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**TESTIMONY OF
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**JUDICIARY COMMITTEE PUBLIC HEARING
April 4, 2007**

***Raised House Bill No. 6285
An Act Concerning the Age of a Child With Respect to Juvenile Court Jurisdiction***

Raised House Bill No. 6184 would raise the jurisdictional age for criminal prosecution as an adult from sixteen to eighteen. It would allow young offenders to receive the rehabilitative treatment they need to avoid re-offending but would continue to allow the State to prosecute the most serious offenders in adult court. Passage of this bill would bring Connecticut age of juvenile jurisdiction in line with the national norm and with the current scientific research on adolescent brain development. It is simply, the right thing to do.

This proposal results from many years of work by experts from all areas of the juvenile justice field. The first study commissioned by this body in 2004 recommended changes in the way young people are serviced but estimated that such a radical change would come with a prohibitively high price tag. This year, through the groundbreaking and collaborative work of the stakeholder agencies, the Juvenile Jurisdiction Implementation Team has put forth a plan that is both workable and affordable. Whatever the cost, we must make this change. We can no longer sit and lament the lack of services or the inappropriate treatment of 16 and 17 year olds in our criminal justice system. Their failure to successfully reenter society is not really indicative of a failure of our criminal system, which is more appropriately designed to punish adult offenders and hold them accountable. It is not well designed to deal with youth. Children and adolescents need treatment and rehabilitation or they will be a cost to the state for the rest of their lives, through either the welfare or correctional system.

Raising the age of jurisdiction to 18 will not negatively impact public safety. Most juvenile court referrals result from fairly normal adolescent risk taking. The 2002 statistics show that 76% of the crimes committed by 16 and 17 year olds in Connecticut are considered "non-index" or non violent crimes by the FBI. Connecticut law mandates that all juvenile offenders over the age of fourteen, charged with an A or B felony must be transferred to adult court for prosecution. C.G.S. §46b-127

allows for the transfer of any other felony case at the discretion of the prosecutor. Raising the age would not affect this law. Dangerous individuals and those committing serious offenses would continue to be treated as adults. Significantly more supervision will be given to those 16 and 17 year olds who remain in the juvenile system.

The Police Chiefs' Association, testified before the Select Committee on Children in opposition to this bill, and indicated that they would be unduly burdened by the requirement that they must contact a child's parent or guardian when that child is arrested and in custody. Clearly there is a public safety concern raised by releasing arrested youth back into the community without notifying parents that there has been a problem. Once these youth get to the juvenile court, the family will have access to a probation officer on the day of arraignment. Juvenile court judges regularly issue interim orders to defendants during the pretrial phase. The probation officer is available to supervise and provide services upon the order of the court. Children in juvenile detention facilities receive mental health screenings and evaluations upon admission and can be provided with evaluations and referrals for services before being sentenced.

Our current laws are sufficient to protect society from really dangerous youth. What this proposal does is provide a more appropriate venue for the treatment of less serious young adolescent offenders. Passage of this bill would give 16 and 17 year olds the opportunity to receive services that will help them become productive members of our communities and not lifelong consumers of welfare or correctional services. Every member of the Juvenile Jurisdiction Implementation and Planning Committee agreed that Connecticut needs to provide more services for criminally involved and troubled 16 and 17 year olds. In spite of the best efforts of advocates, state agencies and this legislature, we have not been able to solve this longstanding problem. Continuing to modify the adult statutes to deal with 16 and 17 year olds has not successfully addressed the issues facing our communities or our children. The majority of states have already recognized that adult prosecution is not designed to rehabilitate young people. Currently, Connecticut is one of only three states nationwide that *automatically* treats all children over the age of fifteen as adults *no matter how minor the offense*. It is time overdue for Connecticut to recognize and utilize the most current science and best practices available and to extend juvenile jurisdiction to 16 and 17 year olds.