

0:0:0.0 --> 0:0:2.230

Norko, Michael

Last time that are here today.

0:0:3.590 --> 0:0:5.780

Norko, Michael

Mr Bovino and Miss Silva.

0:0:6.220 --> 0:0:8.230

Norko, Michael

Umm so.

0:0:10.190 --> 0:0:36.380

Norko, Michael

Why don't we introduce ourselves to them first, and then we'll ask them to say hi to the rest of us. So I'll call on people on the in the order that you appear on my screen. So I'm doctor Michael Norco. I'm the director of forensic services for demos and the the chair of this committee. I'll invite the judge. Gold, who's the coach here to say hello next.

0:0:38.680 --> 0:0:39.460

Norko, Michael

But you're muted.

0:0:43.70 --> 0:0:57.240

Gold, David

I beg your pardon. Good morning, everyone and good morning, Mr Baveno and Miss Silva, I'm David Gold. I'm a judge of the Superior Court and I'm pleased to be the Co chair of this committee along with Doctor Norco. Welcome.

0:0:58.80 --> 0:0:58.510

Louis Bovino

Thank you.

0:0:58.990 --> 0:0:59.760

Norko, Michael

When you ride one.

0:1:1.710 --> 0:1:16.260

Monte Radler

Ohh hi, I'm Monty radler. I'm formerly the head of the public defender Psychiatric defense unit. Now currently retired, but I have a pro bono association with the Connecticut Legal Rights project at this point.

0:1:18.10 --> 0:1:19.580

Norko, Michael

Thank you, Judge Green.

0:1:20.460 --> 0:1:30.810

Green, Ernest

Good morning. My name is Ernie Green. I'm a Superior Court judge. I'm the arraignment judge in G810IN, New London. I'm a former public defender and former family court judge.

0:1:31.990 --> 0:1:33.590

Norko, Michael

Yeah, miss lachance.

0:1:35.80 --> 0:1:39.950

Ellen Lachance

Good morning. I'm Ellen Lachance, the former executive director of the Psychiatric Security Review Board.

0:1:41.410 --> 0:1:42.140

Norko, Michael

Mr Reynolds.

0:1:44.670 --> 0:1:49.880

Andrew Reynolds

Good morning. I am a victim. I am the uncle of Jessica Short.

0:1:50.590 --> 0:1:56.890

Andrew Reynolds

Who was murdered in 1989 and I'm here to advocate or listen to what's going on.

0:1:58.90 --> 0:1:58.360

Norko, Michael

You know.

0:1:59.100 --> 0:1:59.850

Norko, Michael

Attorney plant.

0:2:2.470 --> 0:2:7.420

Platt, Maureen

Good morning. I'm Maureen Platt on the state's attorney for the judicial district of Waterbury.

0:2:9.50 --> 0:2:9.890

Norko, Michael

Turner O'Connor.

0:2:12.560 --> 0:2:32.150

Bill O'Connor (Guest)

Good morning everyone. My name is Bill O'Connor and I am the supervisory assistant attorney here at the psychiatric defense unit of the Public Defender's Office and a special hello to Mr Vivino and Miss Silva. I would point out neither one is a client of our office, but I am familiar with both of them and very happy they're both doing so well.

0:2:32.800 --> 0:2:33.210

Louis Bovino

Thank you.

0:2:35.30 --> 0:2:35.430

Norko, Michael

4.

0:2:37.100 --> 0:2:41.710

Kapoor, Reena

I am Reena Kapoor. I'm the chief of forensic services at Whiting Forensic Hospital.

0:2:43.750 --> 0:2:44.460

Norko, Michael

Is Mason.

0:2:48.20 --> 0:2:54.180

Mason, Mary

Good morning. I'm Mary. Keep Mason. I'm the director of Government affairs for the Department of Mental Health and Addiction Services.

0:2:55.510 --> 0:2:56.350

Norko, Michael

Mr McClure.

0:2:58.910 --> 0:3:2.800

McClure, Christopher

Good morning, everybody. Chris McClure, chief of staff at demos here to help anyway again.

0:3:4.940 --> 0:3:6.180

Norko, Michael

Uh, miss cardella.

0:3:8.550 --> 0:3:13.660

Cardella, Vanessa M

Good morning, everyone. Vanessa Cardella, current executive director of the Psychiatric Security Review Board.

0:3:15.100 --> 0:3:15.700

Norko, Michael

Miss doubt?

0:3:18.770 --> 0:3:24.830

Dowd, Judith

Good morning. Judy Dowd from the Office of Policy and Management, which is the Staff Office to the governor.

0:3:26.760 --> 0:3:27.810

Norko, Michael
Look at your day.

0:3:29.410 --> 0:3:35.910

Jegede, Oluwole
Ohh. Doctor Jada here. Shouldn't professor at Yale and addictions attracts the same HC here for public health?

0:3:38.420 --> 0:3:39.400

Norko, Michael
Mrs Kinnick.

0:3:41.160 --> 0:3:49.970

Jill Kidik
I am Joe caddick. I'm retired detective at the Harvard Police Department and a victim of a stabbing. I'm now retired due to that stabbing.

0:3:51.250 --> 0:3:53.820

Norko, Michael
Hey, Mr rubino.

0:3:54.400 --> 0:4:2.50

Louis Bovino
Good morning everyone. I'm Luis Bovino and I am at a quickie of from the board. Yes, Sir. Board.

0:4:3.900 --> 0:4:5.920

Norko, Michael
Thank you. Welcome, miss Silva.

0:4:8.900 --> 0:4:10.250

Norko, Michael
But you have to unmute yourself.

0:4:19.320 --> 0:4:22.250

Norko, Michael
You should have a little microphone symbol up at the top.

0:4:23.860 --> 0:4:24.450

Norko, Michael
Upright.

0:4:26.80 --> 0:4:27.0

Norko, Michael
You click on that.

0:4:44.190 --> 0:4:47.30

Norko, Michael
And you remember so, so a keystroke that does. Now you got it.

0:4:48.70 --> 0:4:50.630

Norko, Michael

No, you had it, dude, it do that again.

0:4:54.350 --> 0:4:54.870

Norko, Michael

You got it.

0:4:56.130 --> 0:5:1.40

Sue Silva

Umm, so silver and I was under the.

0:5:3.30 --> 0:5:6.750

Sue Silva

Watch of WFI for 8 1/2 years.

0:5:7.370 --> 0:5:9.690

Sue Silva

And I.

0:5:11.520 --> 0:5:17.950

Sue Silva

I finally got out to the community about in 2010 and.

0:5:18.30 --> 0:5:18.440

Sue Silva

Umm.

0:5:19.790 --> 0:5:20.710

Sue Silva

I hope I can help you.

0:5:21.930 --> 0:5:23.130

Norko, Michael

Very good. Thank you. Welcome.

0:5:23.700 --> 0:5:24.390

Sue Silva

Thank you.

0:5:24.450 --> 0:5:25.890

Norko, Michael

If I missed anyone.

0:5:30.460 --> 0:5:30.730

Norko, Michael

OK.

0:5:31.970 --> 0:5:33.710

Norko, Michael

Alright so.

0:5:34.480 --> 0:5:35.660

Norko, Michael

We're mostly here.

0:5:36.360 --> 0:5:36.950

Norko, Michael

Umm.

0:5:42.780 --> 0:5:43.330

Norko, Michael

That's.

0:5:44.490 --> 0:5:44.820

Sue Silva

And.

0:5:45.20 --> 0:5:47.350

Norko, Michael

We should get right into the.

0:5:48.310 --> 0:5:50.660

Norko, Michael

Our our content for today then.

0:5:50.730 --> 0:5:51.130

Norko, Michael

Yeah.

0:5:54.920 --> 0:6:6.60

Norko, Michael

Do people feel like they, you know, we we sent out the documents? Is it OK if I don't share this way we can all see each other. Help doctor's elements here. Good timing.

0:6:7.460 --> 0:6:8.70

Norko, Michael

Well.

0:6:10.160 --> 0:6:13.540

Norko, Michael

Doctor Freeman, which you tear to say hello before we get started.

0:6:13.720 --> 0:6:15.430

Peter Zeman (Guest)

Yes. Hi. I'm sorry, Emily.

0:6:15.850 --> 0:6:16.250

Norko, Michael

All right.

0:6:17.990 --> 0:6:28.580

Norko, Michael

We have two people who were not with us last time, Mr Liu Bovino and Missus Silva. They're both equities and they're joining us today.

0:6:29.570 --> 0:6:37.490

Peter Zeman (Guest)

Hi, I'm doctor zeman. I'm a psychiatrist. I worked the instead of living, and I've done a fair amount of forensic psychiatry over the years.

0:6:39.470 --> 0:6:41.220

Norko, Michael

Thanks. Pretty good.

0:6:42.140 --> 0:7:13.270

Norko, Michael

So I was just asking if people feel comfortable enough that they they have the the documents that we sent out that I don't have to screen share this way we can all continue to see each other while we talk about it. If if anyone feels like they're losing track though, just say so and we can, we can try to screen share. So we're all looking at the the same thing, but the first thing to just take a quick look at is the section that I sent the the the first section of.

0:7:13.410 --> 0:7:22.210

Norko, Michael

Public Act 1886, which was the act that established the Whiting in Connecticut Valley Hospital Task Force.

0:7:22.690 --> 0:7:26.440

Norko, Michael

Umm. And it listed the several.

0:7:26.780 --> 0:7:51.0

Norko, Michael

Umm, charges that were given to that task force. There were eight of them and it was number 6. That is the one that's relevant for us, which was to examine the role of the psychiatric Security Review Board established pursuant to section 17A-581 of the general statutes. So that was one of the charges to the.

0:7:52.270 --> 0:7:55.720

Norko, Michael

To the task force and over the time that they met.

0:8:7.40 --> 0:8:7.290

Peter Zeman (Guest)

No.

0:7:57.380 --> 0:8:29.510

Norko, Michael

Until the time of their final report in December of 2021, the PSLRB was one of their subjects, and then they produced the evaluation last time or their their report. Last time we went over the charge that the legislature has given to this work group, and one of those was to review the recommendations of that task force with regard to the psychiatric Security Review Board.

0:8:29.670 --> 0:8:54.380

Norko, Michael

So we've sent around that document the sections that deal with the role of the the the one section that deals with the psychiatric Security Review Board was on pages 12 to 14 of that document. And then I also included a a summary document that had links to the statutes and some commentary about the.

0:8:56.460 --> 0:8:59.500

Norko, Michael

The various items that were recommended so.

0:9:1.70 --> 0:9:31.480

Norko, Michael

You know, we go through the recommendations, I'm going to to stop after each of them and invite people to offer any thoughts that they have about them. Once I do that, but also please recognize that the we're just beginning our work at this point. We will have plenty of opportunity to come back and enlarge upon any of these comments. So this is not the last time we're going to discuss any of these things.

0:9:31.960 --> 0:9:54.850

Norko, Michael

But I think it was. It's important for us to since this is our major assignment from the legislature, for us to to start with with this and at least set that as our foundation and then build on that. And when we when we're done going through all of that and and had time for for comments from everyone, we'll talk a little bit about.

0:9:56.90 --> 0:10:11.160

Norko, Michael

The next the next couple of sessions and and what I'm thinking about for those meetings. So one of the things to so I'm just going to go through the the recommendations, not the text that preceded it. It's not very long.

