



General Assembly

February Session, 2008

**Raised Bill No. 5837**

LCO No. 2537

\*02537\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT PROHIBITING THE PLACEMENT OF DELINQUENT SIXTEEN AND SEVENTEEN-YEAR-OLD CHILDREN IN THE CONNECTICUT JUVENILE TRAINING SCHOOL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-3 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2010*):

3 (a) The department shall plan, create, develop, operate or arrange  
4 for, administer and evaluate a comprehensive and integrated  
5 state-wide program of services, including preventive services, for  
6 children and youths whose behavior does not conform to the law or to  
7 acceptable community standards, or who are mentally ill, including  
8 deaf and hearing impaired children and youths who are mentally ill,  
9 emotionally disturbed, substance abusers, delinquent, abused,  
10 neglected or uncared for, including all children and youths who are or  
11 may be committed to it by any court, and all children and youths  
12 voluntarily admitted to, or remaining voluntarily under the  
13 supervision of, the commissioner for services of any kind. Services  
14 shall not be denied to any such child or youth solely because of other  
15 complicating or multiple disabilities. The department shall work in

16 cooperation with other child-serving agencies and organizations to  
17 provide or arrange for preventive programs, including, but not limited  
18 to, teenage pregnancy and youth suicide prevention, for children and  
19 youths and their families. The program shall provide services and  
20 placements that are clinically indicated and appropriate to the needs of  
21 the child or youth. In furtherance of this purpose, the department  
22 shall: (1) (A) Maintain the Connecticut Juvenile Training School and  
23 other appropriate facilities exclusively for [delinquents] the placement  
24 of delinquent children under sixteen years of age, and (B) maintain  
25 other appropriate facilities exclusively for the placement of delinquent  
26 children sixteen years of age and older; (2) develop a comprehensive  
27 program for prevention of problems of children and youths and  
28 provide a flexible, innovative and effective program for the placement,  
29 care and treatment of children and youths committed by any court to  
30 the department, transferred to the department by other departments,  
31 or voluntarily admitted to the department; (3) provide appropriate  
32 services to families of children and youths as needed to achieve the  
33 purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to 17a-49,  
34 inclusive, of the 2008 supplement to the general statutes and 17a-51; (4)  
35 establish incentive paid work programs for children and youths under  
36 the care of the department and the rates to be paid such children and  
37 youths for work done in such programs and may provide allowances  
38 to children and youths in the custody of the department; (5) be  
39 responsible to collect, interpret and publish statistics relating to  
40 children and youths within the department; (6) conduct studies of any  
41 program, service or facility developed, operated, contracted for or  
42 supported by the department in order to evaluate its effectiveness; (7)  
43 establish staff development and other training and educational  
44 programs designed to improve the quality of departmental services  
45 and programs, provided no social worker trainee shall be assigned a  
46 case load prior to completing training, and may establish educational  
47 or training programs for children, youths, parents or other interested  
48 persons on any matter related to the promotion of the well-being of  
49 children, or the prevention of mental illness, emotional disturbance,

50 delinquency and other disabilities in children and youths; (8) develop  
51 and implement aftercare and follow-up services appropriate to the  
52 needs of any child or youth under the care of the department; (9)  
53 establish a case audit unit to monitor each area office's compliance  
54 with regulations and procedures; (10) develop and maintain a database  
55 listing available community service programs funded by the  
56 department; (11) provide outreach and assistance to persons caring for  
57 children whose parents are unable to do so by informing such persons  
58 of programs and benefits for which they may be eligible; and (12)  
59 collect data sufficient to identify the housing needs of children served  
60 by the department and share such data with the Department of  
61 Economic and Community Development.

62 (b) The department shall prepare and submit biennially to the  
63 General Assembly a five-year master plan. The master plan shall  
64 include, but not be limited to: (1) The long-range goals and the current  
65 level of attainment of such goals of the department; (2) a detailed  
66 description of the types and amounts of services presently provided to  
67 the department's clients; (3) a detailed forecast of the service needs of  
68 current and projected target populations; (4) detailed cost projections  
69 for alternate means of meeting projected needs; (5) funding priorities  
70 for each of the five years included in the plan and specific plans  
71 indicating how the funds are to be used; (6) a written plan for the  
72 prevention of child abuse and neglect; (7) a comprehensive mental  
73 health plan for children and adolescents, including children with  
74 complicating or multiple disabilities; (8) a comprehensive plan for  
75 children and youths who are substance abusers, developed in  
76 conjunction with the Department of Mental Health and Addiction  
77 Services pursuant to the provisions of sections 19a-2a and 19a-7; and  
78 (9) an overall assessment of the adequacy of children's services in  
79 Connecticut. The plan shall be prepared within existing funds  
80 appropriated to the department.

