

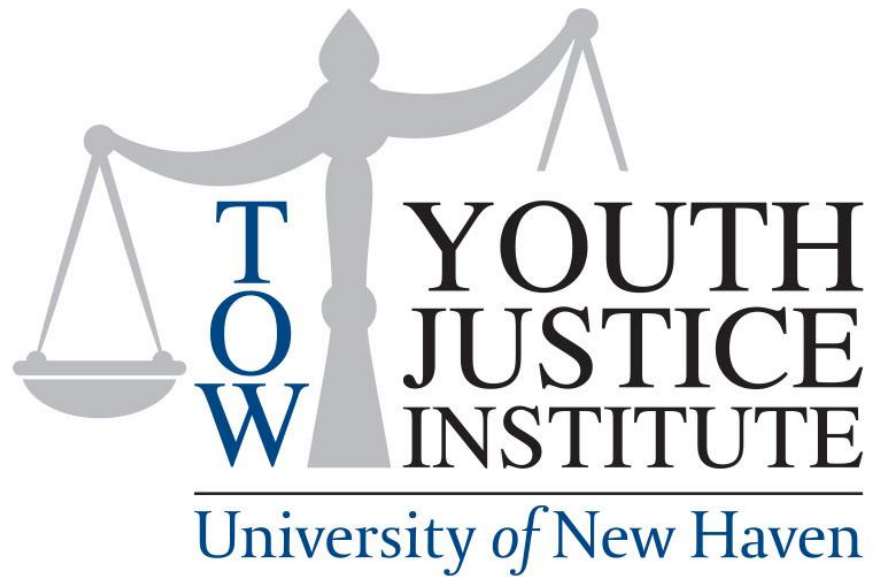
***JJPOC Executive Committee Meeting***  
***February 3<sup>rd</sup>, 2021***  
***Zoom (Online)***

# Meeting Schedule

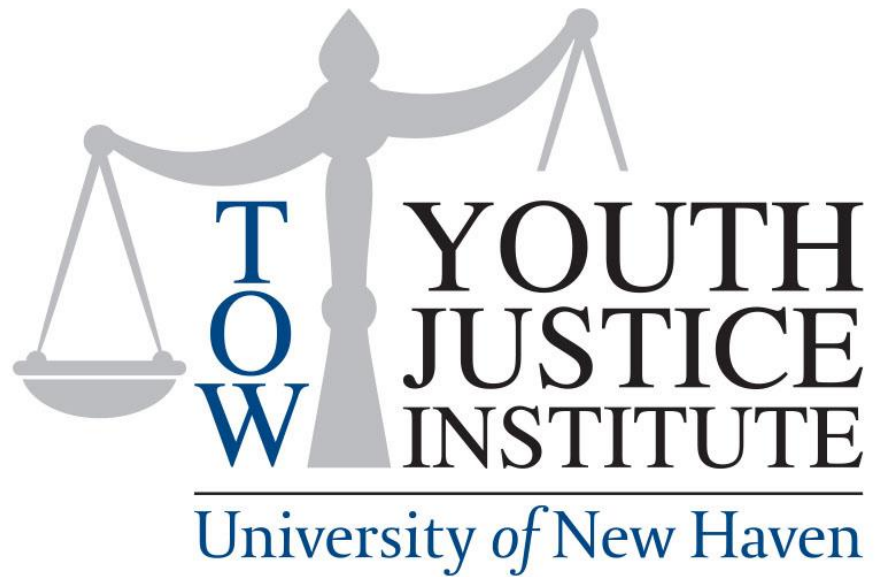
- Executive Meetings to be scheduled 1-2:30PM on the first Wednesday of the Month until September 2021

# Executive Committee Recommendation

A. An amendment to PA14-217 sec. 79 to expand the purview of the Juvenile Justice Policy and Oversight Committee to evaluate justice system policies for the under 21 year old population.



***Questions?***



## ***IO Youth Recommendations***

# IOYouth Systems Assessment Key Takeaways

**1**

Delinquent referrals to juvenile court declined 26% since 2014; however, disproportionality in referrals has remained the same.

**2**

Despite increased diversion efforts, 41 percent of all referrals are for first time offenses.

**3**

Non-judicial handling is primarily used for first time referrals; one-quarter of referrals for first time misdemeanor offenses and 80% of first time felony offenses are handled judicially.

