



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

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**Testimony of Judge William J. Lavery  
Judiciary Committee  
March 13, 2006**

**House Bill 5782, An Act Concerning the Age of a Child for Purposes of  
Jurisdiction in Delinquency Matters and Proceedings**

Good afternoon. My name is William Lavery and I am the Chief Court Administrator for the Connecticut Judicial Branch. I appear before you today regarding House Bill 5782, *An Act Concerning the Age of a Child for Purposes of Jurisdiction in Delinquency Matters and Proceedings*.

This bill would extend the jurisdiction in delinquency matters to include 16-year-olds on and after October 1, 2007, and 17-year-olds on and after October 1, 2008.

In the short time that I have served as Chief Court Administrator, I have heard a great deal of support for increasing the jurisdictional age of juvenile court to include 16- and 17-year-olds. This is a policy decision entrusted to you, and I can assure you that whatever you decide, the Judicial Branch will work with you. However, I must mention that I believe that it is critical to build a foundation before changing the jurisdictional age. The foundation to which I am referring involves services. As you know, the General Assembly last year expanded the youthful offender program. But no funding was put in place to provide services for this needy population, especially in the area of mental health services. I can assure you that there is an acute need for these services and for residential placements as well.

I would respectfully suggest that regardless of whether the jurisdictional age of juvenile court is raised, that funding be provided for services to 16 and 17 year olds who are currently in our court system as youthful offenders. I have attached a list of suggested services for this population. Once such services are in place, we can begin planning for the jurisdictional expansion of the juvenile court, if that is the legislature's will.

If the jurisdictional age of the juvenile court is raised to include 16- and 17-year-olds, these young people are then brought into juvenile court facilities. We estimate that bringing 16 and 17-year-olds into the juvenile courts could double the number of children who go through the delinquency side of the court. For this reason and the others I have mentioned it is necessary to carefully plan for the expansion of the jurisdictional age of juvenile court.

I would urge you to read the report of the *Juvenile Justice Implementation Team* that was released in February of 2004, as you consider this change. Passage of this bill without considering the findings of this report could lead to results that are contrary to the best interests of children in the State of Connecticut.

Another concern that I have pertains to legislation that was passed last year, namely Public Act 05-250, *An Act Concerning Children of Families with Service Needs*. This act, prohibits a judge from adjudicating a child from a Family with Service Needs (FWSN) as a delinquent for violating a judge's order beginning in October 1, 2007. The act also prohibits holding a FWSN in a juvenile detention facility. I believe that it was the intent of the General Assembly when the bill passed to provide funding for safe, residential, temporary facilities for these children. Without such facilities, judges are left with no tools to assist these young people and their families. In addition, there are times when juvenile judges are concerned with the safety of these children and want to provide them with a safe place to live, temporarily, until the family issues can be assessed and addressed.

Thank you for the opportunity to provide this input.

## Suggested Services For 16- and 17- Year-Olds

### Background Data

In 2005, the Judicial Branch's Court Support Services Division (CSSD) processed 2,725 16- and 17-year-olds referred to court. However, because of accelerated rehabilitation, nolle, dismissals, and other alternatives, there are far fewer youths active in the system on any given day.

On Jan. 9, 2006, there were 1,850 16- and 17-year-olds on some form of adult supervision. They included:

- 43 sex offenders, already receiving specialized treatment services
- 735 surveillance or high risk
- 752 medium risk
- 320 administrative

The majority of programming suggested by the Judicial Branch would service the 735 youths in surveillance or high risk, and the 752 youths who are medium risk. They total 1,487, or 80 percent of the youths served on that day.

A continuum of contracted services that addresses the particular needs of this population is required. An ideal combination of services would include a variety of services to meet the individualized needs of the youth – for example, family based services, programs to develop cognitive-behavioral and vocational skills; and mental health services. In addition, specialized youth probation officers would be assigned and trained to serve this population.

Over the years, the Judicial Branch has developed programs that have proven effective in meeting the needs of juveniles. The Branch believes that these programs can be successfully tailored to meet the needs of 16- and 17- year olds.

