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Testimony Regarding S.B. 18, An Act Concerning a Second Chance Society

Good Afternoon Senator Coleman, Representative Tong and Respected Members of the Judiciary Committee,

My name is Erica Dean and I am a Policy Analyst at the Connecticut Association for Human Services (CAHS). CAHS is a statewide, nonprofit agency that works to reduce poverty and promote economic success for children and families.

Today we want to testify in support of S.B. 18, an act concerning a second chance society. We believe this legislation introduces welcome progressive changes to criminal and juvenile justice reform. To further improve the bill, CAHS would like to suggest including the Department of Transportation Apprenticeship Funds to strengthen its job training efforts.

- **Juvenile system jurisdiction changes**

The centerpiece of SB.18 is raising the age of the juvenile justice system's jurisdiction through 20 years. Experts in brain-development research advise that although cognitive brain development peaks around 16 years of age, the areas that govern behavioral and impulse control are not fully developed until the mid to late twenties¹. These findings suggest that risk, decision-making, and impulse control are important factors to consider when discussing juvenile and criminal justice policies and procedures^{2,3,4}.

In a sense, this change will mirror the biological development of the brain, ensuring that offenders between 18 and 20 are not treated with undue harshness. Acknowledgement of continuing brain development into the mid-20's has influenced several Supreme Court decisions over the last decade and if passed, Connecticut will be the first state in the nation to raise the age for juvenile offenders^{5,6,7}.

- **Sustainable Employment**

CAHS believes that the implementation of S.B. 18 could be even more progressive if it were aligned with the opting-in of the Department of Transportation (DOT) Apprenticeship Funding opportunity.

This program has the ability to provide sustainable and long-term employment options to ex-offenders that include "youth", "young adult", and adult populations. Federal regulations allow the DOT set-aside (up to ½ percent of federal surface and bridge funds) to "develop, conduct, and administer highway construction training, including skill improvement programs". Dedicating this funding to creating employment opportunities for ex-offenders would cost Connecticut nothing while bolstering the economy by providing a long-term career pathway to this at-risk population.

¹ Delery, S.F., Lynch, L.E., Spivak, H., Mason, K.V., Schiraldi, V., Cauffman, E., ... & Azrack, J. (2015). Discussing the future of justice-involved young adults. *National Institute of Justice (NIJ)*. Retrieved from: <http://www.nij.gov/multimedia/Pages/video-future-of-justice-involved-young-adults.aspx>.

² Steinberg, L., & Scott, E.S. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist*, 58, 1009 – 1018.