**4**

Youth of color with no or few prior offenses are more likely to receive judicial supervision than white youth, particularly for committing a felony offense.

I. Re-define commonly charged, low-level offenses with the goal of decriminalizing specific adolescent behaviors that are better addressed through other service systems and/or community organizations.

- A. In statute, re-define commonly charged offenses including but not limited to disorderly conduct (53a-182), breach of peace (53a-181), and drug/paraphernalia possession with the goal of decriminalizing specific adolescent behaviors that are better addressed through other service systems and/or community-based organizations
- B. Determine whether, and if so, what type of process to institute (e.g. civil citation) whereby law enforcement can formally refer these youth for services through a YSB/JRB or other diversion service mechanism rather than an arrest/court referral.
  - i. Require law enforcement to track/report these referrals as well as to report on related offenses to ensure youth are not increasingly arrested for similar, or potentially more serious, offenses.

*Recommended Key Next Steps If Approved by IOYouth Taskforce:*

- Develop a small working group appointed by the IOYouth Chairs to develop the process/parameters of the reforms and draft legislation, informed by IOYouth data, for the 2021 legislative session.

# Five low level offenses represent more than half of all misdemeanor referrals to juvenile court.

## Delinquent Misdemeanor Referrals to Juvenile Court, FY2018

Misdemeanor Offense (Class)	Number of Referrals	Percent of Total
Breach Peace, 2 <sup>nd</sup> Degree (B)	1130	22%
Larceny, 6 <sup>th</sup> Degree (C)	576	11%
Disorderly Conduct (C)	555	11%
Interference w/Officer/Resisting Arrest (A)	350	7%
Possession Controlled Substance or > .5 oz. of Cannabis (A)	225	4%

In 2017, 1,407 juvenile arrests were made for disorderly conduct.

**55% of all  
misdemeanor  
referrals**

These same five offenses represent nearly 60 percent of all first-time misdemeanor referrals.

These same five offenses represent nearly 60 percent of all first-time misdemeanor referrals.

First Time Delinquent Misdemeanor Referrals to Juvenile Court, FY2018

Misdemeanor Offense (Class)	Number of First Time Referrals	Percent of Total
Breach Peace, 2 <sup>nd</sup> Degree (B)	590	26%
Larceny, 6 <sup>th</sup> Degree (C)	304	13%
Disorderly Conduct (C)	211	9%
Possession Controlled Substance or > .5 oz. of Cannabis (A)	124	5%
Interference w/Officer/Resisting Arrest (A)	94	4%

**58% of all first-time misdemeanor referrals**

40% of first-time misdemeanor referrals were disposed to non-judicial supervision; 5% were disposed to judicial supervision.

# More than half of all delinquent infraction referrals are for possession of less than .5 oz. of cannabis.

## Delinquent Infraction/Violation Referrals to Juvenile Court, FY2018

Infraction/Violation	Number of Referrals	Percent of Total
Possession of less than .5 oz. cannabis	253	51%
Simple trespass	40	8%
Use/possession of drug paraphernalia < .5 oz. marijuana	34	7%
Possession of alcohol by minor	20	4%

**70% of all  
infraction/  
violation  
referrals**

40% of first-time infraction referrals were disposed to non-judicial supervision.

# 2018 Referrals by Race and Ethnicity

Non-Hispanic Black (33%) and Hispanic (31%) youth comprised a larger percentage of delinquent felony referrals than for Non-Hispanic White (21%) youth. Offense profiles for these three groups shared many similarities. The following offenses made up about half of all referrals in similar proportions for all three groups:

- Assault, 3rd Degree (MA)
- Breach of Peace, 2nd Degree (MB)
- Disorderly Conduct (MC)
- Larceny, 6th Degree (MC)
- Threatening, 2nd Degree (MA)
- Burglary, 3rd Degree (FD)

At the same time, there were noticeable differences. Offenses with a slightly greater proportion of Non-Hispanic Black and Hispanic youth include:

- Larceny, 2nd Degree (FC): Hispanic (3%); Non-Hispanic Black (4%); Non-Hispanic White (1%)
- Larceny, 3rd Degree (FD): Hispanic (5%); Non-Hispanic Black (5%); Non-Hispanic White (1%)

Offenses with a slightly greater proportion of Non-Hispanic White youth include:

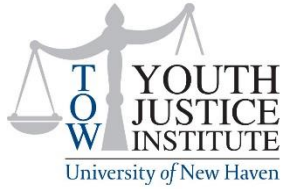
- Possession of Less Than ½ Oz Cannabis (V): Hispanic (2%); Non-Hispanic Black (1%); Non-Hispanic White (5%)
- Possession of Controlled Substance or > ½ Oz Cannabis (MA): Hispanic (2%); Non-Hispanic Black (1%); Non-Hispanic White (5%)

# IO Youth Recommendation- Alternatives to Arrest (see handout)

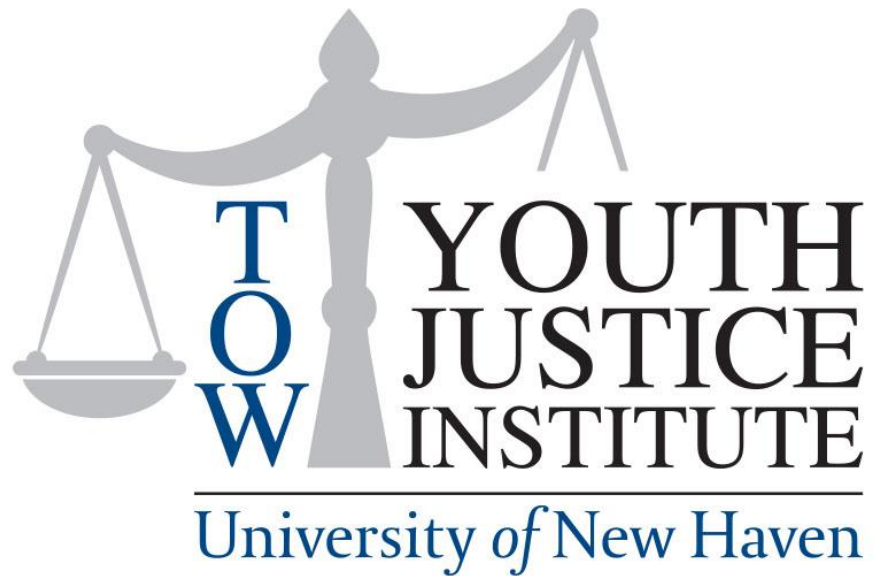


A. Legislation will be proposed that establishes a pre-arrest juvenile diversion model that holds youth accountable for low-level misbehavior while diverting them from any court processing or formal arrest record. The model is based on a youth's offense and prior history, and requires in each case that law enforcement provide an alternative response in lieu of an arrest.

# **IOYouth Recommendation- Consolidating Services in the Judicial Branch for the pretrial under-18 youth population currently housed in DOC**



A. Section 1. (NEW) (*Effective from Passage*) Not later than January 1, 2022, the Judicial Branch shall develop and submit in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters related to the judiciary and to the Juvenile Justice Planning and Oversight Committee established pursuant to section 46b-121n of the general statutes, an implementation plan to securely house in the custody of the Judicial Branch any person under eighteen years of age who is arrested and detained prior to sentencing or disposition on or after January 1, 2023. The plan shall include cost estimates and recommendations for legislation as may be necessary or appropriate for implementation.



## **Recommended Action Plan**

**Consolidating services for  
under-18 Pretrial Youth  
with Cases Pending in  
Adult Court  
from DOC to the Judicial  
Branch**

# Planning for Capacity

- Judicial is estimating that we will need additional daily capacity for 45-50 pretrial youth who have cases pending in adult court
  - Mostly males - a small number of females
- DOC average length of stay for this population in FY 20 was 140 days, considerably longer than the average juvenile pretrial length of stay of 14-21 days.
- In order to accommodate the transferred youth, the current REGIONS populations must be moved to contracted community-based programs. Approximately 30-40 REGIONS secure treatment beds for boys will be needed.

