



**State of Connecticut**  
**DIVISION OF CRIMINAL JUSTICE**

**Testimony of the Division of Criminal Justice**

*In Support of:*

**S.B. No. 229 (RAISED) An Act Concerning the Pretrial Supervised Diversionary Program for Persons with Psychiatric Disabilities**

*Joint Committee on Judiciary*  
*February 26, 2010*

The Division of Criminal Justice supports S.B. No. 229, *An Act Concerning the Pretrial Supervised Diversionary Program for Persons with Psychiatric Disabilities*. This bill would tighten the existing language governing this diversionary program established pursuant to Section 54-56l of the General Statutes. It will restrict eligibility to those people with a psychiatric disability that can be diminished by treatment with a treatment program that is appropriate and available. This represents an improvement over the present statute, which is vague in this area. It will further serve to protect public safety and assure that this diversionary program is made available only to those whom the Legislature deemed it is intended.

The Division also supports the establishment of a time limit for the program. It is our understanding that participation has been limited to date to some extent because of reluctance on the part of defendants to enter into a program where there is no set limit on the duration of treatment or other supervision. On this point, the Division would recommend a three-year maximum instead of the two years proposed in S.B. No. 229. While two years would mirror the Accelerated Rehabilitation program, the Division believes a three-year maximum is more appropriate for this particular program. A three-year period would mirror the maximum period of probation generally allowed for a class D felony and would likely result in additional individuals being considered for the diversionary program in that it would provide for the additional supervision that may be necessary in some cases. Either way, it must be stressed that either a two- or three-year period for this diversionary program would be the *maximum*. Nothing would prohibit the court from setting a shorter time frame.

Respectfully submitted,

Kevin T. Kane  
Chief State's Attorney