



General Assembly

Amendment

January Session, 2007

LCO No. 8271

SB0057008271HDO

Offered by:
REP. HAMM, 34th Dist.

To: Subst. Senate Bill No. 570

File No. 799

Cal. No. 401

**"AN ACT CONCERNING LEGISLATIVE OVERSIGHT OF
CONSTRUCTION OR CLOSURE OF RESIDENTIAL FACILITIES
OPERATED BY THE DEPARTMENT OF CHILDREN AND
FAMILIES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2007*) The Commissioner of
4 Children and Families shall establish a pilot program in one region of
5 the state, as determined by the commissioner, for the purpose of
6 developing a comprehensive system of community-based services for
7 children in the juvenile justice system who have been committed to the
8 Department of Children and Families. The pilot program shall support
9 the reintegration of such children into the community by (1) enhancing
10 the capacity of local resources, agencies and organizations to furnish
11 support for such children and their families, and (2) providing for
12 intensive in-home clinical services, care coordinators, educational
13 advocates, access to systems of care and support, mentoring services,
14 respite care and case management assistance. Not later than February

15 1, 2008, the commissioner shall submit a report to the joint standing
16 committee of the General Assembly having cognizance of matters
17 relating to the judiciary, in accordance with section 11-4a of the general
18 statutes, concerning the operation and effectiveness of the pilot
19 program established under this section and the commissioner's
20 recommendations for the state-wide implementation of the system of
21 community-based services developed under the pilot program and the
22 integration of that system with the regional training, rehabilitation and
23 education centers established pursuant to section 2 of this act.

24 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) On and after the date on
25 which residential placements of male children at the Connecticut
26 Juvenile Training School cease to be made because of the planned
27 closure of said school, any male child who is convicted as delinquent
28 and committed to the Department of Children and Families and who is
29 determined by said department to be in the highest risk level, as
30 provided in subsection (j) of section 46b-140 of the general statutes, as
31 amended by this act, shall be placed by the Commissioner of Children
32 and Families at a regional training, rehabilitation and education center
33 established in accordance with subsection (b) of this section. The
34 commissioner shall place such child in the regional training,
35 rehabilitation and education center for the geographic region in which
36 such child has his or her principal place of residence.

37 (b) Not later than the date on which residential placements of male
38 children at the Connecticut Juvenile Training School cease to be made
39 because of the planned closure of said school, the Commissioner of
40 Children and Families shall establish not less than three regional
41 training, rehabilitation and education centers in this state for male
42 children convicted as delinquent who require placement in a secure
43 residential facility, and shall designate the geographic region served by
44 each center. Each regional training, rehabilitation and education center
45 shall (1) house not more than twenty-four male children at one time,
46 (2) have adequate and secure residence facilities, school facilities and
47 recreation areas, and (3) provide clinical treatment, educational,
48 employment, family support, rehabilitation, case management and

49 other services focused on the successful reintegration of such children
50 into the community.

51 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) The Connecticut Juvenile
52 Training School shall not be closed, and residential placements of male
53 children at said school shall not cease to be made, until such time as
54 the regional training, rehabilitation and education centers required
55 pursuant to section 2 of this act are fully operational and capable of
56 providing all required services.

57 (b) The site and facilities of the Connecticut Juvenile Training
58 School, or any part of such site and facilities, shall not be used by the
59 state as a correctional institution or facility or a juvenile detention
60 center at any time after the closure of said school.

61 Sec. 4. Subsection (b) of section 17a-11 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective July*
63 *1, 2007*):

64 (b) A child or youth voluntarily admitted to the department shall be
65 deemed to be within the care of the commissioner until such admission
66 is terminated. The commissioner shall terminate the admission of any
67 child or youth voluntarily admitted to the department within ten days
68 after receipt of a written request for termination from a parent or
69 guardian of any such child under fourteen years of age, or from [a]
70 such child if such child is fourteen years of age or older, or from such
71 youth, unless prior to the expiration of that time the commissioner has
72 sought and received from the Superior Court an order of temporary
73 custody as provided by law. The commissioner may terminate the
74 admission of any child or youth voluntarily admitted to the
75 department after giving reasonable notice in writing to the parent or
76 guardian of any such child under fourteen years of age, [and to a] or to
77 such child if such child is fourteen years of age or older, [and to any] or
78 to such youth. Any child or youth admitted voluntarily to the
79 department may be placed in, or transferred to, any resource, facility
80 or institution within the department or available to the commissioner

81 except the Connecticut Juvenile Training School or a regional training,
82 rehabilitation and education center established pursuant to section 2 of
83 this act, provided the commissioner shall give written notice to such
84 child or youth and to the parent or guardian of the child of the
85 commissioner's intention to make a transfer at least ten days prior to
86 any actual transfer, unless written notice is waived by those entitled to
87 receive it, or unless an emergency commitment of such child or youth
88 is made pursuant to section 17a-502.

