

Act Number: 09-162
Bill Number: 6343
Senate Pages: 5669, 5701-5703 4
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Committee: Judiciary: 6084, 6090-6091 3

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

**VOL. 52
PART 17
5352 – 5682**

mhr
SENATE

265
June 2, 2009

There is a motion on the floor to place Calendar Number 606 on the Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, on Calendar Page 9, Calendar 621, House Bill 6467 is marked go. Continuing on Calendar Page 9, Calendar 619, House Bill 6343. Mr. President, would move to place that item on the Consent Calendar.

THE CHAIR:

There is a motion on the floor to place Calendar Number 619 on the Consent Calendar. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Continuing on Calendar Page 9, Calendar 626, House Bill 6476. Mr. President, would move to place that item on the Consent Calendar.

THE CHAIR:

There is a motion on the floor to place Calendar Number 6 -- you got 626 here --

[HB6476]

SENATOR LOONEY:

Yeah, 626, Mr. President.

THE CHAIR:

-- on the Consent Calendar. Seeing no objection,

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**CONNECTICUT
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SENATE**

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Mr. Clerk, please call Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the chamber.

Mr. President, those items placed on the Second Consent Calendar --

THE CHAIR:

Mr. Clerk, please hold for a second.

I'm trying to hear the Clerk call the Consent Calendar and I'm sure you don't want to miss that vote either, so if I could have your attention and quiet, please.

Mr. Clerk.

THE CLERK:

The items placed on the Second Consent Calendar begin on Senate Agenda 1, substitute for House Bill 6486, substitute for House Bill 6649. Senate Agenda Number 3, House Bill 6394. Today's Calendar, Calendar Page 3, Calendar 317, Senate Bill 586; Calendar Page 4, Calendar 455, House Bill 5018; Calendar Page 7, Calendar Number 593, Substitute House Bill 5286; Calendar Page 8, Calendar 606, substitute

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for House Bill 5883; Calendar Page 9, Calendar 619,
House Bill 6343; Calendar 626, House Bill 6476;
Calendar 629, substitute for House Bill 6232; Calendar
Page 10, Calendar 634, House Bill 6544; Calendar 636,
substitute for House Bill 6483; Calendar Page 11,
Calendar 649, substitute for House Bill 6466; Calendar
Page 13, Calendar 663, substitute for House Bill 5254;
Calendar Page 15, Calendar 680, substitute for House
Bill 5821; Calendar Page 16, Calendar 684, House
Bill 6231; Calendar Page 17, Calendar 689, substitute
for House Bill 5421; Calendar Page 18, Calendar 695,
substitute for House Bill 6419; Calendar Page 19,
Calendar 699, substitute for House Bill 6284; Calendar
Page 21, Calendar 711, House Bill 5099; Calendar 712,
substitute for House Bill 6025; Calendar Page 22,
Calendar 718, substitute for House Bill 5861; Calendar
Page 23, Calendar 720, substitute for House Bill 5108;
Calendar Page 32, Calendar 450, House Bill 6233;
Calendar 467, substitute for Senate Bill 1031; and,
Calendar Page 35, Calendar 205, substitute for Senate
Bill 948. Mr. President, that completes the items
placed on the Second Consent Calendar.

THE CHAIR:

Will you please call the Consent Calendar? The
machine will be open.

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THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be closed. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 2:

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, would move for immediate transmittal to the House of Representatives of any items voted on, on Consent Calendar Number 2, requiring additional action by the

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Absent and not voting 15

SPEAKER DONOVAN:

The bill as amended is passed. Will the Clerk please call -- excuse me. Is there any announcements or introductions? Representative Cook.

REP. COOK (65th):

Thank you, Mr. Speaker. Mr. Speaker I rise for the point of introduction.

SPEAKER DONOVAN:

Please proceed, madam.

REP. COOK (65th):

I would like to introduce my friend Glen McCloud. He is here from Torrington. Also representing AT&T with the CWA 1298 Union. I would like to give him a warm welcome.

SPEAKER DONOVAN:

Welcome to the chamber. Thank you, Representative. Will the Clerk please call calendar 473.

THE CLERK:

On page 19, Calendar 473, House Bill number 6343,
AN ACT CONCERNING TEMPORARY LEAVE ORDERS ISSUED BY THE
PSYCHIATRIC SECURITY REVIEW BOARD, favorable report of
the Committee on Judiciary.

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DEPUTY SPEAKER ORANGE:

Representative Lawlor. My good friend, you have the floor, sir.

REP. LAWLOR (99th):

Good afternoon, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Good afternoon, sir.

REP. LAWLOR (99th):

Madam Speaker I move acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER ORANGE:

The question is acceptance of the Joint Committee's favorable report and passage of the bill. Will you remark sir?

REP. LAWLOR (99th):

Thank you, Madam Speaker. This bill gives an additional to the Psychiatric Security Review Board to provide enhanced supervision of persons under their supervision who may be entitled to a temporary release into the community. So the bottom line is this just gives them clear authority in the statute to provide additional supervision and monitoring of persons who may be out on a day pass or anything along those lines. So it's a public safety bill, Madam Speaker

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and I urge passage of the bill.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? Representative O'Neill of the 69th, you have the floor, sir.

