CONNECTICUT SENTENCING COMMISSION
Pretrial Working Group
March 3, 2026

Interim Summary Report

I. Working Group Formation

In October 2025, the Steering Committee of the Connecticut Sentencing Commission (CTSC) created a Pretrial Working Group to rigorously examine the status of pretrial detention and procedures in Connecticut, including how well existing processes meet the aims of a just and effective judicial process. The Working Group self-determined its charge to include:

- Examining public and restricted-use data and determining the appropriateness of empirical measures of the pretrial system
- Identifying missing or misleading data on the pretrial system
- Advancing analysis of the pretrial system by the Sentencing Commission and others
- Informing policy proposals in collaboration with the Sentencing Commission's Criminal Procedure and Sentencing Committee
- Generating knowledge to advise the practices and procedures of relevant criminal justice agencies
- Recommending future research and evaluations of pretrial policy interventions

Since its creation, the Working Group has enjoyed the participation of many stakeholders active in the pretrial system, including representatives from the Executive Branch's Criminal Justice Policy and Planning Division (CJPPD), the Judicial Branch's Court Support Services Division (JB-CSSD), the Office of the Chief States Attorney (OCSA), the Office of the Chief Public Defender (OCPD), the Connecticut Criminal Justice Information System (CISS), the Department of Mental Health and Addiction Service's (DMHAS) Forensic Services Division, the Department of Correction (DOC), ACLU Connecticut, Representative Renee LaMark Muir, and UConn Law faculty. The Working Group is chaired by Daniel Karpowitz, Undersecretary of the Office of Policy and Management's Criminal Justice Policy and Planning Division. It is supported by Sentencing Commission staff and the staff of UConn's Institute for Municipal and Regional Policy (IMRP).

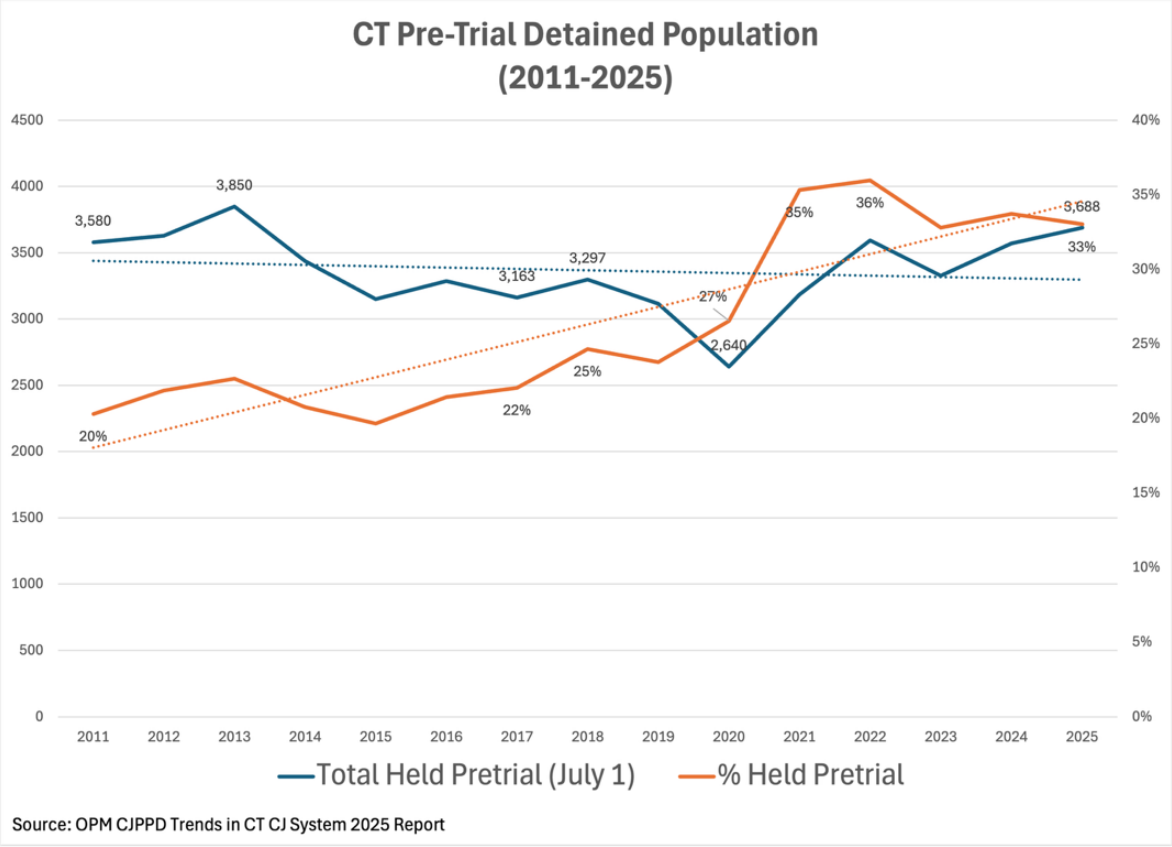
The formation of the Working Group coincides with and is meant to inform ongoing research by the Sentencing Commission on the pretrial system. Specifically, the Working Group compliments CTSC's research efforts in response to (1) Special Act No. 19-17, directing the Commission to study potential disparities in pretrial and sentencing outcomes related to the racial, ethnic, gender, and socioeconomic status of a criminal defendant; and (2) a follow up study to the 2017 Sentencing Commission report "Pretrial Release and Detention in Connecticut."