89 Sec. 5. Section 17a-12 of the general statutes is repealed and the
90 following is substituted in lieu thereof (*Effective July 1, 2007*):

91 (a) When the commissioner, or the commissioner's designee,
92 determines that a change of program is in the best interest of any child
93 or youth committed or transferred to the department, the
94 commissioner, or the commissioner's designee, may transfer such
95 [person] child or youth to any appropriate resource or program
96 administered by or available to the department, to any other state
97 department or agency, or to any private agency or organization within
98 or without the state under contract with the department; provided no
99 child or youth voluntarily admitted to the department under section
100 17a-11, as amended by this act, shall be placed or subsequently
101 transferred to the Connecticut Juvenile Training School or a regional
102 training, rehabilitation and education center established pursuant to
103 section 2 of this act; and further provided no transfer shall be made to
104 any institution, hospital or facility under the jurisdiction of the
105 Department of Correction, except as authorized by section 18-87,
106 unless it is so ordered by the Superior Court after a hearing. When, in
107 the opinion of the commissioner, or the commissioner's designee, a
108 person fourteen years of age or older is dangerous to himself or herself
109 or others or cannot be safely held at the Connecticut Juvenile Training
110 School or a regional training, rehabilitation and education center
111 established pursuant to section 2 of this act, if a male, or at any other
112 facility within the state available to the Commissioner of Children and
113 Families, the commissioner, or the commissioner's designee, may
114 request an immediate hearing before the Superior Court on the docket

115 for juvenile matters where such person was originally committed to
116 determine whether such person shall be transferred to the John R.
117 Manson Youth Institution, Cheshire, if a male, or the Connecticut
118 Correctional Institution, Niantic, if a female. The court shall, within
119 three days of the hearing, make such determination. If the court orders
120 such transfer, the transfer shall be reviewed by the court every six
121 months thereafter to determine whether it should be continued or
122 terminated, unless the commissioner has already exercised the powers
123 granted to the commissioner under section 17a-13 by removing such
124 person from the John R. Manson Youth Institution, Cheshire or the
125 Connecticut Correctional Institution, Niantic.

126 (b) Unless ordered by the Superior Court at the time of
127 commitment, no child or youth committed to the commissioner shall
128 be placed in or transferred to a state-operated residential mental health
129 facility under the jurisdiction of the commissioner without a hearing
130 before the commissioner or the commissioner's designee. Such hearing
131 shall be conducted in accordance with the provisions of chapter 54.

132 (c) Notwithstanding the provisions of subsection (b) of this section,
133 (1) any delinquent child, if a male, may be placed at any time in the
134 Connecticut Juvenile Training School or a regional training,
135 rehabilitation and education center as provided in section 2 of this act,
136 and (2) the commissioner may transfer any child or youth committed
137 to the commissioner to any institution, hospital or facility for mentally
138 ill children under the commissioner's jurisdiction for a period not to
139 exceed fifteen days if the need for such emergency treatment is
140 certified by a psychiatrist licensed to practice medicine by the state.

141 Sec. 6. Subsection (j) of section 46b-140 of the general statutes is
142 repealed and the following is substituted in lieu thereof (*Effective July*
143 *1, 2007*):

144 (j) Except as otherwise provided in this section, the court may order
145 that a child be (1) committed to the Department of Children and
146 Families and [be] placed directly in a residential facility within this

147 state and under contract with said department, or (2) committed to the
 148 Commissioner of Children and Families for placement by the
 149 commissioner, in said commissioner's discretion, (A) with respect to
 150 the juvenile offenders determined by the Department of Children and
 151 Families to be in the highest risk level, in the Connecticut Juvenile
 152 Training School or a regional training, rehabilitation and education
 153 center as provided in section 2 of this act, if the juvenile offender is a
 154 male, or in another state facility, presumptively for a minimum period
 155 of twelve months, or (B) in a private residential or day treatment
 156 facility within or outside this state, or (C) on parole. The commissioner
 157 shall use a risk and needs assessment classification system to ensure
 158 that male children who are in the highest risk level will be placed in
 159 the Connecticut Juvenile Training School or a regional training,
 160 rehabilitation and education center as provided in section 2 of this act."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2007</i> | New section |
| Sec. 2 | <i>July 1, 2007</i> | New section |
| Sec. 3 | <i>July 1, 2007</i> | New section |
| Sec. 4 | <i>July 1, 2007</i> | 17a-11(b) |
| Sec. 5 | <i>July 1, 2007</i> | 17a-12 |
| Sec. 6 | <i>July 1, 2007</i> | 46b-140(j) |