



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
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**Testimony of Judge Patrick L. Carroll III
Chief Court Administrator
Appropriations Committee Budget Presentation
February 11, 2020**

Good morning Senator Osten, Representative Walker, Senator Formica, Representative Lavielle and members of the Appropriations Committee. I am Patrick L. Carroll III, and I am the Chief Court Administrator. This is my seventh appearance before the Committee in this capacity. Thank you for the opportunity to speak to you about Judicial Branch fiscal challenges and budget priorities. Unfortunately, I must begin my remarks by repeating my deep concerns about a persistent problem with the budget presentation that fails to properly represent our requested appropriations.

Fidelity to the Statutory Budget Process

Under C.G.S. 4-73(g), the Judicial Branch has the authority to present its budget to the Legislature as it deems appropriate and the Office of Policy and Management (OPM) must include this information in the Governor's recommended budget. The budget that you have before you does not fulfill this obligation because the Judicial Branch's funding request is in an appendix, which does not constitute compliance with the statute.

The effect of statutory non-compliance is that the Recommended General Fund budget for the Judicial Branch that the Committee is working from is \$9.1 million less in FY 2021 than what the Judicial Branch recommended. This reduction has been applied primarily to the Probate Court. Nevertheless, I must insist on fidelity to the statute so that in future years our budget is submitted in compliance with the law and represents a true reflection of our needs.

Notwithstanding this fundamental flaw with the budget before you, let me now turn to the Judicial Branch's top priority, and that is courthouse security.

Courthouse Security

Protecting patrons, employees, jurors, and the public as they seek justice in our courthouses is of paramount concern to Chief Justice Richard A. Robinson and me. The violent drive-by shooting on Monday, January 27, 2020 outside the GA 2 courthouse in Bridgeport, and other dangerous situations that jurors, detainees, staff and the public have confronted while at court locations, including brawls, altercations, assaults and the like, reinforces our resolve to enhance safety and security in and around court buildings.

To immediately address this situation I have contacted our state and local law enforcement partners to arrange for police patrols outside and in the immediate area surrounding some of our courthouses in order to serve as a deterrent. The Judicial Branch currently has limited resources available to initiate this preventative measure; I will need your support through an appropriation of \$5.5 million to continue law enforcement coverage at all courthouses during peak vulnerability. This funding will provide a flexible, on-demand resource to meet security challenges provided in partnership with local communities, and state police if necessary. The visible deterrence factor of a police vehicle in front of a courthouse cannot be underestimated.

In addition to these external incidents, since October 2019 and the implementation of the new provisions of the Trust Act (Public Act 19-20 and Public Act 19-23), the Judicial Branch has seen a significant increase in Immigration and Customs Enforcement (ICE) activities in Connecticut courthouses. This increased enforcement activity, sometimes without notice to the Judicial Branch, presents a range of new and complex security challenges to our Judicial Marshals who are barred by law from cooperating in any way with ICE agents. This occasionally results in a dangerous public safety issue inside our courthouses when ICE agents are engaged in apprehension of individuals.

Our highly trained security staff handle these incidents, and daily security challenges, professionally and effectively, however, due to limited staffing, security risks remain. For many years, Judicial Marshal staffing has fallen short of our target of 850. Despite aggressive recruitment and hiring, including running simultaneous training cohorts, we have only nominally increased our workforce. The total number of filled full-time Judicial Marshals was 659 in January 2019; today it is 672, an increase of only 13. It is simply not possible with our current staffing level to meet desired coverage in all courthouses, courtrooms, including many family courts, and to adequately perform related duties such as prisoner transportation.

In addition, ongoing recruitment and hiring has failed to keep up with the rate of retirements and other attrition. Since the start of Fiscal Year 2019 and projecting through mid-2022, over 200 Judicial Marshals will have retired or will be eligible to retire.

These circumstances require greater effort to increase the ranks of our Judicial Marshal service. Our technical budget adjustment included a request for \$1.8 million in FY 2021 for

an additional recruit class, increasing the total number of classes from five to six. This will allow the Judicial Branch to deploy staff to critical posts, such as entry screening and courtroom assignments, that are now covered by supervisory staff. I strongly recommend that this funding be appropriated so that the Judicial Branch can conduct an additional recruit class.

