



# **Youth Accountability Planning Task Force :**

## **The Connecticut Experience**

Presenter: Toni Walker,  
State Representative and  
Deputy Majority Leader  
(CT)

Raleigh, NC  
October 21, 2009  
1:00 – 2:30 PM

# Background

- In response to the “superpredator” myth, states across the country made it easier to try youth as adults in the 1990’s.



## Background

Connecticut is currently one of only 3 states that tries all 16- & 17-year-olds as adults, regardless of how minor the offense.



# Background

The Connecticut State Legislature passed Public Act 07-4 in June 2007 to raise the age of juvenile court jurisdiction from a youth's 16<sup>th</sup> to 18<sup>th</sup> birthday.



# Why Raise the Age?

When youth are tried as adults they...

- receive fewer rehabilitative supports including: education, treatment and vocational training;
- are at risk of “school of crime” training, with unhealthy adult mentors.

When they reenter, they...

- are subject to increased stigma and labeling;
- may have weakened ties to family and other support systems;
- will have difficulty finding and keeping a job.

# Why Raise the Age?

Youth in the adult system are more likely to reoffend than youth in the juvenile system --

- They will reoffend more quickly and more often
- And for more serious offenses

“The weight of evidence shows that youth who are transferred from the juvenile court system to the adult criminal system are approximately 34% more likely than youth retained in the juvenile court system to be re-arrested for violent or other crime.” (2007). The Task Force on Community Preventive Services supported by the Centers for Disease Control and Prevention

# Why Raise the Age?

- Increased risk of sexual and violent assault for youth in assault facilities
- Precipitating event – suicide of David Burgos at Manson Youth Institute



# Juvenile Justice System More Appropriate for Youth

The juvenile justice system in Connecticut is grounded in the concepts of restorative justice, emphasizing protection of the community, offender accountability, and rehabilitation. The goals of the system include:

- **Individualized** and a greater amount of **supervision, care, and treatment** provided pursuant to an individual case management plan that **involves the family of the juvenile**.
- School and community programs promoting **prevention and reentry**.
- A statewide system of **community-based services** designed to **keep the juvenile in the home and community** whenever possible.



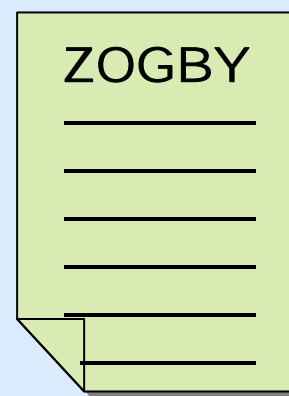
# Why Raise the Age?

- Adolescent brain research shows that the part of the brain involved in decision-making is not fully developed until age 25
- Reflected in *Roper v. Simmons*



# Why Raise the Age?

- Public opinion – the overwhelming majority of Americans feel that services and programs, rather than incarceration, will prevent future crimes.



# How “Raise the Age” was Accomplished

- A coordinated, multi-strategy, multi-pronged approach involving many players



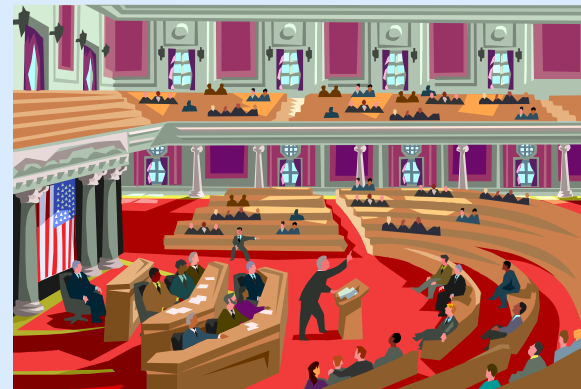
# How “Raise the Age” was Accomplished

- Statewide coalition
- Outreach to parents
- Organizing communities
- Legislative education and outreach
- Research
- Media outreach



# How “Raise the Age” was Accomplished

- Outreach across the state to build bipartisan support in the legislature
- Explain to diverse communities how this issue affects them



# How “Raise the Age” was Accomplished

- Community support of mothers, parents, and families throughout the state



# Community Support



350 community members filled the Capital Building in Hartford to show their support for Raise the Age

