



STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony

Judiciary Committee

March 23, 2016



H.B. No. 5642 - AN ACT CONCERNING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE
POLICY OVERSIGHT COMMITTEE

The Department of Children and Families (DCF) offers the following comments regarding H.B. No. 5642, An Act Concerning the Recommendations of the Juvenile Justice Policy Oversight Committee. This bill implements a number of recommendations from the various Subcommittees of the Juvenile Justice Policy Oversight Committee (JJPOC).

While many of the recommendations that are contained in this bill are both laudable and appropriate, we have significant concerns regarding the potential fiscal impact associated with many of its provisions.

Reporting Requirements

This bill contains at least nine new reporting requirements for the Department of Children and Families (see table below). At a time when state agencies must focus on "core services," which in the case of DCF is protecting children and helping families, the imposition of these additional reporting requirements would require us to redirect resources from other statutory mandates, resulting in an enormous cost in work hours. Much of this work can be accomplished through collaboration rather than the imposition of statutory deadlines.

As the *Data Connect* Homepage on the DCF website reflects, we currently have no fewer than ninety reports that we are responsible for. Our resources are currently stretched incredibly thin and we ask that the General Assembly prioritize any additional demands that are contemplated to be achieved "within existing resources." To illustrate, *one* JJPOC data request last year required over 540 hours of DCF staff time to complete. The Department has an obligation and responsibility to ensure that it protects sensitive client information, consonant with applicable federal and state law. Attached to this testimony is an accounting of the work done by our Information Systems team for this project. These 540 plus hours do not include the work done by our Office for Research and Evaluation (ORE) to review the research scope of work, attend meetings with the researchers, and explicate the data and the data structure, or the time of our Legal staff. If similar efforts are to be required for these new reports, we will have tremendous difficulty complying in a timely manner.

H.B. No. 5642 – NEW DCF REPORTING REQUIREMENTS

Section	Requirement	Due Date to JJPOC
6	requires DCF and CSSD to "jointly develop and implement a plan to ensure that community-based services provided to children who are diverted" and to report such plan to the JJPOC	January 1, 2017
23	requires DCF and CSSD to "establish transition teams to reintegrate children exiting residential facilities under the jurisdiction of said commissioner or executive director" and report to the JJPOC	April 1, 2017
24	requires SDE, DCF, DOC and Judicial to "address educational deficiencies found in children in the juvenile justice system pursuant to chapter 815t of the general statutes, through increased collaboration, monitoring and accountability in order to improve educational service delivery and outcomes" and report to the JJPOC	April 1, 2017
27	requires SDE, DCF and Judicial to "create an electronic system allowing for access to education records of children in the juvenile justice system" and to report to the JJPOC	April 1, 2017
31	requires DCF to report to the JJPOC on the Raise the Grade program	April 1, 2017
32	requires DCF and CSSD to report to the JJPOC on the implementation of changes to in-school suspensions	April 1, 2017
33	requires DCF and Judicial, working with private providers to "adopt and adhere to an empirically supported recidivism reduction framework for the juvenile justice system" and to report to the JJPOC	July 1, 2017 and annually thereafter
34	requires DCF and Judicial to provide information regarding de-escalation training, collect data and report to the JJPOC	July 1, 2017 and annually thereafter
35	prohibits DCF and Judicial from entering into a contract with a private provider of services "to reduce rates of recidivism for service recipients that does not include directives for compliance with de-escalation policies" and to report to the JJPOC	July 1, 2017

Other Concerns

Section 8

DCF is concerned that section 8 of the bill would have DCF and the JJPOC *jointly develop* "a preliminary and a final plan for the closures of the Connecticut Juvenile Training School (CJTS) and the Pueblo Unit for girls." DCF is already actively engaged in a process that will develop recommendations for changes in the juvenile justice system that would be required to close or modify the Connecticut Juvenile Training School by July 1, 2018, a goal set by Governor Dannel P. Malloy. Given Connecticut's new economic reality, the significant drop in the CJTS population and progress in our planning process, it is possible that CJTS closure may come even sooner than 2018. Because we strongly believe that the development of the plan is an executive branch responsibility, we envision an advisory role for the JJPOC, as well as many other stakeholders, in the development of the plan to close CJTS. In fact, the Department provided an update on the plan's status at last week's JJPOC meeting.

