

Appropriations Committee JOINT FAVORABLE REPORT

Bill No.: HB-6902

AN ACT CONCERNING YOUTH SERVICE BUREAUS AND ESTABLISHMENT
Title: OF A JUVENILE DIVERSIONARY PROGRAM.

Vote Date: 4/21/2023

Vote Action: Joint Favorable

PH Date: 3/28/2023

File No.:

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SPONSORS OF BILL:

The Appropriations Committee

REASONS FOR BILL:

Under current statute, there are few universal regulations for Youth Service Bureaus (YSBs) across the state. There have been many concerns over YSBs operation, performance and evaluation standards. This bill would expand upon the guidelines and require performance reporting and coordination, should a YSB not meet the established requirements.

Additionally, in an effort to prevent youth offenders from entering the court system who have committed a first or second criminal offense, have been charged with a minor criminal offense, or are chronically absent from school, HB-6902 creates a diversionary program, called Diversion First. This program would serve as a centralized point of contact of a network of agencies to help families and youth navigate an intricate system to bring services and resources to those in need.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Vanessa Dorantes, Commissioner, Department of Children and Families:](#) Commissioner Dorantes submitted testimony expressing that while DCF is ready to work with the committee to explore the best way to provide services for children that intersect with the juvenile just system, this bill would lead to an increased need for staffing, and also require work at the municipal levels between police departments and school administrations. Since the legislature transferred oversight of juvenile justice services from DCF to the Judicial Branch

Court Support Services Division (CSSD) in 2018, DCF no longer has the band with or expertise to manage YSBs as proposed by this legislation.

[Sarah Eagan, Child Advocate, Office of the Child Advocate:](#) Ms. Eagan submitted testimony in support of this bill stating that while Connecticut has been a leader in juvenile justice reforms, the state has also been in need of wider reaching diversion opportunities. She stated that many cases of dysregulation of behaviors stem from unmet academic, mental health, and/or social-emotional needs. She recommended that the committee modify the bill in the following ways:

- Delete references to truancy or chronic absenteeism in Section 1 of the bill as these are no longer “offenses” that would be subject to juvenile court jurisdiction if not diverted.
- Section 1(d) should delete reference to police who do not make referrals to diversion systems on the grounds of chronic absenteeism.
- Section 2(b) should delete “refer such youth back to the juvenile justice and court system,” and should instead reference a provider teaming meeting with the family to review what services and interventions have been successful and unsuccessful, development of an updated service plan, and only thereafter, if diversion to community services was unsuccessful, the youth service bureau shall refer the child back to the referring source.
- As one of the goals of the legislation is to require diversion of low-level offenses consistent with the recommendations of the JJPOC, language may be aligned with the related provision in Raised Bill 6888, which includes language that requires mandatory pre-arrest diversion for certain infractions and misdemeanors.

[Natasha Pierre, State Victim Advocate, Office of the Victim Advocate \(OVA\):](#) Ms. Pierre testified that while OVA recognizes that lawmakers seek changes to the criminal justice system in an effort at creating more effective, efficient, and just outcomes. However, it is imperative to consider the rights and interests of victims of crime when making such proposals, and include meaningful protection of the interests and rights of crime victims to avoid further harm, revictimization and unintended consequences. Ms. Pierre stated that crime victims have designated rights in the juvenile justice process, including rights to certain information, attendance and participation in juvenile delinquency proceedings that must not change regardless of juvenile justice reform proposals. OVA believes HB-6902, as proposed, will strip crime victims of their current rights, and therefore, urges the committee to reject this bill.

NATURE AND SOURCES OF SUPPORT:

[Emily Byrne, Executive Director, Connecticut Voices for Children:](#) Ms. Byrne testified in support of HB 6902, but recommended that that the language be changed to clarify that young people receiving services for chronic absenteeism or truancy not receive Judicial handling if they don’t comply, and young people receiving services for chronic absenteeism or truancy are provided services separately from young people who have higher measured risk of engaging in delinquent activities. She noted that youth offenders that participate in mediation through RYASAP in Bridgeport have been overwhelmingly successful in preventing reoffending acts. Ms. Byrne also suggested including language that will allow for the participation of certain school district staff, municipal youth program staff, and programs that

have already completed service scans in order to create and implement plans to eliminate service gaps in the state.

[Joslyn DeLancey, Connecticut Education Association \(CEA\)](#): Ms. DeLancey offered testimony on behalf of CEA, stating they recognize that chronic truancy is a behavior indicating that a child has needs that are not being met at home, in the community, or in the school setting. She explains that in the wake of the pandemic, educators have noticed higher incidents of truancy than had been the case prior. CEA members have also experienced excessive incidents of violent behavior among students, the most troubling of which occur in the early grades that they believe are cries for help. CEA supports diverting students who exhibit such needs from the criminal justice system and into programs that provide counseling and educational support.

[John Massaro, MSW Student, University of Connecticut](#): Mr. Massaro testified in support of this bill, stating that he can attest to community-based programs and their success in lowering recidivism rates amongst youth over juvenile judicial discipline. He claimed that youth are more likely to become repeat offenders when involved with the criminal justice system as youths into adulthood. He reiterated upon the bill, stating that each offender should be screened using a validated risk and needs assessment screening tool to develop a plan for service. He also expressed the successes of restorative justice circles.

