#### PA10-030

#### HB5252

House	686-694	9
Judiciary	631-632, 634-635, 856, 857	6
Senate	1557-1562, 1779-1781	9
		24

## H - 1075

## CONNECTICUT GENERAL ASSEMBLY HOUSE

# PROCEEDINGS 2010

VOL.53 PART 3 595 – 894 DEPUTY SPEAKER ORANGE:

Members take their seats. The machine will be open.

THE CLERK:

The <u>House of Representatives is voting by roll</u>
<u>call.</u> Members to the chamber. The House is voting by roll call. Members to the chamber, please.

Have all members voted? Have all members voted? Please check the board to be sure that your vote has been properly cast. And if all members have voted, the machine will be locked and the Clerk will take a tally. And will the Clerk please take a tally.

THE CLERK:

House Bill 5254.

Total Number voting 148
Necessary for adoption 75
Those voting Yea 131
Those voting Nay 17
Those absent and not voting 3

#### DEPUTY SPEAKER ORANGE:

#### And the bill passes.

Will the Clerk please call Calendar Number 59. THE CLERK:

On page 5, Calendar 59, <u>House Bill Number 5252</u>,
AN ACT CONCERNING THE PRETRIAL ALCOHOL EDUCATION

April 13, 2010

93

PROGRAM AND THE PRETRIAL DRUG EDUCATION PROGRAM, favorable report of the Committee on Judiciary.

DEPUTY SPEAKER ORANGE:

Representative Fox, you have the floor, sir. REP. FOX (146th):

Thank you, Madam Speaker.

I move for acceptance of the joint committee's favorable report and passage of the bill.

The question is on acceptance of the joint favorable report and passage of the bill. Will you remark?

REP. FOX (146th):

DEPUTY SPEAKER ORANGE:

Thank you, Madam Speaker.

This bill comes to us through DMHAS as well as our LCO attorneys. It makes minor changes in the wording throughout the pretrial alcohol education program and the pretrial drug education program.

For those who are not familiar, the pretrial alcohol education program is the program that deals with first-time individuals who are charged with driving under the influence. The drug education program deals primarily with first-time offenders of either drug possession or possession of drug

94 April 13, 2010...

paraphernalia charges.

The bill really addresses many minor technical changes that were requested. An example of those technical changes are, throughout the statutes, the alcohol education program is often referred to as the alcohol education system. What this does is it just changes that back to program just to ensure some clarity in how we're dealing with this.

Madam Speaker, the Clerk does have an amendment, LCO Number 3317. I ask that that be called and I be permitted to summarize.

#### DEPUTY SPEAKER ORANGE:

Will the Clerk please call LCO Number 3317, designated as House "A."

#### THE CLERK:

And LCO Number 3317, <u>House "A</u>," offered by Representative Lawlor.

#### DEPUTY SPEAKER ORANGE:

The Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Fox, you have the floor, sir.

### REP. FOX (146th):

Thank you, Madam Speaker.

What this amendment does is it further clarifies with additional technical changes the underlying bill. It was requested after the original bill was drafted, and I urge adoption of the amendment -- or passage of the amendment.

#### DEPUTY SPEAKER ORANGE:

"The question is on adoption of House Amendment Schedule "A." Will you remark on House "A?"

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

If I could, perhaps just a few questions to the proponent of the amendment.

#### DEPUTY SPEAKER ORANGE:

Please proceed, sir.

REP. O'NEILL (69th):

And thank you, Madam Speaker.

In terms of -- it's been described as a technical amendment to a really technical bill, and I was wondering, though, if perhaps it could be a little bit more -- and by way of an explanation as to what some of these details are that were discovered by the staff as they were reviewing the bill, the screening people that went through this and picked up some of the -- a

96 April 13, 2010

few examples of the kinds of changes we're talking about here.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fox.

REP. FOX (146th):

Thank you, Madam Speaker.

And through you, as I understand it, the bill had been drafted, and then while it was being screened, there were some areas that were observed that did not include, for example, the same change that I referenced earlier, where it says, alcohol education resystem, was referenced where it should have been, alcohol education program.

So it's changes like that, that as I understand it, this amendment includes.

