

CONNECTICUT SENTENCING COMMISSION

Regular Meeting

Thursday, March 27, 2025

MINUTES

Members Present: Judge Robin Pavia (Chair), John Santa (Vice Chair), Michael Gailor, Gary Roberge, Deborah Del Prete Sullivan (on behalf of the Chief Public Defender), Jennifer Zaccagnini, Stephen Tavares, Jennifer Zito, Anna VanCleave, Daniel Karpowitz, Elizabeth Bozzuto, Natasha Pierre

Staff: Alex Tsarkov (Executive Director), Andrew Clark, Tommy Dowd, Chenoa Greenlee, Lydia Wileden, Vaughn Crichlow, Mike Cronin, Jenna D'Ottavio

Guests: Sachin Pandya, Mary Janicki, Kevin Lawlor, Chris Burke, Jessica Waggoner, Gina Teixeira, John Delbarba, Rachel Mirsky, Randal Chinnock, Lisa D'Angelo, CT-N

I. MEETING CONVENED

- Judge Robin Pavia convened the meeting at 2:01 p.m.

II. APPROVAL OF MINUTES FROM THE 1.9.2025 MEETING

- The minutes from 1.9.2025 were approved.

III. UPDATE ON PRETRIAL DATA ANALYSIS - Sachin S. Pandya, Professor of Law, University of Connecticut

- Professor Sachin Pandya provided an update on the pretrial report, which serves as an update to the 2017 Commission report on pretrial release and detention.
 - The Commission signed an MOU with CSSD to obtain relevant pretrial data. The first batch of data was received in February and includes information on cases from arrest to arraignment. However, the dataset does not provide a complete picture of bail outcomes after arraignment or for individuals who do not have contact with CSSD.
 - Researchers are currently cleaning and analyzing the data, assessing gaps, and refining key research questions that the report will aim to address.
 - Commission members are encouraged to share any specific pretrial questions they would like the report to examine.

IV. UPDATE: REVIEW ON BAIL DECISIONS FOR INDIVIDUALS ARRESTED ON A BENCH WARRANT

- Judge Pavia provided an update on the Commission’s proposal to allow bail commissioners to review bond decisions for individuals arrested on a bench warrant.
 - While the Commission initially considered pursuing this change through legislation, the Judicial Branch opted to implement the reform administratively.
 - A new option was added to the bench warrant form allowing judges to authorize bail commissioners to review bonds set at \$10,000 or less.
- Gary Roberge reported that judges have selected this option in most cases. He thanked Judge David Gold and Judge Elizabeth Bozzuto for facilitating a timely resolution.

V. SUPERVISED DIVERSIONARY PROGRAM PROPOSAL

- Judge Pavia and Alex Tsarkov provided an update on the Commission’s legislative proposals, including the Supervised Diversionary Program proposal.
 - Pavia acknowledged the extensive discussions with various agencies and stakeholders to refine the proposal’s language. The Commission will continue working to address outstanding issues and will communicate this ongoing effort in its testimony to the legislature.
 - Tsarkov reported that both Commission proposals were raised in HB 7259. Section 9 pertains to police chokeholds, while Section 10 addresses SDP. A public hearing on the bill is scheduled for 3/31.
 - Tsarkov also thanked Inspector General Robert Devlin, Judge David Gold, Judge Elizabeth Bozzuto, and Gary Roberge for their work on the warrant form.

VI. HATE CRIMES STATUTES REPORT

- Judge Pavia provided an update on the hate crime statutes report.
 - The Commission has received extensive feedback from members, and multiple meetings have been held to discuss these comments. Efforts are ongoing to incorporate input from all stakeholders and reach consensus on the report’s substance.
- Alex Tsarkov thanked Anna VanCleave and Deborah Del Prete Sullivan for their contributions and noted that the report is nearing completion.

VII. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES STUDY PRESENTATION – Gina Teixeira, Esq., Staff Attorney, Disability Rights Connecticut and Rachel Mirsky, Esq., Staff Attorney, Disability Rights Connecticut

- Gina Teixeira and Rachel Mirsky encouraged Commission members to review the preliminary memo prepared by Deborah Dorfman, outlining initial study findings.
- Data is being collected from agencies that interact with these populations, including DDS, CSSD, DOC, and DSS. In addition, interviews are being conducted with various criminal justice stakeholders, subject matter experts, and individuals with lived experience.
- The study will also identify unique policies in other jurisdictions, particularly regarding diversionary programs for these populations.
- Members who know a judge willing to participate in an interview were encouraged to reach out.

VIII. UPDATE ON DOMESTIC VIOLENCE MURDER STUDY - Dr. Lydia Wileden, University of Connecticut

- Dr. Lydia Wileden had a baby, briefly slowing progress, but work on the study has since resumed.
 - Wileden has met with stakeholders including CCDAV and Representative Raghib Allie-Brennan.
 - Wileden also submitted a data request to the Judicial Branch for all murder and manslaughter convictions in Connecticut from 2002 to 2023. This data will be used to analyze differences in sentencing outcomes for domestic violence-related murder cases. Additional data requests may be made.

IX. SUBCOMMITTEE UPDATES

a. Mental Health Subcommittee

- Jennifer Zito provided the update.
 - An online resource featuring data and information on Connecticut's mental health diversionary programs will be released in May.
 - The EFRB program, which diverts patients for outpatient competency restoration, has increased capacity to 16 beds.
 - Two major studies are ongoing and expected to be released this year: (1) community mental health and addiction treatment for individuals reentering society and (2) competency to stand trial.
 - Discussions regarding the SDP proposal are ongoing.
 - The next subcommittee meeting is scheduled for April 28.
 - Judge Pavia asked a follow-up question about competency statistics.

b. Criminal Procedure and Sentencing Subcommittee

- Mike Gailor provided the update.

- The subcommittee's current focus includes the completion of the hate crimes report, human trafficking memo, and pretrial justice report.

X. OTHER BUSINESS

- Judge Pavia updated the Commission on the recent Steering Committee meeting.
 - Members strongly favored holding more in-person meetings, citing the challenge of reaching consensus remotely.
 - Another key takeaway was the need for greater engagement. Members were encouraged to identify areas of interest and voice concerns about proposals and reports, even via email to Alex Tsarkov or Judge Pavia.
 - Jennifer Zito urged members to attend subcommittee meetings if their agency has an interest in related proposals.
 - Andrew Clark provided historical context on the Commission.
- The next meeting will be held in person on June 26.
- Pavia adjourned the meeting at 2:57 p.m.