

Mayor Sebastian N. Giuliano, City of Middletown, Connecticut
March 17, 2008: Remarks before Judiciary Committee
Raised Bill 5837: An Act Prohibiting the Placement of Delinquent Sixteen & Seventeen Yr Olds into CJTS

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to speak before you today and to voice my personal support and the support of the entire City of Middletown Common Council and that of our citizenry for the proposed amendment to Raised Bill No 5837. I have included a copy of the Resolution, adopted by the City Council, at its March 3, 2008 meeting, in your packet along with a copy of these remarks.

Middletown's ultimate desire would be to see the CJTS facility close. We were hopeful for that end when Governor Rell, last year, announced her support for the concept of juvenile reform facilities scattered throughout the state rather than continuing the current centralized juvenile justice model. We have understood and continue to understand, that plans are not fulfilled over night. But we at least saw a "light at the end of the tunnel" in the announced plan to close CJTS.

However, since that original announcement, it is apparent that political forces beyond Middletown's control have been at play. We went from potential closure to expansion by over 175 beds.

Most troubling is the fact that the facility is not only proposed to expand but how it will expand. We are now being asked to host detention facilities for 16 and 17 year olds who have committed adult level crimes. We are moving dangerously close to having status as a home to a prison rather than being home to a training school.

I am not here to fear monger but I am here to be blunt and honest. Middletown has carried the load of state social services by hosting CVH, CJTS, Riverview, and Whiting to name only a few, and we have done so compassionately. Now, you are adding insult to injury. You make decisions here at the legislature that demonstrates no regard for the safety, fiscal and societal pressures on Middletown by dumping these facilities in our community.

It is our police that must respond to runaways. Our taxpayers that bear the fiscal burden since you consistently break your promise to fund PILOT grants fully. And it is our citizens who are waiting on pins and needles anticipating the next crime that may be committed by a CJTS student.

Adding 16 and 17 year olds will only heighten the tension in our town. At 16 and 17, these are kids that aren't there for misdemeanors but for serious issues and with serious needs which could escalate the potential for violence within CJTS and outside it. For this reason, I strongly urge you to abandon this plan to expand CJTS and adopt the amendment to bill before you to limit CJTS, if we must have it, to only those below 16 years old.



Resolution No. 37-08

RESOLUTION IN SUPPORT OF THE CLOSURE OF THE CONNECTICUT JUVENILE TRAINING SCHOOL

WHEREAS, at the request of the State of Connecticut in 1999, the City of Middletown agreed to be the host community for the state-owned and operated Connecticut Juvenile Training School, a correctional facility for adolescent males, ages 9-15, which opened in July 2001; and

WHEREAS, as part of the agreement with the State of Connecticut, the State agreed to pay the City of Middletown 100% of Payment In Lieu Of Taxes (PILOT) grant, to help compensate the City and the community for the burden associated with being a host community for such a facility; and

WHEREAS, from 2001 to the present, the City of Middletown has never received the full amount of this agreed-upon PILOT revenue, the State has not kept its word and the City is currently receiving PILOT revenue at approximately 74.1% of the grant amounts or \$1,299,000; and

WHEREAS, from the date of opening, CJTS has been the subject of controversy, allegations of contract bid-rigging and corruption, leading to the conviction and incarceration of people at the highest levels of state government and allegations of inadequate treatment services for the residents, high numbers of improper restraints and numerous calls by the Child Advocate and the Attorney General and many child experts, demanding that (the best interest of the boys would be better served in smaller, regional facilities closer to their homes), the facility be closed; and

WHEREAS, by press release from Gov. M. Jodi Rell dated July 11, 2005, Governor Rell vetoed a law that would have allowed CJTS to be used as an adult prison, wherein she promised the citizens and local officials of Middletown that CJTS would never be used as an adult prison, when she said, "As long as I am Governor, that facility will never be used for an adult prison"; and

WHEREAS, she is still the Governor; and

WHEREAS, the Governor announced on August 1, 2005 that she was going to close the Connecticut Juvenile Training School saying, by press release, "I am making the tough decision—the right decision—in closing CJTS"; and