**DEPUTY SPEAKER ORANGE:** 

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

Perhaps the gentleman could look at lines 134,
'5, '6 and 137. It looks on the face of it as though
that is not the same kind of technical change as in
some of the other areas where it's obviously a very

97 April 13, 2010

technical change.

And I'm just wondering if, since it seems to have some fiscal impact, is there a fiscal note on this amendment, and particularly with respect to this particular section, since it involves the waiver of fees for programs?

Thank you. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fox.

REP. FOX (146th):

Thank you, Madam Speaker.

Through you, this section does include a clarification as to how the court can waive fees when an individual is found to be indigent. I do know that the courts do do this as a matter of course, and that, you know, they do waive fees anyway. So I think what this does is it just perhaps give them authorization to do that.

I was just handed, if I may, a fiscal note which does say that the state impact is none and that the amendment makes technical and conforming changes to the underlying bill and has no fiscal impact. And I'd be happy to share this with the distinguished ranking member.

98 April 13, 2010

DEPUTY SPEAKER ORANGE:

Thank you, sir.

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Madam Speaker.

I don't believe that will be necessary. The explanation of the fiscal note is clear. I think it really was just that one section where it looked like there was a change that might have an impact. I mean, there's a similar section in lines 312 through 315 where, again, it authorizes the court to waive fees in the event a person is deemed to be indigent under the Section 5456 K.

Again, is that something which is currently being done by the courts without actual statutory authorization? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Fox.

REP. FOX (146th):

Through you, Madam Speaker, I -- yes. I have seen that, those fees waived. So --

DEPUTY SPEAKER ORANGE:

Representative O'Neill.

REP. O'NEILL (69th):

99 April 13, 2010

Thank you, Madam Speaker.

It appears then that this is a truly technical amendment to a fairly technical bill and should be approved. Thank you.

#### DEPUTY SPEAKER ORANGE:

Thank you, sir.

Will you care to remark further on the amendment?
Will you care to remark further on the amendment? If
not, I will try your minds. All those in favor,
please signify by saying, aye.

#### REPRESENTATIVES:

Aye.

Ξ.

#### DEPUTY SPEAKER GODFREY:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Will you care to remark further on the bill as amended? Will you care to remark further on the bill as amended? If not, staff and guests please come to the well of the house. Members take their 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.

O.

100 April 13, 2010

### DEPUTY SPEAKER ORANGE:

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

#### THE CLERK:

House Bill 5252 as amended by House "A."

147

Total Number voting 147
Necessary for adoption 74

Those voting Nay 0

Those absent and not voting 4

## **DEPUTY SPEAKER ORANGE:**

Those voting Yea

Thank you, Mr. Clerk. The bill passes as amended.

Will the Clerk please call Calendar Number 133. THE CLERK:

On page 11, Calendar 133, House Bill Number 5320,
AN ACT CONCERNING THE ENFORCEMENT OF PROHIBITED
ACTIONS CONCERNING CERTAIN INVASIVE PLANTS, favorable
report of the Committee on Environment.

#### DEPUTY SPEAKER ORANGE:

Representative Roy, you have the floor, sir.

# S-602

## CONNECTICUT GENERAL ASSEMBLY SENATE

# PROCEEDINGS 2010

VOL. 53 PART 5 1267 – 1608

Ti-

April 28, 2010

going to continue to ensure that this funding is there. It is a technical bill in its nature of where the funding is going to come from, but it continues to support the current policy of not charging the victims for these DNA tests but rather having the State pick up the bill for it which is, I believe, the proper role of the State to protect the victims of sexual assault. So I stand today in favor of this bill and urge its adoption. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill as amended?

Senator McDonald.

#### SENATOR MCDONALD:

Mr. President, if there's no objection, might this item be placed on the consent calendar.

Seeing no objection, so ordered.

Mr. Clerk.

#### THE CLERK:

THE CHAIR:

Calendar page 9, Calendar Number 372, File
Number 69 and 544, House Bill Number 5252, AN ACT

cd SENATE

April 28, 2010

<u>.</u>...

CONCERNING THE PRETRIAL ALCOHOL EDUCATION PROGRAM
AND THE PRETRIAL DRUG EDUCATION PROGRAM, as
amended by House Amendment Schedule "A," favorable
report of the Committee on Judiciary.

Senator McDonald.

