

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-5506

Title: AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS.

Vote Date: 3/26/2024

Vote Action: Joint Favorable

PH Date: 3/20/2024

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS OF BILL:

Rep. Craig C. Fishbein, 90th Dist.

REASONS FOR BILL:

Individuals believe that the issue of truancy in Connecticut is important to address and they have attempted various ways to address it. This bill would reestablish the "services for families with service needs" within the Judicial Branch. The bill also would permit a juvenile probation supervisor to refer an alleged delinquency of a child to the court.

RESPONSE FROM ADMINISTRATION/AGENCY:

Sarah Eagan, Child Advocate, Office of the Child Advocate: She testified in opposition to the bill as it would create risk of criminalizing behaviors of children with unmet family support or behavioral health needs. She believes that instead, the state must invest money in community programs that work with children and families to address unmet needs with a framework for continuous progress monitoring.

Renee Cimino, Director of Delinquency Defense, Office of Chief Public Defender: She testified in opposition to the bill because it would reestablish juvenile court jurisdiction over Family with Service Needs (FWSN) petitions which would only increase school-to-prison pipelines. She believes that instead, we should continue using services through the Youth Services Bureaus to address needs of children and families.

External Affairs, Judicial Branch: They testified in opposition to the bill, explaining that when the FWSN petition process was eliminated by the legislature in 2019, it was done to decriminalize status offenses and address the link between truancy and the school-to-prison pipeline. They stated that reestablishing the FWSN petition would require re-establishing FWSN-specific dockets, forms, and court processes. It would also have a significant operational and fiscal impact on juvenile probation services.

NATURE AND SOURCES OF SUPPORT:

Amanda Miranda, Director, Youth and Social Services: She testified in support of the bill, which would restore a FWSN type of program. She stated that this program was previously used for families who tried everything and had nowhere else to go and when it was phased out, there was no other program put in its place. She furthered that currently, there are no services that one can quickly tap into as waitlists for in-home services remain high at six months and counselors all have waitlists as well. She explained that there are currently no real consequences for students who are truant or have poor attendance and local services and schools are running out of resources; this legislation would give parents and guardians the power to choose to file the complaint for the program and provides them with support.

NATURE AND SOURCES OF OPPOSITION:

Amy Borrer, Senior Youth Policy Strategist, The Gault Center: She testified in opposition to the bill, stating that it would codify the school-to-prison pipeline when we should instead be focusing on investing strength-based programs that support youth and families. She stated that this bill would route youth who are accused of being truant or “defiant of school rules and regulations” to the juvenile court system, disrupting their education, and placing barriers between them and their future success. She listed multiple resources that may be helpful for the committee to consider when looking at this bill.

Andrew Feinstein, Legislative Chair, Special Ed Equity Kids (SEEK): He testified in opposition to the bill, which seeks to return Connecticut to the discredited model of treating school avoidance, chronic absenteeism, and truancy as a behavioral issue susceptible to a quasi-criminal intervention. He explained that absenteeism is a manifestation of emotional issues and social issues including poverty and homelessness. He stated that these issues need to be dealt with through social and emotional supports, direct reaching out by school officials, and dealing with the housing crisis facing Connecticut; the stress and expense of a judicial proceeding will only make the situation worse for the family.

Melissa Goemann, Senior Policy Counsel, National Youth Justice Network: She testified in opposition to the bill, which reinstates the FWSN petition; this may result in a youth being placed in a public or private agency, taken into custody, and held in a youth prison, or placed on supervised probation. She believes that rather than criminalizing risky behaviors, we should invest in services for our youth instead of putting them through the court system. She urged the committee to turn the bill into a study that tasks the JJPOC with studying how other states have done this successfully with the goal to expand and enhance current programming to identify additional models that work, including credible messengers.

Agata Lawska, Managing Attorney, Connecticut Legal Services: She testified in opposition to the bill in its entirety, stating that any touchpoints with the justice system by

youths feed the school-to-prison pipeline; they are negative experiences for youth and have worse outcomes for youth of color or with disabilities. She explained that Connecticut already used to use the court system to process truancy cases, but stopped this in 2017, instead turning to a community-based diversion system which we need to continue growing and giving support.

Erica Bromley, Youth Justice Consultant, CT Youth Services Association: She testified in opposition to the bill in its entirety, stating that it rolls back the reforms that were worked on for years to put in place. She stated that returning FWSN cases back to court is a major step backwards. She explained that these cases were removed from the court because the related behaviors were not delinquent, illegal acts and youth exhibiting these behaviors may be high need, but they are low risk and do not need to enter the court system; youths need to be kept out of the court system and in the community as the court system is not the most appropriate place for youth to receive those services.