# Providing Capacity

- Adult system pretrial transferred youth will be served in the state-run Residential Centers in Hartford and Bridgeport.
  - Dependent upon relocating current REGIONS youth from the Hartford and Bridgeport Residential Centers to secure community based facilities.
  - Current Secure capacity in the community is 8 (CPA REGIONS Secure Hamden)
  - Capacity will increase to 16 by September - December 2021 (CPA REGIONS Secure Hamden)
  - Capacity will increase to 28 between September - December 2022 (2<sup>nd</sup> REGIONS Secure Hartford)
    - Judicial is also examining the feasibility of adding additional capacity in the shuttered New Haven Juvenile Detention Center located at 239 Whalley Ave., New Haven (dependent upon funding)
- The facility will need to be re-furbished but not extensively renovated
- Capacity will be 12 single rooms

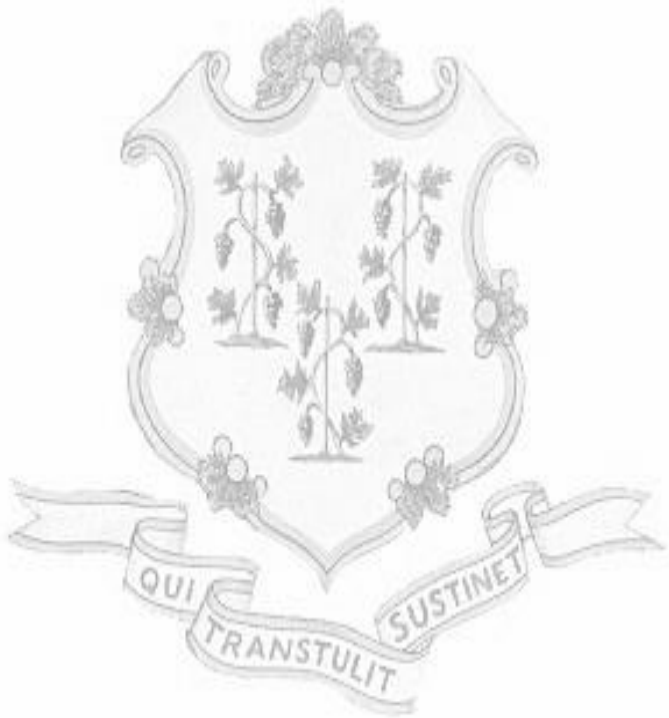
# Background Assumptions & Policy Recommendations

- All detained pretrial youth will remain in Judicial Branch facilities until their 18<sup>th</sup> birthday
  - Policy is consistent with how transitioning youth are treated in the Mental Health system – transition from Solnit (DCF) to CVH (DMHAS)
- Transferred youth will continue to be eligible for release on bond (these are adult court cases)
- The transferred youth population will integrate with the juvenile pretrial population in the Juvenile Residential Centers
- Girls will be housed at Journey House
- Consistent with Raise the Age, and to achieve the best results, the consolidation of services will take place **prospectively** –rather than transferring the targeted population from DOC to Judicial on a date certain.

# Timeline

- January 2021: Submit legislation for the 2021 Session that requires CSSD to submit a plan for this change, with timeframes and costs, by January 2022
- January 2022: Submit plan with timeframes and cost to the General Assembly
- 2023: Start housing the under-18 transferred youth population in juvenile facilities operated by the Judicial Branch

# Connecticut Department of Correction Manson Youth Institution



Continued Enhancement of Services to the Youthful Offender Population

# Expansion of Programs and Activities at MYI

- Case Management and Programming Services
  - Creation of a dedicated Activity Unit on second shift with significant staffing increases.
  - Development of a dedicated Addiction Services Therapeutic Community.
  - Implementing documentation that measures meaningful interactions amongst staff and the justice involved youth.
  - Restorative Justice modification to current disciplinary measures for youthful offenders.
- Educational Services
  - Incentive behavior modification program.
  - Implementation of Facility-wide WIFI to work towards a virtual learning platform of substance.
  - Chromebooks for population.
  - Vocational program tool improvements.
  - New Barbershop vocational program certified through DPH.
  - Collaboration Yale Center for Emotional Intelligence.
  - Implementation of School Social Workers and Crisis Intervention



# Expansion of Programs and Activities at MYI (continued)

- Staff Training and Development

- Facility Administration participating in Nationwide Superintendents training to collaborate and network with national leaders focusing on positive outcomes for youth.
- Expansion of CIRCLES (restorative justice) curriculum
- All addiction services staff at MYI being formally trained in restorative justice practices.