#### SENATOR MCDONALD:

THE CHAIR:

Thank you, Mr. President.

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the House.

#### THE CHAIR:

Question's on acceptance and passage in concurrence.

Please proceed, sir.

#### SENATOR MCDONALD:

Thank you, Mr. President.

Mr. President, this bill simply requires the Court -- the Court Support Services Division to keep certain records regarding persons who are participating in the Pretrial Alcohol Education Program for ten years as opposed to the current six years. CCSD already requires that records be kept for ten years for individuals who participate

in the Pretrial Drug Education Program, and this legislation is predominantly intended to bring our Alcohol Education Program into conformity with existing practice for drug education programs.

Thank you, Mr. President.

#### THE CHAIR:

Thank you, Senator.

Senator Kissel.

#### SENATOR KISSEL:

Thank you very much, Mr. President.

A couple questions, through you to the proponent of the bill.

#### THE CHAIR:

Please proceed.

#### SENATOR KISSEL:

Thank you, sir.

Number one, I understand that the idea is to keep it at -- sort of make it parallel with ten years for both programs as opposed to seven, but I'm wondering what the net result of that is for the people of the state of Connecticut. I mean, why would we care if these records are being kept 10 years, 15 years, 7 years? Just wondering. Through you, Mr. President.

58

cd SENATE

April 28, 2010

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

Through you, we received in the Committee

Public Hearing, as I'm sure as Senator -- Senator

Kissel will recall, the testimony of Dr. Michael

Norco from the -- who's the director of Forensic

Services at -- at the Department of Mental Health

and Addiction Services.

And it was his opinion and testimony that this legislation was necessary to really just to bring the two into conformity, because, frankly, if you think about it, alcohol is, in fact, a drug, and the Education Program's of -- for other drugs are similarly required to be retained for 10 years. I don't believe it was considered to be anything more than just bringing the two into conformity for administrative convenience. Through you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Kissel.

SENATOR KISSEL:

 $\mathbb{C}_{C}$ 

April 28, 2010

Thank you very much, Mr. President.

And I appreciate that statement. In fact, I do recall that public hearing because I remember wondering if Dr. Michael Norco was related to Judge Norco and what a family that would be if one was a judge and one was a doctor, but I never got a chance to ask them if they were all related, but I do definitely remember that afternoon. And I do believe that parity, at least as far as the holding of records, probably makes an awful lot of sense.

It's my understanding that another part of the underlying bill, as well, waives fees for indigents that -- and I believe was at the subject of the House amendment making it a waiver rather than being paid by the pretrial account, and I'm wondering if that had any fiscal note attached to it. Through you, Mr. President.

#### THE CHAIR:

Senator McDonald.

#### SENATOR MCDONALD:

Thank you, Mr. President.

Through you, the -- yes, I just want to make sure I had the right fiscal note. According to

cd SENATE

April 28, 2010

the fiscal note, there is no fiscal impact.

Through you, Mr. President.

THE CHAIR:

Senator Kissel.

#### SENATOR KISSEL:

Thank you very much, Mr. President.

That being stated, and I understand this is a Department of Mental Health and Addiction Services bill, I think there's nothing wrong with parity. There's no fiscal impact on our otherwise yawning state budget deficit, and for those reasons I have no problem supporting the bill. Thank you, Mr.

#### THE CHAIR:

Thank you, Senator Kissel.

Will you remark further?

Senator McDonald.

#### SENATOR MCDONALD:

Mr. President, if there's no objection, might this item be place on the consent calendar.

#### THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

### THE CLERK:

# S-603

## CONNECTICUT GENERAL ASSEMBLY SENATE

# PROCEEDINGS 2010

VOL. 53 PART 6 1609 – 1919

#### 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, the items placed on the first consent calendar begin on calendar page 1,

Calendar Number 485, Senate Joint Resolution

Number 45; Calendar 486, Senate Joint Resolution

Number 46.

Calendar page 8, Calendar Number 299, House
Bill number 5251.

Calendar page 9, Calendar 372, House Bill 5252.

Calendar page 10, Calendar 383, Substitute for House Bill 5249,

Calendar page 11, Calendar 402, Substitute for Senate Bill 447.

Calendar page 15, Calendar 452, Substitute for House Bill 5376; Calendar 453, House Bill 5281.