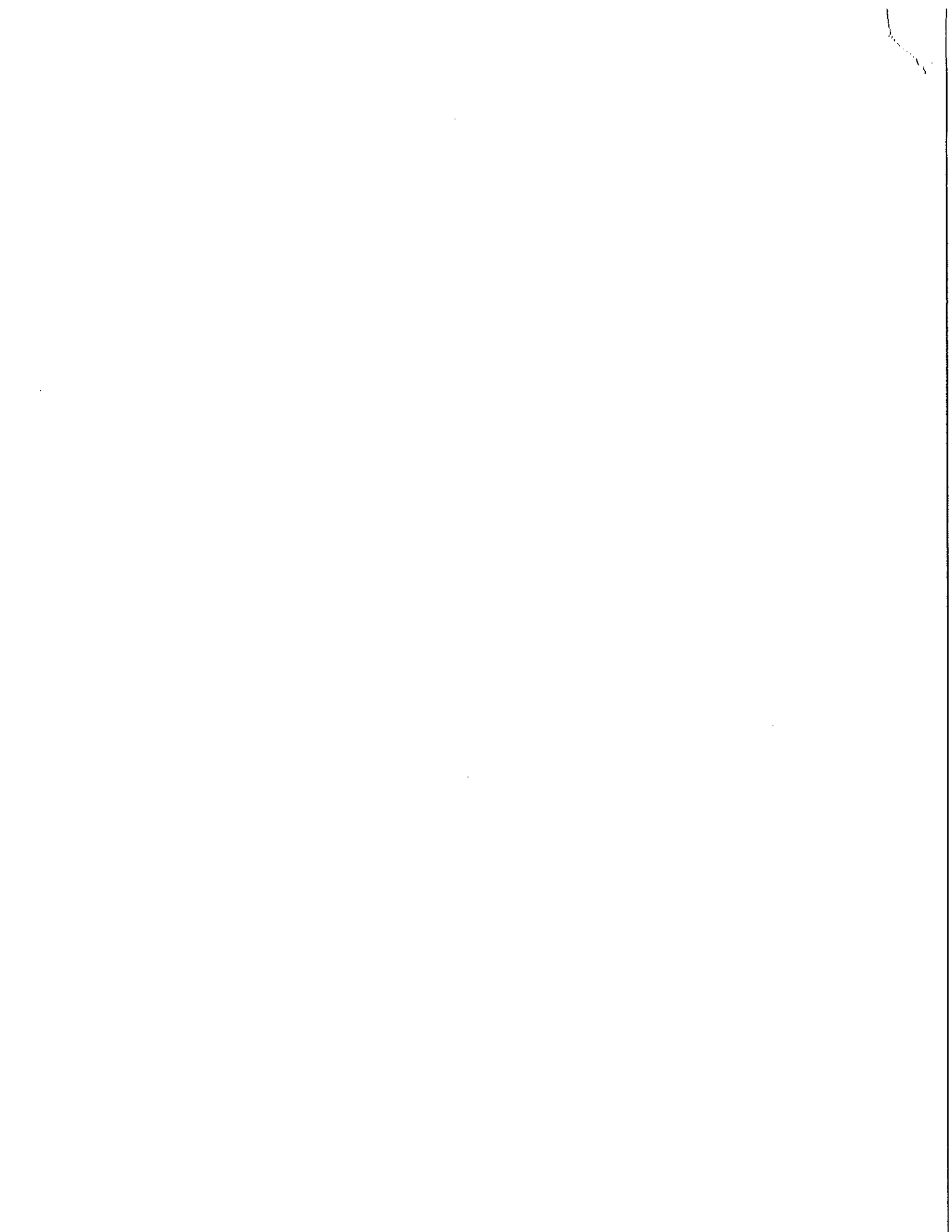
³ Ross Russell, R.W. (1968). Regional development of the brain in early life. *Proceedings of the Royal Society of Medicine*, 61, 326.

⁴ Aronson, J.D. (2015). Neuroscience and juvenile justice. *Akron Law Review*, 42, 917 – 930.

⁵ Roper v. Simmons (03-633) 543 U.S. 551 (2005) 112 S.W. 3d 397, affirmed.

⁶ Graham v. Florida (No. 08-7142) 982 So. 2d 43, reversed and remanded.

⁷ Miller v. Alabama (No. 10-9646), 63 So. 3d 676, and No. 10-9647, 2011, reversed and remanded.



Research has shown that at the one-year mark of being released, between 60 and 75% of previously incarcerated individuals are unemployed⁸. Those that are employed make around 40% less in annual earnings than they did prior to incarceration and have limited upward mobility^{9,10}. After submitting job applications, those with criminal records are half as likely to receive an interview; for African American applicants, their chances of receiving an interview is reduced to 33%¹¹.

Furthermore, studies have consistently reported that among former offenders, employment is the single most important influence on recidivism^{12,13}. Particularly among youth and young adults, promoting job readiness and encouraging involvement in this apprenticeship program will decrease the risk for re-arrest and future incarceration¹⁴. Connecticut could combine this training program with existing ones, or it could partner with stakeholders to develop a transportation-specific training program.

We are currently aware of eight states that have utilized these apprenticeship funds with much success¹⁵. Connecticut has several apprenticeship programs with a proven track record of helping ex-offenders reenter the workforce. We believe that this funding could offer additional options for Second Chance Society initiative participants and influence future economic success.

To close, we support the aim and objectives of S.B.18, and believe that the changes proposed by the legislation will improve our justice system. We would suggest to this committee, however, to explore the use of DOT funding to provide job training and providers to former offenders.

⁸ Travis, J. (2005). *But they all come back: Facing the challenges of prisoner reentry*. Washington, DC: Urban Institute Press.