# Public Support

**The New York Times**

**“Gov. M. Jodi Rell vaulted Connecticut to the forefront of the juvenile justice reform movement when she signed a bill that removes 16- and 17-year-old offenders from the adult courts and puts them back into the juvenile justice system where they clearly belong.”**

**Hartford Courant.**

**“One of the highlights of the General Assembly’s recent session was passage of a bill...that raises the age of adult incarceration from 16 to 18, except in those very infrequent cases where 16- and 17-year olds commit violent crimes.”**





# Juvenile Jurisdictional Planning and Implementation Committee (JJPIC)

Legislatively Mandated 2006-2007

- The **Juvenile Jurisdiction Planning and Implementation Committee (JJPIC)** was created through legislation.
- “Pursuant to [Public Act 06-187](#), section 16, the committee shall plan for the implementation of any changes in the juvenile justice system that would be required in order to extend jurisdiction in delinquency matters and proceedings to include sixteen-year-old and seventeen-year-old children within the Superior Court for Juvenile Matters.”

# Juvenile Jurisdictional Planning and Implementation Committee (JJPIC)

- <http://www.cga.ct.gov/hdo/jjplic/>
  - Schedule of meetings
  - Meeting agendas and minutes
  - Copies of PowerPoint presentations

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# Juvenile Jurisdictional Planning and Implementation Committee (JJPIC)

- Involve and garner support of:
  - Members of legislature
  - Heads of government agencies
  - Judges
  - Corrections
  - Probation
  - Representatives of community

# Juvenile Jurisdictional Planning and Implementation Committee (JJPIC)

Three highly qualified, national groups provided consultation and co-led three workgroups:

- Vera Institute – Project Management
  - Co-led “Front-End” workgroup
- Hornby Zeller Associates – Service Needs / Gap Analysis
  - Co-led “Services” workgroup
- NCSC – Court Process and Staffing
  - Co-led “Court Issues” workgroup

# Juvenile Jurisdictional Planning and Implementation Committee (JJPIC)

- Cost projections:
  - About \$ 100 million annual projected cost
  - Economists predict \$3 return for every \$1 dollar spent if no new construction is required
  - If new construction required, economists predict \$1 return in first year, and \$3 return in subsequent years



# Costs

- Cost projections can be difficult to make and vary state by state
- Some short-term costs will be incurred, but the question is how much and what are the benefits



# Costs

- Rhode Island example
- Washington State Institute for Public Policy Research
- More research needs to be done



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# JJPIC Recommendations

1. Pass legislation in the 2007 session to raise the age of juvenile jurisdiction from 16 to 18.
2. Improve court diversion and pre-trial detention practices.



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# JJPIC Recommendations

3. Establish Regional Youth Courts.
4. Phase in an effective system of services and supports for 16- and 17-year-olds.
5. Establish a Policy and Operations Coordinating Council.

# Two Bills Resulted from JJPIC

- S.B. 1196 – An Act Concerning Children and Youth in Juvenile Matters
- H.B. 6285 – An Act Concerning Children and Youth in Juvenile Matters and the Recommendations of the Juvenile Jurisdiction Planning and Implementation Committee

# 2007 Legislation

- Bill consolidated and signed June 30, 2007
  - Public Act 7-4 “...for purposes of delinquency matters and proceedings, ‘child’ means any person (A) under eighteen years of age, or (B) eighteen years of age or older who, prior to attaining eighteen years of age, has committed a delinquent act ...”
  - Goes into effect January 1, 2010

# Not ALL 16- and 17-year-olds will return to juvenile system

16 and 17 year olds legally considered juveniles in all delinquency proceedings, with the following exceptions

- Motor vehicle infractions and violations
- Class A and B felonies
- Prosecutorial discretion in all felony cases

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# Changes to Juvenile Justice in 2007

- Juvenile Review Boards
- Additional Juvenile Probation Officers
- Increased juvenile justice intermediate evaluations (out patient evaluation)
- Family Support Centers
- Status offenders in detentions eliminated

