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Topic: 10-31-25 Pretrial Working Group Minutes

Attendees: Daniel Karpowitz, Mike Gailor, Deb Sullivan, Gary Roberge, Mike Hines, Bryan Sperry, Rich Sparaco, John Delbarba, Lydia Wileden, Kevin Neary, Renee LaMark Muir, Christina Isidoro, Andrew Clark, Anna VanCleave, Tammi Harris, Christopher Moran, Colleen Gallagher, Matt Hono

- 1) Overview of DOC dashboard on unsentenced inmates
 - i) Matt Hono, IMRP, provided a brief overview of the newly developed DOC dashboard on DOC unsentenced population demographics.
 - ii) Discussion also highlighted the nightly listing of DOC pretrial population maintained on the data.ct.gov website and its potential to be used to calculate length of stay and the bond amounts of defendants.
- 2) Review of draft working group charge and goals of the working group
 - a) Mike Gailor
 - i) Suggested that language be included to highlight the public discourse surrounding concerns around releasing potentially "dangerous" defendants
 - ii) Also argued for subsection (5) that the pretrial working group should not be the body to develop consensus policy proposals and that this role should be left to the Criminal Procedure and Sentencing Committee.
 - (1) Anna VanCleave suggested that the language could instead reference to the working group's aim to "inform" policy proposals of the Commission
 - b) John DelBarba
 - i) Suggested that subsection (2) should be revised and be more precise
 - ii) Undersecretary Karpowitz emphasized that the intent behind the section is to highlight that the state has issues involving data quality, availability, and cross-agency data sharing. He argued that the state is making policy with limited visibility in some areas. The Undersecretary also stressed the need to inform legislators about the data we do have.
 - c) Lydia Wileden
 - i) Clarified that the charge's language of "non-negligible sources of error" implies an acknowledgement that will always be some source of measurement error due to human unreliability, but that there are systemic missing and mismeasured data that should be discussed and brought to light
- 3) Discussion on Professor Sachin Pandya's, UConn Law, proposals
 - a) Proposal tripwire pilot study to identify defendants with low bonds and relatively long lengths of stay

- i) Professor Pandya discussed his idea of a tripwire study that involves
 - (1) Setting thresholds for "low" bond and "long" detention duration.
 - (2) Using DOC daily reports to track current unsentenced persons that meet these criteria.
 - (3) Unmasking the inmate number.
 - (4) Matching inmate number to names
<https://www.ctinmateinfo.state.ct.us/searchop.asp>
 - (5) Locating the case file in each of the present stakeholders' case management systems
 - (6) Collect data on the case to validate, explain, and identify possible action steps, if any.
 - (a) Examining characteristics of the case and creating data fields that would answer basic questions about each case
- ii) Kevin Neary, OPM raised the idea that this tripwire should be built in in an already matched or identified environment
- b) Proposal 2: For the purpose of constructing a charge-sensitive measure of the re-arrest rate for a safety-risk crime, decide which charges on re-arrest should be treated as involving the risk of the safety of another person.
 - i) Professor Pandya discussed CGS 54-64a's mandate that the court consider the risk that "the arrested person will engage in conduct that threatens the safety of himself or herself or another person" when setting a financial condition of release
 - ii) He raised the idea that the working group could work to create a charge-sensitive re-arrest rate by identifying which charges would implicate a "safety risk."
 - iii) Work group members could use the charges already identified by CSSD, which are used during the pretrial risk assessment to ascertain if the defendant had ever been convicted of a "safety risk offense," as a foundation for their classifications.
 - iv) Each work group member would work to identify the charges that they believe pose a safety risk and then meet to discuss areas of disagreement if there is not unanimous agreement.
- c) Discussion:
 - i) Judge Pavia raised the finding from a preliminary investigation that many individuals detained on low bonds may be waiting for placements or beds.
 - ii) Matt Hono asked how CSSD originally generated the list of safety risk offenses and raised that the group should investigate wait times and bed placements further.
 - (1) Mike Hines answered that they were constructed from the statutes directly and through CSSD's work with Dr. Hedlund and CCSU

iii) Judge Pavia raised the concern that making a judgment only from the language of the statute does not include other contextualizing details of the arrest that may implicate public safety. Emphasized that judicial discretion when determining what cases should be seen as a safety risk offense is essential.

(1) Professor Pandya argued that this re-arrest rate for a safety-risk crime should be considered an imperfect system-level measure that cannot capture case details.

(2) Proposed that working group members consider what measures should be constructed instead to evaluate pretrial practices instead, if there are concerns surrounding this estimate