



CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS



Reply to:

MINUTES OF MARCH 15, 2000

Present: Linda François, Joe Wincze, Richard DeParle, Sonja Devitt, Judith Rothschild, Suzanne Colasanto, Jeffrey Hammer, Richard Tenebaum, David Pels, Chris Morano, Gerard A. Smyth, Deborah DelPrete Sullivan, Carolyn A. Comerford, Sandra Desrosiers, Jessie F. Bennett, Keith Currier, Raphael Podolsky, Morris Czaczkes, Cynthia Teixeira, Michael J. Flynn

1. Preliminary Matters. The meeting was called to order at 2:15 p.m. The minutes of December 15, 1999 were approved.

2. Housing Court Operations Reports.

a. Housing Prosecutors

i. G. Smyth, Chief Public Defender, reported on the role of public defenders (PD's) in housing court. Eligibility is determined under both an assets test and an income test. Only cases where there is a risk of incarceration is there a right to free representation if cannot afford counsel. No PD's are for housing only. Minimal numbers of housing cases reported. 1998-99- 6 felony cases: 2 guilty pleas, 2 nolles. 16 misdemeanor dispositions: 4 guilty, 12 nolles. Previous year 10 felony dispositions: 5 guilty, 5 nolles and 13 misdemeanor dispositions: 1 guilty, 12 nolles. J. Rothschild thought numbers low. Except Waterbury, all housing courts have PD's on site. Some problems reported by council members in Bridgeport and New Britain, other sites no problems reported. If prosecutor doesn't intend to seek incarceration, PD not required. Discussion re: differing procedures from court to court in determining necessity of PD. J. Rothschild reported making determination early based on affidavits and file. C. Morano believes best if judge and defendant make determination. S. Colasanto reported in New Haven judge advises defendants fully. Discussion re: advisement of rights in different JDs; efficacy of posting of notice. Preferred process:

- 1.) advisement to criminal defendants as a group - tailor language to address issue;
- 2.) post printed notice
- 3.) meet with prosecutor
- 4.) clerk give a notice to be given to PD with next court date and docket # - meet with PD to take application to determine if qualified
- 5.) meet with Judge, Prosecutor and PD to ask if risk of incarceration; If none, deny application.

ii. New Prosecutor training. C. Morano reported 1.) new prosecutor will visit other housing prosecutors around the state to observe how matters are handled. 2.) New prosecutor will be teamed with J. Rothschild. 3.) Trial advocacy class available; and 4.) Quarterly meetings of housing prosecutors will be held. R. Podolsky stated it might be useful to have new prosecutors sit in on police training sessions on housing. C. Morano agrees that it may be useful to have the short housing prosecutor manual (8-10 years old) updated.

iii. Police Training

- a. Hartford has no established process. West Hartford offers free training system - 16 weeks of classes 1-2 hr. long. Teachers must be attorneys, teach 1 day every other week and submit course outline by June.
- b. Capital Region Chief of Police Course available to 39 municipalities. Teachers must make 3 year commitment.
- c. Police academy initial training. Desirable to have housing prosecutor teach there. J. Rothschild stated that most officers have never heard of landlord/tenant issues, ones that have appreciate a refresher course. Can use private attorney but none will be expert in criminal prosecution. J. Rothschild is doing some training at police academies, but the State academy does not have it in curriculum. Recommend we request landlord/Tenant criminal matters be included. Motion made and carried. R. Podolsky to contact them.

iv. Waterbury lockout and detainer actions. Counsel input well received; J. Rothschild asked to come and give classes.

v. Eastern Connecticut Prosecutor. M. Czaczkes met with Keith Currier, new prosecutor. Found him to have too many masters. C. Morano will try to resolve conflicts. R. Podolsky cited that statute that created Housing Prosecutors placed them under the Chief States Attorney not under individual States Attorneys. It was deliberately designed to be centralized because of the history of complaints of no accountability. Outreach function of housing prosecutors involves time that is not case handling time. Housing is supposed to take priority over other matters.

vi. Tracking housing cases can be done in housing courts. Tracking in G.A.'s can be done by statute designation. R. Podolsky will contact Larry D'orsi regarding this.

b. Housing Clerks

i. and ii. Telephone/Website issues. (S. Colasanto) Nothing more can be done but website will significantly cut down on phone calls. By end of July 2001 will have computer system done. Currently waiting for all clerks to have access to computer system. Motion made and carried to encourage director of court operations to have computers up and running sooner. H. Lowry will contact V. Feigenbaum.

iii. Pamphlets - S. Colasanto reported Tenants Guide partially translated, waiting for update of english version. Existing english version updated 7/99. R. Podolsky to contact Joe DelCampo. Also waiting for Rights & Responsibilities of Landlords and Tenants. Tenant booklet is now on website.

c. Housing Specialists.

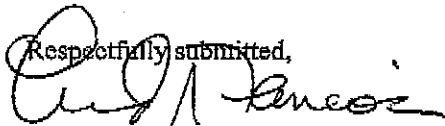
- i. Still seeking computers. C. Teixeira to contact H. Lowry.
- ii. Yale doesn't have staff to do mediation clinic.

3. 2000 Landlord - Tenant Legislation

No controversial housing matters.

Meeting adjourned at 4:00 p.m.

Respectfully submitted,



Linda P. François, Secretary