0:10:12.520 --> 0:10:19.910

Norko, Michael

Obviously the the task force was created in response to a terrible.

0:10:21.540 --> 0:10:27.350

Norko, Michael

Tragedy of serious patient abuse at Whiting of 1 patient there.

0:10:27.950 --> 0:10:37.40

Norko, Michael

Umm. And the legislature was rightfully very concerned about this, and that led to the task forces work.

0:10:38.180 --> 0:10:42.890

Norko, Michael

So the the the recommendations interestingly start out by.

0:10:43.760 --> 0:10:56.780

Norko, Michael

Uh, talking about what majority of Members felt and what some Members felt and others, but they don't spell that out until the the one comment about the the dissenting opinion on on page 14 but.

0:10:58.740 --> 0:11:28.130

Norko, Michael

You know, there were, there were quite a few members on the the task force, they they met many times. We've sent out the link. If if anyone, you know, wants to view any of those meetings, the link on the state website has the recordings of all of those sessions and you can take a look at it. It's it would be a lot to go through. I don't think it's necessary for us to to do that specifically, but it's there in case anyone wants to.

0:11:28.620 --> 0:11:44.670

Norko, Michael

So I've there's just bulleted in the in the report. I've numbered them one through 5, the fifth one is actually not bulleted, but it's it's also a recommendation. So I I numbered that as well. So the first one is.

0:11:46.230 --> 0:11:59.470

Norko, Michael

And and all of these refer to a bill that was raised in 2018, Senate Bill 294, which was one of the early attempts to.

0:12:0.290 --> 0:12:4.220

Norko, Michael

To respond to the abuse that occurred.

0:12:5.530 --> 0:12:15.110

Norko, Michael

That bill didn't pass, but the task force was created, and so the task force was making reference back to that bill, one of the.

0:12:41.210 --> 0:12:41.560

Sue Silva

And.

0:12:15.780 --> 0:12:47.550

Norko, Michael

Things to note is that a number of the items have been dealt with to some extent this past legislative session, and we'll go over that. So the first recommendation was the to amend section 17, a 584 so that

the PSLRB would be guided to balance the protection of society with the rights to which all institutional patients are entitled under section 17, eight dash 541, including the right to be placed in the least restrictive.

0:12:48.550 --> 0:12:51.370

Norko, Michael
Or environment the.

0:12:52.80 --> 0:12:56.610

Norko, Michael
All of the statutes that referred to the PSLRB uh prior to this year.

0:12:57.980 --> 0:12:59.550

Norko, Michael
Both in terms of the.

0:13:1.230 --> 0:13:21.190

Norko, Michael
Directions to the Superior Court as well as the directions of the to the Superior Court only noted that their primary concern was the protection of society. There was no mentioned about the well-being of the equity in Public Act 2245 in Section 4.

0:13:22.40 --> 0:13:51.740

Norko, Michael
That that statute 178584 was amended so that it reads at the PSLRB's quote. Primary concerns are the protection of society and the safety and well-being of the equity. So in that section they listed both of those as the primary concerns of the of the of the Act of the PSLRB. There are other places that talked about the court.

0:13:52.40 --> 0:13:54.170

Norko, Michael
And we'll go over those in in a second.

0:13:58.750 --> 0:13:59.140

Norko, Michael
So.

0:14:0.120 --> 0:14:12.510

Norko, Michael
One of the questions is whether, so obviously in part, Public Act 2245 was an effort to be responsive to this recommendation.

0:14:12.920 --> 0:14:13.500

Norko, Michael
Umm.

0:14:15.160 --> 0:14:43.930

Norko, Michael
It it used language about the safety and well-being of the equity and balancing it didn't include all of the

language in the recommendation, didn't refer specifically to 178541, it didn't refer to placement in the least restrictive environment, but I think it was meant to capture in the at least the well-being of the equity. The ideas of recovery and movement.

0:14:44.580 --> 0:14:54.700

Norko, Michael

So here I'm going to invite people's comments, whether they what they think about the statute that was passed this year, what other thoughts they have about it.

0:15:4.540 --> 0:15:7.30

Monte Radler

I have a actually just an observation.

0:15:8.390 --> 0:15:22.260

Monte Radler

One of the one of the concerns over all the years that I was involved was whether the hospital was acting like a true forensic hospital with respect to mentally ill.

0:15:23.190 --> 0:15:33.580

Monte Radler

Individuals who required an inpatient setting or it wasn't an infect an alternative you know, an alternative form of prison.

0:15:35.230 --> 0:15:39.160

Monte Radler

And how those roles got mixed up and?

0:15:40.740 --> 0:15:49.740

Monte Radler

It should they be separated so that is one of the from my point of view. Major considerations underlying the work of this task force.

0:15:54.330 --> 0:16:1.130

Norko, Michael

Do do you wanna say more about that in terms of what, what do you think would help distinguish those two characteristics?

0:16:1.770 --> 0:16:7.410

Monte Radler

Well, first of all, protection of society is as a legal standard is extremely vague.

0:16:8.70 --> 0:16:8.700

Monte Radler

Umm.

0:16:9.520 --> 0:16:10.240

Monte Radler

And.

0:16:11.480 --> 0:16:21.610

Monte Radler

Our experience of it and representing equities is protectionist. Society basically means, you know, fail safe so.

0:16:25.910 --> 0:16:26.900

Monte Radler

That really.

0:16:28.520 --> 0:16:45.210

Monte Radler

It's a very subjective legal standard. Also, health and well-being, what really does that mean? Unless you attach it to other provisions of the law related to people who are involuntarily institutionalized in a psychiatric institution.

0:16:47.770 --> 0:16:49.660

Monte Radler

There's been such a blurring.

0:16:51.90 --> 0:16:58.540

Monte Radler

You know of roles over the years that we really need to think of what we're doing here.

0:17:1.200 --> 0:17:3.480

Monte Radler

You know, with our forensic hospital.

0:17:4.590 --> 0:17:16.150

Monte Radler

Is it? Is it in fact an alternative form of jail, or is it a mental health institution on, you know, basically based on recovery principles?

0:17:17.440 --> 0:17:29.170

Monte Radler

And it's really a separate question as to, you know, continuing jurisdiction of the PSLRB, which has jurisdiction over individuals once they're released from the hospital.

0:17:29.750 --> 0:17:30.370

Monte Radler

Umm.

0:17:31.100 --> 0:17:36.480

Monte Radler

And I don't necessarily think that the ESRB has to be abolished, but.

0:17:41.270 --> 0:17:48.680

Monte Radler

I just think there are. There ought to be a clear delineation from a forensic hospital in PSLRB jurisdiction.

0:17:53.150 --> 0:17:53.980

Andrew Reynolds

I have.

0:17:52.250 --> 0:17:55.370

Norko, Michael

In statute or in practice of go ahead, Andy.

0:17:56.570 --> 0:17:57.310

Andrew Reynolds

No, I'll wait.

0:17:58.340 --> 0:18:4.110

Norko, Michael

So I was just, I was just going to ask Monty if he meant in statute or in practice or both.

0:18:6.30 --> 0:18:10.320

Monte Radler

I think it has to be in practice and by statute.

0:18:13.810 --> 0:18:16.960

Peter Zeman (Guest)

Monty, you and I did a number of these cases together.

0:18:18.460 --> 0:18:18.920

Monte Radler

Yes.

0:18:19.440 --> 0:18:35.770

Peter Zeman (Guest)

And you know, we've talked about this and it seems to me that there's a high degree of subject subjectivity among the members of the board as it would be for any group that I think you need a statute to frame some of the.

0:18:36.950 --> 0:19:5.940

Peter Zeman (Guest)

You know the the corners of the of where the decision can come or go the the you need a framework with the statue. But that's still leaves a great deal of subjectivity among the board members and I and again I agree that I think the board should continue. But I think somehow it needs to be guided more in terms of how they reach their decisions. You know their own biases of sometimes the nature of the of the offense.

0:19:6.170 --> 0:19:8.140

Peter Zeman (Guest)

All kinds of things enter into.

0:19:9.820 --> 0:19:16.670

Peter Zeman (Guest)

Decision making, and in particular when an equity is in the Community and is pulled back.

0:19:17.520 --> 0:19:26.770

Peter Zeman (Guest)

Sometimes I felt for good reason. Other times I felt for not a really substantial reason at all. I think you and I shared a number of these cases.

0:19:31.70 --> 0:19:33.70

Norko, Michael

And then you were going to say something earlier.

0:19:35.60 --> 0:19:42.20

Andrew Reynolds

Yeah, I've started to watch the PS RV hearings, which I encourage the committee to watch.

0:19:42.760 --> 0:19:52.670

Andrew Reynolds

Uh, and I found it very useful on the Whiting forensic side and their recommendation.

0:19:53.760 --> 0:20:1.290

Andrew Reynolds

And also I'm not sure if that could be a part of the committee watching some of those hearings.

0:20:6.110 --> 0:20:28.790

Norko, Michael

Yeah. Well, if we're going to meet on Tuesdays, we'll never have an opportunity to do that since they always meet on Friday mornings. But certainly, as you suggest, they are publicly available and you know, any of us can. We can perhaps think about, think about that. Doctor Kapoor, you have your hand up.

0:20:30.470 --> 0:20:35.450

Kapoor, Reena

Yeah. I just wanted to say I like the way that the law has changed.

0:20:36.90 --> 0:20:46.940

Kapoor, Reena

This year, to sort of explicitly recognize that the equities best interest should be part of this. And I think as a practical.

0:20:47.580 --> 0:21:13.630

Kapoor, Reena

In a practical sense, it may be gives the board like when there are close calls, you know they would always. If they're only mission is public safety, would air on the side of saying no to something that was maybe a little bit risky or different. People could say different ways see different ways. So I think it's a good step that they've taken.

0:21:14.570 --> 0:21:15.970

Kapoor, Reena

Umm but.

0:21:17.430 --> 0:21:19.320

Kapoor, Reena

I don't know that it will have this sort of like.

0:21:20.560 --> 0:21:28.580

Kapoor, Reena

Massive overhaul effect that maybe the task force had intended either at the Superior Court level or for the board.

0:21:31.920 --> 0:21:32.960

Norko, Michael

Attorney O'Connor.

0:21:35.250 --> 0:21:56.300

Bill O'Connor (Guest)

Yes, I I'm thinking the same lines that Doctor Kapoor is you know it says safety and well-being of equity it doesn't say best interests of the equity it doesn't even say health and well-being so you know you could read it conservatively and just say you know to to.

0:21:57.210 --> 0:22:18.360

Bill O'Connor (Guest)

To interpret it to as just an extension of you know what's going to keep everyone safe, including the equity, as opposed to, you know, what's in the best interest of the equity. The equities are all patients, you know, and the patients best interest I think should be considered on an equal footing with public safety. And I don't know that the current language reflects that.

0:22:19.290 --> 0:22:23.970

Bill O'Connor (Guest)

So I I would consider, you know, even even switching that language as a recommendation.

0:22:26.520 --> 0:22:28.630

Norko, Michael

To something like health and best interests.

0:22:33.520 --> 0:22:33.790

Norko, Michael

So.

0:22:30.290 --> 0:22:37.860

Bill O'Connor (Guest)

Well, I mean, Monty had said health and well-being you know it the the word safety I think is is superfluous. You know we have the public.

