



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

OFFICE OF
THE CHIEF STATE'S ATTORNEY

PATRICK GRIFFIN
CHIEF STATE'S ATTORNEY

300 CORPORATE PLACE
ROCKY HILL, CONNECTICUT 06067
PHONE (860) 258-5800 FAX (860) 258-5858

March 13, 2023

Senator Catherine A. Osten, Co-Chairperson
Representative Toni E. Walker, Co-Chairperson
Appropriations Committee
Legislative Office Building, Room 2700
300 Capitol Avenue
Hartford, Connecticut 06106

RE: Appropriations Committee Testimony

Dear Senator Osten and Representative Walker:

On February 24, 2023, during our testimony on the budget on behalf of the Division of Criminal Justice (the "Division"), the Committee asked for the additional information which is set forth below.

Representative Tammy Nuccio's Requests for Information for the Subcommittee Work Session

Headcount questions:

1. **What is the authorized headcount, the funded headcount and the filled headcount for your area?**
 - Our authorized, funded headcount is 501 positions. Currently, we have 461 filled positions.
2. **If there is change in headcount (either up or down) please provide an explanation of the change.**
 - The Division is requesting an additional 51 positions as set forth below.
 - a. On an annual basis, the Division takes in over 120,000 new criminal and motor vehicle cases spread throughout the court system. The roll out of our new Case Management System in conjunction with the legal requirements set forth in the Transparency Bill impose requirements on existing staff that did not exist in prior years. In order to keep up with the day to day volume in each Geographical Area (GA) court, extensive manual documentation is required. Accordingly, additional resources are necessary to manage the overall workload for each of the GA courthouses. In addition, 1 supervisor to maintain continuity of training and work standards would be necessary to identify potential areas for efficiency and improvement that could make cost savings possible in the long term. The

estimated cost calculated will support the 19 data entry operators and 1 data entry supervisor including any necessary supplies, equipment and supervisor travel. Without this funding, the Division's ability to support the directives outlined in P.A. 19-59 will be deficient in FY24.

The Police Accountability Act requires the Division to manage the integrity and security of approximately 138,000 hours of body worn camera videos on an annual basis. In order to support the review of the larger volume of digital evidence, the Division needs to hire an additional 30 prosecutors. This breaks down to two prosecutors for each small/medium sized GA court and four prosecutors for each large GA court. Prosecutors have an ethical obligation to review all of the evidence submitted by law enforcement in order to fulfill their constitutional obligation to achieve justice. Simply stated, prosecutors need to carefully review the evidence and documents submitted by the police to be in a position to properly exercise their discretion to either pursue charges against an individual or, in the alternative, to pursue an outcome more tailored to an individual's mental health/homelessness/substance abuse status. Additionally, the Division's Information Technology (IT) Unit requires an IT Administrator for the proper management of this data. The current IT staff consists of six individuals who support approximately 500 staff across 50 different locations.

If these adds are legislatively driven, what piece of legislation is driving the increase?

- PA-19-59 and the Police Accountability Act.

3. Are there any vacant positions in your headcount?

- Yes, approximately 44 positions are currently vacant.

If yes, how are they budgeted into your plan?

(As a full year FTE or partial? Are they fulltime or part time?)

- They are budgeted based on projected start dates of the candidates.

What is the anticipated start date of your vacancies?

- The start dates vary, but most vacant positions should be filled early during FY24.

4. How many vacancies did you have at year end on 06/30/22?

- 97

How many vacancies did you have throughout the last fiscal year?

- During FY 22, the Division had approximately 97 vacancies. The Division currently has 44 vacancies as of 3/14/23.

How many new hires did you have in the same time period?

- 64

5. What is the average salary of an FTE for your area?

- \$92,846

6. What is the average fringe cost of an FTE in the comptroller's area?

- Statewide the fringe rates are:

FICA Social Security	6.20%
FICA Medicare	1.45%
Medical Insurance	33.07%
Group Life Insurance	0.24%
Unemployment Compensation	0.18%
SERS Retirement	67.40%

Lapse Questions:

1. Were there any lapsing accounts on 06/30/22?

- Yes

If yes, what were the accounts?

- Personal Services - \$496,855; Other Expenses - \$514,206; Medicaid Fraud - \$120,721; Training - \$53,027; Expert Witness - \$36,951; Cold Case - \$10,660; and Shooting Task Force - \$1,656

If yes, what drove the lapse? What spending didn't occur that was planned to occur?

- Staff vacancies due to retirements.

2. If there is a lapsing balance, do you anticipate it carrying forward?

- Yes

If yes, how do you propose to use that lapse?

- The Division plans to move funds to cover shortages in other accounts as well as to fund a Digital Evidence Management Solution.

Will it be for one-time expenses?

- No

If this is an ongoing expense, is that expense built into this budget in FY 25?

- Yes, but because we are in the process of designing and building a Digital Evidence Management Solution, the costs are yet to be defined.

APRA Questions:

1. Did you receive any ARPA funding in your department?

- Yes, the Division received \$4.3M to fund temporary prosecutors to assist with the backlog of cases during the pandemic.

If yes, have you assumed the programs/staffing established with the ARPA funding is now in your General Fund budget as an ongoing expense?

- The costs are not in our general fund budget as an ongoing expense.

Are there still ARPA funds included in this budget?

- Yes, the funds were split by FY and there is \$2.1M scheduled to be allocated in FY 24.

If yes, how much of this budget is continuation of ARPA funding?

- \$2.1M

How much ARPA funding do you still have in the budget that may need to be picked up as ongoing expenses in out years?

