



Senate

General Assembly

File No. 507

January Session, 2001

Substitute Senate Bill No. 548

Senate, April 30, 2001

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CHILDREN IN SECURE DETENTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 (NEW) Educational instruction of a child placed in a juvenile
- 2 detention center shall begin not later than the fifth day of the
- 3 placement. For purposes of this section, "juvenile detention center"
- 4 means any secure detention facility operated by a public or private
- 5 entity.

KID *Joint Favorable C/R*

ED

ED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Significant Cost,¹ Potential Cost

Affected Agencies: Judicial Department, Department of Children and Families, Department of Correction

Municipal Impact: Significant Cost - STATE MANDATE

Explanation

State Impact:

The bill results in a significant cost to the Judicial Department and a potential cost to the Department of Correction. There would be no impact on the Department of Children and Families.

Judicial Department

The bill results in a significant cost to the Judicial Department to accommodate an expansion of current secure classroom space. The agency currently operates juvenile detention facilities in Hartford, New Haven and Bridgeport. These facilities contain a total of about 100 juveniles at any one time; 50% of whom are released within 10 days. Class size at these facilities cannot exceed a ratio of eight

¹ OFA defines significant as exceeding \$100,000.

students to one teacher according to a 1997 court consent decree.² In order to accommodate the increased number of classes that would be needed, the agency would have to: 1) restructure the existing facilities, which could violate the court consent decree relating to standards on the size of program space; 2) seek additional secure facility space outside the existing facilities; or 3) begin emergency-paced construction of additions to existing facilities. All of these options would result in significant cost.

The agency is currently in the process of expanding its secure juvenile detention facility space at two of its locations. A facility expansion in Hartford is scheduled to be completed in 2003 and a facility expansion in Bridgeport is scheduled for completion in 2004-2005, depending on site acquisition and construction progress. The size of the new facilities are designed to allow full school enrollment within three days of entry into the facilities.

Department of Correction

It is uncertain whether the bill's provisions would apply to the Department of Correction's Manson Youth Institution (MYI). MYI is a high security facility that houses sentenced male offenders aged 14 to 21. Assuming that the bill is intended to impact the Manson Youth inmate population, passage may potentially result in the need for additional resources. MYI has a capacity for almost 700 offenders and over 400 students take part daily in the education programming. Some youthful offenders do not participate due to security reasons. Others do not participate due to priority given to those individuals with longer sentences. While it is not anticipated to be significant, any special provisions that are necessary to accommodate certain groups of offenders as suggested in the bill may require additional resources.

² The Emily J. vs. Weicker Consent Judgment was approved in 1997 and established guidelines concerning teacher to student ratios and various program and facility improvements.

Department of Children and Families

It is also uncertain whether the bill’s provisions would apply to Long Lane School, the Connecticut Juvenile Training School, and private residential facilities serving juvenile justice clients under the custody of the Department of Children and Families (DCF). However, educational services are currently provided within the first five days of a youth’s placement in these facilities. Therefore, no fiscal impact would result.

Municipal Impact:

The bill would result in a cost of \$300,000 to all local and regional school districts for the provision of an estimated five additional teachers³ and associated expenses at the juvenile detention facilities operated by the Judicial Department. By law, the cities in which the facilities reside must provide teaching instruction for detained juveniles. When possible, the cost of the instruction is billed to the town of juvenile residence.

³ Hartford and New Haven: two teachers needed each; Bridgeport: one teacher needed.

OLR BILL ANALYSIS

sSB 548

AN ACT CONCERNING CHILDREN IN SECURE DETENTION.**SUMMARY:**

This bill requires children to begin receiving educational services no later than the fifth day after they are placed in any secure detention facility operated by a public or private entity.

Under current juvenile justice statutes, a child is someone under age 16 or an older adjudicated delinquent who violates a court order or condition of probation after he turns 16. A child can also be tried as an adult in certain circumstances and placed in the Department of Correction's custody. Secure detention facilities could include the Judicial Department's juvenile detention centers, Long Lane and Connecticut Juvenile Training schools, Manson Correctional Facility, and private residential centers operated under contract with the Department of Children and Families and the Judicial Department's Office of Alternative Sanctions.

EFFECTIVE DATE: October 1, 2001

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference

Yea 11 Nay 0

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0