0:22:38.550 --> 0:22:42.560

Bill O'Connor (Guest)

Protection of society on the one hand, I think health and well-being of the.

0:22:43.290 --> 0:22:48.440

Bill O'Connor (Guest)

Equity would be would better summarize and better. Put that on an equal footing in terms of the concern.

0:22:49.900 --> 0:22:56.60

Norko, Michael

Yeah, my my guess is that the the the word safety is in there because of the abuse that occurred.

0:22:57.540 --> 0:22:57.840

Monte Radler

OK.

0:22:57.630 --> 0:23:0.740

Norko, Michael

So that there was concern about patients being safe.

0:23:2.360 --> 0:23:4.270

Monte Radler

I just have a. Can I have a comment here?

0:23:4.370 --> 0:23:4.850

Norko, Michael

Your monkey.

0:23:5.270 --> 0:23:15.290

Monte Radler

The 2018 proposed bill referred to existing state and federal law that's applicable to.

0:23:18.160 --> 0:23:25.170

Monte Radler

You know, all other involuntarily committed individuals to, you know, the hospital setting.

0:23:27.340 --> 0:23:29.770

Monte Radler

I think we really have to take a look at.

0:23:31.390 --> 0:23:42.450

Monte Radler

What distinguishes acuties within a hospital setting with every other person who's involuntarily committed in a hospital setting?

0:23:44.690 --> 0:23:45.330

Monte Radler

And.

0:23:49.70 --> 0:23:59.810

Monte Radler

Why should those individuals not be entitled to the same? You know, protections, you know within, you know, being institutionalized.

0:24:2.270 --> 0:24:13.80

Monte Radler

You know, are we looking to establish different standards for individuals for the period of time that they could have been incarcerated? What are we really doing here?

0:24:15.330 --> 0:24:23.320

Monte Radler

And I think, you know, people like you, Mike or Doctor Zieman or any of the other forensic professionals.

0:24:24.100 --> 0:24:24.630

Monte Radler

Umm.

0:24:26.10 --> 0:24:42.100

Monte Radler

You really have to look at, you know, what's the current state of risk assessment of these individuals? Are they, do they require an inpatient setting or do they require? At what point do they require highly supervised outpatient setting?

0:24:43.610 --> 0:24:48.800

Monte Radler

You know, we're talking about the setting of these individuals, so it's it's it's.

0:24:49.450 --> 0:24:52.610

Monte Radler

It's kind of a complicated thing that we're looking at here.

0:24:59.780 --> 0:25:11.950

Monte Radler

And I for one, would like, you know, like to hear from, you know, Mike and anybody else who's well versed in current risk assessment. You know, what is the current view as to the dangerousness of these individuals?

0:25:13.190 --> 0:25:17.350

Monte Radler

In an inpatient setting versus an outpatient setting, and I certainly think.

0:25:18.140 --> 0:25:26.190

Monte Radler

I'd be interested to hear from Judge Gold as to his perception of how you know, judges interpret these statutory mandates.

0:25:30.560 --> 0:25:30.930

Gold, David

Well.

0:25:30.950 --> 0:25:33.590

Norko, Michael

We'll go to Miss Lachance next. And then doctor zieman.

0:25:34.830 --> 0:25:37.820

Ellen Lachance

I I just wanted to comment. I know Monty talked about.

0:25:39.140 --> 0:25:45.660

Ellen Lachance

Whether or not an individual requires an inpatient level of care, I think I heard heard that from you, but I it's important to remember that this.

0:25:47.200 --> 0:26:4.280

Ellen Lachance

Language is applicable for every decision that the board is going to be making, whether it's inpatient or outpatient, and so by definition it would need to be more broad. I would think just a comment so that it's clear we're not talking about just hospitalized patients.

0:26:5.330 --> 0:26:6.0

Ellen Lachance

In equities.

0:26:8.960 --> 0:26:9.530

Norko, Michael

Damon.

0:26:12.310 --> 0:26:12.990

Norko, Michael

So you're muted.

0:26:18.620 --> 0:26:42.140

Peter Zeman (Guest)

Sorry Monday. What is your impression? Since I haven't taken on new forensic cases for the last three or four years of the current level of and rigorousness of risk assessment of equities in the hospital now compared to say when four or five years ago when I was actively working with you on cases. Is it changed?

0:26:43.10 --> 0:26:46.180

Monte Radler

You know, I honestly don't know because the.

0:26:47.170 --> 0:27:16.220

Monte Radler

Risk assessment is done within the hospital setting in a very, you know, a very closed setting and we were never made Privy to that. I mean, we jokingly referred it referred to the Risk Committee as the Star Chamber because we didn't know what was discussed and what was going on. So it would certainly help matters if that risk assessment process was.

0:27:17.400 --> 0:27:22.750

Monte Radler

You know more accessible to those of us who have to deal with it. And the answer to it.

0:27:23.600 --> 0:27:27.250

Peter Zeman (Guest)

You couldn't be part of the team meetings if you wish to be.

0:27:28.380 --> 0:27:29.40

Monte Radler

Umm.

0:27:30.660 --> 0:27:34.210

Monte Radler

No, and I mean the team meeting while their team meetings.

0:27:35.830 --> 0:27:37.200

Monte Radler

Related to.

0:27:38.90 --> 0:27:46.680

Monte Radler

Levels review risk assessment, that type of thing and and we were never actively invited or encouraged to be part of that so.

0:27:48.190 --> 0:27:52.480

Monte Radler

I you know, all these years I I've never. I've never sat in on one.

0:27:53.170 --> 0:28:1.810

Monte Radler

So I honestly do not know what it is that they talked about and I don't know what kind of.

0:28:2.550 --> 0:28:13.170

Monte Radler

You know, risk assessment process is used. Do they use the current in the most current risk assessment instruments? I honestly don't know and I have no idea.

0:28:13.930 --> 0:28:26.940

Monte Radler

Of what you know, guides decisions such as, you know, different levels and access to grounds, passes and and and things like that. That whole thing is a mystery to me and.

0:28:29.890 --> 0:28:31.220

Peter Zeman (Guest)

Well, that that was what I was.

0:28:30.170 --> 0:28:35.20

Monte Radler

It was the the necessary process that the adversary process of a board hearing.

0:28:35.710 --> 0:28:36.970

Monte Radler

Was always.

0:28:38.210 --> 0:28:38.700

Andrew Reynolds

And then.

0:28:38.90 --> 0:28:42.910

Monte Radler

I I never felt it was a good way to really, you know, get any answers to these questions.

0:28:44.240 --> 0:28:55.800

Monte Radler

And I know over the years, I know when we first started, when I first started in 1998 and for the first few years thereafter, our expert witnesses had access.

0:28:55.840 --> 0:28:56.530

Andrew Reynolds

See that?

0:29:3.630 --> 0:29:3.890

Andrew Reynolds

4.

0:28:56.700 --> 0:29:14.950

Monte Radler

Had access to, you know, individual members of treatment teams. And then at that access was restricted and then we were restricted to dealing through the team and it was difficult to determine whether there were, you know, dissenting views of the various team members.

0:29:18.690 --> 0:29:20.880

Andrew Reynolds

OK, got told you that story.

0:29:16.690 --> 0:29:26.220

Monte Radler

So it was it was. It has more and more difficult to sort out what is truly going on in terms of what factors are taken into consideration.

0:29:27.650 --> 0:29:27.900

Peter Zeman (Guest)

OK.

0:29:27.700 --> 0:29:28.40

Andrew Reynolds

Fine.

0:29:33.720 --> 0:29:34.120

Andrew Reynolds

There.

0:29:27.950 --> 0:29:36.710

Norko, Michael

Let me invite George Cole to offer his comments, and then I'm gonna ask Doctor Kapoor to talk about the Forensic Review committee and and that process.

0:29:38.440 --> 0:30:9.720

Gold, David

Thanks, Mike. I I just would like to maybe take one step back and and then I will turn the floor over to Doctor Kapoor on this specific issue of risk assessment. I just think that we all need to keep in mind that at least in my in my experience the, the, the significant majority of of those that are within the PSLRB are there in cases in which the state has agreed.

0:30:10.590 --> 0:30:17.780

Gold, David

Uh to uh with the defense claim of an of an NGRI and.

0:30:18.570 --> 0:30:24.200

Gold, David

I just think we should all keep in mind that as this language changes.

0:30:24.720 --> 0:30:54.420

Gold, David

I it now will read to the safety and well-being of the Acquittee Monty suggests it maybe should be more pointed. We're now talking about best interest and the recommendation of Bill O'Connor. I understand all these things, but I think one of the consequences of this, this type, these types of changes and an altered assessment could very likely be a reluctance of the state to.

0:30:54.480 --> 0:30:58.330

Gold, David

Agreed to these NGRI.

0:30:58.490 --> 0:30:58.890

Gold, David

Uh.

0:31:5.920 --> 0:31:6.210

Andrew Reynolds

Yes.

0:31:8.30 --> 0:31:8.470

Andrew Reynolds

Show me.

0:31:10.550 --> 0:31:11.170

Andrew Reynolds
So all of them.

0:31:12.540 --> 0:31:12.910

Andrew Reynolds
Right.

0:31:13.200 --> 0:31:13.520

Andrew Reynolds
No.

0:31:15.660 --> 0:31:16.90

Andrew Reynolds
I know.

0:31:0.530 --> 0:31:17.760

Gold, David

Cases and we will, I would expect see fewer that go by agreement and there will be more contested NGRI defenses where the state hires a doctor to say we don't agree.

0:31:18.450 --> 0:31:44.140

Gold, David

Uh, so I think we need to be mindful of every tweak to this and we don't yet know what the effect of 2245's gonna be because it's brand new and we're we're meeting at somewhat of an odd time because of these. These are fairly this is a fairly significant change. We don't know the impact it's going to have, but if it does have an impact which reduces the number of cases in which the state agrees to this.

0:31:45.80 --> 0:31:55.350

Gold, David

We may end up with fewer under the PSLRB and I don't know whether or not that's a an end result that Monty or anyone else is looking for.

0:31:56.170 --> 0:32:5.800

Gold, David

I just thought I would throw that in as we discussed this area and I'll certainly leave to Doctor Kapoor. The the risk assessment discussion.

0:32:6.440 --> 0:32:41.30

Norko, Michael

So let me just interrupt that for a second because uh judge Gold reminded me of a conversation that we've had about sort of a technical question about this new language, which was the statute is not necessarily clear about to whom it applies. So the statute became effective October 1st. Does that mean only people who commit crimes after October 1st? Does that mean only people who were found NGRI after October 1st? Does it mean?

0:32:41.260 --> 0:32:59.550

Norko, Michael

Anyone who has a commitment hearing after October 1st, so that's sort of an open question and it's not clear how the the courts are going to wrestle with that should should that become some, some matter of contention anywhere.

0:33:6.560 --> 0:33:6.790

Norko, Michael

Yep.

0:33:2.550 --> 0:33:11.620

Andrew Reynolds

I would say one thing before hand. I would encourage the board to look at all the equities and what their.

0:33:12.180 --> 0:33:12.970

Andrew Reynolds

Ohh.

0:33:14.220 --> 0:33:20.980

Andrew Reynolds

What they were found by not guilty by reason of insanity not to have done.

