



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

**Written Testimony Opposing
Senate Bill 507, An Act Concerning
Eligibility to Earn Risk Reduction Release Credits;
House Bill 5465, An Act Concerning Good Time Credits; and
House Bill 5547, An Act Concerning Accountability for the
Earned Risk Reduction Credit Program**

Senator Doyle, Senator Kissel, Representative Tong, and distinguished members of the Judiciary Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in opposition to Senate Bill 507, An Act Concerning Eligibility to Earn Risk Reduction Release Credits; House Bill 5465, An Act Concerning Good Time Credits; and House Bill 5547, An Act Concerning Accountability for the Earned Risk Reduction Credit Program.

Eliminating or reducing the risk reduction credit program ("program") is bad public policy, because it will make Connecticut less safe, contribute to costly prison overcrowding, make Connecticut's prisons more dangerous, and expose the state to civil rights lawsuits. Rescinding the commissioner of correction's earned credit discharge options is a step in the wrong direction. The removal of earned risk reduction credits potentially creates a disincentive for people to exhibit positive behaviors and engage in important programming while they are imprisoned.

Studies have shown that in addition to lowering costs of incarceration, credit reduction programs improve formerly incarcerated people's success in the community and reduce recidivism. The programs reduce crime by better preparing people for reentry into Connecticut towns and cities by encouraging meaningful participation in adult education, substance abuse recovery, counseling, and other programs that improve their chances of success upon release. These opportunities promote rehabilitation by fostering people's good behavior, better decision making, and participation in programs.

A National Conference of State Legislatures report on the outcomes of "accelerated release" in thirteen states found "no significant increase in rates of recidivism for those offenders who reduced their length of incarceration." A few studies instead found a decrease in recidivism rates.

A significant portion of Connecticut's budget goes toward paying for years' worth of excessive incarceration for incarcerated people without increasing public safety. This practice does not make sense, especially in this harsh economic climate. Although the program offers a fairly small reduction in prison terms, in the aggregate the state realizes significant cost savings.

Other states have generated substantial cost savings through earned credit programs. The New York Department of Corrections saved \$369 million between 1997 and 2006 due to earned credits.

There has been a significant decline in Connecticut's prison population since the program was implemented. Connecticut's prison population peaked at 19,894 people in February 2008. The current prison population is now down to under 13,800 people. The bills under consideration would reverse this downward trend and potentially open the state to costly and time-consuming prison overcrowding litigation.

The availability of earned risk reduction credits based on the merits of an incarcerated person's actions make the prison environment safer for other incarcerated people and correction officers. Additionally, credits are an effective management tool for correction officials. Correction commissioners have testified to this effect before this committee in the past.

These bills would undo the progress made under this program, may lead to costly litigation, contribute to Connecticut's significant fiscal problems, and would jeopardize public safety. They would also take away a ray of hope for incarcerated people. The ACLU-CT urges this committee to reject these bills.