

PA12-048

SB0337

House	6147-6154	8
Public Safety	284-285, 346-351, 572-573	10
<u>Senate</u>	<u>947, 1179</u>	<u>2</u>
		20

H – 1140

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 18
5829 – 6187**

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

389
May 4, 2012

Senate Bill 263 in concurrence with the Senate.

Total Number voting	134
Necessary for adoption	68
Those voting Yea	134
Those voting Nay	0
Those absent and not voting	17

DEPUTY SPEAKER ARESIMOWICZ:

The bill is passed in concurrence. Will the
Clerk please call calendar 424.

THE CLERK:

On page 24, calendar 424 substitute for Senate
Bill number 337, AN ACT CONCERNING THE SILVER SYSTEM.
Favorable report by the committee on public health.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Roldan of the 4th, you have the
floor, Sir.

REP. ROLDAN (4th):

Thank you, Mr. Speaker. Mr. Speaker, I move
acceptance of the joint committee's favorable report
and passage of the bill in concurrence with the
Senate.

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

390
May 4, 2012

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate. Representative Roldan, you have the floor, Sir.

REP. ROLDAN (4th):

Thank you, Mr. Speaker. Mr. Speaker, this bill makes a much needed change to the silver alert system already in the books. There are many reasons that we -- that move us as a legislative body to act, Mr. Speaker. Today this bill comes to us after the occurrence of what can only be described as a terrible tragedy.

March 17, 2010 Aaron Torres from the City of Hartford walked away from the Connecticut Valley Hospital facility under the care of the Department of Mental Health and Addiction Services. His mother, Margarita Torres spent the next year trying to locate her son to no avail. She asked, she begged for a silver alert to be called but not alert was called. This bill, Mr. Speaker, addresses this issue that we learned as a result of going through this sad affair.

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

391
May 4, 2012

Specifically, Mr. Speaker, silver alert may be called when anyone aged 65 or older or 18 or older with a mental impairment is reported missing. The bill allows for relatives, guardians, or conservators of a missing person to ask the DEMAS Commissioner to file a report with the Department of Emergency Services and Public Protection.

Based on that, Mr. Speaker, this involves local, regional, or statewide alerts on radio, TV, and highway electronic signs. Had this bill taken place immediately after Aaron's disappearance and not a year after he disappeared, Aaron may have been found immediately, Mr. Speaker. In some way, Mr. Speaker, Aaron is doing his part today in contributing to the public safety of the State of Connecticut.

My hope and the hope of his mother, Margarita Torres is that no other parent will go through this again. I move acceptance, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, Sir. Will you remark further? The fine Gentleman of the City of Hartford,

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

392
May 4, 2012

Matt Ritter of the 1st district. You have the floor,
Sir.

REP. RITTER (1st):

Thank you, Mr. Speaker. And through you I just want to thank Representative Roldan for bringing this forward. Aaron's mother is a constituent of mine actually in the West end of Hartford. And as Representative Roldan referred to through you, Mr. Speaker, this story and this situation has touched not only the neighborhood, the City, but the State and I think nationally as well.

And these changes I believe will make it as Representative Roldan referred to through you, Mr. Speaker, not only more likely that in these types of occurrences and situations this individual might be found but I think it gives some comfort and peace of mind to those parents, to those relatives for whom are in these types of establishments under DEMAS and things like that. So it's been a couple of years.

There's nothing we can do unfortunately to undo the past but we can do things as lawmakers to make the forward -- the present and the future and going

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

393
May 4, 2012

forward more comforting and more legally sound and the response what we believe is required under the circumstances by law tonight. And I hope that's what we do here tonight. So my thanks to my colleague from Hartford and through you, Mr. Speaker, I hope my colleagues will consider supporting this bill. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, Sir. Will you remark further? Representative Giegler of the 138th. You have the floor, Madam.

REP. GEIGLER (138th):

Thank you, Mr. Speaker. I rise in support of the bill before us. This bill as Representative Roldan said supplements an existing statute of the silver alert. It will speed up the process in seeking out an inpatient in a DEMAS facility. Having worked in the mental health field for 24 years I know the importance of seeking out individuals.