- Behavioral Health Services

- In developing an immediate action plan to increase and improve clinical services to the youthful offender population housed at MYI, the Behavioral Health Services Teams are completing the following actions:
  - Actively seeking to add a board certified, Child and Adolescent Psychiatrist to the Mental Health Staff at MYI
  - Provide developmentally appropriate training to clinical and custody staff to increase professional insight on young adult emotional needs, trauma related triggers and verified measures to implement successful behavioral modification.
  - Enhance trauma-informed assessment and behavioral health programming
  - Expand and increase family engagement opportunities to promote positive outcomes for youth.
  - Increase capacity for telehealth and identify appropriate behavioral health resources

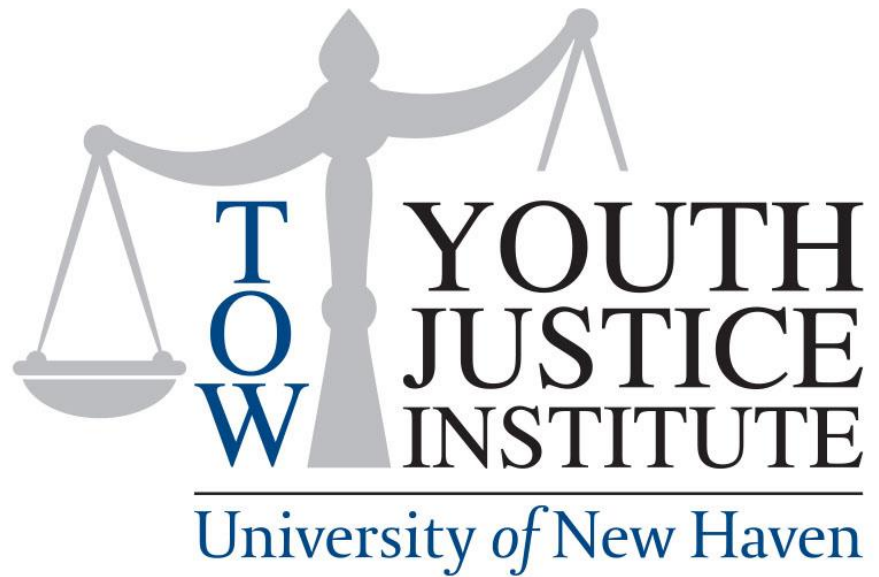


# Agency Collaboration for Continuous Improvement

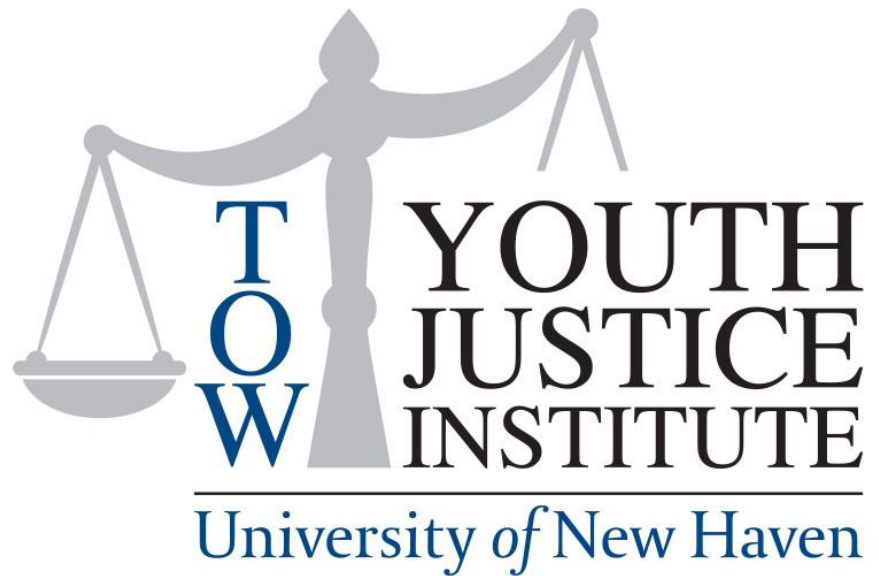
University of New Haven

- In addition to steps already taken, DOC will develop an action plan to further improve services and supports for young people at MYI and York
  - Plan will be developed in collaboration with other state agencies, including CSSD, DCF, OPM and others, to leverage expertise and resources
  - Plan will focus on young people in custody pre-trial, until the shift of responsibility happens, and young people that are sentenced to MYI and York





