



STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

231 Capitol Avenue
Hartford, Connecticut 06106
(860) 757-2270 Fax (860) 757-2215

**Testimony of the Judicial Branch
Committee on Children Public Hearing
February 16, 2016**

Senate Bill 75, An Act Concerning Detained Youth

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning **Senate Bill 75, *An Act Concerning Detained Youth***. The Branch has some concerns with the bill as written, and would like to make the following observations and suggestions.

Section 2 requires that the Commissioner of the Department of Children and Families (DCF) to develop a Behavioral Health Implementation plan, as well as collaborate with several agencies to produce biennial progress reports. We agree that this collaboration is important and would respectfully suggest that the Juvenile Justice Policy and Oversight Committee (JJPOC) also receive the Implementation Plan, and participate in the biennial progress reports. We believe that the state would best be served if the Behavioral Health Implementation Advisory Committee and the JJPOC coordinated efforts.

We have some concerns about Section 2 (f), which would require DCF to submit a plan to prevent or reduce the negative impact “of mental, emotional and behavioral health issues on children and youth twenty years of age or younger” who are held in juvenile detention centers run by the Judicial Branch. It’s unclear exactly how this will be carried out, and to what extent it might impact the Branch’s operation of its centers. It appears also to have fiscal implications, as it would require coordinated discharge

planning and a continuum of health care services available for juveniles/youthful offenders leaving these facilities.

Section 4 of the bill would require the Judicial Branch to comply with sections 46a-151 - 46a-154 of the general statutes, which would mean that room confinement could no longer be utilized as a means of discipline. This would have staffing and fiscal implications, as staff would be required to monitor detainees who pose a threat to other juveniles or staff in order to keep them separated. It also does not consider that, apart from Juvenile Detention, each unit within the Branch has a different role with a young population. Presently, Judicial Marshal Services houses individuals under 18 in its courthouse lockups who have adult charges. These individuals are restrained as adults are, but are sight and sound separated from adults. Additionally, when we have occasions to hold individuals who are in the custody of Juvenile Detention, Judicial Marshal Services follows the restraint recommendations of the Court Support Services Division and keeps tracks of any restraints used. Under all circumstances, the requirements of the Prison Rape Elimination Act (PREA) are followed.

Sections 5 and 6 would require that Judicial Branch residential and nonresidential facilities be licensed by DCF. Such a requirement would negatively impact the Judicial Branch's ability to contract for and open programs in a timely fashion. It would also be likely to result in additional costs to meet unnecessary licensing requirements, which may not make a positive impact on the quality or delivery of services. The Court Support Services Division (CSSD) relies on data-driven management techniques to ensure quality service delivery, and positive client outcomes. Most of CSSD's residential programs are accredited by national bodies, and all are routinely visited and reviewed by an independent ombudsman. This requirement also raises fiscal, contractual and monitoring implications for current facilities and any new facilities.

Thank you for the opportunity to submit written testimony regarding this bill.