

CONNECTICUT SENTENCING COMMISSION

Mental Health Committee

Monday, May 4, 2026

1:00 – 2:30 PM

<https://uconn-edu.zoom.us/j/93016858268>

Members Present: John Santa (vice chair of Commission), Judge Courtney Chaplin, Gary Roberge, Tom Canny, Bill O'Connor, Jessica Waggoner, Jessica Thomas

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

Guests: Rachel Mirsky, Lisa D'Angelo, Jill Kennedy

MINUTES

I. MEETING CONVENED

- Judge Courtney Chaplin convened the meeting at 1:05 PM.

II. APPROVAL OF MINUTES FROM THE 3.23.2026 MEETING

- The minutes from the 3.23.2026 meeting were approved.

III. INTELLECTUAL AND DEVELOPMENT DISABILITIES REPORT RECOMMENDATIONS

a. Update from full Commission meeting on April 8

- Rich Sparaco provided an update on the actions taken by the full Commission on April 8 regarding the I/DD recommendations.
 - At the meeting, Jennifer Zito presented the recommendations.
 - Patrick Griffin, Natasha Pierre, Bill Dyson, and Judge David Gold raised concerns. Such concerns included:
 - Data reporting requirements
 - Fiscal impact of a potential diversionary program
 - Broadening eligibility for a potential I/DD diversionary program beyond the existing Supervised Diversionary Program
 - The Commission tabled consideration of the recommendations and directed the Mental Health Committee to resolve outstanding issues.

- Since the April 8 meeting, Commission staff have worked to estimate the usage and costs of a potential program.
- b. CTSC staff update on fiscal costs from other jurisdictions
 - Matt Hono provided an update on the Commission staff's research.
 - Staff attempted to determine the usage and cost of a potential I/DD diversionary program by examining data from CT state agencies; information about diversionary programs in other jurisdictions; academic research on the prevalence of I/DD in prisons; and the fiscal note from 2025 House Bill 7259, which would have established an I/DD diversionary program.
 - These sources reported a wide range of prevalence estimates, but staff concluded that the number of participants would likely not exceed 50 per year.
 - Commission staff will meet with DDS to obtain more accurate cost estimates.
 - Jessica Waggoner asked how many defendants have participated in SDP, and of those participants, how many were in DOC custody upon program admission.
 - Gary Roberge will provide those numbers to Waggoner.
 - Waggoner also asked about the eligibility criteria used in Maricopa County, Arizona.
 - Bill O'Connor asked what percentage of individuals undergoing bail interviews self-reported having an I/DD.
 - Roberge responded that the percentage is currently unknown.
 - Matt Hono noted that the way the question is framed, along with the reliance on self-reporting, may lead to undercounting.
 - O'Connor also asked whether services provided through the program could be covered by Medicaid.
 - Rachel Mirsky responded that participants would likely qualify for Medicaid, but coverage would depend on the specific services offered through the program.
 - Roberge highlighted the difficulty of accurately estimating program usage and expressed concern about the fiscal impact of underestimation.
 - John Santa wondered whether the Commission could estimate the potential savings generated by an I/DD diversionary program.
 - Waggoner reported that the I/DD diversionary program in Maricopa County only admits defendants who have committed a low-level felony, have little criminal history, and are at low risk of reoffending.

- The program primarily provides CBT treatment and may coordinate with Arizona's equivalent of DDS to address individualized needs.
- c. Review edits received
 - No edits were received.
- d. Discussion
 - Lisa D'Angelo reported concerns from the Division of Criminal Justice, including:
 - Lack of capacity to collect data as outlined in the recommendations.
 - Presumption of outpatient competency restoration for individuals with I/DD regardless of charge.
 - Eligibility for an I/DD diversionary program regardless of charge.
 - Rich Sparaco and Tom Canny raised a distinction between eligibility and suitability; individuals who are eligible for a diversionary program may not be suitable.
 - Rachel Mirsky referred members to a chart in the report outlining excluded offenses in other jurisdictions. She also underscored that CT does not collect data on the types of crimes committed by individuals with I/DD.
 - Mirsky emphasized that this population is unique and may warrant individualized considerations.
 - Bill O'Connor agreed, cautioning against excluding individuals based solely on the charged offense.
 - He noted that individuals with I/DD are sometimes charged with serious offenses and suggested that courts should retain discretion to assess suitability on a case-by-case basis.
 - Rich Sparaco suggested limiting exclusions to the most serious offenses, such as murder.
 - Mirsky indicated that while she does not personally agree, this approach could represent a potential compromise.
 - Matt Hono reported that high-level felony arrests appear to be rare for individuals with I/DD.
 - O'Connor cited a case of an individual with ASD at Whiting who committed a murder.
 - Waggoner expressed concern that disagreements over excludable offenses could delay implementation of the program.

- She suggested that mirroring the existing SDP framework may serve as an acceptable compromise.
 - D'Angelo reported that DCJ would endorse this approach.
 - O'Connor reiterated his view since the population is unique, the program should be unique.
 - Hono suggested removing only arson and sex offenses from the list of excluded offenses.
 - Hono also noted concerns raised by Natasha Pierre regarding repeated program use.
 - Tom Canny explained that individuals may only use SDP twice.
 - O'Connor and Mirsky argued that, because I/DD is a lifelong disability, courts should have discretion to permit program participation more than twice.
 - Commission staff will research exclusion criteria in other states.
- e. Vote to send recommendations to the full Commission
- No action was taken on this agenda item.

IV. OTHER BUSINESS

- The Committee agreed to hold a follow-up meeting on May 19, from 1-2:30 PM.
- Rich Sparaco adjourned the meeting at 2:14 PM.

2026 Meeting Schedule

May 19

August 3

October 5

December 7