



## **State of Connecticut**

### **DIVISION OF PUBLIC DEFENDER SERVICES**

**OFFICE OF THE CHIEF PUBLIC DEFENDER**  
30 TRINITY STREET  
FOURTH FLOOR  
HARTFORD, CONNECTICUT 06106

**CHRISTINE PERRA RAPILLO**  
EXECUTIVE ASSISTANT PUBLIC DEFENDER  
DIRECTOR OF JUVENILE DELINQUENCY DEFENSE  
(860) 509-6472 TELEPHONE  
(860) 509-6495 FAX

### **TESTIMONY OF CHRISTINE RAPILLO EXECUTIVE ASSISTANT PUBLIC DEFENDER OFFICE OF THE CHIEF PUBLIC DEFENDER**

**COMMITTEE ON THE JUDICIARY  
MARCH 2, 2009**

### **RAISED BILL NO. 674, AN ACT CONCERNING LOCAL EXPENDITURES RELATED TO THE CHANGE IN THE AGE OF JUVENILE COURT JURISDICTION**

The Office of the Chief Public Defender is opposed to this proposal. It would appear to allow towns and cities to ignore the provisions of P.A. 07-4, even if that legislation goes into effect as currently planned in January 2010. This is unworkable. Connecticut cannot have a criminal justice system where individual cities and towns decide who is a juvenile and who is an adult based on how much it will cost. Even in a budget crisis, municipalities cannot simply decide that it is too costly to comply with any state law. The Connecticut Council of Municipalities has claimed that implementing Raise the age would cost over \$50 million for cities and towns. There has been no public data produced to show those expenditures are required or necessary. Law enforcement officials have argued against raising the age and have indicated that they would need all new juvenile holding cells. Most towns arrest only a few 16 and 17 year olds a year and even fewer juveniles. The Office of Policy and Management is required to monitor the use of secure detention for juveniles and reports on this data to the federal government. A study of their data conducted last year showed that the major cities, Hartford, New Haven and Bridgeport never used their local lock ups to hold juvenile accused.

One way to resolve the lock up problem would be to allow police departments to use empty adult cells to house juveniles. Conn. Gen. Stat. Sec.46b-133 prohibits police departments from housing a juvenile in a cell where an adult could or has been held. Federal law requires only that juveniles be separated by sight and sound. Conn. Gen. Stat. Sec. 46b-133 could be amended to allow the police to use unoccupied adult cells so long as federal requirements are met.

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**Testimony of Office of Chief Public Defender**

**Judiciary Committee, March 2, 2009**

**Raised Bill 674**

The process of raising the age is costly and complicated but remains the right thing to do. A law that allows municipalities to "opt the age" will present a myriad of legal and constitutional due process issues. Other bills before this committee today offer different ways to implement P.A. 07-4 in a more fair and evenhanded manner. This Committee should reject Raised Bill 674 and consider the other proposals.