



**MARCH 30, 2011 TESTIMONY OF
CONNECTICUT JUVENILE JUSTICE ALLIANCE
FOR THE JUDICIARY COMMITTEE
REGARDING**

RAISED HOUSE BILL 1163: AN ACT CONCERNING ASSAULT OF A SCHOOL EMPLOYEE

Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee: This testimony is submitted by Abby Anderson, Executive Director of the Connecticut Juvenile Justice Alliance (Alliance). The Alliance is a statewide, private non-profit organization that works to reduce the number of children and youth entering the juvenile and criminal justice system, and advocates a safe, effective and fair system for those involved.

The Alliance opposes Raised Bill 1163, An Act Concerning Assault on a School Employee. This proposal would enhance penalties for the crime of assault in the third degree if the assault was on a school employee. Assault in the Third Degree is currently a Class A misdemeanor, punishable by up to 1 year in prison and is considered to be a regular juvenile delinquency offense. This proposed bill would make assaulting a school employee a felony and a Serious Juvenile Offense. The proposal is unnecessary; current law already gives law enforcement the ability to charge for serious offenses. It is also overly punitive, running contrary to statewide efforts to improve school climate and decrease the numbers of arrests that occur in school.

Current law is sufficient to hold accountable those who might assault a teacher or other school employee. People who commit a serious assault can be charged with a felony under our current law. Children who do so can be transferred to adult court under our current law. This proposed law is aimed at children, many of whom do not understand what they are doing or are acting out in school because of mental health or behavioral disorders that have not been addressed. Enhancing the penalty in school is unfair and sets children up to fail.

Charging these children with a felony or an SJO would decrease the chances of their recovering from mistakes. For those children over the age of juvenile court jurisdiction, a felony conviction deprives them of their right to vote and forever limits their ability to find employment. There have been numerous national studies on the increase in unnecessary school-based arrests. Schools have imposed "zero tolerance" policies and use police as default disciplinarians. Schools have become less tolerant of child behavior and will often arrest for incidents that would have led to detention or suspension previously, including for minor school policy violations.

Connecticut's Juvenile Justice Advisory Committee (JJAC) is supporting many efforts to address the problem of school-based arrests, including grants for schools and police departments to create more reasonable codes of discipline. Three Connecticut cities are receiving support from the Annie E. Casey Foundation to create protocols that will lead to more graduated sanctions and less arrests. An enhanced penalty statute aimed at school children runs contrary to everything we have learned about brain development and children.

Thank you for the opportunity to present this testimony. Please let me know if you have any questions or would like additional information.