II. Overview of Scale and Trend in Pretrial Detention in Connecticut

The American legal tradition places significant value on the liberty of individuals while they await trial. Still, some subset of defendants may be lawfully detained before their trial to prevent further dangerous or criminal conduct and to reduce the risk of willful failure to appear in court.

On any given day in 2025, approximately 3,500 unsentenced individuals were detained pretrial in Connecticut prisons. This population of unsentenced individuals has been relatively stable over time, as Figure 1 illustrates. This stability occurs despite dramatic shifts in Connecticut's criminal justice ecosystem over the past 15 years, where the Department of Correction (DOC) population has fallen by 37%[1] and violent crimes (as reported by the Department of Emergency Services and Public Protection) have fallen by 49%.[2] The stability of the pretrial population coupled with the decline in the overall prison population means that a growing share of those held in DOC facilities are pretrial detainees. In 2025, roughly 30% of all incarcerated individuals in Connecticut were being held pretrial, up from 20% in 2011.

Figure 1. CT Pretrial Detained Population (2011-2025)



[1] On July 1, 2011 the total incarcerated population in CT was 17,631. On July 1, 2025 the total incarcerated population in CT was 11,168.

[2] Per the Division of Emergency Service and Public Protection, in 2011 there were 10,051 violent crimes in CT. In 2025, there were 5,099. The definition DESPP uses when reporting to crime statistics to the FBI, classifies violent crime as murder, nonnegligent manslaughter, forcible rape, aggravated assault, and robbery.

Because of Connecticut's judicial structure and unified jail system, pretrial detainees are housed in many of the same correctional facilities as those who have been sentenced. In fact, per the DOC, there are pretrial residents in every correctional institution in the state, though they range from making up less than 1% to 86% of the population in any given prison (see Table 1). Notably, two-thirds (66%) of those held at Manson Youth Institution and nearly half (46%) of those held at York – Connecticut's only women's correctional facility – are unsentenced. These unsentenced residents often have limited access to services and programs – including substance abuse treatment, educational, and vocational programs – compared to sentenced inmates. This is true regardless of length of stay, which can range from one day to a number of years. Per an Office of Policy and Management report, of those detained on December 1, 2025, 773 pretrial detainees (21% of all pretrial detainees held on that date) had been detained in prison for more than 1 year.[3]

Table 1. CT Department of Corrections Population by Sentence Type

	Unsentenced Population (Jan 14, 2026)	Sentenced Population (January 14, 2026)	Total Population (January 14, 2026)	% Unsentenced
Bridgeport Correction Center	540	86	626	86.3%
Brooklyn Correctional Institution	2	408	410	0.5%
Cheshire Correctional Institution	270	943	1213	22.3%
Corrigan Correctional Institution	301	378	679	44.3%
Cybulski Community Reintegration Center	8	592	600	1.3%
Garner Correctional Institution	256	314	570	44.9%
Hartford Correctional Center	743	188	931	79.8%
MacDougal Correctional Institution	279	1154	1433	19.5%
Manson Youth Institution	194	99	293	66.2%
New Haven Correctional Center	530	163	693	76.5%
Osborn Correctional Institution	66	1070	1136	5.8%
Robinson Correctional Institution	51	1173	1224	4.2%
Walker Reception Center	171	160	331	51.7%
York Correctional Institution	388	464	852	45.5%

Source: CT Department of Corrections Dashboard, accessed January 14, 2026.

