

## Whiting Forensic Division

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### Issue

Describe the administrative control and admission standards of Connecticut's Whiting Forensic Division.

### Summary

The Whiting Forensic Division of the Connecticut Valley Hospital is under the administrative control and supervision of the Department of Mental Health and Addiction Services (DMHAS) ([CGS § 17a-562](#)).

The division's statutory purpose is to care for and treat:

1. patients with psychiatric disabilities, confined in facilities under DMHAS control, who require care and treatment under maximum security conditions;
2. people convicted of certain serious offenses (see below), who, after examination by the staff of the division's diagnostic unit, are found to (a) have psychiatric disabilities and are dangerous to themselves or others and (b) require custody, care, and treatment at the division; and
3. inmates in the custody of the Department of Correction (DOC) who require custody, care, and treatment at the division ([CGS § 17a-561](#)).

## **Admission Standards**

Services are provided to individuals who are admitted under any of the following categories:

1. Psychiatric Security Review Board (PSRB) commitment,
2. criminal court order for restoration of competency to stand trial,
3. transfer from DOC (during period of incarceration or at the end of sentence), and
4. civil commitment (voluntary or involuntary).

### ***PSRB Insanity Acquittes***

A court can acquit a defendant of a crime by reason of insanity and place him or her under the jurisdiction of the PSRB, which can decide to place the individual at Whiting if the person is a danger to himself, herself, or others ([CGS § 17a-582](#)).

### ***Restoration to Competency Patients***

Defendants may not be tried, convicted, or sentenced while they are not competent (i.e., unable to understand the proceedings against them, or assist in their own defense). If there is a question of a defendant's competence to stand trial and the court finds that a request for evaluation is justified, and there is probable cause to believe that the defendant has committed the crime, the court may order such an evaluation. If there is a probability that competency can be restored, the court may order the defendant be treated at Whiting for up to 18 months until he or she is competent to stand trial or be civilly committed ([CGS § 54-56d](#)).

### ***Pre-Sentence Evaluation***

The court, before sentencing, may order a defendant examined by qualified division personnel if (1) it appears to the court that the defendant has psychiatric disabilities and is a danger to himself, herself, or others and (2) the defendant was convicted of (a) an offense for which the penalty may be imprisonment in the Connecticut Correctional Institution at Somers or (b) a sexual offense involving physical force or violence, age disparity between an adult and a minor, or a sexual act of a compulsive or repetitive nature. The division's initial examination must be done and a report made to the court within 15 days after the court orders it. If the report recommends additional examination at the division's diagnostic unit, the court may, after a hearing, order the defendant committed to the diagnostic unit for up to 60 days ([CGS § 17a-566](#)).

### ***Post-Psychiatric Evaluation and Recommendations***

If the pre-sentence evaluation report recommends confinement and the court finds the defendant has a psychiatric disability and is a danger to himself, herself, or others and requires custody, care, and treatment at the division, the court may order the defendant to be committed to the division for a period specified in the sentence ([CGS § 17a-567](#)).

### ***Patients Admitted from DOC***

These individuals could be admitted for short-term evaluation or stabilization and then sent back to a DOC facility or committed for a longer period. If they are considered to have a psychiatric disability and to be desperate or dangerous, they must be hospitalized at Whiting ([CGS §§ 17a-502 & -512](#) to [-517](#)).

### ***Voluntary Civil and Civilly Probated Patients***

Individuals who have not committed a crime may be admitted voluntarily or committed by a probate court if they are found to have a psychiatric disability and be dangerous to themselves or others ([CGS §§ 17a-498 & 17a-506](#)).

More information can be found on DMHAS' website: [Forensic Services Division](#).

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