

**TESTIMONY OF JEANNE MILSTEIN, CHILD ADVOCATE
IN SUPPORT OF RAISED BILL 6634,
AN ACT CONCERNING CHILD WELFARE AND DETENTION IN THE
JUVENILE JUSTICE SYSTEM AND ERASURE OF JUVENILE RECORDS;
AND RAISED BILL 6638, AN ACT CONCERNING JUVENILE JUSTICE;
AND IN OPPOSITION TO RAISED BILL 1164,
AN ACT DELAYING IMPLEMENTATION OF PROVISIONS TO RAISE THE
AGE OF JUVENILE COURT JURISDCITION FOR YOUTH SEVENTEEN
YEARS OF AGE; AND RAISED BILL 1223, AN ACT CONCERNING THE
RESPONSIBILITIES OF A PARENT OR GUARDIAN OF A CHILD
CONVICTED AS A DELINQUENT.**

APRIL 1, 2011

Good morning, Senator Coleman, Representative Fox, and members of the Judiciary Committee. Thank you for the opportunity to testify on several crucial bills regarding youth in the juvenile justice system.

As you are aware, in 2010 Connecticut's age of juvenile jurisdiction was raised to include 16-year-olds. Initial assessments of this change indicate that this change has had less of an impact than anticipated on the resources of the juvenile justice system. I fully expect that continued monitoring will reveal that this change leads to better outcomes for youth, including lower recidivism rates. It is therefore imperative that Connecticut allow its 17-year-old to be absorbed into the juvenile justice system in a timely fashion as well, in order that they and their families may benefit from timely, family-focused interventions and community diversion programs. To that end, I **support H.B. No. 6638 (RAISED), AN ACT CONCERNING JUVENILE JUSTICE**, and **oppose S.B. No. 1164 (RAISED), AN ACT DELAYING IMPLEMENTATION OF PROVISIONS TO RAISE THE AGE OF JUVENILE COURT JURISDICTION FOR YOUTH SEVENTEEN YEARS OF AGE**. To delay implementation of Raise the Age legislation would leave Connecticut behind the 39 other states that currently try 17-year-olds in juvenile court, prevent us from taking advantage of both short-term and long-term cost savings, and delay our opportunity to further decrease recidivism in our teens and young adults.

Because juvenile detention can have a severe impact on children's mental health as well as their prospects for high school graduation, adult employment, and avoidance of adult criminal behavior¹, I firmly **support H.B. No. 6634 (RAISED) AN ACT CONCERNING CHILD WELFARE AND DETENTION IN THE JUVENILE JUSTICE SYSTEM AND ERASURE OF JUVENILE RECORDS**. This bill would prohibit police from placing children in juvenile detention centers without a court order. Astonishingly, Connecticut's police are currently almost twice as likely to bring black and Hispanic youth to detention than white youth, even when white youth and minority youth are charged with equivalent serious juvenile offenses.² Requiring a court order to admit youth to juvenile detention has been demonstrated to greatly reduce and even eliminate this discrimination and the racial disparity in admissions to detention³.

Finally, I oppose S.B. No. 1223 (RAISED) AN ACT CONCERNING THE RESPONSIBILITIES OF A PARENT OR GUARDIAN OF A CHILD CONVICTED AS DELINQUENT. Although I admire the bill's intent, its requirement that parents assume responsibility and liability for their children's behaviors after the child is adjudicated delinquent is insufficient to fully address the needs of young people facing charges in juvenile court. I maintain that parental responsibility begins considerably earlier than the time of adjudication, and that parents or guardians – including the Department of Children and Families – should be expected to attend all court hearings with their children and to participate as appropriate in any programming intended to treat or rehabilitate the child, as referred by the Court or juvenile probation. Failure on the part of parents or guardians to respond to the child's needs should be considered neglect and therefore reported to the Department of Children and Families for investigation. However, I do not support the requirement in Section 2 that parents or guardians of youth receiving services through the juvenile court system reimburse the state, or in lieu of payment perform community service. I feel this would be a strong disincentive to parental participation and create a complex bureaucratic process that undermines the ability of the juvenile court to focus on delivering necessary treatment services.

Thank you for the opportunity to testify before you on these extremely important bills.

¹ Community Network for Youth, "Fact Sheet," available at http://www.cjny.org/index.php?option=com_content&view=article&id=6&Itemid=14; see also Anthony Petrosino et al., *Formal System Processing of Juveniles: Effects on Delinquency*, CAMPBELL SYSTEMATIC REVIEWS (2010); Uberto Gatti et al., *Iatrogenic Effect of Juvenile Justice*, J. OF CHILD PSYCHOLOGY AND PSYCHIATRY 50:8 (2009), 991, 996.

² Dorinda M. Richetelli, Eliot C. Hartstone & Kerri L. Murphy, *A Second Reassessment of Disproportionate Minority Contact in Connecticut's Juvenile Justice System*, May 15, 2009.

³ RICHETELLI et al., *supra* note 2 at 51; requiring a court order before admitting a child to detention was a specific recommendation of Connecticut's Juvenile Justice Advisory Committee.