



State of Connecticut

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TESTIMONY OF CHRISTINE RAPILLO EXECUTIVE ASSISTANT PUBLIC DEFENDER OFFICE OF CHIEF PUBLIC DEFENDER

JUDICIARY COMMITTEE PUBLIC HEARING
MARCH 20, 2006

RAISED BILL NO. 5731 AN ACT CONCERNING DETENTION AND LEAVE IN THE JUVENILE JUSTICE SYSTEM

I am Christine Rapillo and I am the Director of Juvenile Delinquency Defense for the Office of the Chief Public Defender. I am here today on behalf of the Office of the Chief Public Defender to speak in support of *Raised Bill No. 5731, an Act Concerning Detention and Leave in the Juvenile Justice System.*

Section One pertains to the granting of predisposition or presentence credit to children who are held in detention and subsequently sentenced to delinquency commitment to the Department of Children and Families. These sentences results in children being removed from their homes and placed in residential facilities or at the Connecticut Juvenile Training School. Even where guilt is admitted, sentencing for delinquent children is often a lengthy process, since disposition often requires complicated mental health evaluations. In many cases, the children are placed on waiting lists just to be evaluated. If the court decides that the child must be removed from the community, most residential facilities have a backlog of clients waiting to get in. All this delay results in children spending weeks or months waiting in the detention facility, before beginning his or her sentence. Just two weeks ago, there were twelve children in the Hartford detention center who had been held for six weeks or longer. The lack of credit for time served is particularly unfair to girls, who do not have the option of going to CJTS to "start their time". I represented one girl who waited a month and a half after agreeing to go to residential. Adults

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Testimony - Christine Rappillo, Executive Assistant Public Defender, Office of Chief Public Defender

Raised Bill No. 5731, An Act Concerning Detention and Leave in the Juvenile Justice System

who are held on bond pretrial receive credit for all time served if subsequently convicted and sentenced to jail time. This change would give detained juveniles the same right to time credit as adults. This office is aware that a few years ago, this legislature enacted law that would provide credit towards the probationary period imposed. However, the result is of no consequence since children still remain detained awaiting placement and services while committed as delinquent.

Section Two would provide discretion to the Commissioner of the Department of Children and Families to waive that 60 day period when a child is transferred from one facility to another. Under current law, children who are committed delinquent must undergo a 60 day risk assessment before being granted leave from any residential facility. Often, children are moved out of CJTS to a less restrictive residential or are transferred to a more appropriate facility during their commitment to DCF. Many of these children do not need another 60 day risk assessment and would benefit from community furloughs or family visits. The Commissioner should have the discretion to waive this requirement if the child is simply being moved to another facility.

The Office of the Chief Public Defender respectfully requests that this committee approve this proposal.