Calendar page 16, Calendar 455, House Bill 5542; Calendar 456, Substitute for House Bill

April 28, 2010

278

5247, Calendar 457, Substitute for House Bill 5406.

Calendar page 17, Calendar 464, House Bill 5530.

Calendar page 23, Calendar 75, Substitute for Senate Bill 229.

Calendar page 24, Calendar Number 98, Substitute for Senate Bill 312.

Mr. President, that completes those items placed on the first consent calendar.

#### THE CHAIR:

Thank you, Mr. Clerk.

If you would announce the vote again, the machine will be opened.

#### 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 on the consent calendar. Will all Senators please return to the chamber?

#### THE CHAIR:

Have all the members voted? Have all the members voted? The machine will be closed.

Mr. Clerk, please call the tally.

April 28, 2010

279

#### THE CLERK:

Motion's on adoption of Consent Calendar Number 1.

Total number of voting 35

Those voting Yea 35

Those voting Nay 0

Those absent and not voting 1

#### THE CHAIR:

## The consent calendar passes.

Are there any points of personal privilege or announcements?

Senator Gomes.

#### SENATOR GOMES:

I'd just like it -- thank you, Mr. President.

I'd just like it to be noted that I missed a vote today on Senate Bill 168, and I was out of the area. And if I'd been here, I would have voted in the affirmative.

#### THE CHAIR:

Thank you, sir. The Journal is so noted.

#### SENATOR GOMES:

Thank you.

#### THE CHAIR:

Any further points?

JOINT STANDING COMMITTEE HEARINGS

JUDICIARY PART 2 327 - 670

2010

10:00 A.M.

February 26, 2010

SENATOR MCDONALD: Thank you very much.

And please thank both Carmen L. Rivera, and I will thank Carmen E. Rivera for being here today. Thank you very much.

Are there any questions from -- well, actually, it's kind of hard to question the letter writer but -- but we can, but just so -- just please extend to Ms. Rivera my -- my gratitude.

Representative Gonzalez.

REP. GONZALEZ: [Spanish.]

She says that she lives for 25 years in the same building.

[Spanish.]

JOLENE GATES: Thank you very much.

SENATOR MCDONALD: Thank you.

JOLENE GATES: Thank you.

SENATOR MCDONALD: Next Dr. Norko followed by Kevin Brace.

Is Kevin Brace here?

DR. MICHAEL NORKO: Good afternoon, Senator H6549 S649 McDonald, distinguished members of the H65451 S6441 Judiciary Committee. I am Dr. Michael Norko, the director of Forensic Services for the Department of Mental Health and Addiction Services.

I'm here today to speak in favor of several bills, and I will just briefly summarize some of the key points about each of these. Before

# beginning, I'd also like express our

appreciation to the attorneys for the Legislative Commissioner's Office, who've been very helpful to us in drafting these bills

House Bill 5247 is bill about competency to stand trial. In this bill we have some minor word changes but there are three policy changes that we're proposing. All of these are in subsection (m) of the bill. This is the provision of the bill in which if an individual is found by the court to be not competent to stand trial and not restorable to competency to stand trial, then they're generally referred to the Commissioner of the Department of Mental Health and Addiction Services and civilly committed.

At the time that the person is discharged from the hospital, many courts have wanted to know from us when that occurred that the person left the hospital. And our current laws don't allow us to notify the court about that because the person just becomes a civil patient, and we're not allowed to violate the confidentiality without the person's release of information.

This bill would allow the court to order the commissioner to give a notice when the person is leaving the custody of the commissioner as long as this -- the statute of limitations had not yet run out on that person.

The bill also calls for periodic examinations of people who have been charged with crimes in which there was a serious physical injury or death to a victim, but we've had many questions from courts about wanting to include other types of crimes, such as serious sexual assaults, which are not included in the definition of serious physical injury often. So we've proposed in this bill a number of

10:00 A.M.

we're proposing in this bill that that be set to two years to make it consistent with accelerated rehabilitation, which is the program on which it was modeled.

There are also two other changes that we'd like to propose to the current draft of the bill, one of them is in the section that deals with 54-56 l subsection (d), and we'd like to propose that the last sentence of that section be deleted after discussions with CSSD. I'll be happy to answer any questions if you have for the reasons for that.