0:33:22.80 --> 0:33:23.200

Andrew Reynolds

As we proceed.

0:33:26.80 --> 0:33:26.300

Norko, Michael

Yeah.

0:33:27.90 --> 0:33:45.870

Norko, Michael

I think in in my experience, that's something that the board members are quite well acquainted with. Usually the the executive director reviews cases with people. People keep their own notes. It's it. It always felt to me.

0:33:44.810 --> 0:33:47.310

Andrew Reynolds

Uh, I I don't mean the board. I mean the committee.

0:33:47.0 --> 0:33:50.360

Norko, Michael

Oh, uh, the committee. Ohh. I see. OK, thank you.

0:33:52.130 --> 0:33:58.0

Norko, Michael

So you're you're you're you're raising your concern that we keep in mind that these are serious offenses.

0:33:59.860 --> 0:34:0.410

Andrew Reynolds

Correct.

0:34:0.940 --> 0:34:1.810

Norko, Michael

Yeah. OK.

0:34:3.580 --> 0:34:10.570

Norko, Michael

Secret do you want to comment about the difference between treatment plan reviews and what the FRC does and how that works?

0:34:12.90 --> 0:34:24.230

Kapoor, Reena

Sure. And actually, what Mr Reynolds just said is maybe a a good place to start with that, because I think it's important to keep in mind, you know, at least amongst our hospitalized patients.

0:34:24.880 --> 0:34:40.260

Kapoor, Reena

Umm, all of them have been acquitted of some pretty serious crime. So 50% of our patients are here for murder or attempted murder. Another 25% or so sex assault one or salt one.

0:34:41.310 --> 0:35:10.340

Kapoor, Reena

So one of the challenges in utilizing the sort of state-of-the-art risk assessment instruments with this population is that they all come out high risk because of what's happened in the past and that past behavior is sort of the best predictor of future behavior. So sometimes, like, there's no shortage of knowledge within the hospital about risk assessment within forensic psychiatry, you know.

0:35:10.510 --> 0:35:21.360

Kapoor, Reena

I'm a board certified forensic psychiatrist. All the consulting forensic psychiatrists who are embedded into the treatment teams are as well. It's just that there is no.

0:35:22.260 --> 0:35:52.270

Kapoor, Reena

Standardized risk assessment tool or actuarial measure that is going to give you to spit out an answer to the question is Mr so and so ready for unsupervised grounds privileges. You know, like that's not a question that a risk assessment tool right now anyway can answer. So what the hospital has to do in addition to using those kinds of instruments is to have some.

0:35:52.350 --> 0:36:12.680

Kapoor, Reena

Internal process for making those kinds of decisions and reviewing them. So what typically happens is that you know, there are weekly levels and risk meetings that Monty was referring to and that is within the treatment team along with a consulting forensic psychiatrist who's.

0:36:14.270 --> 0:36:45.290

Kapoor, Reena

Assigned to that treatment team. So that's where this sort of day-to-day or week to week decisions about privilege levels within a setting are made. Then the next step beyond that is you know if a treatment team thinks that the patient is ready for something that requires a higher level of review in the hospital, that can be a transfer from Whiting, maximum security to Dutch or medium security.

0:36:45.570 --> 0:37:10.940

Kapoor, Reena

It could be beginning a temporary leave process, which means spending days or overnights in the community. Or it could be conditional release, which is sort of the final discharge from the hospital. Those decisions go to the hospital's Forensic Review Committee that is comprised of all the kind of senior clinical leadership of the hospital as well as.

0:37:12.150 --> 0:37:24.800

Kapoor, Reena

The consulting forensic psychiatrists, and that's where, you know, there can be a more a higher level discussion maybe you know about.

0:37:25.710 --> 0:37:59.560

Kapoor, Reena

The risks UM the PSLRB process, like all of those things can get discussed in the Forensic Review Committee, and it's true that attorneys have not are not to this day invited to those meetings. There are patients can invite anyone, including their attorneys, to their treatment plan review meetings. But I do think that, you know, it's important for their also to be a setting for clinicians to talk about clinical and risk management issues.

0:37:59.940 --> 0:38:15.770

Kapoor, Reena

Aside from the lawyers, and so you know, there are, I think, in recent years we've had some move towards more transparency about the FRC. And there's minutes, you know, there's sort of attendance, all that sort of thing.

0:38:17.290 --> 0:38:29.170

Kapoor, Reena

But I do think it serves an important purpose for there to be a space in which the hospital clinicians can talk about the patients without lawyers present.

0:38:32.870 --> 0:39:3.160

Norko, Michael

Well, thank you. This point I think we ought to move on to the second recommendation. Obviously we're not going to come up with an answer to any one of these today. And we have a lot more to discuss over the next year, including looking how at how other states do this work. And so we'll, we will be coming back to these items, but I do want to make sure that we get through all five of the recommendations today. So the the second one.

0:39:4.130 --> 0:39:24.620

Norko, Michael

Was about the process that's been in place since the founding of the PSLRB in 1985, which is that there has been an ability to recommit the individual to the PSLRB at the expiration of the original commitment time.

0:39:26.790 --> 0:39:45.200

Norko, Michael

There's been some slight amendments to to the language about that there was an amendment that made that the responsibility of the state's attorney's office and and set a time frame within which the state's attorney could petition for recommitment.

0:39:46.830 --> 0:39:48.50

Norko, Michael

Over the years.

0:39:48.230 --> 0:39:48.700

Norko, Michael

Umm.

0:39:49.700 --> 0:39:50.210

Norko, Michael

Umm.

0:39:51.640 --> 0:39:55.740

Norko, Michael

I think there's been changes in in.

0:39:57.100 --> 0:40:2.450

Norko, Michael

Culture about this. When I first started at Whiting in in 1988.

0:40:3.590 --> 0:40:8.60

Norko, Michael

There were the the the general tendency was to.

0:40:9.720 --> 0:40:12.330

Norko, Michael

If if someone had been acquitted.

0:40:13.910 --> 0:40:15.710

Norko, Michael

Of of the crime of murder.

0:40:16.790 --> 0:40:21.430

Norko, Michael

They routinely were committed to the board for 60 years by the court.

0:40:21.940 --> 0:40:36.740

Norko, Michael

Umm, the, you know, we had a a a shortcut at the hospital we referred to people as, you know, members of the 60 year club. You know I was just sort of you know the way we talked about it and then.

0:40:37.530 --> 0:40:38.490

Norko, Michael

Gradually.

0:40:39.690 --> 0:41:8.850

Norko, Michael

That started to change and I I think what what happened was that because the courts felt more comfortable that they could extend the commitment if someone were really not doing well and still seem to be quite ill or dangerous in some way that the commitment wasn't a one shot deal. And so we started to see courts impose shorter initial periods of commitment.

0:41:9.180 --> 0:41:16.940

Norko, Michael

Umm. And you know someone who was acquitted of a murder might get 20 or 25 years rather than 60.

0:41:17.440 --> 0:41:18.50

Norko, Michael

Umm.

0:41:19.120 --> 0:41:19.720

Norko, Michael

And.

0:41:21.880 --> 0:41:25.120

Norko, Michael

Along with that, the other thing that seemed to be happening was that.

0:41:26.400 --> 0:41:56.950

Norko, Michael

The Defense Council seemed more interested in in the insanity defense as those years got shorter, so you know all of this, this is is sort of like what Joe Judge Gold was commenting on earlier that every time there's a, there's a little change, you know, the system always wants to revert back to its, its homeostasis. And we always have to keep that in mind.

0:41:57.50 --> 0:42:3.290

Norko, Michael

About what? What happens with the commitment periods? But anyway the the recommendation was that.

0:42:4.250 --> 0:42:6.680

Norko, Michael

The ability to recommit be removed.

0:42:7.710 --> 0:42:30.210

Norko, Michael

From the statute and that at that point a civil commitment process would be the the process that was in place. And I know that the attorney Radler has argued for that for for years, he's brought cases to the Connecticut Supreme Court arguing that point. So this has been a long standing concern from Defense Council.

0:42:31.370 --> 0:42:38.910

Norko, Michael

What, what the legislature did this year in 2245, in Section 5, was to amend.

0:42:39.110 --> 0:42:55.280

Norko, Michael

Umm, so section 178593 so that the courts quote secondary concern is the safety and well-being of the equity UN quote when it makes its commitment decision. So it's not quite on point.

0:42:56.450 --> 0:42:59.620

Norko, Michael

But it was it was some change.

0:43:1.80 --> 0:43:5.580

Norko, Michael

So I imagine that the people have some thoughts about this section as well.

0:43:12.670 --> 0:43:13.680

Norko, Michael

Peter, you're muted.

0:43:16.590 --> 0:43:17.650

Norko, Michael

It is still muted, Peter.

0:43:20.570 --> 0:43:27.290

Peter Zeman (Guest)

What? When you say it's the secondary concern, does that mean it's coequal with a primary concern of, you know, safety of?

0:43:29.550 --> 0:43:32.550

Peter Zeman (Guest)

Society or is it mean it falls below that?

0:43:33.570 --> 0:44:3.830

Norko, Michael

Yeah, I think it's the latter because in the changes they made to the PSLRB's considerations, they made it a plural that the primary concerns were. So I think there it was meant to be coequal, I think, in the courts decision, it was meant to be subordinate, but I don't really know what the, what the rationale was for that or or what the the crafters of that language had in mind.

0:44:4.430 --> 0:44:6.260

Norko, Michael

I'm attorney plant. You had your hand up.

0:44:8.940 --> 0:44:15.520

Platt, Maureen

I do. I would just echo judge goals earlier statement as a state's attorney, I will tell you.

0:44:16.160 --> 0:44:34.830

Platt, Maureen

Uh, if the commitment levels are getting shorter by judicial and the ability to recommit would go to a civil process, there will be far less agreements by states attorneys to this not guilty by reason of insanity.

0:44:35.910 --> 0:44:42.60

Platt, Maureen

Far less so. I think it could actually have a reverse effect.

0:44:42.700 --> 0:44:48.700

Platt, Maureen

Umm. Then what? Many members of this group would hope for? Thank you.

0:44:56.440 --> 0:44:58.570

Norko, Michael

Uh telling you have your hand up.

0:45:1.910 --> 0:45:2.640

Norko, Michael

Can you think?

0:45:4.390 --> 0:45:6.220

Norko, Michael

OK. OK, good.

0:45:1.900 --> 0:45:6.830

Ellen Lachance

Let me defer to Monty. He had his hand up first, if you don't mind, I'm gonna follow him, if that's OK.

0:45:7.420 --> 0:45:7.700

Norko, Michael

Sure.

0:45:10.50 --> 0:45:10.660

Norko, Michael

Go ahead, Marty.

0:45:10.310 --> 0:45:11.570

Monte Radler

Oh yeah.

0:45:12.640 --> 0:45:16.440

Monte Radler

I don't necessarily think it's a bad thing for.

0:45:18.590 --> 0:45:25.430

Monte Radler

You know the the the state to be put in a position that they want to contest these things on. I.

0:45:28.110 --> 0:45:41.220

Monte Radler

You know, you go back to what are we talking about? We're talking about keeping people in a mental institution against their will, beyond what they would have spent in prison and.

0:45:42.490 --> 0:45:50.490

Monte Radler

Do we really want to do that? Do we really want our use our our precious inpatient mental beds to do that?