The plan's development is led by Deputy Commissioner Fernando Mufilz, who prior to coming to the agency in 2005, was the Executive Director of the Connecticut Juvenile Justice Alliance.

Deputy Commissioner Mufiz has already conducted eight meetings with state stakeholders and at least six more sessions are scheduled in coming weeks.

Additionally, we are consulting a diverse group of national experts in the preparation of the plan as well as gathering input from CJTS staff and juvenile justice social workers in the DCF area offices. The plan will provide for the best interests of the youth currently at CJTS or who in the future would be served there if the age of youth in the juvenile justice system is raised once again. The plan will be informed by national best practices, as well as an analysis of the population of youth currently served by CJTS and the youth who will be impacted by future age-related statutory changes that are before you today.

The plan will include recommendations for alternatives to incarceration for youth whose offense history and risk level do not warrant a secure setting. Finally, congregate care alternatives to CJTS also will be presented, including, but not limited to, building new, smaller secure regional treatment centers and re-purposing surplus state property.

Section 19

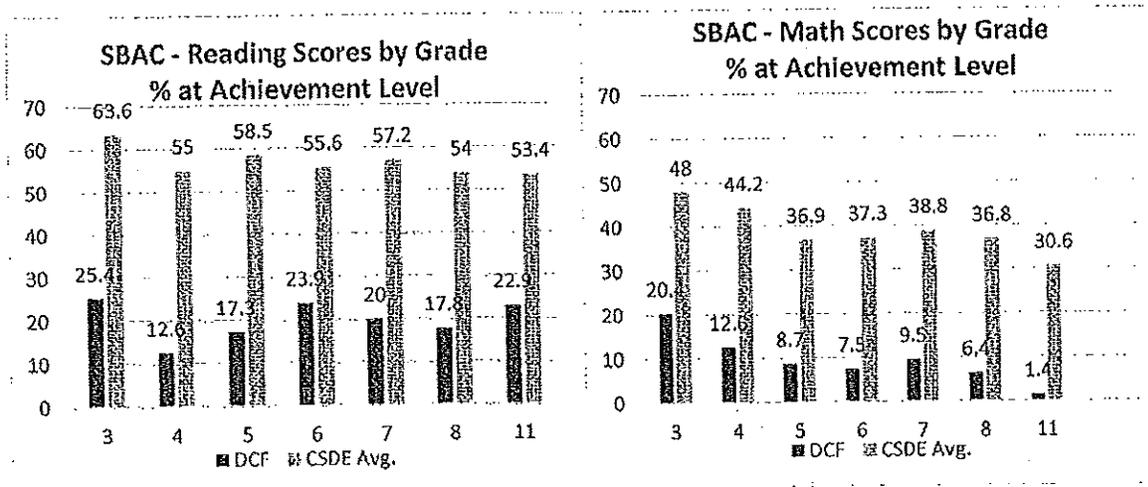
This section would prohibit any facility operated by the Department of Children and Families or the Court Support Services Division of the Judicial Department from imposing an out-of-school suspension on "any child residing in any such facility." For DCF, this provision would apply not only to CJTS, but also the Albert J. Solnit Psychiatric Center (both the North Campus in East Windsor and the South Campus in Middletown). Educational services in DCF facilities are provided by the Department's school district, Unified School District # 2 (USD 2). Youth in DCF-operated facilities occasionally act out with violent and threatening behaviors and USD 2 teachers and administrators need tools to provide appropriate discipline. We only seek to suspend those students whose disruption presents a danger to themselves or others.

