



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of Christine Perra Rapillo Office of the Chief Public Defender

Raised Bill 5557: An Act Concerning the Competency of a Defendant to Stand Trial

**Committee on the Judiciary
March 23, 2018**

The Office of Chief Public Defender supports passage of Raised Bill 5557, An Act Concerning the Competency of a Defendant to Stand Trial. This proposal amends C.G.S. 54-56d to allow the court to suspend the mandatory periodic reviews of an accused who has been found not competent, not restorable and has been released into the community or placed in the custody of the Department of Mental Health and Addiction Services or the Department of Developmental Services. Current law mandates that the court review competency of a person charged with certain serious offenses every 6 months, to ensure that their status as not restorable remains unchanged. Such reviews continue until the time equal to the maximum penalty for the offenses charged has elapsed. Allowing the courts to waive the review makes sense, particularly where a person's intellectual disabilities or severe and persistent mental illness make it clear and obvious that the person will not be restored to competency within the next six month period. The Office of Chief Public Defender urges this committee to act favorably, as the proposal will eliminate unnecessary proceedings and does not limit the authority of the prosecutor to request a review of competency any time