Most often those that are inpatients have some serious illnesses, some of them are suicidal and it's pertinent that we get them in a speedy and timely

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

394
May 4, 2012

basis. So I urge my colleagues support. Thank you very much.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, Madam. Will you remark further? Representative Srinivasan of the 31st, you have the floor, Sir.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. Good evening, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Good evening, Sir.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. I too rise in strong support of this bill. The need is definitely there and time is of essence. And so when we are able to pick up these situations early enough and as being said very elegantly we cannot undo the past but moving forward it is something that we will be able to be happy and proud of that we were able to pass this in this assembly.

smj/law/djp/gbr
HOUSE OF REPRESENTATIVES

395
May 4, 2012

I definitely will urge my colleagues, both sides of the aisle to strongly support that. Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, Sir. Will you remark further on the bill before us? Will you remark further on the bill before us? If not, staff and guests come to the well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is taking a roll call vote. Members to the Chamber please.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will the members please check the board to determine if your vote is properly cast. If all members have voted the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally?

THE CLERK:

Senate Bill 337 in concurrence with the Senate.

Total Number voting	140
Necessary for adoption	70
Those voting Yea	140
Those voting Nay	0
Those absent and not voting	11

DEPUTY SPEAKER RYAN:

The bill passes. Are there any announcements of points of introduction? Any announcements? Hearing none, will the Clerk please call calendar number 327.

THE CLERK:

On page 15, calendar 327 Senate Bill number 241,
AN ACT ALLOWING AD JUNCT FACULTY MEMBERS OF THE
REGIONAL COMMUNITY TECHNICAL COLLEGE SYSTEM TO WAIVE
MEMBERSHIP FROM THE STATE RETIREMENT PLAN. Favorable
report by the committee on labor.

DEPUTY SPEAKER RYAN:

Representative Willis of the 64th, you have the floor, Ma'am.

REP. WILLIS (64th):

Thank you very much, Mr. Speaker, and good evening. Mr. Speaker, I move for the acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY AND
SECURITY
PART 1
1 – 317**

**2012
INDEX**

The next speaker is Commissioner Patricia Rehmer, commissioner of Department of Mental Health and Addiction Services. And I thank you, commissioner, just to let us start off with the two Stamford legislators and there will be more that will come testify after you. So thank you.

COMMISSIONER PATRICIA REHMER: Thank you. Good morning, Representative Dargan and distinguished members of the public safety committee.

I am Patricia Rehmer, commissioner of the Department of Mental Health and Addiction Services, and I'm here today to speak in support of Senate Bill 337, AN ACT CONCERNING THE SILVER ALERT. And I want to thank the committee for raising this proposal for the department. You have my written testimony, so I'll try and just paraphrase what I have written here.

When an individual is deemed missing from a DMHAS facility, one of our, in-patient facilities throughout the state, typically we have issued a teletype alert that goes to local, state and national police forces to help us in terms of finding that individual. Connecticut's Silver Alert System can potentially speed this process up in terms of locating and safely returning a missing in-patient by extending the notification to the media and general public. However, we had some concerns regarding the patient confidentiality since the information provided to the media and general public would include a picture of the individual and health care information.

When we looked at the statute, as it was presently written, it gives that authority to family members and conservators, and they can contact the state police directly. However, when we put this into practice, the state police actually requested that our agency police officers or the police officers in the area where the individual is deemed missing would be the individuals that would notify the state police. So the issue for us is the issue of confidentiality, the change in language, because it allows either the conservator, the family member or myself in limited circumstances to notify the local police officers. In most instances it will be our agency police officers, and they will then take the information that is required and notify the police and issue the Silver Alert.

So, I'm actually accompanied by Marcia Aleksunes, our chief of police, and we'll be glad to answer any questions if you have them.

REP. DARGAN: Thank you very much, commissioner. Questions from any committee members referencing the bill that's before us? Hearing none, I don't know if the chief has any words. No. Okay, well, thank you very much for your testimony.

COMMISSIONER PATRICIA REHMER: Thank you.

REP. DARGAN: The next presenter is deputy commissioner of the Department of Construction Services, Commissioner Pasquale Salemi.

DEPUTY COMMISSIONER PASQUALE SALEMI: Thank you Mr. Chairman. Good morning to Senator Hartley, Representative Dargan, Senator Guglielmo and Senator Geigler and distinguished members of the committee. For

SB320
SB323
SB327

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY AND
SECURITY
PART 2
318 – 658**

2012

verbiage on line 6, about four words in, that would read, Tested and certified pursuant to the requirements of the American National Standards Institute or ANSI Standards Institute, and Underwriters Laboratory as set forth in either ANSI slash UL 217 or ANSI slash UL 268 or successor standards by a nationally recognized testing laboratory. Ladies and gentlemen, thank you very much.

REP. DARGAN: Any substitute language that you have, if you could just get it to our clerk, that would be helpful for us.

RONALD FARR: I will get that, yes.

REP. DARGAN: Thank you. Questions from committee members? Thank you, chief, for coming to testify. Thank you so much.