In the past decade, there have been efforts to reform the state's pretrial system. Starting in 2017, three major reform efforts were enacted to reduce the pretrial population and limit the financial burden of bail for low-level offenses that contributes to inequities in pretrial detention. First, Connecticut passed Public Act 17-145, aimed at reducing the number and length of pretrial detentions for those accused only of misdemeanor charges. Two years later, in 2019, the Superior Court of Connecticut amended court rules to reduce the financial burdens of those held on low-dollar ($20,000 or less) bonds, automatically allowing these arrestees to deposit 10% of the bond

[3] OPM Monthly Indicators Report – December 2025

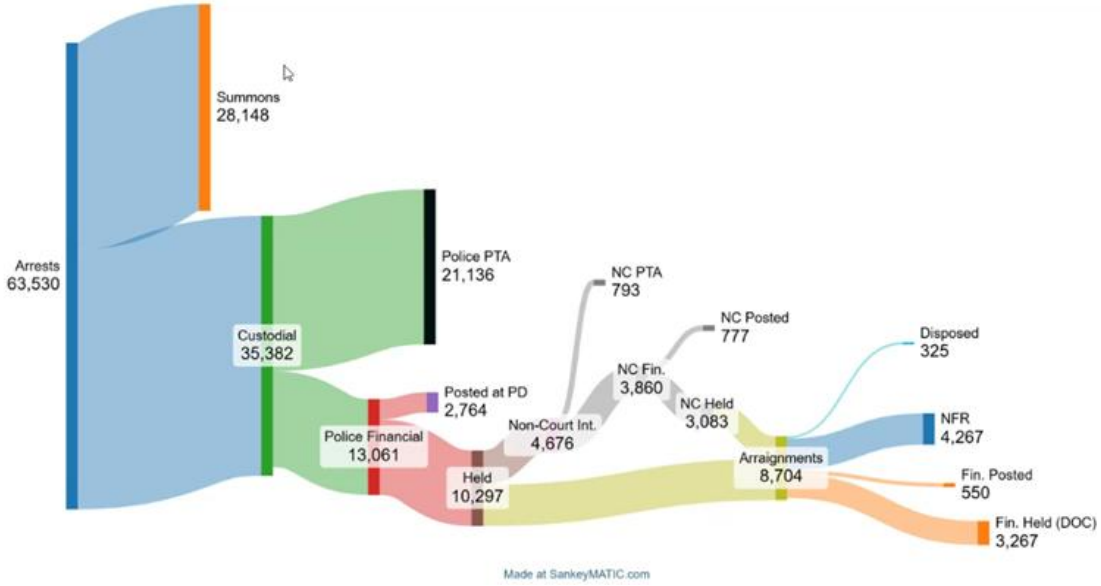
amount with the court whenever a low-dollar bond is imposed. In 2023, the state built on that reform, decreasing the deposit required to 7% of the total bond amount and making this option automatically available for defendants facing bond amounts up to $50,000. This history of reform efforts raised a central question to guide the Working Group: "Hasn't Connecticut already done pretrial reform and what were the effects?"

III. PA 17-145 Effects on Pretrial Misdemeanor Population

In response to the above question, the Working Group began a systematic assessment of the impact of past reforms, starting with the 2017 Public Act. Because a central aim of the 2017 law was to reduce – in both number and duration – the pretrial detention of those accused of low-level crimes,[4] the Working Group focused on understanding the size and nature of the pretrial population accused of misdemeanor offenses.

A baseline finding of the Work Group is that **few individuals arrested for misdemeanors experience pretrial detention**. Data from JB-CSSD (Figure 2) shows that DOC detention is the outcome in just 5% of misdemeanor arrests in a given year. For example, in 2024, 3,267 misdemeanant arrestees were transferred to DOC custody out of 63,530 arrests. Most misdemeanor arrestees are released with summons or promises to appear.