***Questions?***



## ***2020-2021 Education Recommendations***

# Revised 2020 Education Recommendations

- Summary of Changes:
  - Administrative body → A unit within DCF
  - Youth in juvenile justice out-of-home placement → Youth in all juvenile justice facilities
  - Addition of Youth and Community Representatives on Implementation Team
  - Removal of advisory board
  - “Will” → “May” in Section 2A Transition Specialists
- Education Committee Suggestion: Define “juvenile justice facilities”

## 2021 Education Recommendation – 911/211 Data Collection

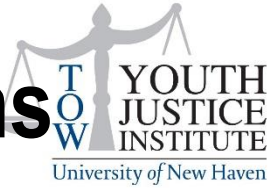
- A. A pilot program be designed to review 911 calls from the 10 Opportunity School Districts (Hartford, Bridgeport, Waterbury, New Haven, East Haven, Derby, Norwich, New London, East Hartford, New Britain) to their local 911 jurisdictions in an effort to better understand for districts' utilization of police. Data should include: de-identified data related to the demographics of child, including age, gender, race, and disability classification, similar to the existing documentation for other emergency interventions, such as restraint and seclusion, already codified in statute and regulation and the circumstances leading to less restrictive alternatives considered (if available). JJPOC and TYJI should partner to create an MOU with each 911 jurisdiction to receive, review, and analyze these data.
- B. JJPOC should collaborate with CHDI to review similar data collected on 211 calls made by public schools.
- C. All data analyses should be submitted for review by the JJPOC Education Committee on a bi-annual basis.

# 2021 Education Recommendation – School Suspensions



- See handout for full details of CSDE feedback.
- CSDE alternative offered,
  - Recommend that the CSDE work with the CT School Discipline Collaborative and engage the State Board of Education Accountability and Support Committee to complete the following:
  - Research other states that have eliminated suspensions and/or expulsions in specific grade bands or ages (above grade 2) to identify the impact of such changes and the infrastructures in place to support students and school staff;
  - Collect and analyze data from Connecticut school districts that have demonstrated improvements in reducing exclusionary discipline and disproportionality, to identify successful practices, policies and system implementation; and
  - Investigate the root causes of the use of exclusionary discipline in districts with high numbers of exclusionary discipline to address prevention and intervention strategies.

# 2021 Education Recommendation – School Suspensions



- JJPOC recommends:
  - A. An amendment to Public Act 15-96 sec. 10-233a-i “ban suspension and expulsion of children in preschool through grade two, except in cases where the child’s conduct is “violent or sexual nature” that endangers the child or others” **to expand to twelfth grade with a phased-in plan consisting of:**
    - A. Preschool through second grade
    - B. Third grade through eighth grade
    - C. Ninth grade through twelfth grade
  - B. The amendment shall include elimination of “violent or sexual nature” and replace with only those exceptions required by federal law.
  - C. An implementation committee shall be established and chaired by Steven Hernandez, Executive Director, Commission on Women, Children, Senior, Equity & Opportunity and Chair of the Social Emotional Collaborative and Fran Rabinowitz, Executive Director CT Association of Public School Superintendents and work collaboratively with CT School Discipline Collaborative. and work collaboratively with CT School Discipline Collaborative. The implementation committee will include representation of the CSDE, representation from the State Board of Education Accountability and Support Committee, Head of Superintendents Association, Parent Representation or Chair from Special Education Advisory Committee, Representative from Disability Rights Connecticut, Special Education Equity for Kids in CT (SEEK-CT), and CHDI.
  - D. The implementation committee shall provide an update on the progress of the development of the plan to the JJPOC and Education and Children’s Committees by January, 2022 and a final report to be submitted by July 2022

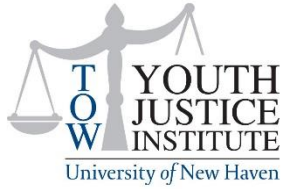
# 2021 Education Recommendation – School Suspensions

