

CONNECTICUT SENTENCING COMMISSION

Regular Meeting

Thursday, September 26, 2024

MINUTES

Members Present: John Santa (vice chair of Commission), Michael Gailor, Michael Chase, Gary Roberge, Natasha Pierre, Deborah Del Prete Sullivan (on behalf of the Chief Public Defender), Judge Harmon, Judge Schwartz, Hon. Elizabeth Bozzuto, Reena Kapoor (on behalf of DHMAS), Jennifer Zaccagnini, Stephen Tavares, Patrick Griffin, Ronnell Higgins, Jennifer Zito.

Staff: Alex Tsarkov (Executive Director), Patricia O'Rourke, Tommy Dowd, Lydia Wileden.

Guests: Deborah Dorfman, Matthew Hono, Judge Martin Cronin

I. MEETING CONVENED

- John Santa convened the meeting at 2:05pm.
- All members briefly introduced themselves.

II. APPROVAL OF MINUTES FROM THE 5.16.2024 MEETING

- The minutes from 5.16.2024 were approved.
- Elizabeth Bozzuto noted her abstention (was not present for the 5.16 meeting).

III. DELEGATION SITE VISIT TO D.C.

- John Santa provided the update.
- A Commission delegation visited DC to learn about its risk-based system of pretrial detention.
- Commission members observed court proceedings and heard presentations from key stakeholders, including pretrial services staff.
- Alex Tsarkov thanked all members who attended the trip.

IV. NATIONAL ASSOCIATION OF SENTENCING COMMISSIONS ANNUAL CONFERENCE UPDATE – Patricia O'Rourke, PhD, Research Associate; and Matthew Hono, Intern

- Patricia O'Rourke and Matthew Hono recapped their experience representing Connecticut at the National Association of Sentencing Commissions (NASC) Annual Conference.
 - The presenters provided an overview of the organization, explained the conference theme, reported highlights from attending jurisdictions,

summarized key themes and takeaways, identified implications for the Connecticut Sentencing Commission, and spotlighted the US Sentencing Commission for its public outreach work.

- Santa and Chase asked follow-up questions.
- Tsarkov noted the potential to host an annual conference in the future.

V. UPDATE ON INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES STUDY – Deborah Dorfman, Disability Rights Connecticut, Executive Director

- Deborah Dorfman provided an update on the Commission study on individuals with intellectual and developmental disability in the criminal legal system.
 - Dorfman provided background on Public Act 23-137 (which requires the Commission to complete this study), reviewed the goals and objectives of the study, identified the research questions, listed the components of the study, reported current progress (researchers are working on the literature review, identifying stakeholders for interviews, and drafting interview questions), outlined next steps, and highlighted current partners in the work.
 - Zito and Gailor asked follow-up questions.

VI. INTENTIONAL PRETRIAL RELEASE AND DETENTION SYSTEM ELEMENTS – Judge Martin Cronin, former New Jersey Superior Court Judge

- Judge Martin Cronin gave a presentation comparing different systems of intentional pretrial release and detention.
 - Cronin analyzed policies in four key jurisdictions: Illinois, New Jersey, New Mexico, and Washington D.C.
 - Cronin examined various aspects of the pretrial system in these jurisdictions, including detention eligibility nets, presumptions, release conditions and hierarchies, release/detention factors, risk assessment tools, pretrial services recommendations, monitoring and enforcement of release conditions, detention hearing rights and formality, and speedy trial rules.
 - Griffin, Higgins, Roberge, and Tsarkov asked follow-up questions.

VII. SUBCOMMITTEE UPDATES

a. Mental Health Subcommittee

- Judge Harmon provided the update.
- Several research projects are ongoing, including studies on (1) mental health diversionary programs, (2) the Competency to Stand Trial system, (3) mental health services for individuals reentering the community, and (4) the experience of individuals with intellectual and developmental disability in the criminal legal system.

- At its July 23 meeting, the subcommittee heard presentations about the ongoing study on mental health services for individuals reentering the community.
- At its September 17 meeting, the subcommittee heard a presentation from representatives of the Judges and Psychiatrists Leadership Initiative, which trains justice officials on behavioral health topics.
- Members of the subcommittee who attended the DC trip noted how the closure of a mental health hospital and several community programs coincided with an increase in crime.
- The next subcommittee meeting is on November 5 at 1pm.

b. Criminal Procedure and Sentencing Subcommittee

- Michael Chase provided the update.
- The ongoing pretrial justice report remains a focus. The subcommittee is still working on an MOU to secure data for the report.
- The subcommittee has largely finished a report on hate crimes statutes and is currently developing recommendations based on the report.
- The subcommittee is continuing work on studies of domestic violence murder and human trafficking.
- At recent subcommittee meetings, members have heard presentations from officials in New Mexico and Illinois about their pretrial justice systems. The subcommittee also welcomed Inspector General Robert Devlin, who presented two possible statutory proposals.
- The next subcommittee meeting has not yet been scheduled.
- Griffin and Pierre asked follow-up questions.

VIII. PRETRIAL JUSTICE IN CONNECTICUT: COMMISSION ANNUAL SYMPOSIUM, NOVEMBER 21

- Alex Tsarkov reminded members about the upcoming symposium.
- Tsarkov reviewed the agenda for the symposium.

IX. OTHER BUSINESS

- John Santa adjourned the meeting at 3:38pm.