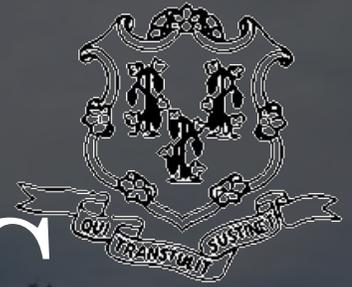


OFFICE OF CHIEF PUBLIC DEFENDER: CSC Pre-Trial Working Group Meeting 2-27-2026



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PUBLIC DEFENDER SERVICES STAFFING

STAFF AS OF 12/1/2025			
	FULL TIME	PART TIME	TOTAL
OCPD MANAGEMENT	18	0	18
ATTORNEYS	253	0	253
SOCIAL WORKERS	44	1	45
INVESTIGATORS	65	0	65
CLERICALS	72	3	75
ADMINISTRATIVE STAFF	28	0	28
TOTAL	480	4	484

PUBLIC DEFENDER TOTAL CASELOAD, FY 2025

Branch	Pending Cases 7/1/24	Total New Cases 7/1/24 - 6/30/25 (Appointed - Removed = New Cases)			Assigned Counsel 7/1/24 - 6/30/25	Guardian ad Litem 7/1/24 -6/30/25	TOTAL
		Cases Appointed	Cases Removed	Total New Cases			
GA	36730	57001	9566	47435	7296	-	91461
JD	2223	2239	653	1586	826	-	4635
Juvenile Delinquency	921	2326	526	1800	712	335	3768
Child Protection	462	155	32	123	10806	319	11710
Juvenile Post-Conviction	56	52	0	52	0	-	108
Housing Courts	5	10	0	10	0	-	15
Parole Revocation Unit	218	482	0	482	0	-	700
						TOTAL	112397

SPECIALTY CASELOADS: CT INNOCENCE PROJECT AND POST-CONVICTION UNIT (CTIP)

CTIP Cases

Cases pending 1st day of FY 35

Cases opened 109

Cases closed 56

Cases pending last day of FY 76

Habeas Cases

Habeas cases received from Court 216

Habeas cases processed 216

Habeas cases to Assigned Counsel 193

SPECIALTY CASELOADS: CT INNOCENCE PROJECT AND POST-CONVICTION UNIT (CTIP)

Juvenile Parole Cases

P.A. 15-84 – *Miller/Graham hearings – Second Look*

Cases assigned	7
Hearings conducted	13
Parole granted	10
Parole denied	2
Rehearing	1

P.A. 23-169 – *Amendment to P.A. 15-84*

Cases assigned	9
Hearings conducted	41
Parole granted	27
Parole denied	6
Rehearing	8

**SPECIALTY CASELOADS:
LEGAL SERVICES UNIT - APPELLATE (Direct Appeals)**

New Files Opened: 222	
From Criminal Courts	120
From Habeas Courts	102
Assigned to Assigned Counsel	174

ASSIGNED COUNSEL UNIT

340 Assigned Counsel Attorneys

CRIMINAL MATTERS TOTAL		9,529
	GA/Part B	7,296
	JD/Part A	826
	Juvenile Delinquency	712
	Habeas Corpus	315
	Post-Conviction	192
	Criminal Appeals	188
CHILD WELFARE MATTERS TOTAL		11,472
	By relationship/client type:	
	Child	4,983
	Mother	3,545
	Father	2,734
	Legal Guardian	142
	Attorney for GAL	14
	Other	54
	Sub-types included in the above:	
	Child Protection appeal reviews and appeals	88
	GAL on Child Protection cases	319
	Guardian ad Litem for delinquency matters	335
	Staterate Family Attorney for minor/GAL	12
TOTAL CHILD PROTECTION + CRIMINAL		21,001
	Family Support Magistrate matters (per diem) statewide magistrate locations coverage	16 ATTORNEYS

2026 Pre-trial Detainment:

**Public Defender's
Perception and Analysis on
Pre-Trial Detention**



When the smoke cleared as time expired at midnight on June 4, 2025, fewer than 10% of the proposed bills had passed both chambers of the legislature.

In all, about 3,800 bills were filed last year on a wide variety of subjects in more than 25 committees. Of those, more than 900 bills were passed by the legislative committees. Eventually, state officials said, 286 bills were passed by both chambers and will be sent to Lamont's desk for his signature.

We are now off to a short but very busy session. I am hoping that this presentation provokes thought, builds on our discussion and, while not a bond-reform presentation, I hope this provides and adds further support for many of the things we have seen during our time together.

BAIL – WHAT IS ITS PURPOSE?

While we have explored in detail FTAs, the weight of FTAs on the ability to make bail, the amount of outstanding FTA warrants (38,000+) and – at least implicitly – discussed how a court should evaluate a history of FTAs, cash bail was historically intended to provide a financial incentive for defendants to show up at required court dates.

