



## State of Connecticut

### DIVISION OF PUBLIC DEFENDER SERVICES

**Office of Chief Public Defender**  
55 Farmington Avenue, 8<sup>th</sup> Floor  
Hartford, Connecticut 06105  
(860) 509-6405 Telephone  
(860) 509-6495 Fax

**Deborah Del Prete Sullivan**  
Legal Counsel, Director  
[deborah.d.sullivan@pds.ct.gov](mailto:deborah.d.sullivan@pds.ct.gov)

**Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director  
Office of Chief Public Defender**

**JUDICIARY COMMITTEE  
Public Hearing - March 17, 2025**

#### **S. B. 1505 - AN ACT ALLOWING COURT DISCRETION TO ADD A FAMILY VIOLENCE COMPONENT TO THE PRETRIAL SUPERVISED DIVERSIONARY PROGRAM FOR PERSONS WITH PSYCHIATRIC DISABILITIES**

**The Office of Chief Public Defender (OCPD) opposes S. B. 1505, *An Act Allowing Court Discretion To Add A Family Violence Component To The Pretrial Supervised Diversionary Program For Persons With Psychiatric Disabilities* and asks that no action be taken on this bill. The Office of Chief Public Defender is a member of the *Domestic Violence Criminal Justice Response and Enhancement Advisory Council*. Attorney Johanna Canning is the designee of the Chief Public Defender on the Task Force and is an Assistant Public Defender in the Hartford Judicial District's Public Defender office which handles the most serious felonies. There was much discussion pertaining to a similar Recommendation from the Council to include a domestic violence component in the diversionary program. Attorney Canning opposed this and worked hard to be sure that what finally was voted out was a recommendation to *continue the discussion* on this as there are many unanswered questions if implemented. Upon learning that this bill now proposed the inclusion of this component, Attorney Canning reached out to those who supported the initial proposal and again raised her concerns and asked for further discussion.**

Attorney Canning indicated that upon reviewing the language of the bill, the Office of Chief Public Defender continued to have concerns. She believed that further discussion was necessary before acting on legislation. She identified several questions that needed to be clarified and which required further discussion before moving forward on legislation. Lastly, Attorney Canning, voiced concern that these issues have not been fully vetted among the relevant agencies. The concerns she raised were:

**Raised S.B. 1505    An Act Allowing Court Discretion To Add A Family Violence  
Component To The Pretrial Supervised Diversionary Program For  
Persons With Psychiatric Disabilities**

1. Who is responsible for determining whether a person has “capacity”?
2. What does the “domestic violence component to treatment” entail? Does it refer to existing programs such as FVEP or Explore, or is it intended to be part of the new program under development?
3. Are the domestic violence counselor’s trained to effectively teach and manage clients with Axis 1 disorders?
4. If good cause is shown and a problem arises during the DV component, who will determine if this is a mental health issue versus some other issue? So, for example, will Family Relations pull the case forward and advise the court of what they believe the problem is asking for sanctions or termination? Or will, for example, there be communication with the client’s mental health provider and the mental health provider will work through the issue with the client- as they do with the SDP - and therefore not order the client before the court for potential sanctions?
5. If the appropriate domestic violence treatment varies by defendant, who determines which program applies?

Therefore, the Office of Chief Public Defender requests that this Committee take *no action* on this bill. Thank you.