



## State of Connecticut

### DIVISION OF PUBLIC DEFENDER SERVICES

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### TESTIMONY OF CHRISTINE RAPILLO DIRECTOR OF JUVENILE DELINQUENCY DEFENSE OFFICE OF THE CHIEF PUBLIC DEFENDER

#### Raised Bill 224 An Act Concerning Eligibility for Youthful Offender Status Committee on the Judiciary March 3, 2010

The Office of the Chief Public Defender opposes this legislation, which would eliminate a young person's ability to use the Youthful Offender program more than once. Currently, a person age 17 or younger charged with a misdemeanor is granted Youthful Offender status, even if there are multiple cases or the client has used the program before. This is an appropriate use of the program.

Young people who come into contact with the criminal justice system are often engaged in a pattern of disruptive behavior that may involve multiple charges. Given the well accepted science on adolescent brain development, we know that teenagers make multiple mistakes, compounded by subsequent bad choices. They often will take longer to process the consequence of their actions than adults. This can and does result in multiple criminal cases. The Youthful Offender program gives the court the ability to render consequences to these youth while providing some treatment and the protection of confidentiality. The condition of having multiple cases should not, on its own, prevent these youth from benefiting from the confidentiality protection of the offered by the Youthful Offender program.

The current statute offers the court many ways to deal with a young person who commits multiple offenses or presents a danger. The Youthful Offender program is not a diversion plan or a juvenile court treatment program. Young people who are classified as Youthful Offenders are held pretrial in adult correctional facilities and can be sentenced to as much as four years of incarceration. In the case of a youth charged with a felony, Conn. Gen. Stat §54-76(d) gives the State's Attorney the ability to move to transfer the case from Youthful offender status and have it placed on the regular criminal docket. Clearly the court has ample methods to deal with reoffending youth without automatically denying them access to the Youthful Offender program. The Office of the Chief Public Defender respectfully asks this committee not to favorably report on this proposal.