⁹ The Pew Charitable Trusts. (2010). *Collateral costs: Incarceration's effect on economic mobility*. Washington, DC: The Pew Charitable Trusts.

¹⁰ Tierney, J. (2013, February 9). Prison and the poverty trap. *The New York Times*. Retrieved from <http://www.nytimes.com/2013/02/19/science/long-prison-terms-eyed-as-contributing-to-poverty.html?pagewanted=all>.

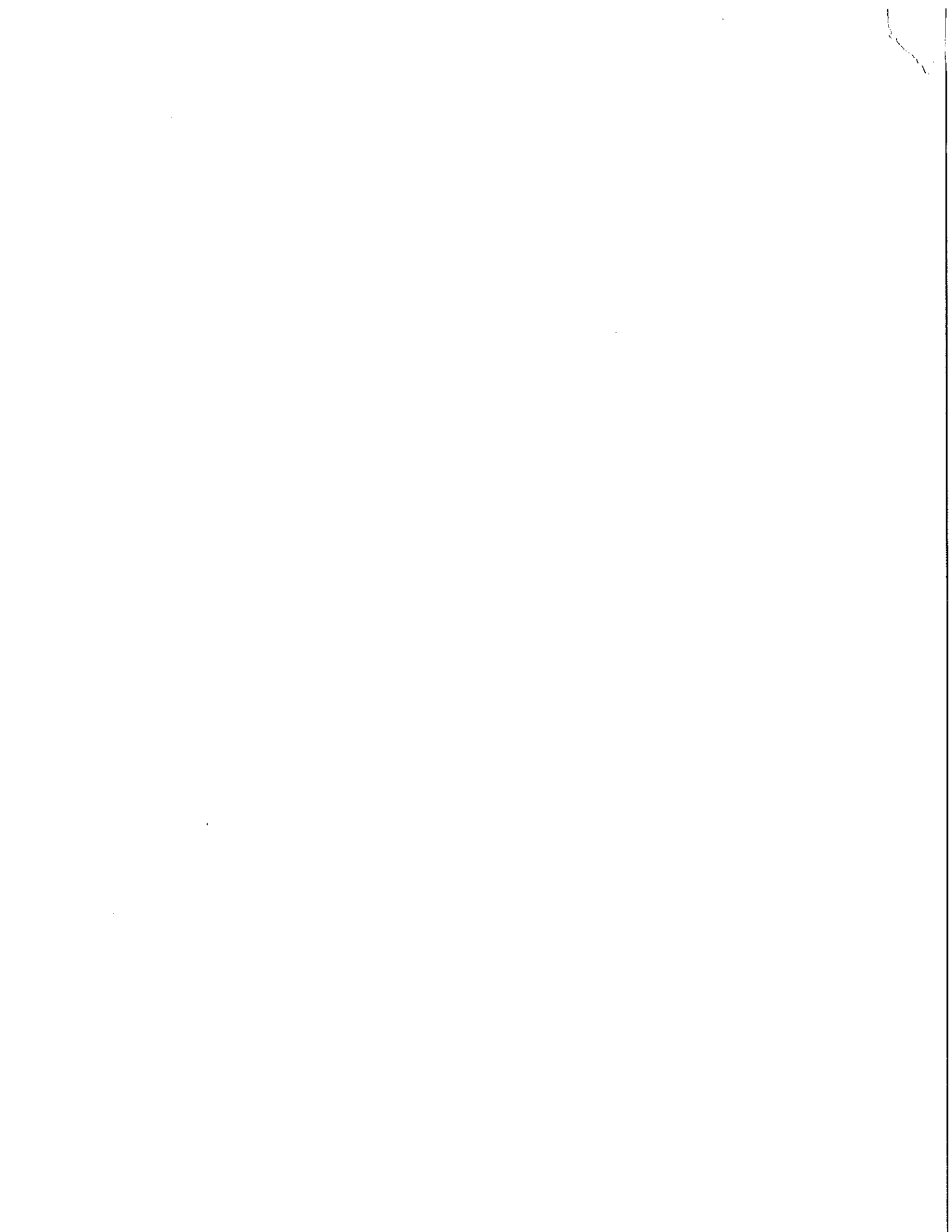
¹¹ Pager, D. (2003). The mark of a criminal record. *American Journal of Sociology*, 108, 937 – 975.