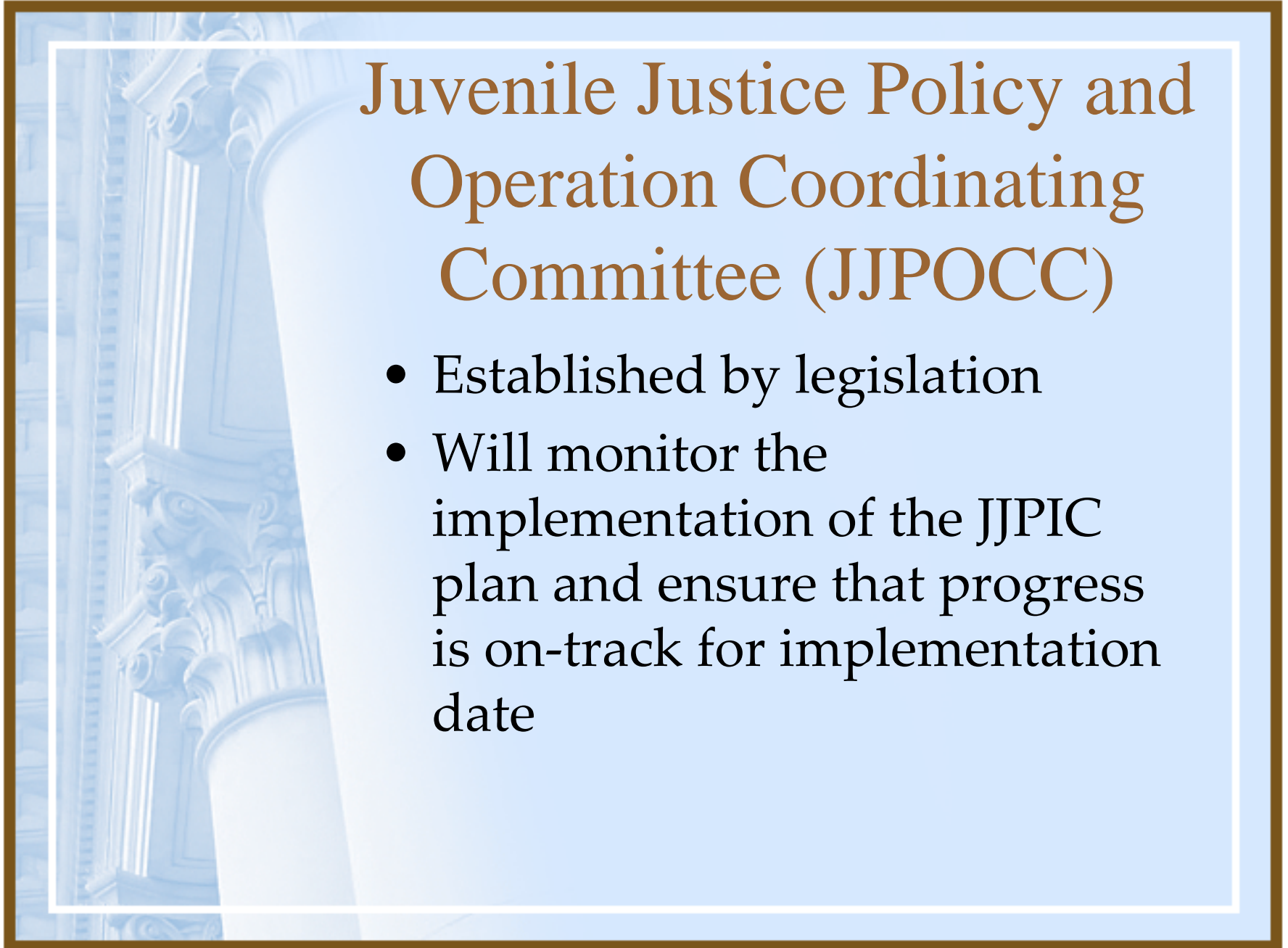
# Transfer to Adult Court

- Juveniles age 14 or 15 charged with a Class A or B felony are automatically transferred to the adult criminal court.
- Additionally, juveniles age 14 or 15 charged with a Class C or D felony or with an unclassified felony may be transferred to the adult criminal court upon a motion by the juvenile prosecutor and order of a Juvenile Matters Judge (discretionary transfers).
- Juveniles charged with a Class B felony and the “discretionary transfers” can be returned to the Superior Court for Juvenile Matters upon order of a judge in the adult court.

