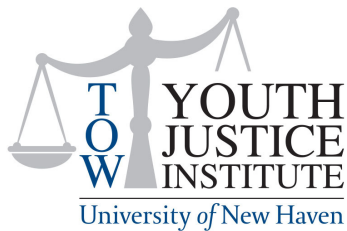


Connecticut's Juvenile Justice System

Progress and Challenges for 2016 and Beyond



TOW YOUTH JUSTICE INSTITUTE

University of New Haven

Henry C. Lee College of Criminal Justice and
Forensic Sciences

March 2016

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A Project of the Tow Youth Justice Institute at University of New Haven

The Tow Youth Justice Institute (TYJI), an institute of the Henry C. Lee College of Criminal Justice and Forensic Sciences at the University of New Haven, was founded in 2014 to support and sustain major youth justice reform efforts now underway in the state of Connecticut and across the northeastern United States. The mission of the TYJI is to serve as a center for long-lasting youth justice reform and to increase the use of evidence-based practices in youth justice. Financial support for the TYJI has been provided by the Tow Foundation, the State of Connecticut, and the University of New Haven.

The TYJI is unique in its multidisciplinary, research-driven structure, its diverse partnerships, and its broad scope. The work of the TYJI spans academic research; partnerships with public agencies, nonprofits, and community members; curricula development for future generations of youth justice workers and advocates; advising to policymakers; and leadership development. Traditionally, juvenile justice is limited to youth involvement in the court system; TYJI looks more broadly at youth justice, striving to ensure ongoing system and culture change toward equitable support and opportunities for children and families. Additionally, the TYJI serves as a research partner to the Connecticut Juvenile Justice Policy and Oversight Committee, formed by state law in May 2014. Beyond the scope of the state, TYJI aspires to serve as a national model for expanding and sustaining progressive reform and demonstrating how alternative approaches can become institutionalized.

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Executive Summary

This report is the first in a series on the state of the juvenile justice system in Connecticut, commissioned by the Tow Foundation as part of their support for the Tow Youth Justice Institute (TYJI) at University of New Haven.

Connecticut's juvenile justice system is run through a partnership between the Department of Children and Families (DCF), under the state's executive branch, and the Judicial Branch, particularly the branch's Court Support Services Division (CSSD). A variety of agencies and organizations carry out specific programs related to the system, including the Department of Education, the Department of Correction, the Department of Mental Health and Addiction Services, and municipally-run Youth Service Bureaus, in addition to a wide network of youth development organizations throughout the state. Several other organizations, some associated with universities, serve as research and evaluation partners. In total, the state devotes an estimated \$180 million to the juvenile justice system as of state fiscal year 2015-16.

Connecticut's juvenile justice system has undergone drastic reforms over the past two decades. The case for reforming juvenile justice is simple. A growing body of research across disciplines has shown lasting, adverse effects of incarceration on youth—from decreased academic achievement to increased likelihood of contact with the criminal justice system in adulthood. Nationwide and in Connecticut, youth in contact with the juvenile justice system are disproportionately youth of color, youth with disabilities, and youth with mental health and substance use disorders. Throughout the 1990s, states and school districts relied on zero-tolerance discipline policies that severely increased youths' contact with the court

system, particularly by treating school discipline issues as criminal ones. These types of policies, which combine to form a "school-to-prison pipeline," failed to produce positive outcomes for young people and are developmentally inappropriate and overly punitive.

Connecticut has spent the past several years repealing many of these policies and instituting reforms that are instead in the best interest of the state's youth. In 2007, a collaboration between lawmakers, state agencies, and youth advocates culminated in the passage of the Raise the Age law, which returned 16- and 17-year-olds to juvenile jurisdiction; at that point, Connecticut was one of only three states automatically charging 16-year-olds as adults in court. Since then, the state has passed a series of juvenile justice reform laws and developed strategic planning between agencies to carry out new reforms.

Nationally, as well, a growing movement for juvenile justice reform is advocating for practices that are trauma-informed, evidence-based, and rehabilitative rather than punitive. A federal bill to reauthorize the Juvenile Justice and Delinquency Prevention Act would increase protections for youth in all states in juvenile justice systems and hold states to higher standards in eliminating racial disparities and offering community-based alternatives with proven results.

Today, Connecticut is widely considered a model for how a state can turn its juvenile justice system around quickly, while improving public safety and overall youth outcomes. Increasingly, youth charged with minor offenses are diverted from court involvement, and may instead receive behavioral health supports and other programming proven effective. For youth involved in the court system, the state has passed laws ensuring evidence-based practices, greater access to education and behavioral health care, and improvements in legal processing. The state also now regulates many issues stemming from school discipline policies that may otherwise push youth into unnecessary court involvement.