Figure 2. 2024 System Case Flow- Misdemeanor Arrests



Source: Bryan Sperry, Judicial Branch Court Support Services Division

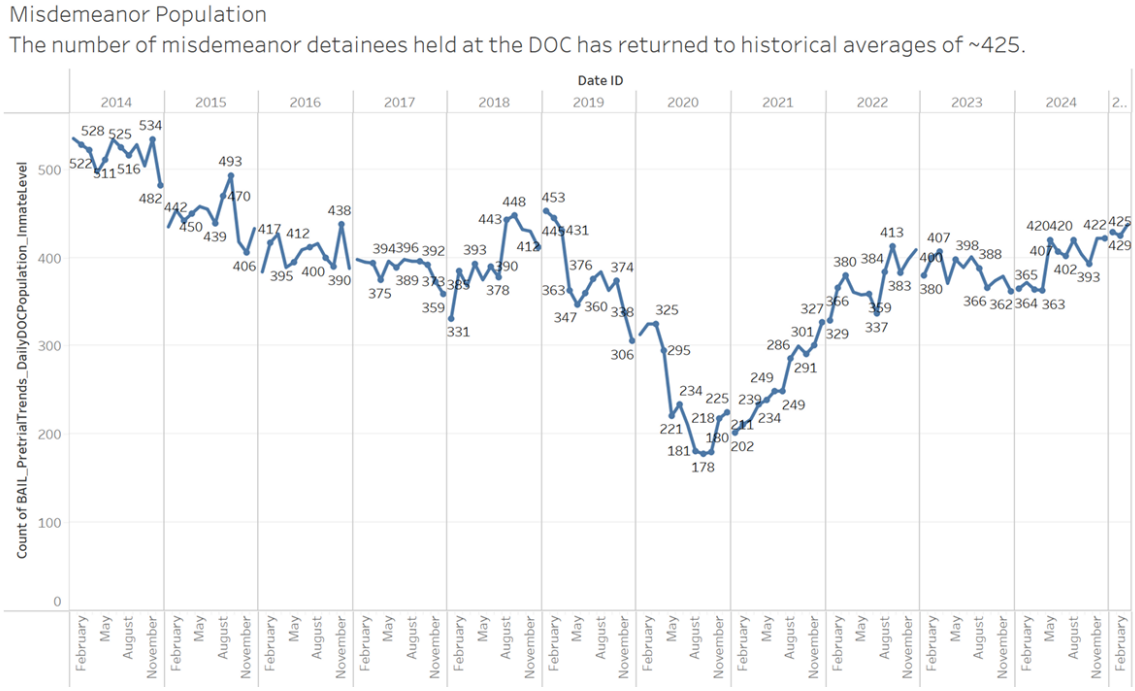
To further understand the misdemeanant pretrial population, JB-CSSD Pretrial Services reviewed a snapshot of cases held by the DOC in October 2025. Their review found that unsentenced misdemeanor detainees generally share some combination of the following factors: First, many scored high on the risk assessment tool used for bail decision making by JB-CSSD. **The average**

[4] Office of Governor Dannel P. Malloy. (2017). *Gov. Malloy signs legislation reforming the states pretrial justice system*. CT.gov. https://portal.ct.gov/malloy-archive/press-room/press-releases/2017/06-2017/gov-malloy-signs-legislation-reforming-the-states-pretrial-justice-system

misdemeanant detainee carried a risk assessment score of -10.5 (on a scale from +6 to -21, where a positive score is considered low-risk and a negative score indicates increasingly higher risk). Additionally, and often contributing to these high risk scores, were issues like multiple (in some cases more than 5) pending cases, long criminal histories, multiple past failures to appear in court, and histories of poor mental health or substance abuse. Their review also found that some are held pretrial on misdemeanor charges due to custody detainers or because the arrestee refused to cooperate with a bail interview.

While the relative scale of misdemeanant detention is small compared to arrests, longitudinal data indicates that **the 2017 legislative reforms had negligible effect in terms of decreasing that population**. Data presented by JB-CSSD to the Working Group, synthesizing public DOC data, finds little meaningful change over time in the number of misdemeanants held in pretrial custody between 2014 and 2025, excepting the temporary anomalous drop in detention brought on by COVID-19. Figure 3 illustrates this trend.