RONALD FARR: Thank you.

REP. DARGAN: Our next presenter is Representative Kelvin Roldan. Kelvin, thank you very much for your testimony.

Any questions from committee members?

REP. DARGAN: Kelvin, I get one a hearing, and you're the one.

KELVIN ROLDAN: It's so great to see you too. Chairman Dargan, Chairman Hartley, members of the committee, thank you for the opportunity to come before you. Joining me to my right is Margarita Torres.

I'm here to testify in strong support of the S.B. 337, AN ACT CONCERNING THE SILVER ALERT. Last year some of you may have heard the story of Aaron Torres. The reason this bill is

before you is because of the tragic circumstances surrounding Aaron. With that, I really just wanted to introduce to you Aaron's mother, Margarita Torres, and I'll let her do the speaking from here on. Thank you.

MARGARITA TORRES: Good afternoon, Chairwoman Hartley, Chairman Dargan and other members of the committee on Public Safety and Security. My name is Margarita Torres, and I live on 127 Oxford Street in Hartford. I am testifying today as a parent and legal conservator of my son, Aaron Torres, on S.B. 337, AN ACT CONCERNING THE SILVER ALERT SYSTEM.

Improving the Silver Alert system in the State of Connecticut is a very personal issue for me. You see, I had a son who at the age of eighteen was dual diagnosed with schizophrenia and bipolar disorder. He was unable to make rational decisions or care for himself. His illness prevented him from finishing high school, attending college or pursuing an abundance of extracurricular activities that he was fond of. Aaron was a certified scuba diver, an avid snow boarder and along with the youth church group he loved taking weekend long kayaking trips. When he began hearing voices and having hallucinations he started to self medicate, and by the time his father and I understood his diagnosis, Aaron was unable to come to terms with his illness. He wanted to be just like any other teenager. The disease robbed him of his capacity to enjoy life and denied him the understanding that if he didn't take his medications he would not get better. Therefore, on the advice of his physicians, I was granted conservatorship of his person by the courts.

Although it was a horrific concept, Aaron's

physicians at the state hospital, the judicial system and I thought it was for his safety. Without proper care Aaron would be left alone to wander the streets with no food or shelter and no medication. In state care the belief was that he would be safe, fed, clothed by his family and given hope, hope to eventually get better and live a productive life.

On March 17, 2010, our hope for recovery was shattered. While on a fresh air break and supposedly adequately supervised by the Connecticut Valley Hospital staff, Aaron turned and walked away. No one went after him, no one chased him and no one found him. I was notified of his disappearance within two hours. Between that day and the day his remains were found on a beach on Long Island Sound, I asked hundreds of times what was being done to find him and was told that everything possible was being done to find my son. The media tried to help. Articles were written and there was some live news coverage. My friends and I sent letters and pleas for help to every shelter in Connecticut, every mental health institution in the State of Connecticut and eventually every department of mental health in the country and yet nothing turned up.

Several months into Aaron's disappearance I heard about something called the Silver Alert. I googled it and found out that every state has one, including the State of Connecticut. The Silver Alert system, effective July 1, 2009, mandates that law enforcement immediately begin searching for missing individuals who are age sixty-five or older or ages eighteen and over if mentally impaired, yet it was not issued for Aaron. When I asked the Middletown Police almost a year after

Aaron's disappearance, I was told that they did not know of the Silver Alert.

I'm here today to advocate for S.B. 337, AN ACT CONCERNING THE SILVER ALERT. With the Silver Alert Aaron may have been found. We'll never know. We do know that without it others will be lost forever. Thank you for your attention today, and I welcome any questions you may have.

REP. DARGAN: Thank you very much for your testimony. Thank you, Representative Roldan, for bringing this to our attention. Questions from committee members?

Representative Kirkley-Bey.

REP. KIRKLEY-BEY: Is she saying that the portion that says who can notify that someone is missing that you have a problem with that?

KELVIN ROLDAN: If I may to you, Mr. Chairman, we are in support of the changes being recommended by the department.

REP. KIRKLEY-BEY: So the conservator and all of that is all right?

KELVIN ROLDAN: Correct.

REP. KIRKLEY-BEY: Okay, thank you. I misunderstood. Thank you.

KELVIN ROLDAN: The changes are truly truly necessary in order to prevent this in the future. It took a year for the department to call a Silver Alert on the disappearance of Aaron, and it was only done so after Margarita and I contacted the Commissioner of Public Safety to do that. The department has taken

its due diligence, and we applaud the department for making the suggestions and these changes at this time.

REP. DARGAN: Further questions?

