TESTIMONY PRESENTED TO THE JUDICIARY COMMITTEE
MARCH 23, 2016

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Testimony Regarding House Bill No. 5642

AN ACT CONCERNING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY OVERSIGHT COMMITTEE

Senator Coleman, Representative Tong and distinguished members of the Judiciary Committee, thank you for the opportunity to offer testimony on House Bill No. 5642, An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee.

The Office of Policy and Management supports the Juvenile Justice Policy and Oversight Committee (JJPOC) in its important work on behalf of Connecticut's youth and young adults and the intention of this bill to improve the outcomes of justice involved youth. And, as co-chair of JJPOC, I welcome the opportunity to work with the Judiciary Committee to strengthen this bill by addressing language that has been identified by OPM and various state agencies as requiring revision, as well as by limiting those provisions that are not in accord with the new economic reality facing the state.

The raised bill largely came out of the work of several JJPOC working groups. While the full committee did not have a chance to come to consensus on everything contained in the bill, we thought it was important to bring this language before you for consideration and public comment as part of our ongoing work to review these proposals. Since this process is ongoing, you will hear from a number of member agencies and others today on what sections of the bill they support and which they believe need more work.

I appreciate the work underway by JJPOC members to provide revisions that reflect the concerns of OPM, other state agencies, the Judicial Department, legislators, and other JJPOC participants. I encourage you to review the points raised in the testimony as you consider the raised bill and forthcoming proposed revisions. I will briefly summarize some of the sections that have raised concerns for OPM.

Section 6, on a joint CSSD-DCF plan for community-based services to children diverted or released from detention, needs some clarifying revisions, which I understand are forthcoming. Without those revisions, there are potential extensive cost implications in the implementation of the plan.

Section 8, on the Connecticut Juvenile Training School (CJTS) closure, requires some revision to reflect that DCF, as an executive branch agency, is the lead in planning the closure of its facility. Governor Malloy committed to JJPOC that its members will have a role as DCF develops plans to meet the closure date. The plan will account for the best interests of the youth currently at CJTS, or who would be served there if the age of youth in the juvenile justice system is raised once again, and will be informed by national best practices. I understand that revisions are forthcoming to address these concerns.

Sections 11 and 12 of the bill would require that the truancy intervention models required by the bill be approved by the State Board of Education by January 1, 2017. While the State Department of Education (SDE) is supportive these measures and believes it would benefit students, the timeline is short and implementation would be improved if additional time were granted for the review of such models. It would also be a significant burden for SDE to assist and oversee the process in each district without additional resources. Again, I understand that revisions are forthcoming to reflect these concerns, particularly around the timelines.

Section 15 would require SDE to report to the JJPOC on data that is not currently collected. This would result in a potential cost in order to develop a mechanism for the collection of such data.

Section 16 would make several changes to the statute regarding expulsion, which would create significant burdens on local districts and the state. SDE is currently researching expulsion issues, statewide student discipline, and chronic absenteeism data in an effort to develop a comprehensive and cohesive legislative proposal for next session; therefore, this proposal seems premature. I understand that revisions to the requirement for appointment of an attorney/advocate are forthcoming, instead taking an interim step of notifying parents of a student's legal rights and of organizations that provide representation in such circumstances at no cost. Other portions of the section may be premature, as noted above, and could prove costly.

Section 19, on out-of-school suspensions in facilities, needs additional review and discussion by JJPOC and possible revisions before it is enacted into law. We concur with DCF that flexibility needs to be granted to protect students and others in the Solnit Center and the CJTS.

Several subsequent sections - Sec. 20, Sec. 22, Sec. 23, and Sec. 24 - also need additional review and discussion by JJPOC; enacting them into law this year is premature and could have a significant fiscal impact.

Section 25, institutionalizing Raise the Grade, could have a fiscal impact in its implementation in three cities. There may be other ways to achieve the goals set forth in that section. In addition, the reporting requirement appears extensive for the limited staff in the agencies and school districts.

Sections 26 and 27 would require new data gathering and sharing of data, which are unnecessary as systems are already in place or will be shortly. P20WIN is already in existence and SDE already collects the data called for in Section 26. SDE and CSSD are finalizing a system to share data called for in Section 27 that should be operational by June.

As previously stated, we have concerns regarding the fiscal impacts that will result from implementation of various sections of the bill by the Department of Children and Families. These include, but are not limited to, imposing an extensive list of reporting mandates upon the department, reinstating the Raise the Grade initiative, and requiring the creation of electronic system allowing for access to educational records of children in the juvenile justice system. We are supportive of the Department's suggestion that clarifying changes be made to Sections 34 and 35.

I understand that the overly extensive reporting requirements found in numerous sections of the bill will likely be deleted and instead JJPOC's ability to request information will be reinforced in Section 37. We appreciate and support those forthcoming, as developing so many new reports would be expensive and burdensome for agencies, at a time when our staffing and fiscal resources are stretched.

Finally, I respectfully request that the Judiciary Committee concur with our requests and others' to modify this bill. I would like to again thank you for the opportunity to present this testimony and applaud the ongoing work of the JJPOC to reform the ways that we in Connecticut respond to juveniles who come into contact with our justice system.