Figure 3. DOC Daily Population of Misdemeanor Pretrial Detainees (2014-2025)



Source: JB-CSSD analysis of Department of Correction data.

It should be noted that the data in Figure 3 captures the controlling offense of the detainee (the top charge on the intake form DOC receives from the courts), which is not always the most serious charge the defendant is facing and may not reflect a felony charge that is filed after admission. As such, it inflates the number of misdemeanants, an issue we discuss further below. However, assuming that this issue in data classification for the unsentenced population is longstanding, the finding regarding the stable trend in misdemeanor detention and the absence of an effect of PA 17-145 holds.

Not only has the size of the pretrial misdemeanor population stayed relatively flat, but **the duration of detention for pretrial misdemeanants does not appear to have decreased following the 2017 law**. Data from JB-CSSD analyzed by CTSC staff suggests that, while there is large variation in length of stay from, approximately 1-160 days,[5]the median length of stay for pretrial detainees charged only with misdemeanor offenses at the time of DOC admission rose from 20 days in 2018 to 28 days in 2023.[6] Over the same period, the portion of misdemeanants held on bond amounts above $25,000 increased from 35% to 42%. However, this increase in bond amount does not appear to explain the increase in length of detention. **Increases in length of stay between 2018 and 2023 were observed across most bond amount categories.** Thus, the evidence suggests that the reforms did not meaningfully reduce the number or duration of those held pretrial for low-level crimes.

Among Working Group members, one explanation floated for the lack of impact of PA17-145 was that the language of the 2017 reforms blunted its effects. The law intentionally maintained discretion to detain those accused of misdemeanors in various circumstances – including "if person is... a danger to self" – legitimizing detention in cases in which substance abuse or mental health may be a concern. Another explanation for the act's limited impact is that the small percent of misdemeanor arrests leading to detention coupled with high risk scores and other justifiable reasons for detention suggest misdemeanor pretrial detention may have already been sufficiently limited and that **current procedures around misdemeanor detention appear to be working as intended based on current law and judicial processes**. A third explanation, detailed in Section IV, is that pretrial misdemeanor detention has remained level as a result of limited resources for and cuts to diversionary treatment facilities.

Finally, another important takeaway for the Working Group related to its charge of "identifying missing or misleading data on the pretrial system," is that the offense information captured in the DOC's data may lead to incorrect findings. As noted above, DOC data presented in Figure 3 suggests roughly 400 pretrial detainees are held on a given day for misdemeanor offenses. However, there are reasons to believe this data oversimplifies, and thus mischaracterizes, the misdemeanant pretrial population. JB-CSSD's Pretrial Services review suggested that **more than a quarter (29%) of those appearing to be held for a misdemeanor in DOC data carried an additional felony charge not reflected in the publicly available data**. For this reason, the Working Group debated the inclusion of the data in this report. We retained Figure 3 for both its value illustrating the trend in misdemeanor pretrial detention and to highlight the data limitations we are confronting – this DOC data remains the only data source available to the Commission and the public that can evaluate long-term trends in the charges detainees are facing. Awareness of the complicated data structures, outdated data infrastructure, or the lack of a process to reclassify individuals as felony detainees within existing data systems may contribute to legislators and data users reaching inaccurate conclusions or suggest ineffective policies.

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[5] This range excludes some outliers who are held much longer.

[6] Over the same period, median length of stay for pretrial detainees charged with a felony increased from 45 days in 2018 to 60 days in 2023.

Note: *These figures were calculated using the median length of stay among individuals admitted to DOC custody pretrial in a given year. Alternatively, the median can be measured based on the number of days individuals detained on a given day had been held, up to that point in time, which typically produces a higher median.*

IV. Resource Needs

Focusing on those confirmed by JB-CSSD to be held solely on misdemeanor charges,[7] a conservative estimate suggests that the unsentenced detention of people for misdemeanor crimes likely costs Connecticut taxpayers more than $10 million annually.[8] This sum does not account for the additional personal financial costs, budgetary costs to the state, and societal costs of spending time in prison. Past research has found that any length of stay in pretrial detention may lead individuals and their families to lose income and housing,[9] increase the risk of failing to appear to required court hearings,[10] and be associated with new criminal activity.[11] Given these costs, and the flat trend in pretrial detention more generally, another topic take up by the Working Group is if courts and treatment options have the appropriate resources to meet the needs of defendants and further reduce the size of the pretrial population.