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# Projected Outcomes

- Lower re-arrest rates
- Fewer youth incarcerated, placed or hospitalized
- Reduced use of illicit substances
- Reduced minority representation
- More youth completing school
- Increased engagement in pro-social activities
- Better family functioning
- Improved community safety

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## Juvenile Justice Policy and Operation Coordinating Committee (JJPOCC)

- Established by legislation
- Will monitor the implementation of the JJPIC plan and ensure that progress is on-track for implementation date



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## JJPOCC considered:

- Disproportionate Minority Contact (DMC)
- DCF/CSSD: Placement & Treatment: What is the need for out-of-home care?
- Development of diversion programs

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## JJPOC considered:

- CSSD/Judicial: Court Diversion and Pre-trial Detention Practices
- Impact of 16 & 17 yr olds on state agencies
- What other laws need to be reconsidered?
- DCF/CSSD: Assessment Tool

# JJPOCC considered:

## Judicial: Regional Youth Courts

What will be the needs of the Judicial Branch regarding the following issues?

- Staffing
- Facilities
- Equipment
- Automation
- Operational
- Legal



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## JJPOCC considered:

Judicial/Legislative: Adult court elements imported to JJ system

- Does Connecticut want to incorporate certain aspects of the adult court system (i.e. bond, jury trial, fines, expungement, probationary sentences, etc.) to the juvenile justice system?

## Achieved Savings Due to Reduced Juvenile Caseload

Total Average Daily Population FY 08

| Center     | Total Average Daily | High | Low |
|------------|---------------------|------|-----|
| Bridgeport | 18                  | 25   | 13  |
| Hartford   | 49                  | 62   | 41  |
| New Haven  | 37                  | 45   | 30  |
| Total      | 104                 | 132  | 83  |

Total Average Daily Population 7/1/08 to 2/28/09

| Center     | Total Average Daily | High | Low |
|------------|---------------------|------|-----|
| Bridgeport | 15                  | 20   | 8   |
| Hartford   | 41                  | 56   | 31  |
| New Haven  | 27                  | 37   | 16  |
| Total      | 83                  | 113  | 55  |

- The percentage of juveniles being referred to juvenile court has decreased by 17% since FY 06.
- Substantial reductions have also occurred in the number of juveniles being detained.
- In FY 08 the Judicial Department spent approximately \$18 million to operate the three juvenile detention centers located in Bridgeport, New Haven and Hartford.
- The system may detain up to 210 juveniles at a time.
- As recently as FY 07, the average daily population was 169.
- The system has been operating at half its capacity.

## Judicial and Corrections FY 10 and FY 11 Budgets

|                                    | Committee FY 10 |                 | Committee FY 11 |                 | Diff. from Governor Rec FY 10 |                 | Diff. from Governor Rec FY 11 |                 |
|------------------------------------|-----------------|-----------------|-----------------|-----------------|-------------------------------|-----------------|-------------------------------|-----------------|
|                                    | Pos             | Amount          | Pos             | Amount          | Pos                           | Amount          | Pos                           | Amount          |
| Personal Services                  | -<br>139        | -<br>7,703,698  | -<br>139        | -<br>7,973,328  | -<br>139                      | -<br>7,703,698  | -<br>139                      | 7,973,328       |
| Other Expenses                     | 0               | -464,612        | 0               | -480,873        | 0                             | -464,612        | 0                             | ,480,673        |
| Juvenile Alternative Incarceration | 0               | -<br>1,892,819  | 0               | -<br>1,959,068  | 0                             | -<br>1,892,819  | 0                             | -<br>1,959,068  |
| Total – General Fund               | -<br>139        | -<br>10,061,129 | -<br>139        | -<br>10,413,269 | -<br>139                      | -<br>10,061,129 | -<br>139                      | -<br>10,413,269 |

# Perspectives for Reform

- Choose a concrete target for change: will vary from state to state
- Focus on a specific population
- Build grassroots support
- Build legislative, governmental, and systems support