The current statute also calls for the description of a "treatment plan." That phrase has a specific meaning in behavioral health that's very complicated and requires the evaluation of a treater and a lot of information. What we're proposing in this bill is that be changed to language calling for a plan for services and treatment. We would like to propose that that language actually be further modified so that instead of saying, "a plan for services and treatment," we say simply, "a plan for treatment services."

House Bill 5252 is about the Pretrial Alcohol Drug Education Program, the Alcohol Education Program and the Pretrial Drug Education Program. And there is a number of minor wording changes throughout that. There is one technical clarification related to Section 54-56 i subsection (d) in which we'd like to see the words "the department" changed to "the Court Support Services Division" to make it clear that it's CSSD that operates the Community Service Labor Program and not the Department of Mental Health.

There's also a policy issue to which we'd like to draw your attention. The current Pretrial

Alcohol Education Program includes section 15-132a as an eligible offense. This is manslaughter in the operation of a vessel while under the influence. And we point out that the counter -- counterpart for a death that occurs in the operation of a motor vehicle while under the influence is not an eligible offense under this statute, and it's unlikely that a judge would order a Pretrial Alcohol Education Program for a boating accident that resulted in someone's death. And while DMHAS doesn't take a position on this policy, we just thought we would bring that to your attention in case you wanted to review that while you were looking at

Finally, I'd like to comment on Senate Bill 221. You've heard a lot of testimony about -- about that -- that bill today. We're grateful to have the employees of the Whiting Forensic Division of Connecticut Valley Hospital included in this bill. The employees at Whiting are hazardous-duty employees, like the correctional officers are. By statute, Whiting treats people under conditions of maximum security.

We treat folks who are in the Department of Correction either awaiting trial. We treat sentenced inmates, and we treat inmates at the expiration of their sentence. So all of the same reasons that you've heard apply to correctional officers, apply to our staff at Whiting, and we're very happy to be included in that bill.

That's all I wanted to summarize. I'd be happy to answer any questions.

SENATOR MCDONALD: Thank you very much, Dr. Norko.

Are there any questions?

House Bill 5252.

JOINT STANDING COMMITTEE HEARINGS

JUDICIARY PART 3 671 – 1026

2010

Testimony of Michael Norko, M.D.

Director of Forensic Services

Department of Mental Health and Addiction Services

Before the Judiciary Committee

February 26, 2010

Good morning, 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 (DMHAS), and I am here today to speak in support of H.B. 5247, An Act Concerning Competency to Stand Trial; S.B. 229, An Act Concerning the Pretrial Supervised Diversionary Program for Persons with Psychiatric Disabilities; H.B. 5252, An Act Concerning the Pretrial Alcohol Education Program and the Pretrial Drug Education Program; S.B. 221, An Act Prohibiting the Disclosure of Employee Files to Inmates; and H.B. 5249, An Act Concerning the Confidentiality of Certain Documents and Records in Psychiatric Security Review Board Proceedings, which will be addressed by Ellen Weber Lachance of the Psychiatric Security Review Board (PSRB) in her testimony.

House Bill 5247 proposes: minor changes in wording in subsection (i) and subsection (m)(new subdivision 5) of the statute; and policy changes in the subsection that addresses defendants who have been found by the court to be not competent and not restorable to competency for the criminal charges under consideration [subsection (m)]. These changes in the statute would allow DMHAS to better respond to requests and concerns that we have received from judges and the Office of the Chief State's Attorney.

When a defendant is found not competent and not restorable to competency to stand trial, in most cases the defendant is ordered by the court into the custody of the Commissioner of DMHAS for the purpose of civil commitment to an inpatient psychiatric unit. HB 5247 would permit the court to order that the court be given notice by DMHAS at any time, prior to the expiration of the statute of limitations for the current charge(s), that the defendant is released from the custody of the Commissioner of DMHAS. This would address a concern of judges that the court is not notified when the individual with unresolved charges is released from a DMHAS inpatient psychiatric unit. The current statute does not permit this communication absent the individual's consent to release of confidential information. Some courts have ordered periodic examinations under subsection (m) as a way to find out if the individual remains in the hospital, which is an expensive use of evaluation resources to discover merely whether the individual is still in the Commissioner's custody or not.