A review of pretrial residential services by JB-CSSD highlighted that cuts to the number of available beds in diversionary or treatment facilities likely means some awaiting care from overburdened service providers linger in DOC pretrial custody. **Between 2012 and 2025, the number of residential treatment beds administered by JB-CSSD in Connecticut decreased from 324 to 187.** Even as referrals for residential services have dropped there are fewer spaces available for placement. These facilities often operate at 100% capacity and have long waitlists for admission. Data provided by JB-CSSD indicates that, as of February 2026, 176 clients were awaiting substance use disorder treatment beds, including 77 (44%) who were pretrial, and 10 clients were awaiting mental health treatment beds, 8 (80%) of whom were pretrial.

In addition to the lack of residential treatment beds, it also appears that the available services do not appropriately reflect the population of need. In particular, **treatment alternatives for female pretrial detainees are limited.** JB-CSSD's Deputy Director of Residential & Statewide Projects shared that more than half (53%) of those waiting for pretrial placement at the APT Foundation, a residential substance abuse program, are women, despite making up 10% of the pretrial population. There are also no JB-CSSD administered pretrial residential mental health treatment beds for women in Connecticut. The Sierra Center, the only pretrial residential treatment program for those primarily facing mental health needs, is a male only facility.

Though no less important, the Working Group dedicated less discussion to date on the resource needs of the courts. Several members of the judiciary have suggested backlogs in caseloads due

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[7] A point-in-time review of 383 detainees held on October 16th 2025 with misdemeanor controlling charges found that 161 individuals were considered solely held on misdemeanor charges after excluding family violence defendants, individuals held on detainers, and those not interviewed by pretrial services.

[8] This is estimated as the annual cost by multiplying 161 misdemeanor pretrial detainees (see Footnote 7) by a daily cost of incarceration of $164.01, by 365 days (161 detainees × $164.01 × 365 days). This totals $9,638,047.65. The cost per inmate per day is based on reporting from WTNH, which cited the average cost of incarceration per the DOC as $164.01 per inmate per day. However, it is important to note that this estimate reflects the average cost of incarceration and does not represent the marginal cost of detaining one additional individual, which is likely lower.

[9] The Bail Project. 2024. *Out of Pocket: The High Cost of Pretrial Incarceration*. https://bailproject.org/wp-content/uploads/2024/04/the_bail_project_out_of_pocket.pdf.

[10] Lowenkamp, C., VanNostrand, M., & Holsinger, A. (2013b). The hidden costs of pretrial detention. Arnold Foundation. https://static.prisonpolicy.org/scans/ljaf/LJAF_Report_hidden-costs_FNL.pdf

[11] Heaton, P., & Stevenson, M. (2016). The downstream consequences of misdemeanor pretrial detention. *SSRN Electronic Journal*, *69*(3). https://doi.org/10.2139/ssrn.2809840

to COVID could be contributing to the stability of the pretrial population levels, especially in the face of falling violent crime statistics. This is a topic not yet rigorously tested by the Working Group.

V. Scale and Role of FTAs in Pretrial System

Branching off the inquiry into misdemeanor detention, the Working Group has recently begun to examine the role of Failures to Appear (FTAs) in the pretrial system. According to data from the Judicial Branch,[12] **as of December 31, 2025, there were 38,586 active FTA warrants**. Of those, 19% were felony FTAs. A large percentage of these active FTA warrants were issued more than two years ago.

Failure to appear warrants are a factor in pretrial detention. JB-CSSD's current risk assessment tool— which, along with professional judgement, informs the JB-CSSD bail recommendations— assigns any FTA charges, pending or convicted, within the last two years -7 points. This is equivalent to the risk points associated with three or more prior convictions or to an additional pending charge. Additionally, having a history of FTA is linked to pretrial detention. Examining JB-CSSD data on pretrial detainees from 2018-2023, 40-50% held on misdemeanor charges pretrial in a calendar year had at least one FTA pending at the time of their DOC admission. Among all JB-CSSD interviewed pretrial clients, 38% of those without a prior FTA were detained pretrial whereas 65% of those with a prior felony FTA and 56% of those with a prior misdemeanor FTA were detained pretrial.

