

Questions for Psychiatric Security Review Board Nominee

By: Michelle Kirby, Senior Legislative Attorney
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Psychiatric Security Review Board

The Psychiatric Security Review Board holds hearings to determine the appropriate level of supervision and treatment for people acquitted of crimes due to mental disease or defect. These individuals are called “acquittees.” Depending on the danger an acquittee poses, the board may order confinement in a maximum-security facility or psychiatric hospital; approve temporary leave or conditional release; or, in appropriate cases, transfer custody to the Department of Developmental Services. In addition, the board makes court recommendations when an acquittee petitions to be discharged from supervision.

The board consists of six members appointed by the governor and confirmed by either house of the General Assembly: a psychiatrist; a psychologist; someone with experience in probation; a Connecticut attorney; and two public members, one of whom is experienced in victim advocacy. Its activities are governed by CGS §§ [17a-580](#) through [17a-603](#).

Questions

1. How many acquittees are currently on conditional release status? During the most recent fiscal year were there any arrests of individuals under the board’s jurisdiction. How do these statistics compare to previous years?
2. The law specifies that the board’s primary concern is to protect society. How should the board balance that concern against the rights of acquittees?
3. Victims may give statements at board hearings, either in person or in writing. How much consideration should the board give to a victim’s statement?

4. What factors does the board consider when deciding whether to recommend an acquittee be discharged from custody? Should the law specify additional factors that the board should weigh when making such decisions?
5. The law requires the board to conduct hearings and review the status of an acquittee at least every two years. Is that often enough, too frequent, or too infrequent?
6. Connecticut is among a small number of states that do not have an outpatient civil commitment law. Generally, these laws provide for court-ordered, community-based treatment for people with untreated severe mental illness, often focused on those with a history of medication and treatment noncompliance. What are your views on outpatient commitment?
7. Do many acquittees housed at Connecticut Valley Hospital's Whiting Forensic Division commit violent crimes during their confinement?
8. In 2015, the state Supreme Court held that imposing a substantial monetary bond as a condition of release for an acquittee charged with committing new, violent crimes at a psychiatric facility did not violate the person's right to bail (*State v. Anderson*, 319 Conn. 288 (2015)). The court also held that transferring the acquittee to prison for pretrial detention, based on his inability to post the bond, did not violate due process. What are the implications of this decision?

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