0:45:53.420 --> 0:46:2.730

Monte Radler

I think if there are clear standards, you know we we all lawyers in the criminal defense system, we know how to deal with those things.

0:46:4.290 --> 0:46:8.960

Monte Radler

And we're ultimately dealing with issues of fundamental fairness.

0:46:10.400 --> 0:46:28.70

Monte Radler

So the the clearer the the boundaries are as far as I'm concerned, the better. I mean, the Connecticut Supreme Court has said that the liberty that a institutionalized mental patient loses is probably a heavier burden on them than.

0:46:28.760 --> 0:46:30.830

Monte Radler

You know, prisoners in a jail cell.

0:46:31.70 --> 0:46:32.900

Monte Radler

Umm so.

0:46:33.580 --> 0:46:35.240

Monte Radler

We're really talking about that.

0:46:36.760 --> 0:46:42.20

Monte Radler

I mean, I have individuals we talk about people who, you know, have been acquitted of.

0:46:43.110 --> 0:46:45.330

Monte Radler

You don't murder and assault one, but.

0:46:46.190 --> 0:47:5.480

Monte Radler

I had clients who were acquitted by reason of mental disease or defect of class D felonies that carried the maximum prison sentence of five years and they were institutionalized within Whiting for twenty 30-40 years and treated exactly the same when it came to.

0:47:5.560 --> 0:47:9.460

Monte Radler

And you know, release hearings and release standards.

0:47:12.770 --> 0:47:13.160

Norko, Michael

I don't.

0:47:12.530 --> 0:47:18.620

Monte Radler

I mean, I just, I just think that there are too many roles here that are being blurred.

0:47:19.260 --> 0:47:19.930

Monte Radler

Umm.

0:47:21.50 --> 0:47:23.180

Monte Radler

Within the hospital.

0:47:23.860 --> 0:47:24.430

Monte Radler

Uh.

0:47:25.130 --> 0:47:28.360

Monte Radler

And I and I think we we all have to keep that in mind.

0:47:32.540 --> 0:47:32.940

Norko, Michael

Known.

0:47:33.840 --> 0:47:50.790

Ellen Lachance

Yeah, it just wanted to comment that I think this recommendation more than any of the others is a complicated one because it certainly talks about, as Monty talked about fairness, but also about practicality and people leaving a hospital setting if civil commitment.

0:47:50.950 --> 0:47:57.460

Ellen Lachance

Umm determines that process determines that a person is not appropriate for inpatient hospitalization.

0:47:59.160 --> 0:48:29.600

Ellen Lachance

And so then they would be discharged to the community and there's questions about what kind of services would they be able to have, particularly for somebody who's been in a hospital setting for 20 plus years, may not have family support, financial support, all of those. So. So I think that this recommendation more than the others as we go through is probably going to be one that we revisit over and over. But I also wanted to make a comment that I think this is related to one of the the issues that I saw in the task force and it particularly on page 12 of that.

0:48:29.750 --> 0:48:56.20

Ellen Lachance

Report the Task Force report which talked about the length of commitment time that people receive and it talked about a particular individual. But one of the things that's missing from that report, and I say this only from an educational standpoint, is that unlike individuals who are incarcerated and the report doesn't use the term incarceration, which is incorrect. They're committed, but unlike people who are incarcerated, equities can.

0:48:56.930 --> 0:49:19.510

Ellen Lachance

Apply for discharge early, something that incarcerated and sentenced individuals do not have the ability to do, and so I think that that's an important point to make just from education, so that that people understand that a commitment doesn't need to be a lifelong commitment, even though it may be at the outset if the Court sets it that way, they can and do.

0:49:20.810 --> 0:49:25.20

Ellen Lachance

Apply for early discharge and are released, so that's a that's a comment.

0:49:26.120 --> 0:49:36.400

Ellen Lachance

And as an aside, because some of these things are technical, I also wanted to put out there for if there are some individuals who are are not as familiar with how the board operates.

0:49:37.470 --> 0:49:50.780

Ellen Lachance

We can maybe talk to the Executive director of the PSLRB to set up a training for folks if they're interested to get the nuts and bolts down again, only if they're interested and in the May 20, 2019.

0:49:51.520 --> 0:49:59.460

Ellen Lachance

A meeting that I had with the task force I gave an overview and people are free to see that uh online just as a reference. Thank you.

0:50:2.350 --> 0:50:4.820

Norko, Michael

Like where you had your hand up and then you took it down.

0:50:5.770 --> 0:50:9.690

Kapoor, Reena

OK, I've talked a lot. We can hear from Bill and we'll see Reynolds. Yeah.

0:50:8.90 --> 0:50:11.370

Norko, Michael

OK, OK. Alright. Attorney Atlanta.

0:50:12.910 --> 0:50:41.10

Bill O'Connor (Guest)

Yes, just very briefly, I know this is a topic that we could spend all day on, you know it, whether the probate court process should replace the continued commitment process and the Criminal Court. I personally think it should. And you know our division is advocated for a change in the law. Thanks to Monte for 20 years. And we'll continue to. But my point would be that in terms of what the task force recommended, which is getting rid of the process and having the probate courts deal with this.

0:50:41.670 --> 0:50:50.900

Bill O'Connor (Guest)

What the stat, what the public act actually did, comes nowhere close to what the recommendation was. I mean, it's not even a Co concern of the court now, I mean.

0:50:51.550 --> 0:51:11.50

Bill O'Connor (Guest)

You know it's it's just a tip of the cap to the fact that you know that that the quit he does have rights here, but public safety still gonna Trump the rights of the equity when it comes to discharge or recommitment. And that's what it expressly says. So I don't think it came anywhere close to what the recommendation was. And that's my only point.

0:51:12.960 --> 0:51:15.390

Norko, Michael

And of course, just to point out.

0:51:16.570 --> 0:51:17.610

Norko, Michael

You know, I I I.

0:51:18.850 --> 0:51:37.120

Norko, Michael

I put that in in my summary as sort of the closest thing to response. I don't know that the legislature intended that change to be the response to that recommendation. I just thought in our summary this was as close as it got. So just to clarify the that.

0:51:37.400 --> 0:51:40.260

Norko, Michael

Umm, Mr Reynolds and then attorney plan.

0:51:43.980 --> 0:51:44.940

Norko, Michael

You're still muted.

0:51:49.290 --> 0:51:58.560

Andrew Reynolds

I just happened to respectfully discreet. Ohh, I found that they made it equal between the patients and the society.

0:51:59.650 --> 0:52:8.800

Andrew Reynolds

In reference to SV450 and and I think we're getting off point as this is a hearing about the PSLRB.

0:52:13.350 --> 0:52:13.990

Norko, Michael

Attorney-client.

0:52:17.450 --> 0:52:31.50

Platt, Maureen

I think it's important that we evaluate the feasibility of the probate system as it exists right now, taking over this onerous duty, certainly as it exists right now, I would submit it's not capable of doing that.

0:52:32.110 --> 0:53:3.510

Platt, Maureen

And for us to make that recommendation without a complete and utter overhaul of the probate system, I believe would be irresponsible and not something that is workable. And regarding the earlier statements that you know, you know about the involvement of Superior Court, well, these cases are in and of itself different entity because these individuals were found not guilty by reason of insanity.

0:53:3.620 --> 0:53:18.560

Platt, Maureen

Bringing them into the Superior Court system, bringing them into the criminal system so they are by their very nature different from other individuals suffering from mental disabilities that have been committed.

0:53:19.450 --> 0:53:19.920

Platt, Maureen

Thank you.

0:53:20.820 --> 0:53:27.470

Norko, Michael

Thank you. I'm gonna move us on to the third recommendation. Make sure we get through all five before 9:30.

0:53:29.130 --> 0:53:30.280

Norko, Michael
So the third one.

0:53:31.500 --> 0:53:45.130

Norko, Michael
Was a recommendation to amend 178587 to permit patients to petition the hospital for temporary leave as a clinical decision rather than as a PSLRB decision.

0:53:46.770 --> 0:54:4.720

Norko, Michael
So the first thing I noted in my summary is that the task force report here is also inaccurate, at least as it's stated, literally because it says under the current statute, patients have no right to petition the PSLRB regarding their release from the hospital.

0:54:5.880 --> 0:54:22.230

Norko, Michael
Which is not true. They've always had the ability to petition for conditional release as well as for release from the board. What I think the the task force meant to say was that they didn't have the ability to petition for temporary leave.

0:54:23.370 --> 0:54:35.300

Norko, Michael
And in Section 7 of Public Act 2245, patients are now allowed to apply to the PSLRB for temporary leave.

0:54:35.740 --> 0:54:43.610

Norko, Michael
Umm, so that's that seems to be directly responsive. That went into effect October 1st.

0:54:44.810 --> 0:54:50.380

Norko, Michael
I don't know whether anyone has made such an application at this point.

0:54:51.60 --> 0:55:16.600

Norko, Michael
Uh, I know that we've heard some rumors that there are some people who are for whom it's being considered, but I don't want to put anyone on the spot and ask them to reveal their their legal strategies to us. But I don't think there's been a case brought to the PSLRB yet of a patient who's petitioned for their own temporary leave. Anyone want to comment on this section on this recommendation?

0:55:24.330 --> 0:55:24.690

Norko, Michael
4.

0:55:23.330 --> 0:55:24.740

Bill O'Connor (Guest)
I'll just answer your.

0:55:25.790 --> 0:55:27.0

Norko, Michael

Oh, go ahead. Go ahead, bill.

0:55:27.530 --> 0:55:45.50

Bill O'Connor (Guest)

Yeah, I just answer the question you raised here. We currently have two applications that are sort of in process that have not hit missed cardella's desk yet, but we'll probably soon after the first of the year, but no there, there's been no, no that have actually come to here, no applications.

0:55:47.80 --> 0:55:47.690

Norko, Michael

That's it for.

0:55:48.960 --> 0:56:5.950

Kapoor, Reena

Yeah, I mean it makes sense to me that the patient should be able allowed to do this. I think they should be allowed to propose their own progress at any stage of the process, whether that's, you know, waiting to touch or Dutch or to temporary league temporary leave to CR.

0:56:7.90 --> 0:56:11.120

Kapoor, Reena

You know, I think I think the Senate system sometimes benefits from.

0:56:12.390 --> 0:56:14.640

Kapoor, Reena

Like the adversarial forces to get.

0:56:15.390 --> 0:56:42.250

Kapoor, Reena

Systems that can be very sort of stuck to move, so I don't think it's a bad thing. Not sure how the practicalities are gonna play out, whether it will be easier for, for example, the patient and their public defender to put together a temporary leave plan that will pass the boards scrutiny if that will be any easier for them than it is for the hospital. But I don't think it's a bad thing at all, but they have the opportunity to do so.

0:56:44.30 --> 0:56:44.650

Norko, Michael

Attorney plant.

0:56:50.850 --> 0:56:51.990

Norko, Michael

Maybe you're muted.

0:56:54.520 --> 0:56:56.330

Platt, Maureen

I'm sorry I forgot to take my hand down.

0:56:57.90 --> 0:56:58.60

Norko, Michael
Ohh OK.

0:56:59.920 --> 0:57:0.700

Norko, Michael
Miss lachance?