BAIL – WHAT IS ITS PURPOSE?

- From 2018 to 2023, approximately 11,500 individuals were detained at arraignment whose highest charge was a D or E Felony. Collectively, these individuals faced 11,363 VPO charges, the most common felony charge among this pre-trial detained population.
- What type of release were those individuals given on their underlying offense?
- Were there new or additional charges with these?

THE THEORY - KEY WAYS BONDS IMPACT RETURNING TO COURT

- Financial Loss: Forfeiture of cash bond
- Accountability Mechanism: Bail bond agents
- Legal Consequences: FTAs
- Conditional Release: Various conditions

COUNTER ARGUMENTS – DO WE REALLY NEED BAIL FOR A DEFENDANT TO RETURN TO COURT IN MISDEMEANOR CASES?

- **High Appearance Rates Without Money:** What factors other than money drive appearance rates?
- **Inequity:** Is bail really a better motivator for appearance rather than other, less restrictive, conditions?
- **Can we find a more practicable balance?**

BOND – IS IT REALLY THE PRIMARY DRIVER OF COMPLIANCE?

- In theory, and perhaps historically, bond impacts court appearance rates by creating legal, financial, and personal consequences.
- But, for many, it is not the primary driver of compliance.
- Studies suggest high appearance rates (over 90%) regardless of financial stake.

BAIL REFORM – AND ITS IMPACT ON INDIVIDUALS

- Reforms adopted in the 1970s and 1980s allowed judges to ALSO consider potential risks to public safety when making bail decisions.
- In serious felony matters, Bail may be an appropriate tool for ensuring defendants cooperate throughout the pretrial period.
- However, many defendants cannot afford the cost of bail and are consequently detained for no reason other than their inability to pay.

BAIL REFORM – AND ITS IMPACT ON INDIVIDUALS

Connecticut has made several attempts at addressing this issue over the years by:

- Limiting the use of bonds for non-dv cases,
- Putting forth alternatives such as providing for electronic monitoring (with and without bond),
- And instituting 7% cash bail in an attempt to address wealth disparities in the criminal justice system.

COUNTER ARGUMENTS – IS IT REALLY THAT EASY OR FAIR?

Recent research suggests that bail decisions can result in:

- Defendants losing their jobs,
- Coercing defendants into accepting plea bargains, and
- Increasing the probability that defendants are convicted.

COUNTER ARGUMENTS – IS IT REALLY THAT EASY OR FAIR?

Reform advocates have suggested limiting the use of monetary release conditions.

- Potential negative consequences of pre-trial detention
- Policymakers must balance several competing interests, many of which are difficult to quantify.
- **Weighing presumption of innocence or an individual's constitutional right to reasonable bail?**
- **Safety**

DOES MONETARY RELEASE = COMPLIANCE WITH COURT ATTENDANCE ON MISDEMEANOR CASES?

With some caveats, studies collectively suggest that monetary release conditions like cash bail do not consistently improve court attendance and may not result in net crime reduction.

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON- DETENTION

Other factors should include:

- **INDIGENCE**
- **DRUG USE DISORDERS**
- **MENTAL ILLNESS, AND**
- **CRIMINAL HISTORY.**

The defense would argue that these factors are *generally* stronger predictors of court attendance than the imposition of monetary release conditions.

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON- DETENTION

- Our 699-page Practice Book for Lawyers and Judges provides the rules Lawyers and Judge's must follow in every aspect of our practices.
- Criminal History is a factor for purposes of bond – and while unweighted – a strong factor.
- The defendant's financial resources, character, and mental condition are factors among many - but there is no way to determine weight.

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON- DETENTION

Again – the factors include:

- INDIGENCE**
- DRUG USE DISORDERS**
- MENTAL ILLNESS, AND**
- CRIMINAL HISTORY.**

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON- DETENTION

- The defense would argue that these factors are *generally* stronger predictors of court attendance than the imposition of monetary release conditions.
- If true – then what is the purpose of bond and detention issued in approximately 90% of our Misdemeanor cases?
- Is it jail/bond by default? No treatment options? Repeat offenders? Repeat FTA offenses?

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON-DETENTION

- Just who are the 10% that may require bail?
- What is the reasoning for ANY bond for the other 90% that are detained pre-trial?
- There is enough evidence now that shows individuals will attend court proceedings as long as the primary 3 factors are addressed.

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON-DETENTION

- **INDIGENCE**
- **DRUG USE DISORDERS**
- **MENTAL ILLNESS**
- Individuals with financial means will always be able to make bond.
- It does not make the community safer.
- It doesn't guarantee his/her appearance in court.

OTHER FACTORS BESIDE MONETARY RELEASE THAT SHOULD BE ANALYZED IN NON- DETENTION

Conservatively, we believe we can conclude that the United States relies too heavily on monetary release conditions - at least with respect to misdemeanor matters.