E. The implementation plan shall identify :

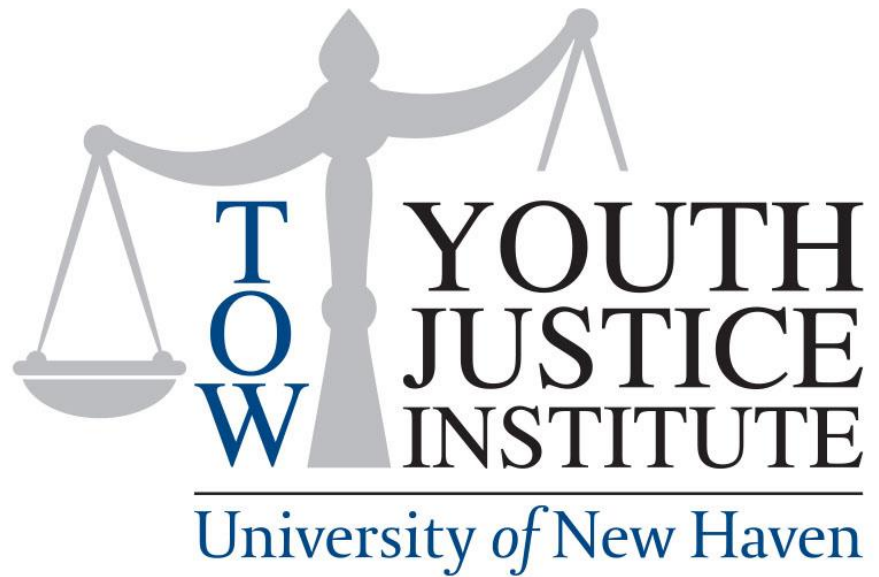
1. Funding and timeline
2. Include district by district data needs, data perimeters, and reports.
3. training for school personnel;
4. implementation of alternative in-school disciplinary practice, strategies and intervention to support students and school staff
5. should include exploration of models for therapeutic settings in schools where students who cannot remain in the classroom can be placed, as well as the procedures for doing so.
6. family engagement;
7. screening for health and mental health concerns; and
8. strengthening connections to community-based services and supports including trauma-informed mental health interventions

F. SDE shall be adequately funded and resourced to accommodate for its expansion as outlined in the implementation plan. The implementation plan should include exploration of models for therapeutic settings in schools where students who cannot remain in the classroom can be placed, as well as the procedures for doing so.

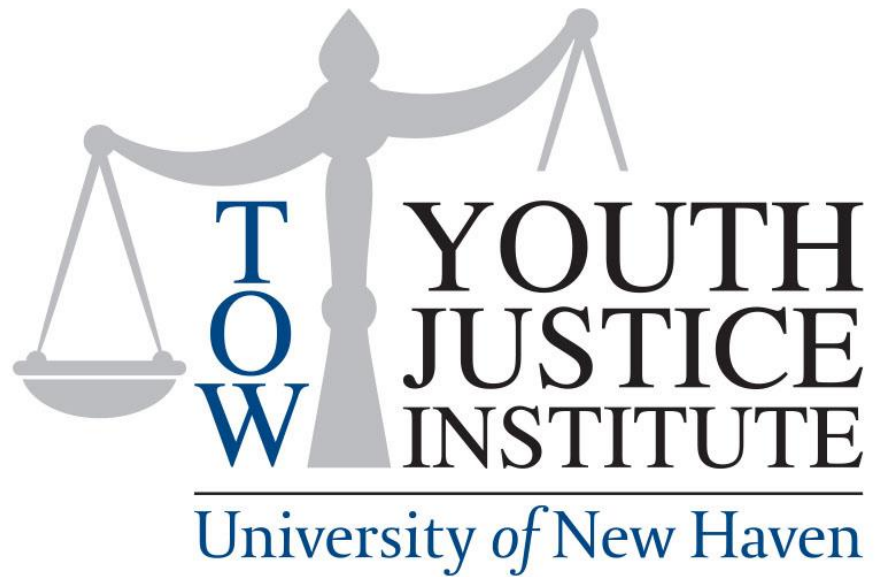
# Education Workgroup Background Information



- Connecticut passed PA 15-96 in 2015, banning suspensions and expulsions of children in Preschool through 2<sup>nd</sup> grade. This recommendation builds off of that work.
- The most recent CT education data supports the need for ongoing work and demonstrates that implementation of PA. 15-96 is not consistent in our educational system
  - Suspension and expulsion continue at a higher rate for children of color.
- Eliminating suspensions and expulsions of youth will shift CT's focus to training school personnel, the implementation of alternative in-school disciplinary practices, family engagement, screening for health/ mental health concerns and strengthening connections to community-based services and support systems.



***Questions?***



***Next Meeting  
TBD***