- The Division would like to pick up all ARPA funded positions to assist our efforts in reviewing body worn camera video and other digital evidence.

General Questions:

1. Is there anything you would change about this budget?

- The Division is in desperate need of additional positions to assist with the review of body worn camera videos and with the input of data into its new case management system in order to comply with P.A. 19-59.

2. Is there anything you would add to this budget?

- See #1 above

3. Is there anything you would remove from this budget?

- See #1 above

4. Is there any legislation that was passed you feel you are not adequately prepared to enforce?

- See #1 above

If so, what would we need to change to make it administer-able?

- See #1 above

Appropriation Committee Questions Asked During the Hearing on February 24, 2023:

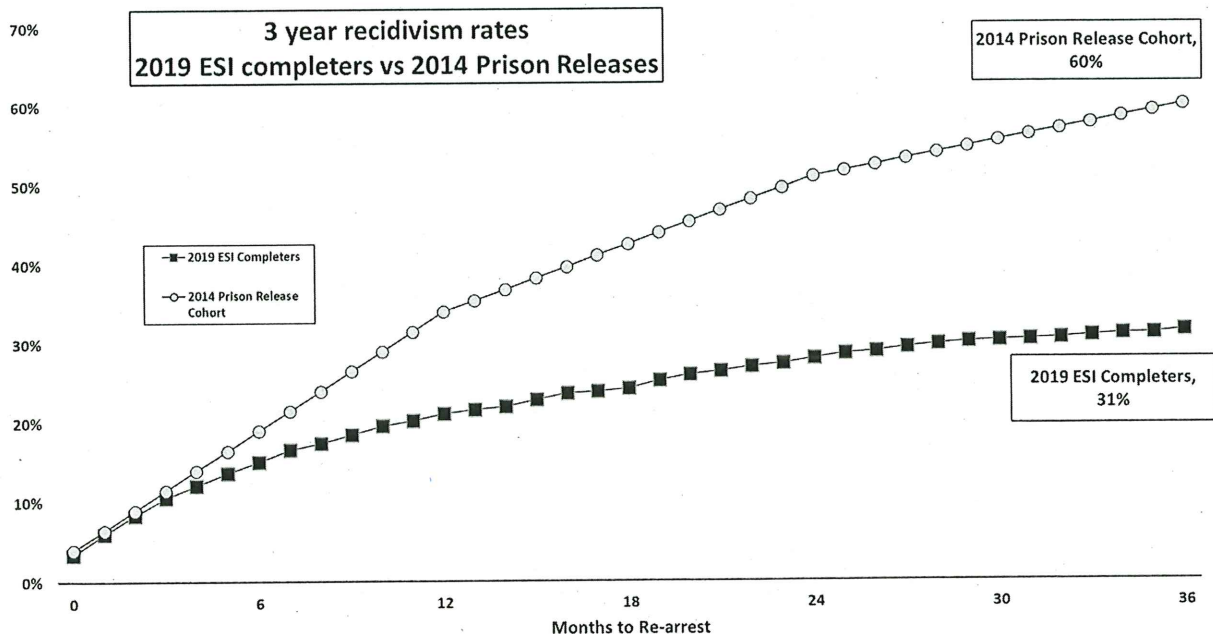
1. Please provide information about the number of vacancies that the agency currently has as well as status in hiring process.

- Currently, there are 44 vacant positions, 461 filled full time positions.

2. Please provide the number of contracted attorneys as well as rates paid.

- The Division has 12 per diem prosecutor positions. Per diem prosecutors are paid an average of \$44/hour.

3. Please provide Early Screening and Intervention (ESI) statistics particularly regarding recidivism and re-offense.



Senator Osten and Representative Walker
March 13, 2023

- The Division identified 1,809 people who successfully completed the ESI program in calendar year 2019. We then tracked this group for three years to determine if they reoffended. Re-offense, for the purposes of our analysis, is defined as a new arrest. Over the three-year time period, just over 30% of ESI participants were found to have been arrested for new offenses in Connecticut. This rate compares favorably to the Office of Policy and Management's typical re-arrest rate for offenders completing prison sentences, which has ranged from 67% with the 2004 release cohort to 60% for the group released in 2014 (pictured above).

4. What is the full cost of the ESI program if there is no grant funding available?

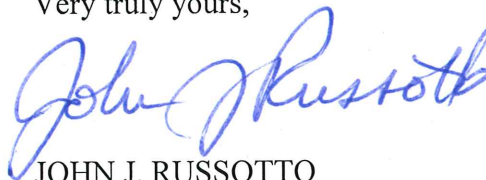
- \$630,000 yearly at the following locations:
Bridgeport, New Haven, Waterbury, Hartford, New Britain,
New London/Norwich, Danbury/Torrington, Stamford, Milford/Derby,
Middletown/Meriden, Danielson/Rockville, Manchester.

5. If participants successfully complete the ESI program, does the charge remain on the record?

- No. Successful completion of ESI results in a Nolle disposition of all charges on the case. Nolled cases are erased 13 months after the nolle disposition is entered. Clean slate legislation applies to convictions which are different from ESI cases.

On behalf of the Division, I would like to thank the Committee and the Subcommittee for their attention to these critical matters.

Very truly yours,



JOHN J. RUSSOTTO

DEPUTY CHIEF STATE'S ATTORNEY
for Personnel, Finance & Administration

JJR/jc

cc: Senator Gary Windfield
Representative Juan Candelaria
Patrick J. Griffin, Chief State's Attorney
Valerie Clark, Director of Finance