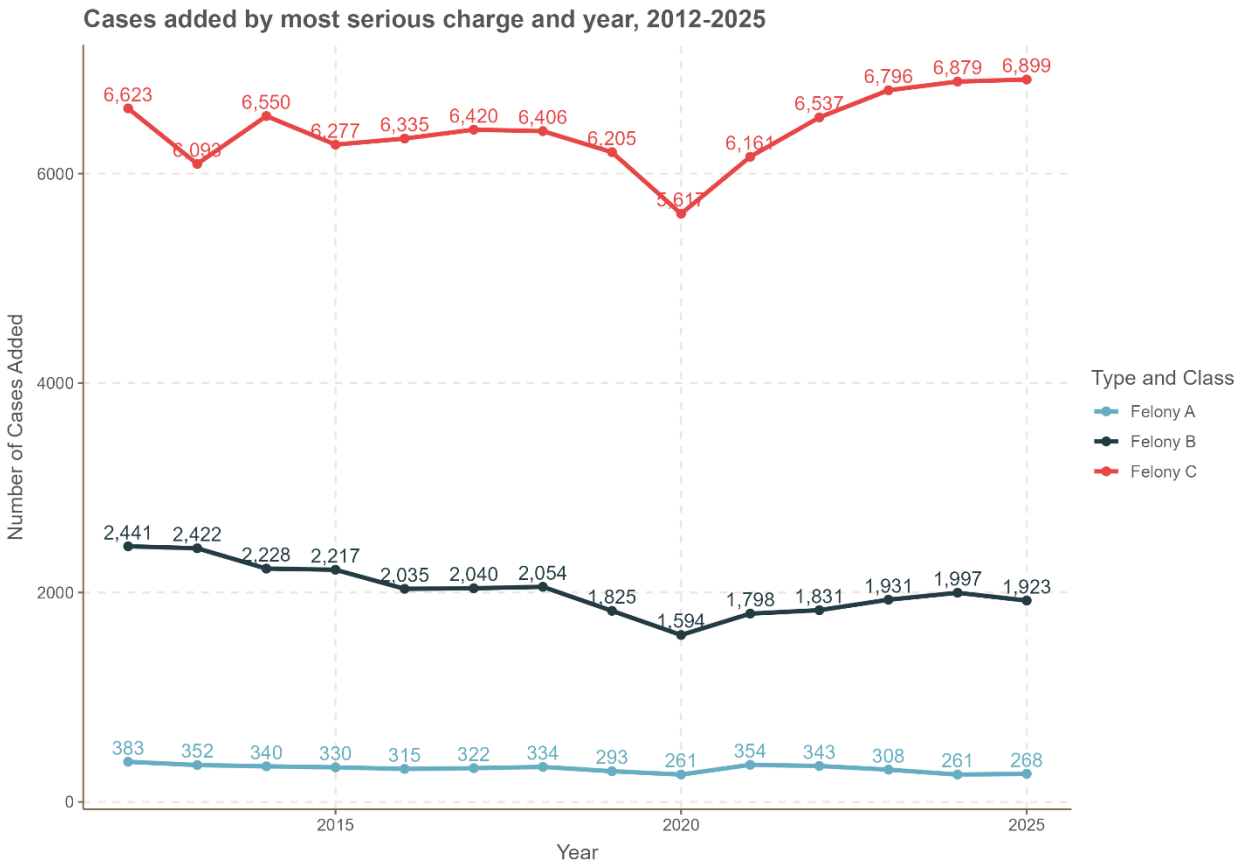
As the Working Group continues its efforts, we expect to continue to examine the role of FTAs and examine examples of alternative practices in how the state thinks about, weights, disposes of, and responds to FTAs.

VI. High-Level Felony Case Trends

Recent convenings of the Working Group raised the question of whether trends in higher level felonies – Class A, B, and C – could explain the apparent stability of the pretrial population, despite the violent crime rate being at a historic low. Data provided by the Judicial Branch's Performance Management, Quality Assurance and Judicial Branch Statistics team is summarized in Figure 4. These data show that between 2012 and 2025 the number of Class A and Class B felony cases fell by 30% and 21% respectively while the number of Class C felony cases increased by 4%. Combining these case types together, the number of Class A, B, and C felony cases in total have gone from 9,447 in 2012 to 9,090 in 2025 – a 4% decrease. Because more serious charges of this type are more likely to result in pretrial detention, the relative stability of the sum of these case types may explain the persistent trend in the size of the pretrial population. Future Working Group sessions will examine the relationship between these felony case types— including the variation in offense severity within these classifications— and trends in the pretrial population.

