

CONNECTICUT SENTENCING COMMISSION

Mental Health Committee

Monday, March 23, 2026

1:00 – 2:30 PM

Members: Jennifer Zito (Committee Chair), John Santa (Commission Vice Chair), Gary Roberge, Dr. Janet Walker, William O'Connor, Thomas Canny, Jessica Waggoner

Staff: Rich Sparaco, Matthew Hono, Tommy Dowd, Jordan Oquendo

Guests: Howard Sovronsky, Jessica Thomas, Lisa D'Angelo, Katie Farrell

MINUTES

I. MEETING CONVENED

- Jennifer Zito convened the meeting at 1:05 PM.

II. APPROVAL OF MINUTES FROM THE 3.2.2026 & 3.16.2026 MEETINGS

- The minutes from the 3.2.2026 & 3.16.2026 meetings were approved.

III. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES REPORT

a. Review edits received

- Rich Sparaco reviewed the revisions to the recommendations made since the last meeting.
- John Santa asked whether Senator Osten is aware of the recommendations.
 - Sparaco and Zito responded that Senator Osten attended the March 2 meeting, during which the Committee discussed the recommendations, and that she is included on the Committee's email distribution list.

b. Discussion

- Zito flagged formatting inconsistencies in the recommendations document.
 - Sparaco confirmed that Commission staff will fix the formatting issues.
- The Committee discussed each recommendation.

- Recommendation: Provide education about identifying individuals with I/DD in the criminal justice system.
 - Sparaco explained that language was added to recommend the use of low-cost, readily available training modules.
 - No comments on the existing language; consensus reached.
- Recommendation: Improve the State of Connecticut’s data collection and estimation practices for individuals with I/DD.
 - Sparaco explained that language was added to recommend the use of screening tools to identify individuals with I/DD in the criminal justice system.
 - A later recommendation that addressed screening tools was removed.
 - No comments on the existing language; consensus reached.
- Recommendation: Increase interagency collaboration for data reporting.
 - No comments on the existing language; consensus reached.
- Recommendation: Create a presumption of outpatient competency restoration for individuals with I/DD who are found not competent but restorable and explore other inpatient options beyond Whiting Forensic Hospital when an outpatient placement is not suitable.
 - No comments on the existing language; consensus reached.
- Recommendation: Incorporate a statutory definition of developmental disability.
 - Jessica Thomas recommended adding a footnote to clarify that the definition of developmental disability should not incorporate an IQ threshold.
- Recommendation: Develop and evaluate an I/DD Diversionary Program.
 - Zito provided a brief overview of the proposed changes, which would allow the court to automatically waive speedy trial rights and toll the statute of limitations upon application to the program.
 - She added that a proposal to allow attorneys to waive these rights on behalf of clients as a strategic decision was considered but ultimately rejected.
 - Matthew Hono noted that the updated recommendation has been consolidated with the recommendation to include the I/DD population in the existing SDP program and no longer references a pilot program.
 - Zito requested that no reference to a pilot program be included, even in a footnote, and that any such reference should discourage its creation.

- John Santa asked how many individuals would be admitted to the program.
 - Zito and Dr. Janet Walker responded that this is currently unclear due to the inadequacy of data on individuals with I/DD in the criminal justice system.
 - Santa and Jessica Waggoner suggested examining usage data from similar programs in other states to develop a more reliable estimate.
- Recommendation: Eligibility for an I/DD diversionary program should not be limited only to individuals with an IQ score below 69.
 - Zito and Thomas recommended clarifying that developmental disabilities are not defined by an IQ threshold.
- Recommendation: Identify a single entity that should be deemed responsible for the program.
 - No comments on the existing language; consensus reached.
- Recommendation: Expand I/DD research efforts to include a qualitative component and create an expert panel to recommend relevant policies.
 - No comments on the existing language; consensus reached.
- Recommendation: Permit an applicant's criminal history to be an eligibility factor.
 - Zito and Bill O'Connor expressed confusion regarding the title of the recommendation.
 - O'Connor suggested adding criminal history to the list of factors that should not automatically preclude eligibility for the program.
 - Zito and O'Connor emphasized the importance of allowing courts to consider admission regardless of charge or criminal history, noting that many individuals with I/DD are charged with serious offenses, particularly sex offenses.
 - Lisa D'Angelo will discuss the recommendation with Chief State's Attorney Patrick Griffin to gauge his support.
- Recommendation: Increase time limits from clinical evaluation to proposed support plan recommendation.
 - O'Connor expressed confusion, noting that the current SDP program does not include a statutory timeframe.
 - Waggoner concurred and suggested removing the recommendation.
 - Zito noted that if CSSD were responsible for the program, the agency would determine the time needed to develop an appropriate plan.

- Gary Roberge agreed, adding that while CSSD would aim to conduct evaluations in a timely manner, the process may initially take longer than in other SDP cases.
 - Zito and Dr. Walker proposed an alternative framing, suggesting that courts be advised that clinical evaluations may require additional time and flexibility due to the challenges individuals with I/DD may face in complying with instructions.
 - Dr. Walker will draft revised language for this recommendation.
- Recommendation: Structure a program which provides individualized attainable goals in stages (e.g., milestones).
 - No comments on the existing language; consensus reached.
- Recommendation: Provide incentives for goal and program completion.
 - Howard Sovronsky raised that there are currently limited community-based services available for this population.
 - Tom Canny added that, regarding the Commission's I/DD diversionary program proposal last year, both DDS and CSSD testified that they lacked adequate resources to support such a program.
 - Hono suggested examining how other jurisdictions provide and fund services for this population.
 - Canny asserted that CSSD does not have internal expertise in serving individuals with I/DD.
 - Katie Farrell proposed that DDS might be the most suitable agency to administer the program.
 - Dr. Walker, Waggoner, and Zito recommended removing the recommendation entirely, noting that it is overly specific.
- Recommendation: Connect individuals with post diversion services in the community after release, as resources allow.
 - Members agreed to clarify that post diversion services should be voluntary.
- Recommendation: Independently evaluate the I/DD diversion program.
 - No comments on the existing language; consensus reached.
- Recommendation: Conduct further research into behaviors individuals with I/DD exhibit that result in criminal charges.
 - Howard Sovronsky noted the importance of analyzing not only crime data, but also the underlying behaviors that lead to such crimes.

- c. Vote to send report and recommendations to the full Commission
 - Commission staff will produce a final draft of the recommendations based on today's discussion and will circulate the draft via email.

IV. OTHER BUSINESS

- Zito adjourned the meeting at 2:37 PM.