Section 25

Section 25 would make the "Raise the Grade" pilot a permanent program. The pilot program was implemented in 2013 in Hartford, Bridgeport and New Haven "to increase the academic achievement of children and youth who live in the custody of the Department of Children and Families or who are being served by the Court Support Services Division in these three cities." The statute required that the pilot program use full time coordinators to help identify children or youth who are below grade level and are either (A) in state custody, or (B) under juvenile justice supervision. It also required that the coordinators develop plans to improve the child's academic performance. The full report on the Raise the Grade Pilot Program is on the DCF website - [http://www.ct.gov/dcf/lib/dcf/dataconnect/pdf/\\$_17a-64_raise_the_grade_report_2-24-2016.pdf](http://www.ct.gov/dcf/lib/dcf/dataconnect/pdf/$_17a-64_raise_the_grade_report_2-24-2016.pdf)

While there may be elements of the Raise the Grade pilot that are worthy of replication, we are not convinced that this program can justify its expense as there was little evidence from the pilot of positive academic achievement. During the 2015 Smarter Balanced Assessment Consortium (SBAC) assessment, a period covered by the Raise the Grade pilot, nearly 80% of youth in care failed to meet the achievement level in reading and nearly 90% failed to meet the achievement level in math. Making Raise the Grade a permanent fixture would require three full-time

coordinators plus additional staff resources to address the reporting requirement previously noted. We would prefer that these resources go into areas such as improved access to educational records.



Section 27

This section requires the Commissioners of Education and Children and Families and the Judicial Department, with input from local and regional boards of education, to "create an electronic system allowing for access to education records of children in the juvenile justice system . . . , and to provide timely sharing and full access to student education records, with consent from one parent or the guardian of a child." Again, this provision is extremely well-intentioned but it comes with a potential significant fiscal impact. From DCF's perspective, we are currently working with the ten largest Local Education Agencies (LEAs) to develop a system of electronic information sharing of educational records but mandating this across 180+ school districts in Connecticut would require additional time and resources.

Section 33

Subdivision (6) of this section requires DCF and Judicial to "ensure sufficient contract and quality assurance capacity between agencies and private providers." DCF believes that several monitors would be needed to cover DCF's large array of licensed congregate care programs (e.g., 34 therapeutic group homes, 10 residential programs, 3 Preparing Adolescents for Self-Sufficiency Group Homes, one maternity home, 9 Short-Term Assessment and Respite Homes, 7 Supportive Work, Education and Transition Programs, and 2 crisis stabilization programs).

Many of these programs have regulations that require they be monitored by a Licensing Unit. Further, the Department is utilizing Results Based Accountability (RBA) and is starting the Tier Classification System to monitor its service array. Quarterly RBA report cards are being created by DCF program leads. The Department has been striving to put all its contracts into its Provider Information Exchange (PIE) data collection system for community based services, limited resources, however, have hampered progress. Lack of resources has also limited PIE expansion to include additional canned reports to readily aid with service monitoring. DCF staff often run

needed reports from data extractions, as automated and production reports are still in development due to resource constraints. Manual report development is very time consuming and often pulls on the limited resources in DCF Office for Research and Evaluation (ORE) to assist program staff with data pulling and analysis.

In addition, while the Department thinks that program site visits should regularly occur to ensure service quality, this work requires a tremendous amount of time and resources. Meaningful site visits requires tool development, many hours of prep work, 1-2 days of on-site reviews, interviews and de-briefing, and several hours of post site visit analysis and report writing.

Additional understanding and clarification of the expectations regarding this subsection would be needed in order for the Department to determine what would constitute sufficient quality assurance capacity.

Section 34

This section requires DCF and the Judicial Department to "develop, provide and monitor the training of their staffs on policies and practices in secure and congregate care settings that promote de-escalation and monitor and track successful and unsuccessful de-escalation efforts employed in such settings."