[12] Data available at https://jud.ct.gov/statistics/FTA_VOPS2ndquarter2025-2026.pdf

Figure 4. Felony A, B, and C Case Trends



Source: Judicial Branch's Performance Management, Quality Assurance and Judicial Branch Statistics.

VII. Recommendations

The ongoing efforts of the Pretrial Working Group, reviewed above, have surfaced two primary recommendations.

First, in response to the evidence on the reduction in treatment beds and the absence of residential treatment options for female pretrial detainees, the Working Group formally proposed a resolution to increase the number of residential mental health treatment beds in Connecticut for persons awaiting trial. The resolution reads:

> "RESOLVED, that the Connecticut Sentencing Commission recommends that the Connecticut General Assembly appropriate additional resources to the Judicial Branch, Court Support Services Division, for the purpose of (1) increasing the number of community residential mental health treatments beds for men awaiting trial and (2) creating community residential mental health treatment beds for women awaiting trial."

The resolution was approved in January 2026 by the Commission's Criminal Procedure and Sentencing Committee and adopted by the full Sentencing Commission at its February 2026 meeting.

A second, informal recommendation centers on the issue of pretrial data. A recurring theme since the Working Group's creation has been confronting and navigating data limitations. As noted above, one area of concern is around oversimplifications in DOC data reporting that mischaracterizes the unsentenced population. Complicated data structures, outdated data infrastructure, and the lack of a process to reclassify individuals based on additional charges filed after DOC admission means that nearly a third of those classified in the unsentenced misdemeanor population may in fact carry felony charges. As we strive for greater transparency in the pretrial system and seek to avoid unproductive policy churn, these mischaracterizations increase the risk of inaccurate conclusions. Another area of concern is that many critical sources of data on the pretrial system capture information at the docket level rather than the individual level. For example, data on the number of misdemeanor arrests that result in a DOC admission is not the same as the number of unique individuals admitted to the DOC pretrial on misdemeanor charges. As a result, it can be difficult to fully comprehend the human scale of the problem. How many individuals are carrying multiple FTA warrants who might benefit from disposal of long-ago charges? How many beds in the DOC have been occupied by repeat, low-level offenders in need of sustained treatment? This docket-level data also makes it more challenging to draw conclusions about the amount of resourced used or needed. A third concern is that limited or constrained access to longitudinal, non-public data or to data on those not held pretrial, particularly individuals released by Connecticut police departments, can mean that we lack the necessary information to make comparisons, identify inequities, and inform decision making.

The Working Group recognizes that the Connecticut Information Sharing System (CISS) could be a critically useful but difficult to access resource in guiding this work. CISS' high-quality, linked criminal justice data has the potential to address some of the limitations noted above and improve the conclusions we draw about the function of the current pretrial system. Despite suggestions in state statute that the Sentencing Commission has unfettered access to such systems, CTSC currently has no access to agency level criminal justice data beyond what is publicly available. We continue to seek avenues to enable more expedient and comprehensive data access.

VIII. Future Directions

As the Working Group continues its efforts, some suggested areas for focus include:

- Examination of trends in A, B, and C Felonies' contribution to pretrial detention
- Further exploration of the scale of Failure to Appear (FTA) warrants, the weight of FTAs in risk assessment, and the role of FTA warrants in contributing to the pretrial population
- Pretrial procedures regarding violations of protective orders and family violence cases
- Public Act No. 23-53's impact on the pretrial population
- Assessment of the impact of 10% and 7% bail reforms and whether these reforms made it easier for indigent defendants to secure release

- Examination of low-level felony detention and a comparison of who is held vs who is released on bail
- Drivers of case disposition length
- The intersection of violations of probation and pretrial detention
- Bond modification processes and trends

The Working Group welcomes suggestions from the Judiciary Committee for additional topics for exploration.