



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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TESTIMONY OF CHRISTINE PERRA RAPILLO CHIEF PUBLIC DEFENDER

JUDICIARY COMMITTEE MARCH 21, 2018

RAISED BILL NO. 486 - AAC NOTIFICATION TO BOARDS OF EDUCATION OF THE RELEASE OF A JUVENILE SEXUAL OFFENDER AND A MODEL POLICY CONCERNING REENTRY OF SUCH JUVENILES INTO THE SCHOOL SYSTEM

The Office of the Chief Public Defender (OCPD) opposes **Raised Bill No. 486 - AAC NOTIFICATION TO BOARDS OF EDUCATION OF THE RELEASE OF A JUVENILE SEXUAL OFFENDER AND A MODEL POLICY CONCERNING REENTRY OF SUCH JUVENILES INTO THE SCHOOL SYSTEM.**

Section 1 of this bill creates an unnecessary, duplicative and damaging requirement that the Court Support Services Division (CSSD) of the Judicial Department notify a child's school whenever a child is being released from the custody of CSSD/Judicial or DCF and has been adjudicated as delinquent for a host of felony sex offenses.

As this Committee is aware, Connecticut has been a national leader in implementing progressive improvements to its juvenile justice system, which focus on the goals of rehabilitation and reducing recidivism. This restorative justice approach has been driven by science and research supporting the concept that children are not just "miniature adults" and should not be treated the same way as adults in the criminal justice system if we expect them to be successful. One of the fundamental predictors of success for young people is access to a quality education and educational stability.

This bill is counterproductive to the goals of Connecticut's rehabilitative juvenile justice system and to a young person's ability to re-enter his/her school successfully and without stigma. This is similar to the reason why the General Assembly has *repeatedly* chosen *not* to

require juveniles who have been adjudicated as delinquent to register as sex offenders on the Connecticut Sex Offender Registry.

In addition to being counterproductive to these goals, the language in Section 1 of this bill is also duplicative. Under existing law, the police are already required to notify a school whenever an enrolled student is arrested for a violation of CGS Sec. 53-206c (Sale/Carrying/Brandishing of a Facsimile Firearm), Class A misdemeanor or *any* felony. (See, CGS Sec. 10-233h). The sex crimes that are listed in this bill are all felonies and, therefore, would already need to be disclosed to the school at the time of the arrest pursuant to CGS Sec. 10-233h.

Section 2 of the bill would require the Commissioner of Education, in consultation with CSSD, to develop a model policy concerning the children described in Section 1 above. While OCPD fully supports statewide efforts that help to plan for and promote the educational success of children involved with the juvenile justice system, this language appears to be inappropriately focused on a subgroup of children who have been adjudicated for certain behaviors and makes no mention of the goals of this “model policy,” which raises concerns regarding unintended and potentially punitive consequences. Moreover, there are already existing efforts and statutory mandates overseen by the Juvenile Justice Policy and Oversight Committee (JJPOC) that are focused on improving educational outcomes for children involved in the juvenile justice system as one variable in reducing recidivism.

The OCPD appreciates this Committee’s continued interest in promoting the rehabilitative goals of the juvenile justice system, and we look forward to our ongoing work with you and others toward that end.