

Mike Lawlor: The future in CT includes less crime, fewer arrests

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Whenever the turmoil of the [COVID-19 contagion](#) is behind us, one thing is certain: Connecticut's criminal justice system will never be the same. There will be much less crime, far fewer arrests and not even half as many people incarcerated compared to just a few years ago.

For the past decade extraordinary bi-partisan consensus has acknowledged the fact that mass incarceration and the school-to-prison pipeline have led to costly, disastrous and unintended consequences. Historic reform is now being championed in Washington D.C. in a way that was unthinkable during the 1990s. Here in Connecticut, reported crime has dropped by more than 60 percent from its historic high 30 years ago. Less crime and fewer arrests have reduced our state's prison population by 45 percent from its peak of almost 20,000 in 2008. The number of young people under the age of 25 who are being arrested and who are incarcerated have both plummeted by almost 70 percent. Each of these trends was well-established before the virus began to take its toll in our state less than two months ago.

Since March 1 Connecticut has experienced a dramatic and unprecedented reduction in reported crime, admissions to jail and total incarcerated population. In recent weeks the number of people confined in our jails and prisons has dropped by 40 to 50 each day, down more than 1,500 in seven weeks. If this now well-established trendline continues into the early summer, we will have an additional 2,000 empty prison beds.

To put this in a historical and global context, consider this: Most industrialized democracies similar to the United States have a rate of incarceration between 100 and 200 per 100,000 population. Our nation's rate is the highest in the world by far: 650 per 100,000. In 1983, before "mass incarceration" took hold, Connecticut had a rate of 168 with 5,187 total persons incarcerated. In 2008, we hit our peak incarceration of almost 20,000 prisoners and a rate of 523. Today, our total prison and jail population is 10,973, for a rate of 304. If our total falls to 7,000 incarcerated in the next year or two, we will be at the high end of the global norm for nations like ours: 200 per 100,000 population.

This begs the question: Will crime, arrests and incarceration return to their pre-corona virus levels when our lives regain some semblance of normalcy? My bet is that they will not. The reason: police, prosecutors, judges, probation and parole officers together with corrections professionals have embraced the principles that have been the central focus of national and local

reform efforts in recent years: The criminal justice system must be reserved for the most serious, high-risk and dangerous offenders.

Persons whose misconduct is fueled by mental illness, substance abuse, homelessness and/or a lifetime of trauma can often be more effectively managed by systems specifically designed to meet those needs. These preferred outcomes have been successfully demonstrated here in recent years, and the opportunity to bring them to scale now presents itself.

The fact is that providing treatment, support and encouragement to low-risk/high-needs people is not what the criminal justice system is designed to do, and there is little evidence that it is good at it. Lawyers and police officers are not the best equipped to make treatment, supervision and rehabilitation decisions.

The good news? The current crisis has left front-line criminal justice professionals with no choice other than to refocus their attention on the individuals who present an existential danger to our community. Many if not most other offenders have been triaged out.

Our criminal justice system's new normal will have a much smaller footprint. Fewer prisons and jails, smaller criminal court dockets and decreased caseloads for probation and parole officers. Problems once addressed in courtrooms and jails will instead be addressed with finding expanded treatment facilities and more community-based support services.

The rest of us have an obligation to advocate for additional investment in proven harm reduction efforts, expanded mental health and substance abuse treatment, and other forms of trauma-informed care. Housing, education and employment opportunities for those most at risk should be treated as smart crime reduction investments.

The pace of change until now was incremental by design. No one could have anticipated the sudden disruption that this virus has visited upon our state. But it has given us the opportunity to reboot our criminal justice system and prove once again that data-driven, smart-on-crime policies are the best guarantee of public safety.

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