Olivia Dudley, Director of Program Operations, Waterbury Youth Services: She testified in opposition to the bill as juvenile court is not the most appropriate place for youth and families with service needs. She believes youth should be served in the community. For example, Waterbury Youth Services works closely with the school district to provide programming specific to truancy cases through their Truancy Prevention Program, where the goals are to provide the expertise, tools, and guidance to determine the root causes of truancy, address the issues keeping youth from school, re-engage and motivate youth to cease truant behaviors, and increase the chance of successful high school graduation. She believes that programs such as the one in Waterbury engage youth successfully and provide services specific to their needs, while court involvement creates disengagement and is not the most appropriate way to work with our young people.

Marisa Halm, Director of Youth Justice Project, Center for Children: She testified in opposition to the bill as it would result in the re-criminalization of behaviors specific to youth with mental and behavioral health needs when research has shown that these types of youth behaviors are better handled by community-based resources. She believes that criminalizing these behaviors only perpetuates the school-to-prison pipeline, increasing the likelihood that the children will reoffend down the line.

Catharina Ohm, Executive Director, Torrington Youth Service Bureau: She testified in opposition to the bill as it proposes that juvenile court is the most appropriate place to send FWSN cases. She believes that this is a step backwards because FWSN behaviors are not delinquent, illegal acts and the kids involved have not committed crimes; these kids in fact have behavioral needs, struggle in school, may need special education services, or are struggling with basic needs or family and personal needs. She explained that these kids need intensive case management, which is not something that the court can provide. Youth Service Bureau offices work with these youth and families to connect them with services and supports to match their needs and there are many success stories from this practice.

Christina Quaranta, Executive Director, CTJA: She testified in opposition to the bill, stating that research shows that the behaviors this proposed legislation wants to end will only be exacerbated by the proposed solution. She believes that Connecticut must invest fully in services to meet families and children where they are and offer more services without a punitive element. She stated that removing the court system from the process also eliminates

unnecessary delays in admittance to a program and relieves young people of the stigma and the trauma of being processed through the court system. She explained that currently, if a child is dealing with one of the behaviors outlined in this proposed bill, they are sent to work with a Youth Service Bureau; these need funding and improvement, which is something that can be done quickly. She also provided examples of successful national diversion programs.

Lauren Ruth, Research & Policy Director, Connecticut Voices for Children: She testified in opposition to the bill, stating that the courts already phased out the FWSN petition for good reason - because it is not the court providing services, it only provides punishment. She explained that FWSN is a court charge for status offenses; status offenses refer to behaviors that, if an adult committed, would not be a crime, such as running away from home, truancy, or defying school rules. She furthered that court resources and services are targeted to meet the needs of the highest risk young people, not the needs of the FWSN population. She believes that addressing these behaviors through the courts not only criminalizes these behaviors, but also actually encourages young people to develop riskier behaviors. She stated that ultimately, this would increase costs to the state through increased reliance on the foster care system and can be traumatizing for young people, who may then cope with the trauma by acting out more.

Several individuals testified as allies of the Connecticut Justice Alliance (CTJA): They testified in opposition to the bill, stating that while Youth Service Bureaus need funding and improvement, it is still better to send youths with the outlined behaviors there instead of into the legal system. They believe that instead, four things should be done: turn this bill into a study that tasks the JJPOC with studying how other states have done this with the goal to expand and enhance current programming to identify additional models that work, including credible messengers; eliminate the option of funneling more youth into the legal system for status offenses; invest in alternatives without resorting to legal sanctions, court oversight, or threat of confinement; and invest in what we know will divert kids from the legal system and allow for pathways of success.

Latoya Agnew
Kwadwo
Amaniampong
Samantha Baez
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Lewis Brown
Sandy Chinx
Jallexa Diaz-Cox
Samantha DaSilva
Quandre Duarte
Briana Espada
Jailynn Hernandez
Elijah Kenney
Mahogany Martin
Symphony McCovery
Rodney Moorner
Martha Morales
Nicole Oeschger
Jennifer Pauland

Kevin Paulino
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William Pujols Sr
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Marco Pujols
Marina Pujols
Douglas Quaranta
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Corrine Strong
Toni Strong
Victor Troche
Stanley Valentine

Justin White
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Reported by: Hillary Desideraggio

Date: 4-3-24