As a result of these reforms to date, the juvenile arrest rate has dropped from 7,176 arrests per 100,000 juveniles in the population in 1999 to 2,511 arrests per 100,000 in 2014, a 65% decrease, comparable to national trends.¹ In

¹ Puzzanchera, C. and Kang, W., "Easy Access to FBI Arrest Statistics 1994-2012," National Center for Juvenile Justice, 2014; State of Connecticut Department of Emergency Services and Public Protection, "Crime in Connecticut, 2014," September 2015; "OJJDP Statistical Briefing Book," December 13, 2015.

addition, between 2001 and 2013, Connecticut reduced its rate of youth incarceration by 75%, the steepest decline in the nation over that time period.²

As an early adopter of many reform policies based on a better understanding of crime deterrence and youth developmental psychology, Connecticut has earned recognition for its leadership; continued reforms and innovations will allow the state to uphold this reputation. Governor Dannel Malloy has taken up a Second Chance Society initiative, in which both the adult and juvenile systems in Connecticut are pushed to become “smart on crime;” this initiative was launched in the summer of 2015 with a round of criminal justice reform laws, expansion of youth diversion programs, and the receipt of several federal grants for reentry services and recidivism reduction programs around the state. In line with this initiative, Gov. Malloy has more recently proposed raising the juvenile age to 21, with opportunities for record expungement for young adults up to 25. The governor has also called for closing the state’s secure juvenile facility, the Connecticut Juvenile Training School, by the summer of 2018.

Several organizations are working together to sustain and build upon this reform movement. The Tow Youth Justice Institute (TYJI) was founded in 2014 at the University of New Haven to support these reform efforts and develop a workforce of reform-minded youth justice professionals. The Juvenile Justice Policy and Oversight Committee (JJPOC) was also established in 2014 by state law. The Judicial Branch and DCF have carried out strategic planning processes to further reforms, both independently and jointly. The state’s Office of Policy and Management is launching a strategic planning process for improved reentry services, supported by federal funding and in concert with the JJPOC and the TYJI. Included in all these planning processes is the state’s mandate for evidence-based practices—practices and programs that have been vetted by researchers and proven to have positive, measurable outcomes—in all aspects of juvenile justice.

Yet, there is more work to be done. The JJPOC has set ambitious goals for further reforms throughout the state and at several points in the juvenile justice system:

- Increasing the number of youth diverted away from court by 20% over 3 years, through strategies like targeted diversions within schools and juvenile review boards,

- Decreasing the rate of youth recidivism by 10% over 3 years, beginning with a shared definition and means of measuring recidivism, and
- Decreasing the youth incarceration rate by 30% over 3 years, through programs such as developmentally appropriate community placements.

The JJPOC is adopting a series of recommendations in early 2016 to achieve these ambitious goals. New legislation, funding, and changes in policy and practice will be needed to continue the path toward further reform measures.

Beyond these goals are more areas for improvement, including school discipline, conditions of confinement, supportive reentry, and racial disparities in the justice system. As has worked in the past, diverse coalitions of stakeholders employing innovative thinking will be the key to solving these additional problems.

Beyond the scope of juvenile justice, a broader framework of youth justice allows this work to look more holistically at education, opportunity, equity, and positive development for youth throughout their lives. An approach based on youth justice integrates issues of social justice—racism, sexism, poverty, violence, access to care, and so forth—for youth long before, and in order to prevent, contact with court systems. Youth justice also brings in public safety and victims’ advocacy. For reforms based in a framework of youth justice to successfully take hold, they must be accountable to communities throughout the state, building toward improved, equitable outcomes for all youth.

² Pew Charitable Trusts, “Juvenile Commitment Rate Drops 53%,” November 2015.

I.

Introduction: Why reform juvenile justice?

This report is the first in a series on the state of the juvenile justice system in Connecticut, commissioned by the Tow Foundation as part of their support for the Tow Youth Justice Institute (TYJI) at University of New Haven. As a research partner in Connecticut's juvenile justice system, the TYJI documents and advocates for reforms to benefit the state's youth.

