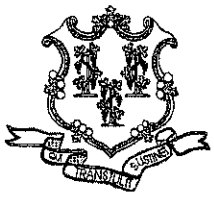
STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES



Public Hearing Testimony

Children Committee
February 21, 2013

H.B. No. 6399 AN ACT CONCERNING CHILDREN IN THE JUVENILE JUSTICE SYSTEM

The Department of Children and Families offers the following comments regarding H.B. No. 6399, An Act Concerning Children in the Juvenile Justice System.

DCF **opposes Section 2** which would reduce a child's commitment by the number of days spent in pretrial detention. A delinquency commitment, unlike an adult criminal sentence, is not imposed for a set period of time. Section 46b-141 of the General Statutes states that commitments are "indeterminate" (except that they shall not exceed 18 months or four years, depending on the offense and can be ordered for a minimum of 12 months for serious juvenile offenses). The time spent under commitment may be at the Connecticut Juvenile Training School, at a residential facility or group home, in foster care or with family members, or a combination of these options. The focus is treatment and rehabilitation when the professionals, in consultation with the youth's family, determine that the youth is ready for discharge, he or she is discharged regardless of how much time is technically left on the commitment. We believe the proposal is unnecessary and may have a negative impact a youth's treatment.

DCF also **opposes Section 8** which appears to give the Superior Court the discretion to impose a delinquency commitment to the Department of less than 18 months (or four years for an SJO) as opposed to the current "indeterminate time to a maximum." The Connecticut Supreme Court recently ruled in the case of *In re: Jusstice M.* that judges may not impose a specific length of commitment under the current statute. This is because, again, the focus of a commitment is treatment and rehabilitation. A commitment is not akin to a criminal sentence. Once the juvenile has achieved his or her treatment goals, he or she can be discharged from commitment either by the court or by the Commissioner without further court action. There are, therefore, adequate remedies if the juvenile or attorney believes that a commitment should end earlier than the 18 month (or four year) period. In addition, very few juveniles spend their commitments in a secure setting. Almost all are either placed immediately in a non-secure treatment facility or are "stepped down" from a secure setting to a residential setting and eventually to home. Limiting the time of the commitment will interfere with proper discharge planning and may result in a juvenile being released prior to completion of his or her treatment programming.

H.B. No. 6400 AN ACT CONCERNING MANDATED REPORTERS AND REQUIRING CRIMINAL HISTORY RECORDS CHECKS FOR YOUTH CAMP DIRECTORS AND ALTERNATE DIRECTORS

The Department of Children and Families offers the following comments regarding of H.B. No. 6400, An Act Concerning Mandated Reporters and Requiring Criminal History Records Checks for Youth Camp Directors and Alternate Directors.

DCF **supports section 1** of the bill as we believe that athletic coaches on all levels -- including youth and collegiate -- who have a great deal of interaction with children, should be included on the list of those mandated to report suspected child abuse and neglect. Currently, Connecticut's mandated reporting law, section 17a-101 of the General Statutes, does not apply to youth, college, or university coaches.

DCF is not taking a position on sections 2 and 3 of the bill which would require criminal history checks for youth camps directors. Youth camps are the regulatory responsibility of the Department of Public Health.