

NATIONAL
JUVENILE JUSTICE
NETWORK

**TESTIMONY OF THE NATIONAL JUVENILE JUSTICE NETWORK
FOR THE JUDICIARY COMMITTEE MARCH 23, 2016**

**IN FAVOR OF HB NO. 5642 (AN ACT CONCERNING THE RECOMMENDATIONS OF
THE JUVENILE JUSTICE PLANNING AND OVERSIGHT COMMITTEE)**

AND

IN FAVOR OF SB NO 18 (AN ACT CONCERNING A SECOND CHANCE SOCIETY)

Senator Coleman, Representative Tong, and members of the Judiciary Committee: My name is Sarah Bryer, director of the National Juvenile Justice Network (NJJN), a national network of state based advocacy groups dedicated to creating a fairer, more equitable, and developmentally appropriate system for youth in trouble with the law.

We support Connecticut's effort to align the system with best practice and urge the legislature to pass HB 5642, concerning the recommendations of the Juvenile Justice Policy Oversight Committee (JJPOC). In addition, we are also supporting the governor's Second Chance Act, SB 18. On behalf of NJJN, I'd like to thank you for the opportunity to testify in support of these initiatives to keep Connecticut's children and communities safe.

It is evident by your consideration of such legislation that you too care about keeping our communities safe, ensuring the welfare of our children, and guaranteeing a fair and equitable justice system for all. Over the past decade, Connecticut has been a leader in juvenile justice reform, significantly reducing its incarceration rate. The realistic, common-sense policies before you are the next steps in realigning the system with a vision of accountability beyond retribution.

With respect to the JJPOC recommendations, I'd like to note our support for the following provisions: focusing statutes on accountability and care instead of punishment; reducing the use of detention; expanding diversion options; improving mental health responses; and capturing success metrics.

Focus on Accountability – and Improved Public Safety

Connecticut has transformed over the past decade adopting the notion that youth are uniquely capable of change, becoming a national model for juvenile justice reform. Yet the outdated

purpose of the Superior Court reflects an old ideology with the goal being to “punish the child” – thus focusing on the “deed” and not the “need” that underlies youth behavior that harms young people, families and communities. In order to achieve public safety, Connecticut needs to realign the intent to reflect the past investments in the system. We support the proposed new language, which focuses on accountability *and* on addressing the root issues driving youth behavior. A growing body of knowledge shows that harsh punitive policies don’t work, either for the kids or public safety. If anything, youth placed in secure custody are more likely to reoffend – not less -- upon their release than their peers who commit the same crimes but are held accountable in the community.

And we know that children, teens, and young adults are highly amenable to change, if given the developmentally appropriate supports. Research also shows us that the adolescent brain, body, and emotions are not fixed, but rather highly dynamic and responsive to their environment until a young person reaches his/her mid 20’s. By clarifying the purpose of the juvenile justice system, as described in state statutes, to focus on individualized supervision and accountability through developmentally appropriate responses to youth, this bill simultaneously reflects best practice and aligns the system with its intended purpose. Eliminating the phrase “punish the child” brings the purpose of the youth justice system in line with what we know to work by holding youth who have broken the law accountable in ways that intentionally capitalize on their developmental stage and capacity for change.

Reducing the Use of Detention

Refocusing the purpose of the system is a huge step in the right direction, but operationalizing that intent requires changes in detention protocols. Historically, Connecticut has taken note of research has shown that confining youth actually increases the chances that young people will recidivate, reducing its use of detention. As this is especially true for youth who are detained for non-delinquent behavior, such as children in need of supervision, and youth who commit low-risk offenses such as skipping school or running away, it is imperative to continue this momentum. We strongly support the provisions of the bill that would ensure only those youth who pose public safety risks are detained; reduce the time between court hearings to ensure swift sanctions; and limit detainable violations solely to new crimes. By adopting these proposals, Connecticut would position its policies with best practice research.

Expanding Diversion

We know the juvenile justice system should never be a substitute for voluntary, high-quality services in the community that meet the needs of youth. Similarly, juvenile justice should not be a “dumping ground” for other public systems like education, child welfare or mental health. In this vein, JJPOC’s recommendations aim to implement common-sense mechanisms such as addressing truancy by favoring proven interventions over exclusionary school practices; adopting restorative school practices; and creating a joint infrastructure to meet mental and behavioral health needs of youth. These changes would expand the interventions and supports for students,

addressing their total wellness and encouraging completion of school, thus increasing their likelihood of overall success.

Tracking Success

The above reforms are rooted in best practice and critical to creating a system that meets youth needs and improving public safety. Yet, like all reforms, they will require evaluation and continual quality improvement. For this reason, the recommendations include provisions to monitor outcomes by measuring recidivism and creating a permanent data subcommittee. We applaud these provisions of the bill, as oversight is crucial to lasting reform.

Closing the Loop

Just as the above reforms are necessary to create a system responsive to youth needs, it is imperative that Connecticut take steps to close outdated, ineffective institutions such as the juvenile training school. Research shows that youth prisons, euphemistically called "training schools," are not effective for addressing recidivism or rehabilitating youth. By shuttering facilities, the state makes clear its commitment to holding youth accountable in ways that are proven to increase their success, while freeing the necessary funds to invest in comprehensive supports tailored to the unique needs and assets of each individual youth.

Second Chances for All Youth

The last element of reform critical to bringing Connecticut's system in line with proven science is to raise the age of juvenile court jurisdiction to 21. We know that neuroscience shows young people's brains are not fully developed until the age of 25. This -- when added to evidence that shows young people age out of offending behavior -- implies that an alternative approach to hold these youth accountable is required. Knowing we can achieve better outcomes for these youth and communities, the proposed reform in SB 18 to bring youth back into the juvenile system is a logical next step.

The reforms included in both HB 5642 and SB 18 position Connecticut's system as a model of innovation and best practice, while positioning youth to have bright futures. We encourage the committee to pass these pieces of legislation and continue to explore opportunities to continually invest in your communities, creating a full continuum of services and programs to ensure positive youth outcomes. Thank you for your consideration.