

Testimony Supporting:
S.B. 337: An Act Concerning Juvenile Justice
S.B. 342: An Act Appropriating Funds for the Establishment of
Six Additional Family Support Centers
H.B. 5491: An Act Concerning Youthful Offenders and Delinquent Children
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February 26, 2008

Senator Meyer, Representative McMahon and distinguished Members of the Select Committee on Children:

We testify on behalf of Connecticut Voices for Children, a statewide, independent, citizen-based organization dedicated to speaking up for children and youth in the policymaking process that has such a great impact on their lives.

I. CT Voices strongly supports S.B. 337, which clarifies laws relating to the expansion of juvenile jurisdiction to 16 and 17 year olds under Public Act 07-4 (June Special Session).

With the passage of Public Act 07-4 (JSS), §88, the Juvenile Jurisdiction Policy and Operations Coordinating Council (JJPOCC) was charged with recommending statutory language to address unresolved issues concerning the expansion of juvenile jurisdiction to 16 and 17 year olds. To address this need, the Judicial Working Group (a subcommittee of the JJPOCC)—comprised of the state’s experts in juvenile legal matters¹—proposed a series of recommendations that are reflected in S.B. 337, including:

- Prohibiting delinquency status for: legally emancipated youth, youth involved in motor vehicle infractions, and youth in violation municipal and town ordinances;
- Permitting police officer discretion in releasing a child on his own recognizance and proposing a delinquency charge if the child willfully fails to appear;
- Deleting Serious Juvenile Offenses that are inconsistent in terms of their relation to other crimes, not likely to be charged against delinquents, or often overcharged in relation to actual delinquent behavior;
- Limiting the grounds for detention;
- Disassociating court ordered work study programs with removal from school;
- Updating the delinquency record erasure law to reflect the extension of juvenile jurisdiction and decreasing administrative barriers to petitioning for erasure; and

¹ The panel included designees from the Chief Court Administrator, Chief Public Defender’s Office, and Chief State Attorney’s Office.

- Expanding the list of diversionary programs to include: Juvenile Accelerated Rehabilitation, Community Service, and Mediation.

CT Voices strongly agrees with the Judicial Working Group's recommendations and, consequently, the proposed revisions to the law regarding juvenile matters, as detailed in S.B. 337.

II. We strongly encourage funding for the establishment of six additional Family Support Centers.

The Family Support Center is a multi-service "one-stop" agency for high risk/need Families with Service Needs (FWSN) children. Public Act 07-4 (JSS) requires that every juvenile court, after assessment by a probation officer, divert high risk/needs FWSN cases to a Family Support Center. The Family Support Centers assess the service and treatment needs for children and families who need immediate assistance and provide access to appropriate and effective interventions. Services include: case management; 24-hour crisis counseling; flexible funding for positive youth development activities; educational advocacy; one-on-one therapeutic sessions; and up to two weeks of respite care. The Family Support Center model effectively diverts juveniles at risk for delinquency from exposure to the court system and can prevent future delinquency,² thus leading to a reduction in overall system costs.³

In 2007, the General Assembly provided funding only for the four existing centers, located in Bridgeport, Hartford, New Haven and Waterbury. As a result, only 39 out of 161 Connecticut's cities and towns are currently served by a Family Support Center.⁴ The four current locations of Family Support Centers are serving only 54% of the entire FWSN population.⁵

The need for additional Family Support Centers is serious. The high-need communities of New Britain, Waterford, Willimantic, and Middletown (and surrounding towns) are missing out on these mandated services. Funding for the additional six Family Support Centers would ensure that every high risk/needs child and his or her family in the rest of the state has reasonable access to these crucial diversionary services.

III. We support H.B. 5491 because the technical changes proposed will ensure the appropriate legal rights and treatment of Youthful Offenders. These changes include:

² According to Connecticut's Office of Legislative Research 2007 bill analysis of H.B. 5676, a high functioning Juvenile Review Board (JRB) provides nearly the same services as a Family Support Center. Such JRBs need to contract with Court Support Services Division to become an official Family Support Center. Because Family Support Center services began at the start of FY 08, no evaluation data are available. However, P. Litzelfelner analyzed longitudinal outcome data regarding juveniles participating in a JRB process and found fewer out-of-home placements and more time had elapsed between the date of the original offense and the re-offense among JRB youth. For more information see, "The Use of Citizen Review Boards with Juvenile Offender Cases: An Evaluation of the Effectiveness of a Pilot Program," *Juvenile and Family Court Journal* (Winter 2001) vol. 52, no. 1.

³ Research on the utilization of detention risk assessment tools and subsequent diversion to community-based alternatives has found a reduction in detention-related costs. For more information, see P. Townsend. "Detention Redemption," *The American Prospect Online* (September 2005) and B. Holman and J. Ziedenberg. "The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities," *The Justice Policy Institute* (2006).

⁴ The 39 towns and cities currently served by a Family Support Center are: Ansonia, Beacon Falls, Bethany, Bloomfield, Branford, Bridgeport, Cheshire, Derby, East Hartford, Easton, Fairfield, Guilford, Hamden, Hartford, Madison, Middlebury, Milford, Monroe, Naugatuck, North Branford, Orange, Oxford, Prospect, Seymour, Shelton, Southbury, Stratford, Trumbull, Wallingford, Waterbury, Windsor, Wolcott, and Woodbridge.

⁵ Analysis of State Fiscal Year 2005-06 FWSN Referrals by Receiving Court Location. Data available in Families with Service Needs Advisory Board. "Report to the Connecticut General Assembly," (February 2008): pg. 89.

- Eliminating the ten-day period for transferring cases back to the Youth Offenders docket once they have been transferred off by the prosecutor and permitting transfer back at any time;⁶
- Limiting the total probation period for Youthful Offender cases to no more than 5 years;
- Prohibiting the shackling of non-convicted juveniles in juvenile court;
- Crediting the time served in pre-trial detention towards total time required at residential therapy or at the Connecticut Juvenile Training School;
- Extending the requirement that a child's parents must be present for a statement to be admissible in court for juveniles who are later transferred to adult court; and
- Permitting the Department of Children and Families Commissioner to override the requirement that a juvenile be held 60 days without home passes if he or she was transferred from one facility to another.

We support the proposed changes outlined in H.B. 5491 because they reflect the values of a restorative juvenile justice system,⁷ which proactively rehabilitates children and youth and prevents further delinquency.

Thank you for your consideration of our testimony.

⁶ Research indicates that transferring juveniles to the adult court system may be more harmful than effective. For more information see, "Effects of Violence and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System" published in *Morbidity and Mortality Weekly Report* (November 30, 2007 vol. 56 no. RR-9) released by the Centers for Disease Control.

⁷ The Center for Juvenile and Criminal Justice outlines key elements of a model juvenile justice system that focuses on restoration and rehabilitation. The proposed changes are congruent with CJCJ's recommended model. For more information see: <http://www.cjcj.org/jjc/reforming.php#ems>. Much research has been conducted on the transfer of juveniles into the adult justice system. Research finds punitive features of the adult court system, such as shackling, limited contact with family members, and long-term sentencing, increase the risk of future incarceration. For more information, see "Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System," published by the Centers for Disease Control in *Morbidity and Mortality Weekly* (November 30, 2007) vol. 56 no. RR-9.