PUBLIC SAFETY AND EMERGING ADULTS IN CONNECTICUT:
Providing Effective and Developmentally Appropriate Responses for Youth Under Age 21

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METHODOLOGY
of Action Research Project

• Conducted literature reviews in the fields of neurobiology, developmental psychology and life course criminology.
• Examined a growing body of research on best and emerging practices that target court-involved emerging adults in U.S. and abroad.
• Facilitated a series of meetings to discuss the proposal and to seek feedback about both the opportunities and the challenges presented.
• Analyzed data from Connecticut.
  – Some data was publicly available (e.g., arrest data from the Uniform Crime Report).
  – But PCJ also submitted specific requests for non-identified data to the Department of Children and Families, the Judiciary and the Department of Correction.
WHAT THE GOVERNOR’S PROPOSAL SEEKS TO CHANGE

Most 18, 19 and 20-year-olds would…

• be included in the juvenile system.
• have an opportunity to participate in pre-arraignment diversion.
• if detained, be held in a juvenile facility (operated by Court Support Services Division).
• if committed, sentenced to the custody of the Department of Children and Families.

WHAT THE GOVERNOR’S PROPOSAL DOES NOT CURRENTLY SEEK TO CHANGE

If current waiver provisions stay as is, all 15 to 20-year-olds charged with serious offenses would…

• be prosecuted in the adult session.
• have proceedings open to the public (unless designated as a Youthful Offender).
• be detained in a Department of Correction (DOC) facility (not a juvenile facility) and sentenced to a Department of Correction prison.
IS 21 THE NEW 18?

Ages of note in Connecticut:
• Connecticut raised the age of juvenile jurisdiction from 16 to 18 (fully implemented in July 2012).
• Legal driving age is 16.
• Voting age is 18.
• Purchasing alcohol is 21.
• Most rental car companies rent at 25.
• Affordable Care Act allows “dependent child” on health plan to 26.

“IN-BETWEEN STAGE”

• Recent research on neurobiology and developmental psychology found that youth are:
  - More volatile in emotionally charged settings;
  - Susceptible to peer and other outside influences;
  - Risk takers and impulsive;
  - Less future-oriented; and
  - Above factors are worse for youth who have experienced trauma.
• Sociological data tells us that youth must cross developmental “bridges” to mature out of delinquency.
  - Transition to adulthood has been prolonged.
  - E.g., 1960, 45% of 18-25’s were married; in 2010, only 9% were married.
INTERNATIONAL EXPERIENCE

• Established Standards/Rules:
  – Beijing Rules, Int’l Association of Penal Law, Council of Europe

• Experience (3 countries highlighted in report)
  • Germany: 21
  • Japan: 21
  • The Netherlands: 23
NATIONAL EXPERIENCE

Recent developments of new approaches to emerging adults throughout the U.S.:

- Raise the Age to 21 Legislation: IL & VT (MA soon)
- Expansion of Youthful Offender Act to 22: VT
- Specialty Courts: IL
- Special caseloads: San Francisco
- Special correction facilities or units: ME and CT

July 2016: National Institute of Justice identified over 50 different local initiatives for emerging adults in the U.S.
Dispositions for Emerging Adults in CT Adult Criminal Courts 2015

- Dismissed, Not Be, Not Guilty: 13,879 (57%)
- Guilty - Other: 1,771 (6%)
- Guilty - Probation: 1,012 (4%)
- Guilty - Incarcerated or Split Sentence: 1,141 (4%)
- Other: 7,996 (30%)

Source: Connecticut Judicial Branch Administrative Data

% of Emerging Adults of Color in CT 2015

- Population: 37%
- Judicial Contact: 36%
- Sentenced to Probation: 45%
- Sentenced to Prison: 50%
- Incarcerated in Prison: 55%


*The share of people of color in the population is for ages 15 - 19.
INTERSECTION WITH FEDERAL LAWS & RULES

- JJDPA
- PREA
- Pell Grants

- Important to use specific language in legislation:
  - “Juvenile” docket
  - “Juvenile” system
  - Facilities “primarily” designed for rehabilitation of juveniles

DEVELOPMENTALLY APPROPRIATE SERVICES TO EMERGING ADULTS

- Vocational and educational services
- Mental health and substance abuse
- Housing stability
- Family involvement/parenting
PROPOSAL’S IMPACT ON DCF

Projected increase in caseload (with emerging adults) and closure of CJTS provides CT with an opportunity to redirect resources and redesign the system:

• Create statewide network of small treatment facilities (e.g., 15-40 beds each, with the youngest youth housed in the smallest facilities) with full range of placement options;
• Create/expand range of community-based options;
• Use both public and private providers (all licensed by independent agency to ensure standards of care); and
• Unify/consolidate responsibility for detention and commitments of youth and emerging adults in the juvenile system.

FISCAL CONSIDERATIONS

• Reallocation of resources.
• Short-term costs (e.g., additional services for emerging adults and professional training).
• Long-term savings (factoring in lost wages, unpaid taxes, harm to victims, and criminal justice expenditures, the estimated cost for one person’s chronic involvement in the justice system is $3.8 million).
• Salutary effect of prior “Raise the Age”.

Key: Combining expansion with other reforms.
15 RECOMMENDATIONS

1 – 3: Focus & Cost-Effectiveness (e.g., expand diversion)

4 – 7: Breadth of Application (e.g., MV cases in adult court)

8 – 13: Investment in reforms (e.g., educational/vocational services targeted to emerging adults)

14 – 15: Institutional acceptance of “emerging adults” (e.g., training)

Additional Information on HKS Website
https://www.hks.harvard.edu/programs/criminaljustice/research-publications/incarceration-socialcontext-consequences/young-adult-justice
“…we have not paid enough attention to the later teenage and early adult years as a discrete period of social and behavioral development… If we hope to gain a complete understanding of what works to prevent delinquency from evolving into persistent criminal behavior, we need to look more closely at this critical stage of life and develop our sense of effective interventions and categories of appropriate sanctions.”

- Former Assistant Attorney General Laurie O. Robinson