A growing body of research over the past few decades—spanning disciplines from criminal justice to education to child psychology—has called into question the United States' tactics of incarcerating young people at alarming rates. This research shows that youth in the US are incarcerated at rates far outpacing any other developed nation;³ that incarceration can have lasting, negative effects on youth development and recidivism;⁴ that zero-tolerance policies since the 1990s have increased the number of youth arrested in schools, often for issues that are primarily disciplinary, rather than criminal;⁵ and that youth who have come in contact with the juvenile justice system even once are less likely to finish high school.⁶ Youth in contact with the juvenile justice system are disproportionately youth of color,⁷ youth with disabilities,⁸ and youth with mental health and substance use disorders.⁹

These failures combine to form what has been described as the “school-to-prison pipeline,” the path through which too many youth are pushed out of school and into contact with the court systems. The school-to-prison pipeline operates through a false narrative that there is no better means of dealing with common adolescent misbehavior, and that the criminalization of youth

lacking resources and social supports, largely in urban school districts, is an acceptable price to pay for public safety. But alternatives to criminalization, court involvement, and incarceration exist, and are documented to have better outcomes not only for individual youth and family development, but also for public safety and state economies.

Connecticut has not been immune to these national trends. Until a 1993 class action lawsuit, Connecticut routinely relied on overcrowded and often unsafe facilities for juvenile detention, rather than nonresidential alternatives. During the same era, youth were being arrested and detained for status offenses, acts only considered crimes when committed by a minor. More than a decade later, the state was still prosecuting 16- and 17-year-olds as adults, despite research in developmental psychology recommending against such a practice.

However, over the past several years, Connecticut has turned away from these misguided approaches toward systems that are less punitive and more responsive to youths' needs. Starting in 2005, the legislature prohibited placing status offenders in detention based on a violation of a valid court order in the first major reform. This was followed in 2007 by the passing of the Raise the Age law that returned older teens to the juvenile court system and a variety of other laws to reform its juvenile justice system. These laws include limits to when youth may be placed in detention, seclusion, or restraints; pilots of court programs to address status offense issues like truancy without formal judicial handling; improvements in education services; mandates for evidence-based practices; and general increases in oversight and system accountability. As these reform laws have been implemented, Connecticut has seen historically low juvenile arrest rates and improved youth outcomes.

Today, Connecticut is widely considered a model for

³ Richard A. Mendel, “No Place for Kids: The Case for Reducing Juvenile Incarceration.” (Annie E. Casey Foundation, 2011).

⁴ Development Services Group, “Literature Review: Correctional Services” (Office of Juvenile Justice and Delinquency Prevention, 2010).

⁵ Connecticut Juvenile Justice Alliance, “Adult Decisions: Connecticut Rethinks Student Arrests,” January 2013.

⁶ Mendel, “No Place for Kids.”

⁷ Rovner, Joshua, “Policy Brief: Disproportionate Minority Contact in the Juvenile Justice System” (Sentencing Project, 2014).

⁸ M. M. Quinn et al., “Youth with Disabilities in Juvenile Corrections: A National Survey,” *Exceptional Children* 71, no. 3 (April 1, 2005): 339–45.

⁹ Linda A. Teplin et al., “Psychiatric Disorders in Youth After Detention,” Office of Juvenile Justice and Delinquency Prevention *Juvenile Justice Bulletin*, 2015.

how a state can turn its juvenile justice system around quickly, while improving public safety.¹⁰ Between 2001 and 2013, Connecticut reduced its rate of youth incarceration by 75%, the steepest decline in the nation over that time period; nationwide, youth incarceration dropped 53% over the same period.¹¹ However, there is plenty more work to be done—comprehensive data is lacking in certain areas of the system, safety issues have been raised in the state's secure facilities, and racial disparities are still staggering. In continuing to serve as a model nationwide, Connecticut's juvenile justice leaders must now push for further reforms, reflecting on what has worked and what still needs to be done.

The remainder of this report contains the following structure:

Section II provides an overview of the workings and financing of Connecticut's juvenile justice system.

Section III is a recent history of juvenile justice reforms in Connecticut and the United States.

Section IV outlines the state's goals for reform, as well as opportunities for further improvements.

Section V concludes the report with a proposal for the state's broader next steps.

Appendices A and B give a brief analysis of disproportionate minority contact in Connecticut's juvenile justice system, and a beginning set of population-level indicators of youth well-being.

Appendix C provides a summary of the far-reaching and reform advancing recommendations adopted by the Juvenile Justice Policy and Oversight Committee in January of 2016. Implementation of these recommendations are part of the state's future opportunities for improvement.

¹⁰ National Juvenile Justice Network, "Comeback and Coming-from-Behind States: An Update on Youth Incarceration in the United States" (Texas Public Policy Foundation, 2013).

