



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN OPPOSITION TO:

**S.B. No. 427 (RAISED) AN ACT CONCERNING CHILDREN IN THE JUVENILE
JUSTICE SYSTEM AND GUARDIANSHIP APPOINTMENT**

JOINT COMMITTEE ON JUDICIARY

March 14, 2016

The Division of Criminal Justice opposes S.B. No. 427, An Act Concerning Children in the Juvenile Justice System and Guardianship Appointment, and would respectfully recommend the Committee take NO ACTION on this bill.

Section 1 of the bill would grant credit for time served by a minor in a juvenile detention center or other facility prior to a delinquency conviction to reduce the length of any subsequent commitment to the Department of Children and Families as a result of that conviction. This legislation runs counter to the very basis of the juvenile justice system. DCF commitments are for treatment and rehabilitation, not punishment. It makes no sense to "give credit" and reduce the amount of time the court has deemed appropriate to accomplish the treatment and rehabilitation.

DCF commitments are for an indeterminate length of time of up to 18 months or, for a serious juvenile offense, a maximum of four years. It is not a matter of the juvenile "doing his or her time" as much as it is giving DCF the time necessary to provide treatment to that child. Commitments can be extended if DCF convinces the court that more time is needed for treatment. The ability to extend a commitment when necessary for the best interests of the child is inconsistent with the child being released early simply because he or she spent two weeks in detention upon arrest.

Sections 2 through 5 would extend, for the limited purposes stated, the definition of a minor to a person between the ages of 18 and 21. If an individual can vote, join the military or exercise any of the many other privileges for which one becomes eligible as an adult at age 18, that individual should not need a guardian even to apply for citizenship.

Section 6 of the bill makes changes to the erasure statutes with regard to delinquency records of juvenile offenders. These proposals totally ignore the victims of the juvenile's crimes. Notice of any and all erasures and potential dismissals should be given to victims to allow those

victims to object. The time period is far too short and blanket erasures and dismissals regardless of adult cases prevent a judge from fashioning appropriate dispositions for young adults who have prior delinquency records as juveniles. There is also a practical problem with this section. It is our understanding that the Judicial Branch lacks the technical capabilities to know, without the filing of a petition requesting erasure, whose records should automatically be erased.

For these reasons, the Division would respectfully recommend the Committee take NO ACTION on S.B. No. 427. We thank the Committee for providing this opportunity to provide input on this matter and we would be happy to provide any additional information the Committee might require.