WHEREAS, the citizens and public officials of the City of Middletown believed the Governor's said representation, and trusted that she would keep her word to close CJTS; and

WHEREAS, the public officials of the City of Middletown relied upon the Governor's promise to close CJTS and began to explore other, tax-generating economic development proposals near this site, including riverfront development which has the potential to enhance the City and enrich the lives of our citizens; and

WHEREAS, the entire membership of the Middletown Common Council, including the Mayor, supports the Governor's decision to close the Connecticut Juvenile Training School and ask that she close it with all due speed; and

WHEREAS, from 2005, when the Governor pledged to close CJTS, until now, there has been no progress toward this goal, and the citizens of our City now doubt that CJTS will ever be closed and now believe CJTS will likely be expanded—even over the objection of the City—to accommodate older teenage males, thus increasing the risk to the public safety; and

WHEREAS, the State of Connecticut has changed the law (policy) defining the age of juveniles from age 16 to age 18, beginning on January 1, 2010, opening up the expectation by many that older adolescent males, ages 16 and 17, who were adults at the time CJTS was developed and agreed to, will now be sent to the Connecticut Juvenile Training School, giving credence to our concern; and

WHEREAS, changing the age of juvenile jurisdiction does not change our expectation that CJTS will never be available to adult males, which we view as a violation of the covenant that the City had with the state in 2001 as well as the Governor's 2005 representations and is expressly opposed by this City; and

WHEREAS, Governor Rell, in her mid-term budget adjustments for Fiscal Year 2009, has proposed reconfiguring CJTS into the Connecticut Juvenile Services Complex and allocates \$8,000,000 to expand the facility to serve 120 older offenders in addition to 36 younger offenders as well as an 18 bed "Reception and Diagnostic Unit", a 15 bed "Respite Unit", and a 15 bed "transitional Living Unit" – thus expanding the potential population at the facility to over 200 offenders;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we request that the Mayor arrange an immediate meeting with the Governor of the State in order to learn what the State of Connecticut's current plan is for this correctional facility; and

BE IT FURTHER RESOLVED: That the Common Council authorizes the Mayor to appoint a Committee of the Mayor and three (3) Council members and four (4) citizens to work with our State Delegation in our effort to defeat this initiative.

BE IT FURTHER RESOLVED: That the City of Middletown through its elected bi-partisan leadership, does not support the placement of adolescent males, ages 16 to 18 at the Connecticut Juvenile Training School and views any effort to use CJTS for such purpose as a violation of the "no adult prison" promise; and

BE IT FURTHER RESOLVED: That the City of Middletown, through its elected bi-partisan leadership, asks our entire state legislative delegation to work zealously and tirelessly to reject the Governor's plan to expend \$8,000,000 to reconfigure the Connecticut Juvenile Training School into the "Connecticut Juvenile Services Complex" and to require her to honor her commitment to close the Connecticut Juvenile Training School and to prevent the placement of older adolescent males, ages 16-18, at the facility until it is closed entirely; and

BE IT FURTHER RESOLVED: That the City of Middletown, through its elected bi-partisan leadership, implores the Governor and the General Assembly in the strongest possible terms, to close this facility as soon as legally feasible so that the State will not look to this area whenever a new public policy wind blows—please honor the commitment to our people and their safety; and,

BE IT FURTHER RESOLVED: That the State of Connecticut is hereby requested to honor its commitment to fully fund a 100% Payment In Lieu Of Taxes (PILOT) grant to the City of Middletown for CJTS including back payments for shortfalls in previous years of PILOT funding (estimated to be \$1,811,177.70).

BE IT FURTHER RESOLVED: That a copy of this Resolution be mailed immediately to the Commissioner of the Department of Children and Families, the Secretary of the Office of Policy and Management and all members of the Connecticut General Assembly.

Submitted by: Councilman Thomas Serra

**Status: AMENDED AND APPROVED
by Common Council, City of Middletown
at its meeting held on: MARCH 3, 2008**