¹¹ Pew Charitable Trusts, "Juvenile Commitment Rate Drops 53%," November 2015.

II.

Overview: Connecticut’s juvenile justice system

A. AGENCIES AND ORGANIZATIONS

Connecticut’s juvenile justice system is a partnership between the Department of Children and Families (DCF), under the state’s Executive Branch, and the Judicial Branch. DCF is a consolidated children’s agency mandated to provide prevention, child welfare, and behavioral health services for all the state’s children, and juvenile justice services for committed delinquents. DCF runs secure facilities and provides reentry services for youth returning from confinement. The Judicial Branch oversees the state’s criminal, family, and juvenile courts; pre-trial juvenile detention centers; juvenile and adult probation and community services; and privately contracted secure and staff-secure juvenile residential programs. Within the Judicial Branch, many of the juvenile-focused services, including probation, are administered by the branch’s Court Support Services Division (CSSD).

Other aspects of juvenile justice involve the state’s Department of Correction, to which youth may be transferred based on the severity of their charges, and if male, housed at the Manson Youth Institution for youth and young adults ages 21 and under, and at York Correctional Institute for females; the Department of Mental Health and Addiction Services, which oversees residential and community-based mental health and substance abuse hospitals, clinics, treatment centers, and programs; and the State Department of Education, which ensures youth receive all requisite educational services and monitors data from school districts statewide. These agencies work with a network of Local Interagency Service Teams (LISTs) and Youth Service Bureaus (YSBs), in addition to

ROLES OF STATE AGENCIES	psychiatric care facilities, as well as outpatient community-based programs
Department of Children and Families (DCF) Oversees prevention, child welfare, behavioral health, parole, reentry, CT Juvenile Training School, and Pueblo Unit; youth may be committed by courts to DCF	State Department of Education (CTSDE) Regulates school districts, including unified districts serving youth in DCF and DOC commitment; collects and reports data on topics including discipline
Judicial Branch Oversees the state’s court system, judicial juvenile and adult probation, pre-trial detention, residential facilities, and community programs; many juvenile and adult programs are under the branch’s Court Support Services Division (CSSD)	Office of Policy and Management (OPM) Handles policy & finance issues throughout the state, including criminal and juvenile justice strategy
Department of Correction (DOC) Manages adult corrections, pre-trial and sentenced juveniles transferred to adult court court, Manson Youth Institute (MYI)	Office of the Child Advocate (OCA) Monitors & evaluates agencies involved in child welfare and services for youth
Department of Mental Health and Addiction Services (DMHAS) Oversees adult behavioral health services for the state; runs residential treatment and	
RESEARCH, ADVISORY, AND ADVOCACY ORGANIZATIONS	Child Health and Development Institute of Connecticut (CHDI)
Juvenile Justice Policy and Oversight Committee (JJPOC)	Connecticut Youth Services Association (CYSA)
Connecticut Commission on Children	Connecticut Juvenile Justice Alliance (CTJJA)
Juvenile Justice Advisory Committee (JJAC)	Connecticut Voices for Children Center for Children’s Advocacy (CCA)
Tow Youth Justice Institute at the University of New Haven (TYJI)	Regional Youth Adult Social Action Partnership (RYASAP)
Institute for Regional and Municipal Policy at Central Connecticut State University (IMRP)	University of Connecticut Center for Applied Research in Human Development (UConn CARHD)

community-based agencies, faith-based organizations, and volunteer organizations dedicated to positive youth development.

Throughout the state, there are several important research and advisory organizations, as well as networks of youth development groups. The state’s main group is the Juvenile Justice Policy and Oversight Committee (JJPOC)

Table II.1: Estimated Appropriations For Juvenile Justice Programming, SFY 2015–2016

CATEGORY OF EXPENDITURE	AMOUNT	SUBTOTAL
Department of Children and Families		77,015,135
Connecticut Juvenile Training School	53,473,615	
Parole Services	7,347,381	
Juvenile Justice Outreach Services	12,009,320	
Board and Care, Foster Care	1,683,376	
Board and Care, Residential	2,501,443	
Judicial Department		97,944,033*
Juvenile Courts	11,058,059	
Juvenile Detention Centers (Hartford & Bridgeport)	18,340,680	
Transportation	2,332,082	
Juvenile Probation	18,636,698	
Juvenile Alternative Incarceration	28,281,848	
Juvenile Justice Centers	2,940,338	
Youthful Offender Services	16,354,328	
Department of Correction		5,120,400
Manson Youth Institution, Juvenile Portion (12.8%) (based on annual cost per inmate of \$68,272 for 2014-15)	5,120,400	
Total		\$180,079,568