0:57:1.820 --> 0:57:16.530

Ellen Lachance

I concur with Doctor Kapoor. I think it's not a bad move. I think it's I. I think it's well within the right of people to ask for our transition and if the appropriate steps are taken. I think that that is a win for everyone.

0:57:19.670 --> 0:57:20.10

Norko, Michael
Good.

0:57:21.140 --> 0:57:35.710

Norko, Michael

Alright, so it it sounds like a during the course of our meeting. So we'll have the opportunity to to hear how those hearings have gone and for people to comment on that, if if they'd like as part of this process.

0:57:36.530 --> 0:57:38.330

Norko, Michael
Other thoughts about this recommendation?

0:57:42.470 --> 0:57:43.960

Norko, Michael
OK. We'll move on to #4.

0:57:44.400 --> 0:57:44.930

Norko, Michael
Umm.

0:57:49.560 --> 0:58:0.290

Norko, Michael

The number four was a recommendation to repeal 178599 to eliminate the PSLRB's role in determining whether someone could move from Whiting to Dutcher.

0:58:1.630 --> 0:58:22.0

Norko, Michael

And Public act 2245 in Section 8 dealt with this directly amended 599 subsection C to allow Whiting to make these transfers without the PSLRB approval, giving 48 hour advance notice of of the movement.

0:58:26.940 --> 0:58:33.520

Norko, Michael

I don't think that has happened yet either, although I know it has. Oh.

0:58:32.60 --> 0:58:34.830

Kapoor, Reena

Yeah. Wait, wait. Waiting to touch her.

0:58:35.860 --> 0:58:36.270

Kapoor, Reena

Yeah.

0:58:35.40 --> 0:58:37.350

Norko, Michael

Yeah, has a has an actual transfer occurred.

0:58:37.680 --> 0:58:40.390

Kapoor, Reena

Yeah, I wanna say either two or three so far.

0:58:40.500 --> 0:58:44.430

Norko, Michael

Oh, OK OK. I was aware of that. Alright, so.

0:58:45.330 --> 0:58:50.700

Norko, Michael

Thoughts about the about this recommendation and what's happened thus far with those two or three?

0:58:52.130 --> 0:58:54.870

Norko, Michael

Helen, do you still have your hand up from before or you have a new comment?

0:58:57.620 --> 0:58:59.700

Ellen Lachance

I don't thank you very much. I will take that down.

0:59:6.150 --> 0:59:6.690

Andrew Reynolds

I don't know.

0:59:5.800 --> 0:59:16.20

Kapoor, Reena

Yeah. I mean, so far, so good from the hospital standpoint like it's just illuminated one more, you know logistical barrier to transferring the patients.

0:59:17.840 --> 0:59:31.540

Andrew Reynolds

Uh, I just have a quick remark with the public. The original board, considering they did not and they admitted this, they did not consider the victim at all in their report.

0:59:32.430 --> 0:59:48.860

Andrew Reynolds

Ohh and notification to victims was a very strong thing that we fought for and that's before 50 and I'm not sure if the transfers to Dutcher have been. Ohh.

0:59:50.160 --> 0:59:53.850

Andrew Reynolds

Put under that were the victims are notified.

0:59:59.620 --> 1:0:6.700

Norko, Michael

I I the the statute did say that the board was to notify the victims, right?

1:0:9.20 --> 1:0:9.470

Norko, Michael

Umm.

1:0:9.850 --> 1:0:11.420

Cardella, Vanessa M

I can speak to that if you'd like.

1:0:11.810 --> 1:0:12.110

Norko, Michael

Yeah.

1:0:13.120 --> 1:0:13.990

Norko, Michael

Sure. Please.

1:0:13.80 --> 1:0:25.80

Cardella, Vanessa M

Yeah. Hi. This this is Vanessa. So we did develop a process as soon as we are made aware from the hospital, we reach out to the victim we attempt via phone and if if not.

1:0:26.200 --> 1:0:29.530

Cardella, Vanessa M

Successful in that way we we also send a written letter.

1:0:31.730 --> 1:0:32.20

Cardella, Vanessa M

OK.

1:0:32.860 --> 1:0:33.770

Andrew Reynolds

Thank you, Vanessa.

1:0:34.600 --> 1:0:53.50

Cardella, Vanessa M

But the the notice doesn't always mean that a date has been established, so that's something that we support the victims through understanding as well. So we have a notice of intent to transfer, but it doesn't mean that that transfer will will occur at a certain date or time.

1:0:54.20 --> 1:0:54.390

Cardella, Vanessa M

But.

1:0:56.580 --> 1:1:7.480

Cardella, Vanessa M

In some cases, the victim has asked to be notified and the hospital is notifying me when the transfer does occur. So these are processes and protocols that are being developed and.

1:1:8.780 --> 1:1:10.290

Cardella, Vanessa M

Kind of considered.

1:1:10.990 --> 1:1:12.120

Cardella, Vanessa M

As we move along.

1:1:14.340 --> 1:1:14.810

Cardella, Vanessa M

That's it.

1:1:16.330 --> 1:1:16.830

Norko, Michael

Thank you.

1:1:20.90 --> 1:1:22.940

Norko, Michael

Any other comments about the about this one?

1:1:29.990 --> 1:1:30.380

Norko, Michael

OK.

1:1:32.110 --> 1:1:33.120

Norko, Michael

So the last one.

1:1:34.220 --> 1:1:45.310

Norko, Michael

Was to amend 178585 to require that the PSLRB review and equities status every six months, rather than every two years.

1:1:46.350 --> 1:1:55.860

Norko, Michael

The current statute reads. The Board shall conduct a hearing and review the status of the equity not less than once every two years.

1:1:57.340 --> 1:2:26.270

Norko, Michael

And the task force also had a dissenting opinion about this, which was sort of a compromise between those two and said perhaps an annual review instead of every two years. But the equity should have the right to waive that review. So currently there's a a mandatory hearing every two years for people, but that has nothing to do with.

1:2:26.480 --> 1:2:46.930

Norko, Michael

Hearings about movement, so if either a patient proposes now a TL application, the CRM application discharge for the board, or if the hospital proposes any of those things, the board holds a hearing. Whenever that occurs, it doesn't have to be within that two year cycle.

1:2:48.720 --> 1:2:50.50

Norko, Michael

I'm not sure that.

1:2:52.220 --> 1:3:22.200

Norko, Michael

I'm not sure that I that I feel like the task force fully grasped all of that and and it it because it sounded like the the task force was thinking, well, these cases are only reviewed every two years. I think the reality is different, which is that the hospitals always reviewing cases and the equity always has the the right has always had the right, at least for a CR.

1:3:22.280 --> 1:3:26.760

Norko, Michael

Application or discharge and now for Tfl to ask for this so.

1:3:29.100 --> 1:3:30.500

Norko, Michael

Ellen, you have your hand up.

1:3:33.600 --> 1:4:0.920

Ellen Lachance

Yeah. Thank you. So just two comments, one, certainly the Budget Office would know need to note, so missed out that the expenses, the administrative expenses for this which should not be the reason why it's moose forward or not. But just to note that that would quadruple the OE expenses for the board because they would need to be reimbursed for that. So that would that would just be a financial.

1:4:3.330 --> 1:4:33.350

Ellen Lachance

Note and the other. The other point I believe it's either the regulations or the statutes, but there is a my memories. If my memory serves correct, there is a an A right for a request for a hearing, not just for CR TL. So in the past, if Attorney Radler or Mr O'Connor wanted to request a hearing, if there was, I think a reason that makes sense, we could put it on the agenda for a mandatory review and we did it at those.

1:4:33.520 --> 1:4:45.600

Ellen Lachance

Occasions when it was requested. It's not utilized often, but there is that option to have a mandatory

review more than every two years already in the statutes of rags, I can look that up, but I think that's accurate.

1:4:46.510 --> 1:4:46.730

Norko, Michael

And.

1:4:47.680 --> 1:4:59.660

Norko, Michael

Yeah. And just along that same line, not only do the cost increase, but then we'd have to think about whether or not the members of the board could meet.

1:5:0.640 --> 1:5:6.90

Norko, Michael

Three or four mornings every two weeks, instead of 1 morning every two weeks.

1:5:6.540 --> 1:5:16.800

Norko, Michael

Umm, no, because you'd quadrupled the number of hearings. And so you couldn't do it all in one morning every two weeks. So none and all of those people.

1:5:18.330 --> 1:5:39.600

Norko, Michael

I think most of those people have have their own jobs. There might be a retired person among them. I'm not. I don't. I'm not sure, but we'd also have to think about the practicality of how often people could be available for an unpaid position to serve the the state in this capacity.

1:5:42.640 --> 1:5:43.860

Norko, Michael

Other thoughts about this?

1:5:48.790 --> 1:5:49.370

Norko, Michael

Like 4.

1:5:50.510 --> 1:6:2.800

Kapoor, Reena

I mean, it's something from the resource issue of sort of having to prepare for more hearings. I could see some benefit of doing them annually. The reviews rather than every two years.

1:6:3.920 --> 1:6:7.730

Kapoor, Reena

Because, you know, going back to something that Monty had said earlier.

1:6:8.420 --> 1:6:12.40

Kapoor, Reena

Like this sort of big picture question of what are we doing here like?

1:6:12.140 --> 1:6:22.770

Kapoor, Reena

Ohm and the more that we can treat the patients like patients after they've been found NGRI you know and so civil patients.

1:6:23.890 --> 1:6:38.900

Kapoor, Reena

Have an annual civil commitment review and so to sort of mimic that process and have an annual review for the PSLRB. Patients would sort of bring them more in line. The two groups which I think has some benefit.

1:6:40.330 --> 1:6:49.620

Kapoor, Reena

You know, the challenge is, is resources of for the hospital and for the board and presumably for the public defender in the state's attorney as well.

1:6:55.260 --> 1:7:1.320

Norko, Michael

So they thoughts from people that participate in those hearings about increasing the the frequency of them.

1:7:3.350 --> 1:7:4.470

Norko, Michael

Yes. So terio, Connor.

1:7:6.140 --> 1:7:39.890

Bill O'Connor (Guest)

Yeah, my thought is that the recommendation was for six months. I I think that would be too frequent. I I kind of like the idea of the annual review and you know some of the two year mandatory reviews now are very short. You know in terms of how long they take and we we probably could fit you know it would take a lot of creative scheduling maybe, but we could fit in a fifth or 1/6 hearing on a given Friday. And if the you know if there's gonna be some equities who want are gonna want to waive their hearing anyway, there's some who waive their appearance. Now they don't want to come and.

1:7:53.630 --> 1:7:53.900

Norko, Michael

Good.

1:7:40.340 --> 1:7:54.700

Bill O'Connor (Guest)

And necessarily hear themselves talked about. So I guess I, I don't think the dissenting opinion is I think it's the dissenting opinion is pretty reasonable on I I would be in favor of that just as someone who does the earrings. So that does these are my thoughts.

1:7:55.990 --> 1:7:56.610

Norko, Michael

Attorney plant.

1:7:59.580 --> 1:8:4.410

Platt, Maureen

I would. There's also another factor to be involved and that is.

1:8:4.480 --> 1:8:4.780

Platt, Maureen

What?

1:8:4.950 --> 1:8:39.530

Platt, Maureen

A notification to the victims and the victims involvement in these as well. If there is a mechanism in place that could trigger a hearing, a mandatory hearing before the two year period, perhaps that should be utilized more greatly. But as a matter of course, to put this type of burden on on an all volunteer board to stretch the resources of the PSLRB to and my own experience dealing with victims for several days before and after.

