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**COMMITTEE ON THE JUDICIARY
MARCH 20, 2017**

**TESTIMONY OF CHRISTINE PERRA RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION
OFFICE OF CHIEF PUBLIC DEFENDER**

***RAISED BILL 7286
AN ACT CONCERNING THE RECOMMENDATIONS OF THE
JUVENILE JUSTICE POLICY OVERSIGHT COMMITTEE***

The Office of Chief Public Defender (OCPD) supports passage of **Raised Bill 7286, An Act Concerning Recommendations of the Juvenile Justice Policy Oversight Committee (JJPOC)**.

These proposals are the result of the ongoing work of the JJPOC to ensure a fair, effective, high quality, juvenile justice system in Connecticut and to continue the reforms that have brought the state national recognition. OCPD staff continue to co chair the workgroup to reduce recidivism and has representatives on all workgroups and most subcommittees.

Sections 1 and 4 would remove youth under the age of 18 from adult correction facilities, even if their cases had been transferred to the adult docket pursuant to C.G.S. Sec. 46b-127. Under current law, youth age 15-17 who are transferred to the adult criminal docket are turned over to the Department of Corrections for both pre and post conviction incarceration. While these are the youth charged or convicted of the most serious crimes, nearly all of them will eventually be released from prison and returned to their communities. Multiple studies have shown that youth held in juvenile facilities have consistently better outcomes than those committed to a correctional institution.¹ Young people who are held in juvenile facilities stay connected to their

¹ THE IMPACT OF PROSECUTING YOUTH IN THE ADULT CRIMINAL JUSTICE SYSTEM:A Review of the Literature UCLA School of Law Juvenile Justice Project (2010); Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges. Anna Aizer_ and Joseph J. Doyle, Jr.June 24, 2013

families, participate in age appropriate programming and recidivate less than their counterparts who are in adult correctional custody. Youth who are held in juvenile facilities receive better access to education and developmentally appropriate care and treatment. Allowing youth transferred to the adult court to benefit from these services up to the age of 18 will improve their chances of reintegrating without the fiscal and social expense of recidivism.

There is clearly the physical capacity to house youth under the age of 18 in juvenile facilities. Judicial closed one juvenile detention center and currently operate two more at less than half capacity. The average daily population at CJTS, which has over 100 beds, has hovered between 45 and 55 for almost a year. As of January, 2017 there were 61 boys and 2 girls under the age of 18 being housed at the Department of Corrections who would potentially need housing in a juvenile facility

Section 2 requires the Office of Policy and Management to track and report on juvenile recidivism rates for children in the juvenile justice system. The Juvenile Justice Policy Oversight Committee is mandated to work to reduce recidivism. However, the committee has been unable to obtain reliable recidivism data from some of the agencies, particularly the Department of Children and Families. The agencies have reported structural issues with their data systems as the reason for not being able to report or track arrests rates for certain cohorts of children, risk levels, or program outcomes. OPM controls the budget for Executive Branch agencies. Placing the responsibility for tracking and analyzing recidivism data on OPM will create accountability and allow for dialogue about resources needed to more nimbly report on necessary data.

Section 3 amends the original JJPOC bill to add projects and reports to improve the juvenile justice system. A data work group is established to ensure that requests for information from the committee to state agencies are made and responded to in a timely and efficient manner. This section requires the JJPOC to review the community diversion plan, coordinate with the Children's Behavioral Health plan and report on the needs of children in the juvenile justice system. Section 2 also mandates that the JJPOC create a plan to improve vocational and educational outcomes for children in the juvenile justice system. This work has already begun in collaboration with the Department of Education and the state technical high schools. **Section 8** of this bill requires those agencies to implement the plan by August, 2018

Section 5 would require the Department of Children and Families to report to the JJPOC on the progress of plans to close the Connecticut Juvenile Training School. This is an important proposal, as it would allow for a more transparent process for planning the closure of this troubled facility. While DCF has given brief updates to the JJPOC, the agency has made clear that they will make the final decisions regarding the closure and replacement of CJTS. The JJPOC is populated with the state's experts in juvenile justice. It meets in a public forum,

generally televised for any interested citizen to view. It is critical that DCF be mandated to make the JJPOC an active part of the CJTS closing planning process.

Sections 6, 7 and 9 would make major changes to the Families with Services Needs statutes. Family with Services Needs or FWSN cases involved status offenses, non criminal behavior that society wants to control in young people. Sometimes these cases serve as a gateway to the juvenile justice system. This proposal would remove all status offenses from judicial court handling and move services to the communities where they belong.

Section 10 amends C.G.S. 46b-124 to protect the data gathered when conducting the new detention risk assessment tool from being used against the child. This is important, since the assessment is done prior to the accused child being appointed counsel. There is different language that OCPD has discussed with both the Judicial Branch and the Office of the Chief State's Attorney that we feel more clearly outlines the proper uses and limits of the data. We will be happy to provide that proposed language to the committee.

Section 11 makes minor technical changes to implement the proposal.

The Office of Chief Public Defender supports these changes. They represent Connecticut's ongoing commitment to juvenile justice reform and to ensuring that our juvenile justice system is fair and effective for all youth who touch it. We urge the Committee to favorably act on this proposal.