

CONNECTICUT SENTENCING COMMISSION

Regular Meeting

Thursday, December 5, 2019

2:00 – 4:00 PM

Legislative Office Building, Room 2D

300 Capitol Avenue

Hartford, CT

MINUTES

Members Present: *Robert J. Devlin (chair), John Santa (vice-chair), Sarah Russell, Gail Hardy, Gary White, Gary Roberge, William Dyson, Michael Chase, Thomas Kulhawik, Mark Palmer, Natasha Pierre, Hillary Strackbein, Carleton Giles, Michael Chase, Christine Rapillo, William Murphy (on behalf of Rollin Cook), Robert Farr, Jennifer Zito, Brian Foley (on behalf of James Rovella)*

Guests: *Professor Miguel de Figueiredo, Professor Stephen Ross*

Staff: *Alex Tsarkov (Executive Director), Mary Janicki, Van Augur, Cynthia Samokar*

I. MEETING CONVENED

The meeting was convened at 2:04 p.m.

II. APPROVAL OF MINUTES FROM THE 9.12.2019 MEETING

Commissioner Giles made a motion to approve the minutes, seconded by Commissioner Zito. The minutes were unanimously approved.

III. DISPARITIES STUDY PROPOSAL PER SPECIAL ACT 19-17

Professors Stephen Ross and Miguel de Figueiredo presented their proposal for the Sentencing Commission's study on Disparities pursuant to Special Act 19-17. Commission members had the opportunity to ask questions about the methodological approach that would be used to conduct the study. Judge Devlin noted that a preliminary report on this study is due to the legislature in January.

IV. PRETRIAL RELEASE AND DETENTION WORKING GROUP

Judge Devlin provided an update on the working group's efforts to investigate future changes to Connecticut's bail system. Judge Devlin shared a request the Commission had received from Sen. Looney to develop a proposal for a money-free bail system. Judge Devlin also noted that retired Judge Silbert will assist with that work. Judge Devlin reminded the Commission that the 10% cash bail

CONNECTICUT SENTENCING COMMISSION

option will be going into effect in January, and updated the Commission on its efforts to spread awareness of this change.

Gary Roberge provided an update to the Commission on Connecticut's pretrial population, and noted that the number of defendants being detained pretrial is approaching a 30-year historic low.

V. VOTING RIGHTS WORKING GROUP

Sarah Russell provided an update on the working group to the full Commission. The group traveled to York Correctional Institution twice in October to conduct registration and absentee ballot application drives. The group will be meeting again shortly to discuss their findings and potential recommendations to the Collateral Consequences Subcommittee.

VI. SEX OFFENDER REGISTRY PROPOSAL UPDATE

Judge Devlin informed the Commission that the sex offender registry reform proposal will again be part of the Commission's 2020 legislative agenda. Robert Farr provided additional information on the history of the proposal and the inefficiencies in the current registry. Jennifer Zito and Judge Devlin made further comments about the issues with the current registry and how the proposal would address those issues. Natasha Pierre noted that there were previously discussed amendments to the proposal involving victims' rights; Alex Tsarkov noted that the Commission is currently working the Legislative Commissioner's Office to address these and other amendments for the 2020 proposal. Chris Rapillo suggested the Commission continue to educate the public on the need to update the registry to reflect more evidence-based practices.

VII. 2020 COMMISSION MEETING SCHEDULE

Alex Tsarkov provided an update on the 2020 schedule of Commission meetings, and clarified that the November 11th meeting has been rescheduled to November 13th.

VIII. COLLATERAL CONSEQUENCES SUBCOMMITTEE

John Santa provided an update on the subcommittee's work on automatic erasure, vacatur for the convictions of victims of human trafficking, cost of incarceration, and compassionate release.

CONNECTICUT SENTENCING COMMISSION

IX. MENTAL HEALTH SUBCOMMITTEE

Michael Chase provided an update to the subcommittee, which was formed in response to State Sen. Osten's request to study chronic mental illness among Connecticut's incarcerated population. The subcommittee is working with mental health professionals in the Department of Correction to develop a scope and methodology for the study.

X. WORKING GROUP ON SENTENCING MODIFICATION AND REVIEW

Judge White discussed the working group's exploration of a potential proposal seeking to modify lengthy sentences for "extraordinary and compelling" reasons.

XI. 2020 SENTENCING COMMISSION SYMPOSIUM OF RACIAL, ETHNIC AND SOCIOECONOMIC DISPARITIES

Judge Devlin and Alex Tsarkov updated the Commission on the January 17th symposium on disparities in the criminal justice system. Alex Tsarkov discussed the symposium agenda and thanked those agencies that are helping fund the event.

XII. MEETING ADJOURNED

The meeting was adjourned at 3:39.