1:8:39.670 --> 1:9:0.410

Platt, Maureen

They suffer enormous anguish, nervousness and they basically relive the experience. And to do this every year as opposed to every two years when a mandatory review can currently be triggered under the current law. I don't really know why we are doing it.

1:9:0.990 --> 1:9:4.410

Platt, Maureen

Umm. And it to me it seems like an expensive.

1:9:5.640 --> 1:9:16.440

Platt, Maureen

Auction and even more than that, it seems unfair to the victims that have been left behind and not only asked for prosecutorial time.

1:9:18.50 --> 1:9:20.130

Platt, Maureen

Frankly, there aren't that many of these cases.

1:9:21.490 --> 1:9:24.720

Platt, Maureen

Obviously, prosecutors prepare for them and we do.

1:9:25.850 --> 1:9:27.460

Platt, Maureen

Attend them but.

1:9:28.600 --> 1:9:31.980

Platt, Maureen

To me it's it's. I guess I'm asking why are we doing this?

1:9:34.290 --> 1:9:34.980

Norko, Michael
Mrs Kinnick.

1:9:36.890 --> 1:9:44.400

Jill Kidik

Umm, I appreciate attorney Platt bringing up the victim. I'm trying to understand again. There's a lot I don't understand about how this process works.

1:9:45.840 --> 1:10:5.10

Jill Kidik

But the idea that I have to go and and I am lucky that I don't have an issue talking about or hearing about my incident, but I'm one of very few people. But this does it right now. I feel like nauseous thinking. I have to go once a year.

1:10:5.760 --> 1:10:14.30

Jill Kidik

You know, I was prepared for every two years, which seemed a little excessive for what happened to me. So when I'm hearing that there's people that are committed.

1:10:14.770 --> 1:10:31.450

Jill Kidik

Uh, like O'Connor said for 20, something years for a Class D felony. That's a completely different situation than the equity that is in my life for the rest of my life. I do think that there needs to. It's such a Gray area of what we can't just put everybody in one bubble.

1:10:32.160 --> 1:10:33.770

Jill Kidik

I'm a victim of a very.

1:10:34.800 --> 1:10:37.390

Jill Kidik

Heinous, disgusting crime.

1:10:38.60 --> 1:10:42.410

Jill Kidik

And I agreed to this because I knew there was something wrong with the person that attacked me.

1:10:43.690 --> 1:10:48.380

Jill Kidik

But I shouldn't therefore be a victim every 365 days.

1:10:49.120 --> 1:10:58.580

Jill Kidik

Over and over and over again, it's hard enough to try to get through the day as it is, so I respect that there are other people who.

1:11:9.20 --> 1:11:9.230

Norko, Michael

Yeah.

1:10:59.350 --> 1:11:12.40

Jill Kidik

Should be seen every year that they could be rehabilitated, but there's it just needs to be weighed out a little differently. If any of that makes any sense. I'm obviously emotional about it. I don't understand all of it again, but it there's it's.

1:11:12.730 --> 1:11:16.530

Jill Kidik

The spectrum is just so huge of who is committed.

1:11:18.340 --> 1:11:22.830

Norko, Michael

Can I ask you and don't feel obligated to to answer but.

1:11:24.860 --> 1:11:26.70

Norko, Michael

Do you feel like?

1:11:26.980 --> 1:11:28.480

Norko, Michael

The hearings are.

1:11:29.390 --> 1:11:37.960

Norko, Michael

An opportunity for you? Or do they? Do they feel like an imposition for you that that you just you have some sense of obligation toward?

1:11:39.700 --> 1:12:6.470

Jill Kidik

I appreciate you asking that so you know, reading through everything that's Task force report and everything, there is a moment where I wished that like I just was ignorant to everything going on. I just didn't want to involve myself. I wanted to back away. I don't want to know because it's hard for me as a victim to try to explain to other people who have never experienced what I've gone through and can't see a person to see my eyes see them because of what they've done to me.

1:12:7.280 --> 1:12:31.310

Jill Kidik

I know that it is my job to show up if it's every six months, I will be there because I individually and just that person. I will be there. But there's there's so many more victims that can't handle it, they cannot handle it. They probably couldn't have testified during the original trial. I'm just a different person.

1:12:33.410 --> 1:12:48.420

Jill Kidik

That would be the right. I just don't. It's not the victim's gonna have a hard time. And then the victims

eventually not gonna be able to show up because they can't handle the trauma. I mean, I still go to therapy. I have therapy every Tuesday afternoon right after this, which is very convenient.

1:12:49.100 --> 1:12:58.70

Jill Kidik

Uh. And cause I stopped for a while and I knew I had things I needed to. There's just life gets in the way, and when you have to try to relive.

1:12:58.870 --> 1:13:3.180

Jill Kidik

They're incident that maybe other people having been able to deal with as well as I have.

1:13:4.430 --> 1:13:21.760

Jill Kidik

I just I'm concerned about that. And again the equities, yes, they deserve to be treated like humans and should be treated well and have their voices heard too, because they are still people at the end of the day. But the victims are.

1:13:22.940 --> 1:13:31.600

Jill Kidik

More often than not forgotten in the process, because many victims just don't have a voice. They just can't. They can't do it mentally, emotionally, whatever.

1:13:33.970 --> 1:13:36.620

Norko, Michael

Thank you for sharing that, Mr Reynolds.

1:13:38.730 --> 1:13:50.100

Andrew Reynolds

Uh, yeah, I speak to ohh several victims over weeks and months now, and it's been very hard for them.

1:13:52.280 --> 1:13:54.110

Andrew Reynolds

As Miss Kinnock.

1:13:54.820 --> 1:13:58.380

Andrew Reynolds

Stated to have the.

1:13:59.410 --> 1:14:10.530

Andrew Reynolds

Reviews shortened, but they also would go just because of they want their voice heard.

1:14:11.250 --> 1:14:14.430

Andrew Reynolds

And that's what I have, I just say.

1:14:17.780 --> 1:14:18.920

Norko, Michael
Uh, Marty, please.

1:14:20.670 --> 1:14:23.140

Monte Radler
I'm just speaking from a practical matter.

1:14:24.850 --> 1:14:33.0

Monte Radler
If there are changes such as some of the ones that have already taken place in in the recent public act that.

1:14:33.800 --> 1:14:36.650

Monte Radler
You know Ford activities? Umm.

1:14:38.10 --> 1:14:45.220

Monte Radler
You know more ability to, you know, proactively request things like you know, the temporary leaves.

1:14:46.40 --> 1:14:49.720

Monte Radler
Which is a big deal or movement from Whiting to Dutcher.

1:14:51.240 --> 1:14:55.250

Monte Radler
I frankly don't see the need for anymore annual.

1:14:56.110 --> 1:14:58.640

Monte Radler
Reviews than are already built in.

1:15:5.0 --> 1:15:5.740

Norko, Michael
Mr provino.

1:15:9.470 --> 1:15:9.960

Norko, Michael
Yes.

1:15:8.260 --> 1:15:23.630

Louis Bovino
Can you hear me? Yeah. Yeah, I agree. It's also stressful as an equity, you know, to go to the hearings, you know, every time I go there, I feel like I'm going back to court and.

1:15:24.740 --> 1:15:29.360

Louis Bovino
So to you know, to go every year would be you know.

1:15:30.190 --> 1:15:44.260

Louis Bovino

I I don't think it's really necessary because every time I go for a modifications, you know I'm I'm going to the board a lot of times. So that would even increase it even more. So being a two years is.

1:15:45.480 --> 1:15:46.630

Louis Bovino

I think it's appropriate.

1:15:49.180 --> 1:15:49.650

Norko, Michael

Thank you.

1:15:52.660 --> 1:15:55.650

Norko, Michael

Other uh comments on this recommendation?

1:15:58.130 --> 1:16:3.100

Norko, Michael

And again, remember this is this is not the final time. We'll talk about any of these things, so.

1:16:5.880 --> 1:16:9.490

Bill O'Connor (Guest)

I'm I'm just curious if Miss Silva has a thought on it.

1:16:9.640 --> 1:16:12.620

Bill O'Connor (Guest)

Umm. And how frequently the hearing should be?

1:16:17.110 --> 1:16:18.300

Sue Silva

I would think of.

1:16:19.800 --> 1:16:21.70

Sue Silva

For the individual.

1:16:21.800 --> 1:16:24.510

Sue Silva

Each case individually one year or two.

1:16:25.630 --> 1:16:26.80

Sue Silva

Umm.

1:16:29.710 --> 1:16:30.540

Sue Silva

I would say.

1:16:31.840 --> 1:16:42.60

Sue Silva

Well, I wanted to go back to the beginning, but when you were talking about how long people have to stay in and that it's 25 and 30 and 40 years.

1:16:43.140 --> 1:16:56.80

Sue Silva

It just gets a little crazy from the the patient is point of view through obviously need more one-on-one therapy and they're not getting it. I don't understand why they're just being overlooked completely.

1:16:58.530 --> 1:17:2.480

Sue Silva

I mean, I know they committed serious crimes, but you have to work on that. You have to think about it.

1:17:3.640 --> 1:17:6.950

Sue Silva

With somebody who's professional and can offer good insight.

1:17:9.260 --> 1:17:9.930

Sue Silva

Everything.

1:17:11.330 --> 1:17:15.70

Sue Silva

I mean it's trying to do that in the schools, which is great other shootings.

1:17:16.710 --> 1:17:17.950

Sue Silva

No, I think it's gonna help.

1:17:20.240 --> 1:17:29.420

Sue Silva

Pleased to help us there, you know, I mean, a guy might just all of a sudden one day say I think I will take him up on that offer to see him, you know?

1:17:30.400 --> 1:17:34.850

Sue Silva

And when they do, I think they they would have a great burden lifted off their shoulders, you know.

1:17:36.610 --> 1:17:40.80

Sue Silva

It's just helpful to talk about and if there are more groups too, not.

1:17:41.340 --> 1:17:51.250

Sue Silva

Not geared around so much incarceration because of the law, but because the medical psychological.

1:17:51.910 --> 1:17:52.80

Sue Silva

Like.

1:17:52.940 --> 1:17:56.230

Sue Silva

What you were saying you're unsure about?

1:17:57.220 --> 1:18:1.30

Sue Silva

Where the law gets off and that's the house begins.

1:18:2.290 --> 1:18:3.20

Sue Silva

Just so.

1:18:4.990 --> 1:18:8.450

Sue Silva

It's too, too vague and it doesn't help the patients at all.

1:18:9.700 --> 1:18:10.800

Sue Silva

To be too big.

1:18:12.340 --> 1:18:24.670

Sue Silva

And they're dealing with their emotions. I've seen guys beat each other up, you know, and waiting. And it's a very difficult place to be. There was codes every day. And then David Howe came along with a dog and changed the whole thing.

1:18:26.160 --> 1:18:28.0

Sue Silva

You know what I mean? He does, really.

1:18:28.990 --> 1:18:33.730

Sue Silva

Uh, it's too bad there's no way you hired to replace them with a dog.

1:18:36.110 --> 1:18:41.280

Sue Silva

You know what I mean? He really spoke to all the different patients. They all knew him. It was great.