The Judicial Branch pursues a three-pronged approach to security that includes a highly trained staff, building design and sophisticated technology. Last year, pursuant to Special Act 18-11, the Judicial Branch completed an internal review of security policies and procedures. This review reinforced the value of our approach. I have already mentioned the steps that the Judicial Branch is taking to augment its security workforce. Next, I will briefly outline our intentions regarding buildings and technology.

The Judicial Branch operates 38 court buildings throughout the state that vary in size and age. Newer court buildings, such as in Torrington and Stamford, have separate circulation systems for staff, the public and prisoners, and other modern security features. Older facilities, such as the New London courthouse, which dates back to 1783, and the Bridgeport GA do not have these protective features. These, and other courthouses without completely separate circulation systems, require a greater number of Judicial Marshals to ensure safety in the building.

To address this matter, the Judicial Branch is requesting an allotment of \$2 million in authorized bond funding from the Bond Commission for security improvements. Recommended improvements vary by location based on the needs of the building and may include upgrades to video surveillance systems, door locking systems and ballistic resistant protection. Video surveillance is particularly effective when combined with centralized monitoring, but cannot necessarily be achieved in most other locations due to the age and design of the building, which brings me to my next action step.

The Judicial Branch will seek a more comprehensive solution to its outdated buildings in the next biennium by requesting bond funds to construct a new courthouse in Bridgeport. The Golden Hill Street courthouse was built in 1853 and the Main Street courthouse was built in the early 1960s. Both facilities are grossly ill-equipped to meet the security needs of a 21st century court building. A carefully designed modern courthouse, among other things, will provide separate, safe, internal circulation systems for staff, detainees, jurors and the public.

Juvenile Justice

The Judicial Branch assumed full responsibility for previously committed delinquent youth on July 1, 2018 in accordance with Public Act 18-31. Since that time, and with guidance from the Juvenile Justice Policy and Oversight Committee (JJPOC), the Judicial Branch has worked diligently to develop a continuum of appropriate services for this population. Fulfilling this new responsibility has not been without its challenges and

significant start-up delays, particularly as it relates to the development of secure residential programs for the neediest children and youth.

Over the last 18 months, the Judicial Branch has issued two RFPs and hosted an informational meeting attended by over 20 providers in order to identify potential secure residential program providers. One program in Hamden with a capacity of 8 - 16 beds is scheduled to open in August 2020. Until additional secure community-based programs are established, the Judicial Branch is using Hartford and New Haven detention centers as its only security settings. Feedback from the informational meeting is being reviewed to determine if any of the ideas generated by the provider community might expedite the establishment of additional secure programs.

The Judicial Branch will rely on the funding recommended in the FY 2021 Governor's Recommended Budget Adjustments to fulfill this statutory obligation.

Positions Funded by the Inmate Phone Revenue Fund

The Governor's Recommended Budget Adjustments reallocates \$3.5 million to the General Fund to support staff positions that provide prison population reduction services. These services are provided by 32 members of the Probation Transition Program (PTP) and Technical Violation Unit (TVU). These units serve approximately 700 to 800 offenders on any given day, or approximately 3,000 annually, with a goal of reducing the number of individuals held on technical violations in the Department of Correction. The Governor's budget also reduces personal services by \$2 million. The net effect of these actions is a recommended adjustment of only \$1.5 million.

To ensure the Judicial Branch receives sufficient funding to provide critical prison population reduction services, the Judicial Branch is requesting restoration of the \$2 million cut in personal services to fully and accurately fund the \$3.5 million PTP/TVU units.

Summary

Thank you for the opportunity to share our concerns regarding the Judicial Branch's budget. As you have heard, our top priorities are fidelity to the statutory budget process, court security, and sustained funding for the juvenile justice initiative and personal services. We cannot meet our responsibilities without your support. I would be happy to answer any questions that you may have. I have invited a number of staff to assist me in providing any information that you may require.