

Behavioral Health Sub-Committee

Criminal Justice Policy Advisory Commission
Criminal Justice Policy and Planning Division
Connecticut Office of Policy and Management

May 9, 2024

9:30 am – 11:00 am

(Russell Hall, CVH, Room 217-A; and TEAMS)

Minutes

1. Introductions/Roll call

Present: Michael Aiello, Thomas Burr, Kirk Lowry, William O'Connor, Patricia O'Rourke, Alex Tsarkov, Maia Carpentino (guest, Robinson+Cole Government Relations Group).

Apologies from: Judy Dowd, Kevin Lawlor, Dave Rentler

2. Approval of minutes of meeting on March 14, 2024 → approved without corrections

3. Legislative updates

- a. HB 5500 – competency to stand trial and supervised diversionary program → passed without SDP provision
- b. HB 5415 – criminal protective orders for victims of insanity acquittees → content ended up in HB 5500
- c. HB 5509 – PSRB → did not make it out of committee
- d. SB 423 – lowering blood alcohol limit for DUI charge → not passed
- e. SB 370 – peer-run respite → did not advance beyond senate calendar

4. Competency to stand trial challenges

Reena Kapoor reported that Whiting continues to see an increase in competency restoration admissions. Presented data and hypotheses about what factors may be contributing to increase, including more not competent findings in the springtime and more CST court orders, especially from Bridgeport/Stamford courts. Approximately 35% of CST restoration cases are facing only misdemeanor charges.

5. Risk protection orders: <https://ctmirror.org/2024/04/14/ct-red-flag-law-risk-protection-analysis/>

The group discussed the CT Mirror article and agreed that RPOs are important for members to explore, but developing a unified position is challenging because of competing interests (civil liberties, public safety, potential bias against individuals with mental illness).

6. Agency updates

Public defenders – Insanity defense appears more popular, with 7 possible cases in 2024 so far in Hartford, New London, and Middletown.

NAMI – Celebrating the telehealth bill; the sunset provision is gone, which will improve access to care. MH parity bill did not advance through Insurance and Real Estate committee. NAMI Walk is on 5/18, which is always a great event.

Sentencing Commission – MH subcommittee meeting on 5/28, full commission on 5/16. DRCT plans to present on Autism Spectrum Disorders in the CJ system. Yale SEICHE is recruiting participants for study of access to MH care post-incarceration. CST report is in progress, also doing background research for report on jail diversion. Report in intellectual disabilities with DRCT is expected by mid-2025. Patricia O'Rourke attended an excellent conference hosted by the Sozosei Foundation on criminalization of mental illness.

CLRP – Continue to represent clients at Whiting and CVH, including recent case of person with ID/ASD committed to Whiting after being found non-restorable. Worked out due process for transfers from DOC to DMHAS facilities.

DMHAS: Enhanced Forensic Respite Bed program has expanded to 7 beds. Working to expand referrals to CSSD and PD social workers to maximize utilization of the existing beds. Plan is to expand to 16 total beds later this year.

7. CJPAC: Next meeting TBD

8. BHS Scheduled Meetings: 9:30am – 11:00am [Russell Hall, CVH, Room 217-A and Teams for those unable to attend in person]

- a. July 11, 2024
- b. September 12, 2024
- c. November 14, 2024