Senator.

SENATOR HARTLEY: Thank you, Mr. Chair, and thank you, Representative Roldan. Thank you for being so brave to come here and tell that emotional story.

So you're saying that the Middletown -- did I understand that the Middletown Police did not know what a Silver Alert was?

MARGARITA TORRES: Yes, that's what I'm saying. That's what they told me.

SENATOR HARTLEY: I find that incredible.

MARGARITA TORRES: Yes, absolutely.

SENATOR HARTLEY: And it is true that while we have made changes and improvements to it, it has existed for those seniors and for those who are mentally impaired. So it's not like we need to carve out a new category in this particular instance, but I don't understand how our law enforcement folks didn't know about that.

And so what you're saying to me is when this incident happened it was reported to the local police?

MARGARITA TORRES: Yes, absolutely. And the local police and the Department of Mental Health and Addiction Service and me, the information was out there, but the Silver Alert allows -- and

maybe you can help me explain it better -- for the police to conduct searches with the dogs and ground searches and, I guess, anything else that they wish to do to search for an individual who has a mental impairment or an elderly person.

SENATOR HARTLEY: And public service announcements to --

MARGARITA TORRES: And public service announcements --

SENATOR HARTLEY: -- to include the help of citizens on the street.

MARGARITA TORRES: I certainly didn't know that there was a law that I -- you know, I expected that the law would know.

SENATOR HARTLEY: Well, that's where I'm getting stuck.

KELVIN ROLDAN: There was -- you know, a lot of things went wrong in this process. As I understand it, the first Silver Alert issued by DMHAS on the disappearance of a patient is Aaron Torres. It had never been used. And part of the reason was because of the way that the law had been used, and it really was not functional to some extent, and that is why we're here today is to make those changes to ensure that this happens to no one else in the future.

SENATOR HARTLEY: Thank you so much, Ms. Torres, for being with us, and thank you, Attorney Roldan.

KELVIN ROLDAN: Thank you.

Margarita V. Torres

Testimony before the Public Safety and Security Committee

Feb. 6, 2012

Good morning, Chairwoman Hartley, Chairman Dargan and other members on the Committee on Public Safety and Security. My name is Margarita Torres, and I live on 127 Oxford Street in Hartford. I am testifying today as a parent and legal conservator of my son Aaron Torres, on an Act concerning the Silver Alert System.

Improving the Silver Alert System in the State of CT is a very personal issue for me. You see I had a son who at the age of 18 was dual-diagnosed with schizophrenia and bi-polar disorder. He was unable to make rational decisions or care for himself. His illness prevented him from finishing high school, attending college or pursuing an abundance of extracurricular activities that he was fond of. Aaron was a certified scuba diver, and avid snow boarder, and along with the youth church group, he loved taking weekend-long kayaking trips. When he began hearing voices and having hallucinations, he started to self-medicate and by the time his father and I understood his diagnosis, Aaron was unable to come to terms with his illness. He wanted to be just like any other teenager. The disease robbed him of his capacity to enjoy life, and denied him the understanding that if he didn't take his medications, he would not get better. Therefore, on the advice of his physicians, I was granted "Conservatorship of his Person" by the Courts.

Although it was a horrific concept, Aaron's physicians at the State Hospital, the judicial system and I thought it was for his safety. Without proper care, Aaron would be left alone to wander the streets with no food or shelter, and no medication. In State care, the belief was that he would be safe; fed, clothed by his family and given hope. Hope to eventually get better and live a productive life.

On March 17, 2010, our hope for recovery was shattered. While on a fresh-air break, and supposedly adequately supervised by the CT Valley Hospital Staff, Aaron turned and walked away. No one went after him. No one chased him. And no one found him. I was notified of his disappearance within two hours. Between that day, and the day his remains were found on a beach on Long-Island sound, I asked hundreds of times what was being done to find him and was told that everything possible was being done to find my son. The media tried to help; articles were written and there were some live news coverage. My friends and I sent letters and pleas for help to every shelter in CT; every mental health institution in the State and eventually, every Department of Mental Health in the Country, and yet nothing turned up.

Several months into Aaron's disappearance, I heard about something called "The Silver Alert". I googled it, and found out that every State has one - including the State of CT. The Silver Alert system, effective July 1, 2009, mandates that law enforcement immediately begin searching for missing individuals who are ages 65 or older, or ages 18 and over if mentally impaired. Yet, it was not issued for Aaron. When I asked the Middletown Police almost a year after Aaron's disappearance, I was told that they did not know of the Silver Alert.