Absent a clear and concise definition of "successful and unsuccessful de-escalation efforts," this provision and its reporting requirement would appear unnecessary. What is the level to which the youth must have escalated in order for the staff's action to be called a de-escalation? Our staff, particularly our Youth Service Officers, engage in successful de-escalation efforts as a regular part of their normal duties. Our staff receive training regarding the identification of various youth behaviors and appropriate responses to those behaviors.

We would note that de-escalation training is currently required for our licensed congregate care programs. DCF licensing staff also review and approve de-escalation models for our licensed programs. Additional requirements to "monitor and track successful and unsuccessful de-escalation efforts" beyond what current efforts would add an additional resource burden on private providers and on DCF.

Section 37

This section expands the already broad statutory charge of the JJPOC. One provision that we would like to call attention to is the data sharing language in the new subsection (m) (lines 1397 through 1428). Our concern is that this language should be written with recognition of the various federal and state confidentiality laws.

Section 38

Unfortunately this section makes no mention of the efforts to implement the Children's Behavioral Health Plan (Public Act 13-178). We are concerned that the provisions set forth within this section should build upon elements of that plan rather than trying to reinvent them. Establishing a new group to undertake duplicative work is shortsighted and perpetuates silos that interfere with youth receiving the right interventions at the right time.

ATTACHMENT

DCF ACTIVITIES ASSOCIATED WITH RESEARCH REQUESTS

Security Officer – 28 hours
Safe Harbor standard research **10 hours**
Security Review (3 Rounds) - **12 hours**
Secure transmission (3 Rounds)- **6 hours**

IT Business Analysis and Data Development (2) - 288 hours
Analysis
Data Mapping
Data Dictionary
Data Models

DB Development, Programming and Analysis – 166 hours
SQL Database Configuration – **16 hours**
ETL LINK to Safe Harbor and De-Identification– **80 hours**
ETL CONDIT to Safe Harbor and De-Identification and Matching – **40 hours**
Safe Harbor Re-Identification – **20 hours**
QA, Prep, Ship Database – **10 hours**

DB Analysis
Conduct – Analysis and Mapping– **24 hours**

Application Developer and Programmer
Re-Identification Report – **16 Hours**

Director of IT
Project Management – **20 Hours**

Total= 542 hours

The specific steps that were undertaken are as follows:

1. Identify Safeharbor (Data Dictionary)
2. Prep SQL Environment
3. Write SQL to clear all Safeharbor data
4. Identify Relationships for Re-Identification

