowding problems at some facilities, and that guard staffing levels still haven't recovered fully from losses incurred during layoffs ordered in 2003 and retirement incentive programs offered in 2003 and 2009.

Further exacerbating matters, Malloy ordered layoffs for 21 unionized prison guard supervisors earlier this month.

"Let's not be fooled by any decrease in the prison population," said Luke Leone, a correction officer and president of Local 1565, one of two bargaining units representing prison guards. "Connecticut's prisons are still over-crowded and under-staffed."

Leone's parent union, Council 4 of the American Federation of State, County and Municipal Employees, is seeking an injunction in Hartford Superior Court to reverse the closure of Bergin.

Closing that Mansfield facility "has worsened inmate overcrowding throughout Connecticut's prisons, not just pre-sentencing facilities," Leone added. "Closing prisons, and transferring inmates into other correctional facilities without adequate planning, jeopardizes the workers we represent and the communities we protect."

Your Government State Budget

Source URL: <http://ctmirror.com/story/13883/unsentenced-inmate-population-bucks-declining-trend>