

Behavioral Health Sub-Committee

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

November 9, 2023

9:30 – 11:00 am

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

Minutes

In attendance: Michael Aiello (CSSD), Christopher Burke (DMHAS), Thomas Burr (NAMI-CT), Judy Dowd (OPM), Reena Kapoor (DMHAS), Thomas Kocienda (DOC), Kirk Lowry (CLRP), William O’Connor (Pub Def), David Rentler (Parole)

Guests: Judge Robin Pavia (CT Sentencing Commission), Alex Tsarkov (CT Sentencing Commission), Patricia O’Rourke (CT Sentencing Commission)

- 1. Members and guests introduced themselves.
- 2. Minutes of the September 14, 2023, meeting were approved with one correction made by Michael Aiello.
- 3. Enhancing use of jail diversion programs

Chris Burke shared updates on the Sequential Intercept Map for CT, which now includes a comprehensive list of programs at Intercepts 0-2 programs. Chris also shared jail diversion data from FY23, which shows completion of 8505 mobile crisis evaluations, 1264 jail diversion evaluations through DMHAS/PNPs, 5500 individuals enrolled in the impaired driving intervention program, and 2975 individuals served through CSSD’s Jail Re-Interview program.

Judge Pavia noted the need for more communication with stakeholders at the courthouses, who may not realize there are so many options and resources for diversion. The group discussed ideas for creating a website or brochure of services once the SIM Map is completed, as well as a previous practice of regular meetings between judges, public defenders, prosecutors, and jail diversion personnel. Alex Tsarkov noted that the Sentencing Commission is happy to help with dissemination of information about jail diversion, and they are working on a report in the next quarter. David Rentler noted that Parole already has a compendium of programs that could contribute to the SIM Map Intercepts 4-5, though it needs some updating.

Chris Burke will continue to lead the SIM MAP work group and will update the group on progress at the next meeting in January.

- 4. Competence to stand trial
 - Alex Tsarkov stated that the Sentencing Commission wants to put forth legislation for the upcoming session. The goal is to focus on misdemeanor cases and alternatives to inpatient restoration. The Commission is also working with DMHAS on a Competence to Stand Trial report, with a goal to complete this in advance of the legislative session. Reena Kapoor noted that DMHAS is working on a Memorandum of Understanding with Judicial to obtain data on CST orders for the past 10 years, but this has been slow to progress. Next week, there will be a panel on CST at the Sentencing Commission Symposium in which Reena Kapoor, William O’Connor, Kevin Lawlor, and Judge Harmon will participate.
- 5. 1115 Waiver for DOC reentry transitional case management services

Judy Dowd noted that reentry services will be Medicaid eligible under the new 1115 Medicaid waiver for justice involved individuals and will cover inmates 90 days pre-release. The revenue generated by providing services for this newly eligible population will be required to be reinvested in re-entry services. Alex Tsarkov suggested that a presentation to MH subcommittee of the Sentencing Commission could

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be helpful, as not all members of that group have been involved with the statewide planning meetings with DSS.

6. Agency updates

CSSD: Mike Aiello stated that the agency continues to move forward with the REACH program for pretrial defendants, which will involve 5 apartments (10 beds), likely for April 2024. The agency is also considering how to bring more mental health services to the January Center and about a women’s recovery house to use as step-up or step-down from other programs.

Public Defenders: Bill O’Connor has been trying to get the word out about misdemeanor competency diversion, soliciting feedback from social workers in the GA courts. They are also working on including people with intellectual disabilities in the Supervised Diversionary Program statute. The agency would also like for DDS to do periodic reviews of competency for DDS clients who have been found non-restorable, based on a case earlier this year where a DDS client was sent to Whiting for restoration after a periodic review evaluation.

DOC: none

Parole: David Rentler stated that they have an RFP out for a women’s program with mental health supports.

NAMI: Thomas Burr stated that NAMI has scheduled 5 legislative forums, where have been moved up to November. Diverting people from CJ is one of NAMI’s three advocacy pillars.

CLRP: Kirk Lowry stated that CLRP continues to represent clients at Whiting/Dutcher. They worked on a policy/practice for *Vitek* hearings for individuals transferring to Whiting/CVH at the end of their criminal sentence.

Sentencing Commission: Alex Tsarkov invited everyone to the Symposium next week. The Commission has also been asked by the Chairman of the Judiciary Committee to work on compassionate parole and bail reform, so a trip to New Jersey is planned to learn from their bail system.

OPM: (see above for 1115 Waiver project)

DMHAS: Reena Kapoor reported on the PSRB work group, which continues to meet. The “new Whiting” architectural study is also underway. Chris Burke reported on site visits to the community forensics programs, as well as the expansion of Recovery Coaches for individuals being released from DOC. The agency has connected 218 people to recovery coaches upon release. The agency is also rolling out an expansion of the Enhanced Forensic Respite Program in New Haven, and there is a meeting on 11/21 with court personnel.

7. CJPAC: Next meeting December 21, 2023

8. Scheduled meetings of the Behavioral Health Subcommittee (9:30 – 11:00 am):

- January 18, 2024
- March 14, 2024
- May 9, 2024
- July 11, 2024