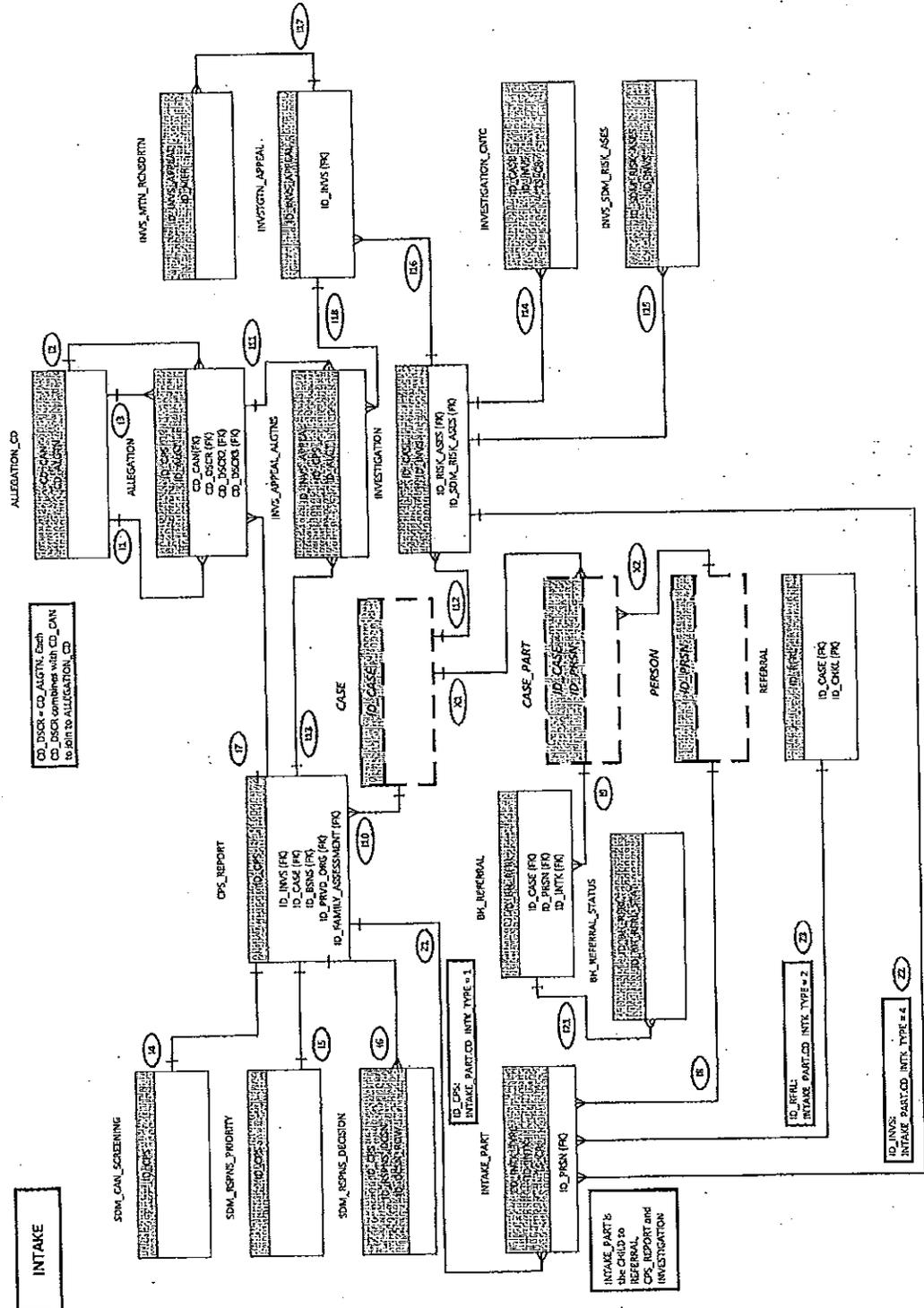
5. Setup Verification Environment
6. Independent Security Verification
7. Ship Preliminary De-Identified Database
8. Release Meeting (Go / No-Go)
9. Implement Re-Identification Process
10. Identify Multiplex / Multi-ID Column Rules
11. Identify Code Map and Verify

While some of the above steps are being leveraged for other projects to allow for timely, non-client identifying data sharing, a number of these are activities that would routinely and regularly have to occur in order to support a given external research project, especially as dictated by the scope, complexity and nature of the project.

For example, research, data requests and reports that require client matching and re-identification linking are generally time consuming and typically idiosyncratic. These types of requests are always very different in what is being asked and therefore have to be developed specific to each request. Also, such requests usually require a great deal of back and forth between the Department and the researchers to understand, clarify and map the requested information to the available DCF data. Related, as researchers often want a dataset (raw data), entity relationships diagrams particular to the research request and the specific variables being provided have to be created. This meta work is time-consuming, but fundamental and necessary to support the data's accurate analysis by external persons who are not expert in the Department's business processes, the data's structure, and data's meaning.

In summary, while the Department appreciates, desires and has engaged in, and continues to engage in numerous research projects with stakeholders (e.g., Cross-Over Youth project with Judicial and UConn), these efforts are very resource demanding. Additional reporting requirements, particularly those that are related to external empirical research, would be difficult for the Department to absorb absent a significant increase in DCF Information Systems and DCF Office of Research and Evaluation resources.

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