REP. O'NEILL (69th):

Yes. Thank you, Madam Speaker. This is indeed a bill which actually increases the amount of supervision that's given to people who have been acquitted due to some mental disease or defect and who have been placed in the custody of the Psychiatric Security Review Board. And these are folks who currently are in fact eligible for the temporary release but this would make it clear that they are in fact subject to supervision while they are on such release. And it is an increase in the amount of supervision that the state is able to provide. So I believe it is well worth passage. Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? If not, will staff and guests please come to the well of the

House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber please.

DEPUTY SPEAKER ORANGE:

Have all members voted? Have all members voted? Will members please check the board to be sure your vote has been properly cast. If so the machine will be locked and the Clerk will take a tally. And the Clerk will announce the tally please.

THE CLERK:

House Bill 6343	
Total number voting	136
Necessary for passage	69
Those voting Yea	136
Those voting Nay	0
Those absent and not voting	15

DEPUTY SPEAKER KIRKLEY-BEY:

The bill passes. Will the Clerk please call Calendar number 482.

THE CLERK:

On page 19, Calendar 482, substitute for House

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 19
5934 - 6284**

2009



M. JODI RELL
GOVERNOR

STATE OF CONNECTICUT
DEPARTMENT OF MENTAL HEALTH
AND ADDICTION SERVICES
A HEALTHCARE SERVICE AGENCY

THOMAS A. KIRK, JR., Ph.D.
COMMISSIONER

Testimony of Michael Norko, M.D.
Director of Forensic Services
Department of Mental Health and Addiction Services
Before the Judiciary Committee
March 24, 2009

Good afternoon, Senator McDonald, Representative Lawlor, and distinguished members of the Judiciary Committee. I am Dr. Michael Norko, Director of Forensic Services for the Department of Mental Health and Addiction Services, and I am here today to speak in support of H.B. 6341, An Act Concerning Competency to Stand Trial and H.B. 6343, An Act Concerning Temporary Leave Orders Issued by the Psychiatric Security Review Board, which will be addressed by Ellen Weber Lachance of the Psychiatric Security Review Board in her testimony.

H.B. 6341 proposes several amendments to Sec. 54-56d of the C.G.S. related to competency to stand trial. In short, these amendments are intended to: (1) improve treatment provided to restore competency to stand trial by increasing clinical information available to hospital treatment teams; (2) create an expanded opportunity for a rapid treatment option that may pre-empt lengthier and far more costly admissions; and (3) improve the quality of reports and testimony by our evaluators to the superior courts.

Related to the first item, we are requesting that our court clinic teams be able to transmit the clinical information they gather during their evaluation to the hospital when the court orders the



STATE OF CONNECTICUT

PSYCHIATRIC SECURITY REVIEW BOARD

Testimony of Ellen Weber Lachance, Executive Director Psychiatric Security Review Board Before the Judiciary Committee March 24, 2009

Good afternoon, Sen. McDonald, Rep. Lawlor and distinguished members of the Judiciary Committee. My name is Ellen Weber Lachance, and I am the Executive Director of the Psychiatric Security Review Board (PSRB). I am here today to speak in support of H.B. 6343, An Act Concerning Temporary Leave Orders Issued by the Psychiatric Security Review Board.

As you are aware, The Psychiatric Security Review Board has jurisdiction over all persons found not guilty of a crime by reason of mental disease or defect. The PSRB is composed of six members, chosen for their expertise and appointed by the Governor to serve four-year terms. Individuals are committed to the PSRB by the Superior Court and the PSRB, in turn, orders their confinement to either the Department of Mental Health and Addiction Services at Connecticut Valley Hospital (CVH) or a facility determined by the Department of Developmental Services. There are currently 151 individuals under the PSRB's jurisdiction.

The Board's statutory mandate is the protection of society, and that goal is accomplished through Board-ordered treatment and placement of those individuals committed to its jurisdiction. When it is determined that an acquittee can begin a safe transition to the community, the Board approves a request for Temporary Leave (Sec. 17a-587). Simply defined, Temporary Leave permits acquittees to leave CVH without staff supervision. CVH maintains primary responsibility for an acquittee's treatment while on Temporary Leave. When safe and appropriate, that acquittee is then discharged from CVH on Conditional Release (Sec. 17a-588) and primary clinical responsibility is transferred from the hospital to a community provider.

Under the PSRB's current statutory authority, the Board may order probation supervision when an acquittee is on Conditional Release, but it may not order probation supervision while Temporary Leave. The PSRB usually orders probation supervision when there is a concern regarding problem sexual behavior or

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when risk management dictates increased monitoring. On average, approximately one person per year is ordered probation supervision

By modifying the PSRB's statute, supervision by a probation officer may be ordered earlier in the recovery process during Temporary Leave. The modification would enhance public safety by increasing supervision and risk management tools available to acquirtees transitioning to the community

This statutory change is a recommendation from the Governor's Insanity Acquittee Review Committee report dated September 10, 2008, and it has the support of the Department of Mental Health and Addiction Services, Court Support Services Division of the Judicial Branch, the Chief State's Attorney and the Office of the Public Defender. Favorable action will assist the Board in ensuring the appropriate and safe management of insanity acquirtees.

Thank you for the opportunity to address the Committee in support of this bill. I would be happy to take any questions you may have at this time.