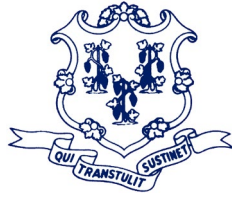


# The Connecticut General Assembly



## Domestic Violence Criminal Justice Response and Enhancement Advisory Council

### MEETING MINUTES

Wednesday, September 25, 2024

12:30 PM in Room 1E of the LOB and Zoom and YouTube Live

ATTENDANCE: Senator Mae Flexer, Karen Foley O'Connor, Charles Forcier, Meghan Scanlon, Senator John Kissel, Attorney Phyllis DiCara, Joe DiTunno, Mary Kozicki, Andrea O'Connor, Attorney Gail Hardy, Captain Ryan Maynard, Eulalia Garcia, Attorney Johanna Canning, Merit Lajoie, Judge Kevin Doyle, Ginger Wilk, Captain Heather LaRock, TFC Daniel Richman

#### I. CALL TO ORDER

- a. Chairwoman Scanlon called the meeting to order at 12:34 PM.

#### II. WELCOME AND INTRODUCTION OF COUNCIL MEMBERS

- a. Chairwoman Scanlon offered welcoming remarks and Council members introduced themselves.

#### III. APPROVAL OF THE JUNE 26<sup>th</sup> MEETING MINUTES

- a. A motion was made to approve the June 26, 2024 meeting minutes by Senator Kissel and seconded by Charles Forcier. The motion passed unanimously with Merit Lajoie and Mary Kozicki abstaining.

#### IV. SUBCOMMITTEE REPORTS AND DISCUSSION OF DRAFT RECOMMENDATIONS

##### a. LAW ENFORCEMENT MODEL POLICY

- i. Karen O'Connor discussed a proposal the subcommittee is considering regarding officer-involved domestic violence when the officer is the chief of police, for which the model policy currently does not have a procedure to address.
- ii. The proposed procedure involves three primary additions when an incident of domestic violence involves the chief of police: 1) notification will be made to the town's chief executive officer, 2) the matter will be referred to the state's attorney of that jurisdiction for criminal investigation, and 3) surrender of firearms by the chief of police will be made to town's chief executive officer or their designee.

- iii. Attorney Hardy noted that the subcommittee did discuss potential conflicts, including that a local state's attorney cannot investigate a local chief, but there is already a process in place for a state's attorney to contact the Chief State's Attorney who will then assign the case appropriately.
- iv. There was a discussion of the proposed process in an on-scene probable cause arrest versus seeking a warrant for an arrest – if there is on-scene probable cause to make an arrest of a chief of police, it is still the responsibility of the local police department to make the arrest and the case is then referred to the local state's attorney.
- v. Chairwoman Flexer asked the subcommittee to consider situations where a chief of police may be named acting chief executive officer of that town during a vacancy in that position. The subcommittee agreed to do this at its next meeting.
- vi. The subcommittee discussed the decision made by other states to put the Lethality Assessment Program into statute. CCADV is seeking feedback from law enforcement for consideration by the subcommittee. Karen O'Connor noted that it seems to make the most sense to include it in model policy, which is the minimum standard for the law enforcement response to domestic violence by statute. The subcommittee will discuss this further at its next meeting.

b. ARREST WARRANTS & ORDERS OF PROTECTION: COMPLIANCE, ENFORCEMENT & OUTCOMES

- i. Attorney Hardy stated that the State Police Special Licensing and Firearms Unit presented to the subcommittee. Issues discussed included the process and timing of background checks, which in CT occur at the issuance of a permit/eligibility certificate and are then good for five (5) years; firearm transfer process, of which there are approximately 140,000 transfers annually in CT, including that victims want to know if firearms have been transferred but permit/certificate information is confidential – only goes to law enforcement, the Dept. of Mental Health & Addiction Services, and other states inquiring about eligibility; and the firearm surrender process.
- ii. The subcommittee agreed to bring back Darren Mitchell from the National Council of Juvenile and Family Court Judges to advise on changes that CT can make regarding abuser access to firearms. The subcommittee will focus on surrender procedures and use of a compliance form, with consideration of 5th amendment rights of the accused, finding a way forward that balances these rights with victim safety.
- iii. Karen O'Connor noted that the conditions of release form used by police department uses the term "dangerous weapon," which is not a legally defined word in CT statute ("deadly weapon" and "dangerous instrument" are used in statute). This issue will need to be researched further.

c. OFFENDER INTERVENTION STANDARDS

- i. The subcommittee is developing a survey to determine what providers state agencies contract with for provision of intervention services, whether those providers/services comply with standards, and, if not, why not. They are also sending the survey directly to community providers based on 211 search as they are trying to get a complete picture of all offender services available in the state. Once this list is available, the subcommittee will then work with those identified providers regarding how they can get on the provider list. The subcommittee needs to assess the standards in practice to determine if they work for the providers captured in the list or if the standards need to be revised to better fit the intervention services available in CT so that there are enough programs to appropriately serve offenders. MS question – allowing use by DV offenders of supervised diversionary programs which are intended for individuals with mental health issues.
- ii. Chairwoman Scanlon discussed recent questions regarding the state's supervised diversionary program which is supposed to be reserved for individuals with mental illness or for veterans, but some domestic violence offenders have been referred to the program. Joe DiTunno noted that Judicial Branch CSSD Family Services does not recommend individuals for that program and suggested a discussion between Judicial Branch CSSD Adult Probation and prosecutors.
- iii. Attorney Canning noted that offenders typically apply and eligibility is based solely on a clinical decision.

V. OTHER BUSINESS

- a. Chairwoman Scanlon introduced Andréa Deyo, CCADV's new Director of Law Enforcement Services.

VI. ANNOUNCEMENT OF TIME AND DATE OF NEXT MEETING

- a. The next meeting of the full council will be Wednesday December 4, 2024. All subcommittees need to submit their final recommendations, which will be voted on at the December meeting.

VII. ADJOURNMENT

- a. Motion to adjourn was made by Karen O'Connor and seconded by Attorney Hardy. The meeting adjourned at 1:25 PM.

**Please Click the Following Link to Access the Meeting on the Judiciary Committee YouTube Channel:**

[Click Here](#)