The current statute, in subsection (m), allows the court to order periodic examinations of competency of individuals who have been found not competent and not restorable for crimes that resulted in the death or serious physical injury of another person. This bill would also allow the court to order periodic examination of competency for individuals who have been accused of committing serious sexual offenses or of assault with a deadly weapon or dangerous instrument that resulted in physical injury. Several courts have wanted to order periodic examinations in these types of cases, but the current law does not permit it. We propose that a reference to <u>CGS 53a-70a</u> (Aggravated Sexual Assault) be added to the proposed amendment of charges for which periodic examinations may be ordered.

Regarding the proposed limit on the frequency of such periodic exams, we note that examinations ordered more frequently than every 6 months are very unlikely to produce recommendations different from the finding of not competent and not restorable by the court, and such examinations require a significant expenditure of limited staff resources.

Senate Bill 229 proposes technical changes throughout the Supervised Diversionary Program (SDP) statute to improve clarity and conformity to current practices, and proposes a policy adoption regarding the duration of the program.

DMHAS collaborated with the Court Support Services Division (CSSD) of the Judicial Branch to implement the SDP on October 1, 2008 and the DMHAS Jail Diversion Program provides clinical screening and referral for many SDP cases. There have been multiple inquiries from courts and other relevant parties for clarification about procedures and roles related to the SDP. Section 1 of SB 229, in reference to CGS 54-56l(d), clarifies the intended responsibilities of DMHAS, CSSD, and the CSSD-contracted providers and clarifies eligibility requirements regarding the need for mental health treatment services, potential benefits of these services, and the defendant's willingness to participate in services.

Public Act 08-1 Section 41, which created the SDP, did not specify a maximum period of time for the program. Section 1 of SB 229, in reference to 54-56l(e), sets the maximum to two years. A two-year time limit for SDP is consistent with the accelerated rehabilitation program, upon which it is based, and is consistent with the requests of CSSD to the courts and with the courts' practice of limiting the program to two years in nearly all cases for which they have granted the program.

DMHAS is proposing further changes to the proposed bill:

- 1) Deletion of the last sentence in the substituted language for 54-56l(d) [Section 1], which specifies the content of the plan for treatment services. After further consultation with CSSD, we agreed that it is not possible in all cases to have this information available prior to the first court continuance after application for the program, and therefore we propose that this requirement not be added to the statute.
- 2) The current SDP statute calls for a "treatment plan" to be presented to the court. In the behavioral health field a "treatment plan" is a detailed document based on evaluations performed by a treatment provider and in partnership with the person receiving treatment. In subsections (d) and (e) of the substituted language for 54-56*l* [in Section 1], SB 229 provides for a "plan for services and treatment." We propose that the wording be further changed from "plan for services and treatment" to "plan for treatment services."

House Bill 5252 proposes minor changes in the wording throughout the Pretrial Alcohol Education Program (PAEP) and the Pretrial Drug Education Program (PDEP) statutes to improve consistency and clarity.

For the PDEP, HB 5252 Section 2, related to CGS 54-56i(d), changes "The department" to "The Court Support Services Division." This change makes it clear that it is CSSD and not DMHAS that operates the community service labor program.

We also wish to draw your attention to a policy issue. In Section 1, there is a list of charges for which individuals may be eligible for the Pretrial Alcohol Education Program. The current PAEP statute (CGS 54-56g, 2010 Supplement) includes 15-132a as an eligible offense. 15-132a is Manslaughter in the second degree with a vessel (while under the influence). The counterpart for a death caused while operating a motor vehicle under the influence is not an eligible offense for the PAEP, and it is unlikely that judges will order the PAEP in a boating offense that resulted in death. While DMHAS does not take a position on this matter of public policy, we do want to point out to the committee the inclusion of CGS 15-132a in the offenses eligible for the PAEP in the event that the committee wishes to review this matter while considering HB 5252.

Regarding S.B. 221, we support the addition of protections to the staff of the Whiting Forensic Division of Connecticut Valley Hospital. Whiting serves a population of individuals requiring treatment under secure conditions (per CGS 17a-561), including detainees awaiting trial and sentenced inmates in the custody of the Department of Correction. This bill would prevent personal information about staff