

CONNECTICUT SENTENCING COMMISSION

Regular Meeting

Thursday, May 16, 2024

MINUTES

Members Present: Judge Robin Pavia (chair of Commission), Michael Gailor, Anna VanCleave, Gary Roberge, Deborah Del Prete Sullivan (on behalf of the Chief Public Defender), Judge Harmon, Judge Schwartz, Reena Kapoor (on behalf of DHMAS), Jennifer Zaccagnini, Maurice Reaves (on behalf of OPM), Stephen Tavares, Patrick Griffin.

Staff: Alex Tsarkov (Executive Director), Andrew Clark, Patricia O'Rourke, Tommy Dowd, Vaughn Crichlow, Valerie Gordon.

Guests: Deborah Dorfman, Rep. Raghiv Allie-Brennan, Sen. Cathy Osten.

I. MEETING CONVENED

- Judge Pavia convened the meeting at 2:04pm.
- All members briefly introduced themselves.

II. APPROVAL OF MINUTES FROM THE 3.14.2024 MEETING

- The minutes from 3.14.2024 were approved.

III. STEERING COMMITTEE MEMBERSHIP

- Judge Pavia explained the proposal to expand membership of the Steering Committee to include the chairs of each subcommittee.
- The proposal was unanimously approved.

IV. GUEST SPEAKER: REP. ALLIE-BRENNAN

- Representative Allie-Brennan explained his request (co-signed by Representative Stafstrom) to the Sentencing Commission.
 - Representative Allie-Brennan is asking the Commission to form a subcommittee to study domestic violence murder.
 - Representative Allie-Brennan would like the subcommittee to focus on sentencing outcomes, the plea bargain process, data collection, and anything else it deems relevant.
 - Patrick Griffin, Judge Pavia, and Mike Gailor asked clarifying questions.

V. GUEST SPEAKER: DEBORAH DORFMAN - COMMON ISSUES INDIVIDUALS WITH AUTISM FACE IN THE CRIMINAL JUSTICE SYSTEM AND DURING INCARCERATION

- Deborah Dorfman spoke about challenges faced by people with autism spectrum disorders (ASD) in the criminal justice system.
 - Deborah Dorfman briefly defined ASD, dispelled common misconceptions about ASD, explained challenges people with ASD face at all levels of the justice system, and detailed the negative outcomes for incarcerated people with ASD.
 - Gary Roberge and Alex Tsarkov asked follow-up questions.

VI. LEGISLATIVE UPDATE

- Alex Tsarkov provided the legislative update.
- The Commission initially proposed three bills in the 2024 legislative session regarding medical parole, diversionary programs for individuals with developmental and intellectual disabilities, and the competency to stand trial process.
 - The medical parole proposal was not raised by the Judiciary Committee.
 - The diversionary program and competency to stand trial proposals were raised by the Judiciary Committee as part of HB 5500.
 - The diversionary program proposal and one provision of the competency proposal were ultimately stripped from legislation.
 - Other provisions of the competency to stand trial proposal remained in the bill.
 - HB 5500 was passed in the House and the Senate.
- The Commission also testified on the amendment to the state constitution regarding pretrial detention.
 - The resolution (HJ 171) was approved by the Judiciary and Government Administration and Elections Committees but was not taken up by the full House.

VII. GUEST SPEAKER: DR. REENA KAPOOR, DIRECTOR OF FORENSIC SERVICES AT CONNECTICUT DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES – COMPETENCY TO STAND TRIAL

- Dr. Kapoor spoke about trends in competency restoration admissions.
 - Judge Pavia, Patrick Griffin, and Mike Gailor asked follow-up questions.

VIII. DELEGATION SITE VISIT TO D.C.

- The Commission is planning to visit D.C. on September 12-13 to learn from their pretrial justice system.

- Members should reach out to Alex Tsarkov if they are interested in attending.

IX. SUBCOMMITTEE UPDATES

- Judge Harmon provided the update on the work of the mental health subcommittee.
 - Progress is being made on several research studies.
 - Patricia O'Rourke attended a conference in April 2024 on decriminalizing mental illness.
 - Sen. Cathy Osten asked the Commission to consider any potential unintended consequences of SB 1, which may impede individuals with mental illness from accessing treatment when reentering the community.
 - The next subcommittee meeting will be held on May 28.
- Michael Gailor provided the update on the work of the Criminal Procedure and Sentencing Subcommittee.
 - A draft report on pretrial justice is expected in October.
 - The subcommittee will collaborate with officials in NM and IL to learn more about pretrial reforms in other states.
 - Reports on hate crimes and human trafficking are the other priorities.
 - Alex Tsarkov suggested a hate crimes working group to explore potential statutory recommendations.
 - The next subcommittee meeting will be held on May 29.

X. OTHER BUSINESS

- The Commission meeting on September 12 has been moved to September 26.
- Judge Pavia adjourned the meeting at 3:31pm.