81 (c) The department shall prepare a plan to keep children under the  
82 age of sixteen who are convicted as delinquent and will be committed

83 to the Department of Children and Families and placed in the  
84 Connecticut Juvenile Training School in such facility for at least one  
85 year after their referral to the department, which plan shall include  
86 provisions for development of a comprehensive approach to juvenile  
87 rehabilitation.

88 Sec. 2. Section 17a-3a of the general statutes is repealed and the  
89 following is substituted in lieu thereof (*Effective January 1, 2010*):

90 The Department of Children and Families shall ensure that the  
91 Connecticut Juvenile Training School:

92 (1) Completes health, mental health and educational assessments for  
93 each child admitted to the school not later than thirty days from the  
94 date of such child's admission;

95 (2) Completes a written individualized treatment plan for each child  
96 admitted to the school not later than thirty days from the date of such  
97 child's admission;

98 (3) Complies with the provisions of sections 46a-150 to 46a-154,  
99 inclusive, of the 2008 supplement to the general statutes regarding the  
100 use of physical restraints, medication and seclusion of children at the  
101 school;

102 (4) Provides training to all staff at the school regarding their  
103 mandatory child abuse and neglect reporting obligations under section  
104 17a-101;

105 (5) Provides the opportunity for each child at the school to engage in  
106 at least one hour of physical exercise per day on weekdays and at least  
107 two hours of physical exercise per day on the weekends; and

108 (6) Limits admission to children under the age of sixteen.

109 Sec. 3. Subsection (c) of section 17a-12 of the general statutes is  
110 repealed and the following is substituted in lieu thereof (*Effective*

111 *January 1, 2010*):

112 (c) Notwithstanding the provisions of subsection (b) of this section,  
 113 (1) any delinquent child under the age of sixteen, if a male, may be  
 114 placed at any time in the Connecticut Juvenile Training School, and (2)  
 115 the commissioner may transfer any child or youth committed to the  
 116 commissioner to any institution, hospital or facility for mentally ill  
 117 children under the commissioner's jurisdiction for a period not to  
 118 exceed fifteen days if the need for such emergency treatment is  
 119 certified by a psychiatrist licensed to practice medicine by the state.

120 Sec. 4. Subsection (j) of section 46b-140 of the 2008 supplement to the  
 121 general statutes is repealed and the following is substituted in lieu  
 122 thereof (*Effective January 1, 2010*):

123 (j) Except as otherwise provided in this section, the court may order  
 124 a child be (1) committed to the Department of Children and Families  
 125 and be placed directly in a residential facility within this state and  
 126 under contract with said department, or (2) committed to the  
 127 Commissioner of Children and Families for placement by the  
 128 commissioner, in said commissioner's discretion, (A) with respect to  
 129 the juvenile offenders determined by the Department of Children and  
 130 Families to be the highest risk, in the Connecticut Juvenile Training  
 131 School, if the juvenile offender is a male under the age of sixteen, or in  
 132 another state facility, presumptively for a minimum period of twelve  
 133 months, or (B) in a private residential or day treatment facility within  
 134 or outside this state, or (C) on parole. The commissioner shall use a  
 135 risk and needs assessment classification system to ensure that male  
 136 children under the age of sixteen who are in the highest risk level will  
 137 be placed in the Connecticut Juvenile Training School.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2010</i>	17a-3
Sec. 2	<i>January 1, 2010</i>	17a-3a

Sec. 3	<i>January 1, 2010</i>	17a-12(c)
Sec. 4	<i>January 1, 2010</i>	46b-140(j)

**Statement of Purpose:**

To provide that, upon the inclusion of sixteen and seventeen-year-olds in the juvenile court for purposes of delinquency matters, admission to the Connecticut Juvenile Training School shall continue to be limited to children under the age of sixteen.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*