¹² Berg, M.T., & Huebner, B.M. (2011). Reentry and the ties that bind: An examination of social ties, employment, and recidivism. *Justice Quarterly*, 28, 382 - 410.

¹³ Tripodi, S.J., Kim, J.S., & Bender, K. (2010). Is employment associated with reduced recidivism? The complex relationship between employment and crime. *International Journal of Offender Therapy and Comparative Criminology*, 54, 706 -- 720.

¹⁴ James, C., Stams, G.J., Asscher, J.J., De Roo, A.K., der Laan, P.H. (2013). Aftercare programs for reducing recidivism among juvenile and young adult offenders: A Meta-analytic review. *Clinical Psychology Review*, 33, 263 – 274.

¹⁵ Alstadt, D. (2010). Building opportunity: How states can leverage capital and infrastructure investments to put working families on a path to good jobs. *The Working Poor Families Project*. Retrieved from: http://www.workingpoorfamilies.org/pdfs/Building_Opportunity.pdf.



DOT APPRENTICESHIP FUNDS



ABOUT THE DOT SET-ASIDE

- **States may use up to ½ of one percent** of federal surface transportation and bridge funds to “develop, conduct, and administer highway construction training, including skill improvement programs.” The goal is to improve access to transportation jobs for under-represented and disadvantaged populations.
- Dedicating this 0.5% to training could provide local, minority, disadvantaged, and women workers access to **infrastructure jobs and apprenticeships**.
- Connecticut could utilize this plan in conjunction with existing training programs, or the State could partner with stakeholders to develop a transportation-specific training program.

WHAT CONNECTICUT IS DOING NOW

- DOT does have a “half-percent set aside” program, but it uses **only a small fraction of a half-percent of funds** (about \$120,000 compared to the \$1.5-\$2 million that constitutes a half-percent). This program reimburses contractors \$.80/hour for apprenticeships, and also funds assistance like boots, tools, and child care for minority, women, and other disadvantaged workers.
- Despite these efforts, **results are limited**, for women in particular. DOT has made changes to the contractor reimbursement program, which provide the contractor more flexibility on assignments and should get the trainees closer to journeyperson status.
- DOT tried to involve DOL in a supportive services program. DOL balked at the intensive reporting requirements. Currently DOT is contracting with CCSU’s Institute of Technology and Business Development to issue an RFP earlier this year for a pre-apprenticeship program that includes life skills, fitness, testing assistance, etc. This was only for \$40,000, the remainder of the \$120,000 allocated for this program.

WHAT IS NEEDED:

- To convince **DOT to set aside \$1.5 to \$2 million each year and invest these funds in apprenticeships** and pre-apprenticeships through the jobs funnel programs that operate in the five workforce board regions, with training provided by the trades. These programs are under-funded despite great success, including successfully helping many ex-offenders obtain decent jobs.
- **Taking advantage of the federal 0.5% initiative would cost Connecticut nothing.** This policy would simply designate a portion of federal funds to train individuals for transportation projects, and would bolster the economy by linking underemployed workers to career pathways.
- Legislation might not be required, as DOT might be responsive to change current practice without it. Our meetings with DOT have been with low-level staff. The **Governor's office was receptive**, as they see a link to their Second Chance Society initiative.

WHAT OTHER STATES ARE DOING

- Policy Paper on this topic, focusing on women: [Untapped Resources, Untapped Labor Pool: Using Federal Highway Funds to Prepare Women for Careers in Construction](#)
- [Newspaper article on the Oregon program for women.](#)
- ["Building Opportunity,"](#) describes on pages 10 and 11 the programs in Wisconsin, Missouri, Minnesota, and Michigan. About eight states (MO, MD, MN, MI, WI, OR, KS, VA) have used half-percent set-aside funds with much success.

The Family Economic Success (FES) Coalition shares information and mobilizes advocates, providers, and others on policy issues that improve the lives of low-income children and families. CAHS coordinates the FES Coalition.

The Connecticut Association for Human Services (CAHS) is a statewide nonprofit agency that works to engage, equip, and empower all families in Connecticut to build a secure future.