NATURE AND SOURCES OF OPPOSITION:

[Scott Cochran, President, CT Youth Services Association \(CYSA\)](#): Mr. Cochran testified in opposition of this bill, stating that despite the intents of the bill being positive as it pertains to diversion and a more comprehensive evidence-based system of diversion for youth, it could potentially diminish the importance of those who need services outside of delinquency matters. He claimed that some language stated in the bill should be changed, and in some cases omitted from the bill, for the sake of all youth served. He stipulates that the language at the end of Section 2, subsection (b) because it fails to take into account bureaucratic and circumstantial issues such as waitlists, transportation, scheduling, cost, and poor fit between youth and provider; further, he adds that not all youth who are provided these service referrals are youth being diverted from court or have engaged in delinquent behavior which would therefore mean that youths who have not engaged in delinquent behavior would still be facing a referral to court. He states that he believes that it is unnecessary to punish non-delinquent behavior and that it is potentially damaging to unnecessarily involve youths with the juvenile court system

Additionally, Mr. Cochran claimed that the language used to define "divert", in reference to proposed legislation to commit to diversion, do not follow with the JJPOC's attempts to divert a youth before they are even arrested. He stated that the narrowing of the language does not consider diversion from child welfare or the mental health systems.

[Danielle Sittol, Administrator, Greenwich Youth Services Bureau](#): Ms. Sittol testified to three concerns regarding the Diversion First Program; first, she stated that a lack of data collected from the new risk-based case handling system implemented in January 2023 would overlap with the bill and cause a duplication of efforts. Secondly, she claimed that the bill is not informed by the insight of directors and program facilitators of Youth Services Bureaus have

expertise in their communities and manage programs focused on positive youth development and engagement, intervention, and prevention. Lastly, she expressed a concern over relating truancy and absenteeism to criminal behavior will lead to harmful effects on youth. She shared her belief that each community's YSB is unique and, as they are unfunded, require funding in order to implement systemic change.

[Ellen Kleckner, New London Youth Affairs, Youth Service Bureau](#): Ms. Kleckner submitted testimony relaying her concerns of this bill having unintended consequences if passed as written. She states that revising the YSB statute to add requirements that directly impact prevention programming and clinical services, she recommends that YSB representatives have a role in deciding how the bill is actualized and implemented. She emphasized the importance of collaborate particularly in the Diversion First component and the impact it could have in Juvenile Review Boards. Ms. Kleckner offers her support for continued dialogue with YSBs as this process develops.

[Gary Cesca, Social Worker, Manchester Public Schools](#): Mr. Cesca testified in opposition of this bill claiming that the existing services in place for YSBs are adequate. He shared that he has experience working with the Manchester's local youth services bureau to help local youth engage and apply to the Summer Youth Employment Program. He requested that the committee consider the current systems in place and consider adjustments to the current program based on the information currently available.

[Barbara Lockhart, Director, Montville Youth Services Bureau](#): Director Lockhart submitted testimony in opposition of HB 6902 stating that system changes outlined in this bill, will impact the way that YSBs operate. She mentioned that her staff have much experience ranging across multiple fields to efficiently operate in the town of Montville. She requested that the DCF as well as the legislature work and communicate in tandem with the youth services bureaus of Connecticut.

[Tressa Giordano, AHM Youth and Family Services](#): Ms. Giordano shared her testimony to express the concerns regarding this bill. She explained that AHM continue to uphold the standards and requirements that statute dictates, along with the requests made for data tracking and funding accountability from the Department of Children and Families. She claims that YSBs across operate differently based on their community's unique and specific needs, but continue to do their required work. She asks the Committee to include CT Youth Service Association (CYSA) moving forward to collaborate in how YSB accountability is actualized with DCF.

[Judy Gardner, Former Director, Stafford Family Services](#): Ms. Gardner testified in opposition of this bill stating that the bill could interfere with how YSBs have been able to individualize their approach to youth and family services for their community; further, she stated that the bill would negate those efforts and interfere with on-going programming. She also claimed that the bill ignores the differences between rural communities and urban & suburban settings where there is a gap in available community services in rural settings. She emphasized that the bill ignores the limitations some families have in their ability to access services because of transportation issues, noting that some rural communities do not have access to public transportation and are reticent to participating in services outside their local town.

[Ann Miller, Executive Director, Thompson Ecumenical Empowerment Group \(TEEG\)](#): Ms. Miller submitted testimony in opposition of HB-6902, expressing her concerns with placing more demands while not providing more collaborative work or support from DCF. She claims that adding Diversion First to their workload is ill-advised. She requested that DCF and the schools be asked to work more closely with YSBs to bring youth back to school instead of turning chronic absenteeism into a matter of delinquency where there are no impactful consequences.

[Nurun Nahar, Connecticut Resident](#): Ms. Naha testified in opposition of this bill sharing her experience as a youth at the Manchester YSB. She stated that while diversion is an important component to youth services, it should not come at the cost of all other services that YSBs provide. She expressed that the YSB is integral to her community, and that this bill may be detrimental to the work that is currently done there.

Reported by: Taylor Hyde

Date: 05/04/2023