

**STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES**

**JUDICIARY COMMITTEE
MARCH 17, 2008**

H.B. No. 5837 (RAISED) AN ACT PROHIBITING THE PLACEMENT OF DELINQUENT SIXTEEN AND SEVENTEEN-YEAR-OLD CHILDREN IN THE CONNECTICUT JUVENILE TRAINING SCHOOL

The Department of Children and Families opposes H.B. No. 5837 (RAISED) AN ACT PROHIBITING THE PLACEMENT OF DELINQUENT SIXTEEN AND SEVENTEEN-YEAR-OLD CHILDREN IN THE CONNECTICUT JUVENILE TRAINING SCHOOL.

This bill would prohibit the placement of sixteen and seventeen-year-olds at the Connecticut Juvenile Training School when Public Act 07-4 of the June Special Session takes effect on January 1, 2010. This landmark legislation changes to the juvenile justice system in Connecticut, increasing the age of juvenile jurisdiction from age sixteen to age eighteen.

The Department is concerned that bill could negatively impact the entire juvenile justice system by prohibiting placement of youth age sixteen or older. It also fails to recognize that over two-thirds of children currently at CJTS are sixteen and seventeen years old, as the existing juvenile jurisdiction applies to offenses committed prior to a child's sixteenth birthday. Without viable placement alternatives in place, this requirement will create gridlock in the juvenile justice system when the anticipated increase in the population occurs in the year 2010.

By way of background, the Governor has proposed an \$8 million bond authorization for CJTS that will allow the facility to be redesigned and reconfigured into smaller programs on the campus in order to provide secure treatment to serve discrete populations of committed children, which will become the Connecticut Juvenile Service Complex (CJSC). This would include:

- a self-contained 36-bed program will operate independently on the complex for children under the age of 16, with sight and sound separation from the older children. Boys in this program will have treatment, education, meals, and recreation separately from older boys, and all services will focus on the developmental needs of the younger adolescent;
- an 18-bed Reception and Diagnostic program will assess and provide comprehensive treatment planning for all newly committed youth (boys 16 and over) to ensure the correct level of programming for boys receiving treatment and education at the CJSC;
- a 15-bed Respite program will provide short-term, intensive programming for boys in the community who are at-risk of losing their community/parole status. The program will assess areas of increased service need and work closely with boys and their families to ensure ongoing success in the community; and
- a 15-bed Transitional program will work with boys within 30 days of discharge to prepare them to move to a less secure level of care in the community or through a contracted residential treatment facility.

The remainder of the programming capacity at the complex will focus on committed delinquent youth between the ages of 16-18 to ensure an appropriate level of education and treatment directed to the developmental, social and education needs of the adolescent population. The vocational training program will be expanded to provide appropriate training that will be designed to prepare older committed children for real world jobs when returning to the community.

DCF is also committed to the continued developed of community programs, both to minimize the need for secure placement and to serve those youth returning to their communities from placement at CJTS. Each year, approximately 10,000 16 and 17 year olds are arrested in Connecticut. We estimate that a relatively small number of these youth will require some kind of facility care. Most youth will be able to be served in the community through a balanced continuum of services. It is also our belief that much of the progress and improved outcomes for this population will be made through programming, and it is unfortunate that due to the lead time needed for design and construction that we are talking about "bricks and mortar" before programming. These programmatic enhancements will be brought forward in advance of the January 1, 2010 effective date of the new legislation.

H.B. No. 5926 (RAISED) AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS, CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH, REENTRY AND DIVERSIONARY SERVICES FOR YOUTH, AND DRUG COURTS FOR YOUTH

The Department of Children and Families supports the amendments to the Family With Service Needs legal procedures as set forth in Sections 1, 2 and 3 of H.B. No. 5926 (RAISED) AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS, CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH, REENTRY AND DIVERSIONARY SERVICES FOR YOUTH, AND DRUG COURTS FOR YOUTH. These amendments are based upon the recommendations of the Families With Service Needs Advisory Board which recently concluded its work. As you know, this Advisory Board was composed of many distinguished members of this Legislature; several agencies, including DCF; and community representatives.

More specifically, most of the modifications to the FWSN legal process proposed in this bill are technical amendments designed to clarify phrasing that has occasionally resulted in confusion. For example, Section 1 of this bill clarifies that the child is the legal respondent in a FSWN case and the court adjudicates the child as an individual, rather than the entire family. Similarly, in Section 3, the word "petition" is replaced by the more appropriate term "motion."

Section 2 provides the court with some additionally flexibility regarding the disposition of FWSN cases to ensure that appropriate services are in place for adjudicated children and that there is sufficient time to measure the effectiveness of such interventions.

A major amendment to the FWSN process is reflected in Section 2 §(j), which requires the court to hold a yearly permanency plan hearing for a child committed to DCF pursuant to a FWSN petition. Currently, permanency hearings occur only for children who are the subject of neglect/abuse and

delinquency commitments. The Department supports including children committed as FWSNs in the permanency planning process to ensure that they, too, receive the benefits of formal planning for their futures once discharged from the care of the Commissioner. The proposed Bill provides the court with the same alternative permanency plan options as are currently available to other committed children.

Section 3 clarifies the procedure when a child who is already the subject of a FWSN commitment is determined to be in circumstances that constitute an imminent risk of physical harm. In those instances, the child may be temporarily placed in a safe environment, including a staff-secure facility. Appropriate protections, including bi-weekly court reviews and the availability of evidentiary hearings, ensure that the child's right to due process is protected. The Department supports the modification to Section 3 as an additional statutory measure to protect children who are found to be in at-risk situations.

In summary, the Department of Children and Families urges this Committee to adopt the recommendations of the FWSN Advisory Board as reflected in House Bill 5926. The proposed modification will help ensure that the Judicial Branch and DCF have additional tools to support and protect children from Families with Service Needs.