I'm here today to advocate for the Silver Alert. With the Silver Alert, Aaron may have been found. We'll never know. We do know that without it, others will be lost forever.

Thank you for your attention today and I welcome any questions you may have.

SB337



STATE OF CONNECTICUT
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES
A Healthcare Service Agency

3

P 1

L22

DANNEL P. MALLOY
 GOVERNOR

PATRICIA A. REHMER, MSN
 COMMISSIONER

Testimony of Patricia A. Rehmer, MSN, Commissioner
Department of Mental Health & Addiction Services
Before the Public Safety Committee
March 6, 2012

Good morning, Sen. Hartley, Rep. Dargan and distinguished members of the Public Safety Committee. I am Patricia Rehmer, Commissioner of the Department of Mental Health and Addiction Services, and I am here today to speak in support of SB 337 AN ACT CONCERNING THE SILVER ALERT. I want to thank the committee for raising this proposal for the department.

The bill before you will address an issue that has come up when a family member, conservator or myself, as Commissioner, requests the issuance of a Silver Alert on an individual who has walked away from one of our five inpatient treatment facilities (CT Valley Hospital, CT Mental Health Center, Capitol Region Mental Health Center, and Greater Bridgeport CT Mental Health Center).

When an individual who is receiving inpatient services from a DMHAS facility is deemed missing, it has been the practice of our DMHAS Police to issue an emergency alert notification to local, state, regional and/or nationwide law enforcement agencies, through information they enter into the COLLECT (CT Online Law Enforcement Communication Teleprocessing) System. This practice of sending a teletype has served us well over the years and has met the confidentiality requirements for our patients.

Connecticut's Silver Alert System can potentially speed up the process of locating and safely returning a missing inpatient by extending the emergency notification to the media and general public. We had some concerns regarding patient confidentiality, since the information provided to the media and general public would include a picture of the individual and healthcare information. When we looked at the statute as presently written however, we realized that it gave the family members and conservators authority to contact the state police directly, and that DMHAS would not be put in a position of having to breach a patient's confidentiality.

Taking these issues into account, we changed our policies and began to inform family members and conservators of individuals in our inpatient settings who walked away from treatment, that in addition to DMHAS sending out a teletype, they had the option of requesting the issuance of a Silver Alert through the Division of State Police. We soon learned that the Silver Alert request must come from the local police agency that has jurisdiction over the missing person investigation, which in our cases, would be our DMHAS Police. They would need to complete and send a Division of State Police form requesting a Silver Alert to their Communications Center.

Our DMHAS Police are CT P.O.S.T. (Police Officer Standards and Training) Council certified and are located at all five inpatient facilities. If the proposal before you becomes law, these officers would have the ability, when it is determined that the missing person fits the mandated criteria for the Silver Alert, to utilize this system on behalf of a family member, conservator, or myself as Commissioner. In doing so, the present impediments faced by all parties would be removed and we would limit the amount of information that can be released, thereby expand the options in our efforts to locate and safely return missing inpatient individuals who may be at risk.

Thank you for your time and attention to this matter. I would be happy to answer any questions you may have regarding this proposal.

S - 639

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

**VOL. 55
PART 4
942 - 1311**

cah/med/gbr
SENATE

6
April 18, 2012

Calendar 296, Senate Bill Number 307, Madam President,
move to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, moving now to Matters Returned from
Committee: Calendar Page 24, Calendar 132, Senate
Bill Number 337, Madam President, would move to place
that item on our Consent Calendar.

THE CHAIR:

Seeing no objection, sir, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

And, Madam President, Calendar Page 25, Calendar 194
is marked go.

And under Favorable Reports and Resolutions, Madam
President, on Calendar Page 26, Calendar 243, House
Joint Resolution Number 2 is marked go.

And, Madam President, that will be an order of the day
item following the Executive and Legislative
Nominations at the beginning of our calendar.

THE CHAIR:

Thank you, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, that concludes our markings at this
time. We'll have some bills to refer to committees
later in the session and now would yield the floor to

cah/med/gbr
SENATE

238
April 18, 2012

And page 24, Calendar 132, Senate Bill 337.

THE CHAIR:

The Senate will stand at ease for a second.

(Chamber at ease.)

THE CHAIR:

Okay. Those are the items listed. The machine will be open.

Mr. Clerk, will you please call for a roll call vote on the Consent Calendar. Thank you.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members voted? If all members voted, the machine will be locked.

And Mr. Clerk, will you please call the tally.

THE CLERK:

On today's Consent Calendar.

Total Number Voting	35
Necessary for passage	19
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar has passed.

Senator Looney.

SENATOR LOONEY.