1:18:42.390 --> 1:18:44.310

Sue Silva

So he was worth his salary, you know.

1:18:45.800 --> 1:18:46.430

Sue Silva

Pressing.

1:18:47.290 --> 1:18:47.740

Sue Silva

That's all.

1:18:49.30 --> 1:18:50.450

Norko, Michael

Thank you, doctor Jaggedy.

1:18:51.780 --> 1:19:10.590

Jegede, Oluwole

Uh, thank you. I've just listening to uh, Miss Katic and Mr Bovino, and someone who's only associated with this very peripherally. I'm wondering why is there even recommendation to change the frequency of these hearings? Is there any any use to it at all?

1:19:11.860 --> 1:19:16.80

Jegede, Oluwole

Any need for it? Just clarification I'm I'm not sure who can answer that.

1:19:18.100 --> 1:19:18.450

Kapoor, Reena

No.

1:19:18.220 --> 1:19:20.950

Norko, Michael

I'm not sure that the the task force.

1:19:21.970 --> 1:19:25.200

Norko, Michael

Explained it. My sense is that.

1:19:26.360 --> 1:19:30.470

Norko, Michael

There was a concern about the need for.

1:19:31.770 --> 1:19:44.740

Norko, Michael

Increased movement and that somehow having hearings more frequently would would increase the movement of patients through the system. I I think that was the the the sense.

1:19:45.940 --> 1:19:47.870

Norko, Michael

Are there other people have thoughts about that?

1:19:50.210 --> 1:19:50.900

Norko, Michael

Doctor Zaman.

1:19:53.310 --> 1:20:8.520

Peter Zeman (Guest)

Having listened to everybody I was on wasn't sure what it right now as having listened to everybody. I think every two years is certainly sufficient of and I quit. They can request a hearing sooner.

1:20:9.940 --> 1:20:17.170

Peter Zeman (Guest)

And I don't think that if they're pro forma every year rather two years, that it's gonna make things move any faster.

1:20:17.870 --> 1:20:33.60

Peter Zeman (Guest)

Umm, if there's movement of the equity can ask for something or feels that there should be action sooner. Otherwise, I think every two years and certainly listening to.

1:20:33.600 --> 1:20:34.300

Peter Zeman (Guest)

Umm.

1:20:39.460 --> 1:20:45.730

Peter Zeman (Guest)

Those who have been victims, I I I understand and empathize with their.

1:20:47.300 --> 1:20:48.820

Peter Zeman (Guest)

Anguish about these hearings.

1:20:51.120 --> 1:20:51.770

Norko, Michael

Really rather.

1:20:53.450 --> 1:20:54.580

Monte Radler

Yeah, I I just.

1:20:56.490 --> 1:21:2.600

Monte Radler

You know, I empathize with both the victims, absolutely and with the equities and.

1:21:3.650 --> 1:21:10.750

Monte Radler

My sense is, is that the purpose of this recommendation was to increase movement, but there are other ways to do that.

1:21:12.490 --> 1:21:17.680

Monte Radler

And there doesn't need to be pro forma hearings with more frequency.

1:21:17.750 --> 1:21:18.160

Monte Radler

Umm.

1:21:19.100 --> 1:21:21.790

Monte Radler

I mean, it's certainly not worth the extra expense.

1:21:29.610 --> 1:21:31.140

Norko, Michael

OK anyone else?

1:21:30.260 --> 1:21:39.930

Monte Radler

I mean, I also think your your your, your your sense of why they put this in there is is accurate it was you know designed to.

1:21:41.270 --> 1:21:42.900

Monte Radler

Increased movement and.

1:21:43.740 --> 1:21:45.350

Monte Radler

It's being done in other ways.

1:21:48.50 --> 1:21:55.410

Kapoor, Reena

Yeah, I imagine it was like, you know when you know you have a dentist appointment coming up, you brush your teeth a little bit more beforehand.

1:21:56.790 --> 1:22:15.380

Kapoor, Reena

But somehow it would sort of spur that in the system, but I think everyone else's point is well made that that has to be balanced with the stress on players involved and you know, listening to everyone, I think, yeah, not changing things and leaving it at two years seems reasonable.

1:22:22.120 --> 1:22:27.90

Norko, Michael

All right. Well, we've gotten through the recommendations I wanted to thank everyone for.

1:22:27.880 --> 1:22:36.300

Norko, Michael

Offering their comments, I think this has been a very productive conversation. Appreciate everyone contributing to it.

1:22:36.670 --> 1:22:42.890

Norko, Michael

Umm. And expect that we'll continue to have many more of these types of conversations.

1:22:43.430 --> 1:22:45.280

Norko, Michael

Umm, what? I'd.

1:22:46.180 --> 1:22:49.750

Norko, Michael

Like to do in January is a little something different.

1:22:50.750 --> 1:22:59.60

Norko, Michael

I want to show you a documentary that was made at a facility like Whiting in in Canada.

1:23:0.140 --> 1:23:10.610

Norko, Michael

By by very, very talented documentary and documentarian who's won a number of awards about the process there that.

1:23:11.710 --> 1:23:30.540

Norko, Michael

Goes through what happens in the hospital? What happens with the patient? What happens with the victim, all of that sort of thing. And I think it adds a it'll add a nice human dimension to our our future conversations. So I'd like to to to share that. Helen, did you have a comment?

1:23:39.610 --> 1:23:39.960

Norko, Michael

Yeah.

1:23:30.850 --> 1:23:47.840

Ellen Lachance

Well, just about the topic you're raising, I believe you said at the beginning at the top of the the hour there that it was maybe the third week in the month. And so for January, that's a holiday. So that would bring us to the 16th, which is Martin Luther King. So I just wanted to make sure we looked at that before we left.

1:23:49.830 --> 1:23:52.30

Norko, Michael

I thought it was the 2nd teeth. What am I?

1:23:52.100 --> 1:23:52.370

Peter Zeman (Guest)

Right.

1:23:52.880 --> 1:23:56.340

Ellen Lachance

My calendar for 2023 says Monday the 16th.

1:23:56.830 --> 1:23:57.800

Norko, Michael

No. OK.

1:23:59.80 --> 1:23:59.710

Kapoor, Reena

Yeah.

1:23:57.40 --> 1:24:1.900

Ellen Lachance

Ohh sorry, we're Tuesday. Thank you. Never mind. As they say on Saturday Night Live.

1:24:2.710 --> 1:24:10.890

Norko, Michael

OK, right. So that's my plan. I'm going to to make sure that that I can share and I have a.

1:24:12.270 --> 1:24:18.430

Norko, Michael

A 52 minute version that the producer made available to me a few years ago.

1:24:18.500 --> 1:24:25.840

Norko, Michael

So I've actually shown it at Whiting to some staff there. I've shown it to the Whiting Advisory Board.

1:24:27.170 --> 1:24:33.140

Norko, Michael

I've shown it at professional meetings and people generally find that.

1:24:33.220 --> 1:24:54.740

Norko, Michael

The very impactful, so I I think it would be a good thing for for all of us to to have and after the new year, I'm I'm also going to send out something that Attorney Platt has sent to me. Her office did a very nice memorandum about what's happening in the state of Arizona.

1:24:55.900 --> 1:25:7.830

Norko, Michael

The Task Force report makes mention of the fact that three states had have PSLRB Arizona and is in the process of officially dismantling it's PSLRB.

1:25:9.620 --> 1:25:39.230

Norko, Michael

The setting motion to statute about a year and a half ago that basically said, unless the PSLRB demonstrates to the legislature that it can change how it's doing its behavior, it will be shut down on. I think it's July 1st of 2023 and there are no indications at this point that that's happening on fact, several of the members of their PSLRB have resigned. So it looks like it is going to be dissolved and.

1:25:39.930 --> 1:26:7.900

Norko, Michael

Attorney plants office put together very nice memorandum looking at the Office of Inspector General in Arizona's report about that. So I'll circulate that in January for people to start reading. And I think we'll take that up for discussion in our February meeting. And then that'll be an entree into our looking at what several other states do. I I mentioned last time we met that.

1:26:7.970 --> 1:26:23.840

Norko, Michael

That there are, you know, the other. The other models that are available to us for us to look at and I'll I'll

be circulating those and I think we should start looking at that as well over the first few months of next year.

1:26:25.550 --> 1:26:26.70

Norko, Michael

Any.

1:26:27.110 --> 1:26:30.210

Norko, Michael

Any further comments or questions about any of that?

1:26:32.330 --> 1:26:33.290

Platt, Maureen

I was just hoping.

1:26:32.250 --> 1:26:35.210

Andrew Reynolds

I just want to wish everybody good.

1:26:36.280 --> 1:26:48.610

Platt, Maureen

Now, if Ellen Ola chance could either e-mail me or give me a call at the Waterbury states he's office, I'm in the process of putting together a training. Then you had mentioned you had a training that was donated. Appreciate it. Thank you.

1:26:48.560 --> 1:26:48.840

Ellen Lachance

Sure.

1:26:50.620 --> 1:26:50.900

Platt, Maureen

Sorry.

1:26:51.950 --> 1:27:4.470

Norko, Michael

And and maybe maybe we'll send out an e-mail, we'll put the exact link to that May 19th session that you were talking about. Ellen, we'll put the link to that in an e-mail. So everybody can access it easily.

1:27:6.510 --> 1:27:6.890

Norko, Michael

Peter.

1:27:7.380 --> 1:27:12.970

Peter Zeman (Guest)

Mike, will you be sending out monthly invitations for these meetings? That helps because it gets in my calendar.

1:27:13.610 --> 1:27:14.0

Norko, Michael

Yes.

1:27:14.520 --> 1:27:15.590

Peter Zeman (Guest)

OK. Thank you.

1:27:15.510 --> 1:27:22.810

Norko, Michael

Yeah, yeah. Melanie is actually been doing that for us. So we wanna thank her for for that and for.

1:27:23.530 --> 1:27:30.650

Norko, Michael

For for taking care of the Minutes for us to to fulfill our our obligation for the state.

1:27:33.760 --> 1:27:35.920

Norko, Michael

Great. Any other last thoughts?

1:27:36.790 --> 1:27:39.680

Andrew Reynolds

I just wanted to wish everybody happy holidays.

1:27:40.560 --> 1:27:42.190

Norko, Michael

Yes, thank you. Thank you.

1:27:41.870 --> 1:27:42.370

Monte Radler

Thank you.

1:27:42.950 --> 1:28:2.940

Norko, Michael

Yeah, everybody. So to enjoy the holidays and we'll start off, they won't be any homework for our January meeting. We'll just look at the at the the film. But in January, I will send out the the very nice memo from Attorney Platt's office and we can start reviewing that for our February meeting.

1:28:6.240 --> 1:28:6.620

Peter Zeman (Guest)

I.

1:28:3.800 --> 1:28:7.50

Norko, Michael

So happy holidays, everyone, and we'll see you next month.

1:28:7.980 --> 1:28:8.260

Peter Zeman (Guest)

But.

1:28:7.870 --> 1:28:8.760

Monte Radler
Happy holidays.

1:28:8.450 --> 1:28:9.240

Dowd, Judith
And how it is.

1:28:8.960 --> 1:28:9.670

Bill O'Connor (Guest)
Thank you very much.

1:28:9.220 --> 1:28:9.720

Norko, Michael
Alright.