#### **1. MultiSystemic Therapy (MST)**

MultiSystemic Therapy (MST) is an intensive family- and community-based treatment that addresses serious antisocial behavior in juvenile offenders. The major goal of MST is to empower parents with the skills and resources needed to independently address the difficulties that arise in raising teenagers and to empower youth to cope with family, peer, school, and neighborhood problems.

Evaluations of MST have demonstrated:

- reduced long-term rates of criminal offending in serious juvenile offenders,
- reduced rates of out-of-home placements for serious juvenile offenders,
- extensive improvements in family functioning,
- decreased mental health problems for serious juvenile offenders,

- favorable outcomes at cost savings in comparison with usual mental health and juvenile justice services.

Services delivered to “court communities” or clusters are an effective and efficient way of managing these types of programs. Under this concept, eight MST teams would each handle 15 cases at any given time, or 45 cases annually. This translates to 120 slots serving 360 youth and families annually across the state.

## **2. Youth Risk Reduction Centers**

Youth Risk Reduction Centers would deliver cognitive behavioral programming emphasizing skill acquisition. It also would offer vocational / job-readiness services as well as training in impulse control /self-regulation skills, anger management, assertive communication, and relapse prevention.

Under the court cluster approach, CSSD estimates that it could handle 176 clients at any given time, or 528 youths annually.

## **3. Mental Health Services**

Between 9-13 percent of the general adolescent population and at least twice that many adolescents involved in the juvenile or criminal justice systems have serious mental health issues.

CSSD currently contracts for mental health services, called Adolescent Clinical Treatment or ACT, to treat juveniles across the state. In several court communities, a promising practice developed by Yale Child Study Center -- called Intensive In-Home Child and Adolescent Psychiatric Services (IICAPS) -- is offered through the ACT contract. The Judicial Branch would suggest rebidding or expanding existing ACT contracts to serve 20 percent of the youth offender population statewide.

ACT programs would meet the needs of youth with

- thought, mood and anxiety disorders
- self-injurious behavior / suicidal ideation
- complicated grief or trauma responses
- chemical dependence or abuse concurrent with underlying mental health issues

Seventy-two “slots” of these medically supervised and specialized clinical services are required to deliver ACT services to 20 percent of high- and medium-risk youth under CSSD’s care. These 72 slots would serve 144 youths annually.

#### **4. Youth Probation Officers (YPOs):**

Research suggests that the most effective means of reducing recidivism is through a combination of supervision and services. While smaller probation caseloads alone do not necessarily reduce recidivism, they do permit the kind of instructive and responsive attention that probationers need to succeed.

While Juvenile Probation Officers maintain caseloads of 50-60 each, Probation Officers in the adult system carry more than 125 cases each. Smaller caseloads are necessary to deliver the supervision and attention that 16- and 17-year-olds need to function effectively through this typically tumultuous developmental phase. Since Adult Probation Officers currently carry youths as well as adults on their caseloads, CSSD estimates that 25 new Youth Probation Officers would be required so that 16- and 17-year-olds are served by specially trained staff. These Youth Probation Officers would have a caseload of no more than 50 clients.

CSSD adopted this approach last year at the direction of Judge Pellegrino. Lessons learned from that successful pilot endeavor have and will inform the planning and implementation of a statewide expansion.

#### **Recommendations:**

The Judicial Branch suggests adding new Youth Probation Officers and providing a continuum of services to address a range of needs including family functioning, cognitive-behavioral functioning and readiness for independent living, and mental and behavioral health treatment.

1. 25 new Youth Probation Officers whose caseloads would be capped at 50 clients. This will allow the individualized attention required by youth at this difficult stage of life.
2. MST would serve youth who remain engaged in and dependent on their parents and families. The Branch estimates that 120 slots would serve 360 youth and families annually.
3. Youth Risk Reduction Centers would serve youths who need skill-building opportunities to function effectively in society and to get a job. The Branch estimates that 176 slots would serve 528 youth annually.
4. Mental health services (currently delivered to juveniles through ACT and IICAPS) would be made available to 20 percent of the youthful offender population. The Branch estimates that 72 slots would serve 144 youths.