- If **INDIGENCE, DRUG USE DISORDERS, AND, MENTAL ILLNESS** are addressed at arraignment, and needs can be met and addressed without bond, there would be a dramatic reduction in pre-trial detention.

FOOD FOR THOUGHT

The bulk of available evidence suggests that curtailing the use of monetary release conditions among low-risk defendants – while addressing the 3 primary factors addressed in this presentation - would *not* result in dramatic drops in court attendance or increased risk of reoffending.

This would reduce a significant portion of detained individuals pre-trial.

Parole Revocation Regulations

PURPOSE OF PROPOSAL

- Propose amendments to existing parole revocation regulations -should they be codified?
- Improve fairness and due process protections
- Reduce unnecessary incarceration time
- Generate significant cost savings for the state

1. NOTICE REQUIREMENT REFORM

- Current Issue:
 - PCS must serve notice within 3 business days of return to custody
 - No formal remedy exists if PCS fails to comply
- Proposed Change:
 - Codify existing unwritten policy requiring release to supervision when notice deadlines are missed
- Expected impact:
 - Ensure accountability
 - Prevent unnecessary incarceration due to administrative delay

2. ADDENDUM SUBMISSION TIMELINE REFORM

- Current Issue:
 - Addendum “shall” be submitted not later than 14 business days following any new conviction
 - Revocation hearings delayed when addendum is submitted late
 - Clients remain incarcerated longer than necessary
 - No remedy exists for late submissions
- Proposed Change:
 - Establish enforceable deadlines and remedies for noncompliance
- Expected Impact:
 - Timely hearings
 - Reduced unnecessary incarceration

3. ACCESS TO 45-DAY TIME-OUT PROGRAM

- Current Issue:
 - PCS exclusively controls program referrals
 - Eligible clients often not referred
 - Clients serve longer incarceration than necessary
- Proposed Change:
 - Allow parolees or hearing examiners at BOPP to recommend placement
- Expected Impact:
 - Increase treatment access
 - Reduce incarceration duration

4. DIVERSIONARY PROGRAM CASES

- Current Issue:
 - Diversionary program participation does not qualify as case disposition
 - Clients remain incarcerated despite court approval for diversion
- Proposed Change:
 - Consider a Diversionary Program disposed of.
 - Withdraw parole warrants when diversion programs are granted
- Expected Impact:
 - Allow community-based program participation
 - Promote Rehabilitation
 - Reduce incarceration

5. OUT-OF-STATE OR FEDERAL CHARGES

- Current Issue:
 - Clients held in CT custody until special parole expires
 - Unable to address pending out-of-state charges promptly
- Proposed Change:
 - Withdraw violations so that parolee can be discharged to detainer
 - Allow coordination between states
 - Prevent prolonged and duplicative incarceration
- Example:
 - Client held on special parole with RI charges will be held in CT for 3 years and 9 months at an estimated cost of \$395,641

6. CASES RESULTING IN DISMISSAL, NOLLE, OR ACQUITTAL

- Current Issue:
 - Dismissals and acquittals not binding on BOPP
 - Clients may still face incarceration after dismissal
- Proposed Change:
 - Withdraw parole warrants when charges are dismissed or acquitted
- Expected Impact:
 - Align parole consequences with court outcomes
 - Prevent unjust incarceration
 - Limit any possible state liability
- Example
 - Parolee charged with a Disorderly Conduct has the charged dismissed by the court in GA7. The BOPP sanctions the parolee to 2 years incarceration.

7. PROBATION VIOLATIONS TREATED AS NEW CRIMINAL CONDUCT

- Current Issue:
 - Probation violations treated as new criminal offenses
 - Leads to dual sanctions
- Proposed Change:
 - Prevent parole violations solely based on probation violations without new criminal conduct
- Expected Impact:
 - Fairer sanction structure
 - Reduced incarceration
- Example- client on dual supervision has probation violated for failure to pay restitution then has parole violated under Obedience to the law when in fact no new criminal conduct took place.

FINANCIAL IMPACT

- Estimated incarceration cost: \$289 per day per person
- Example RI case cost: approximately \$395,641
- Example GA7 case cost: approximately \$210,970
- Reducing incarceration duration results in significant savings

CONCLUSION

These reforms:

- Beyond generating substantial cost savings to the state, if codified, these measures would reduce unnecessary incarceration
- Increase access to treatment and diversion programs
- Promote fairness and efficiency, and
- Strengthen the integrity of the parole revocation system.

THANK YOU!

Thank you for giving our office the opportunity to present to this working group! Any follow-up questions please feel free to reach out to us!

- Deborah Del Prete Sullivan
- John R. DelBarba
- Sonia Jones



**CSC Pre-Trial Working Group
Meeting 2-27-2026**

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