which was created by statute to plan, develop policy, conduct research, and support reform work by other agencies. The JJPOC brings together a wealth of public, private, advocacy and other members to insure continuous quality improvement in the juvenile justice system. A major advisory body, as mandated by federal law, is the Juvenile Justice Advisory Committee (JJAC), which supports reform work by the JJPOC and state agencies, facilitates pilots and training programs, works to end racial disparities, and administers federal funding. Through cooperative work focused on best practices for youth, this broad array of organizations and agencies can come together to reform juvenile justice from all angles.

B. FINANCING THE SYSTEM

There is no comprehensive assessment of state investments in juvenile justice services, in part because many services are delivered to children both inside and outside the juvenile justice system and data systems do not facilitate disaggregation. An analysis by the Justice Policy Institute identified a total investment in narrowly defined juvenile justice services (youth corrections programs of the Department of Children and Families, and detention,

probation and community treatment programs operated by the Court Support Services Division) in fiscal year 2011-12 of \$137 million, which was nearly equal to the cost in 2001-02 (adjusted to current dollars). They concluded that the drop in confinement in that time fully paid for a significant expansion in community-based alternatives.¹²

As part of the Results First initiative, the Institute for Municipal and Regional Studies at Central Connecticut State University is currently collecting cost, unit cost, and outcome data for all juvenile justice programs in Connecticut with the result expected in early 2016.

In an attempt to create an updated inventory of state funds currently invested, agencies were asked to identify the funding they include as supporting juvenile justice-related services. Table II.1 summarizes the results, with an estimated \$180.1 million appropriated for juvenile justice-related programming in State Fiscal Year 2015-16. This covers programming within DCF, the Judicial Branch, and DOC. It does not include prevention invest-

¹² Justice Policy Institute, "Juvenile Justice Reform in Connecticut: How Collaboration and Commitment Have Improved Public Safety and Outcomes for Youth," 2013.

<p>GLOSSARY: DECISION POINTS</p> <p>Arrest A youth is arrested when stopped or apprehended by law enforcement with probable cause of having committed a delinquent offense.</p> <p>Referral A referral is the act of sending a youth to juvenile court for legal processing, usually by law enforcement, a school, or parents.</p> <p>Diversion from court Diversion includes several processes by which a referral to court is instead handled without filing</p>	<p>formal charges. These include processes such as Juvenile Review Boards which avoid court interaction altogether.</p> <p>Detention A youth may be placed in a secure detention facility at any point prior to disposition of their case, if there is probable cause and certain grounds are met, or while awaiting placement or transfer to criminal (adult) court. Counts of youth in detention do not include placement in non-secure facilities such as group homes.</p> <p>Petition to file charges A petition is a formal filing of charges for delinquency adjudica-</p>	<p>tion or transfer to criminal court.</p> <p>Delinquent finding Analogous to a conviction, a delinquent finding means a youth has been ruled responsible for an offense after adjudicatory hearings in juvenile court.</p> <p>Probation Following a court decision, a youth may be placed under formal supervision. Probation counts do not include youth placed on supervision as a diversion from court.</p> <p>Confinement in secure facility Youth adjudicated delinquent may be placed in confinement in a</p>	<p>secure residential or correctional facility. Confinement counts do not include youth in facilities such as group homes or substance abuse treatment centers.</p> <p>Transfer to adult court A youth may be transferred to criminal (adult) court when the juvenile court files a petition to waive its jurisdiction over the case. Transfer is automatic for youth 15 or older for certain classes of felonies.</p>
<p>GLOSSARY: JUVENILE COURT REFERRALS</p> <p>Serious Juvenile Offense (SJO) An SJO is a felony crime, many of which may be transferred to adult court. The list of charges</p>	<p>considered SJOs is established by state legislation.</p> <p>Status offense A status offense is an act that is only considered an offense when committed by a minor, such as</p>	<p>truancy or running away.</p> <p>Family with Service Needs (FWSN) If a youth is referred to court for a status offense, their case is handled non-judicially, and their family is designated an FWSN.</p>	<p><i>Definitions adapted from Office of Juvenile Justice and Delinquency Prevention, 2009.</i></p>

ments of CSSD and DCF aimed at the juvenile justice population or the public defenders' services that are not broken out by age group.

The total appropriations of \$180.1 million divided by the 13,069 youth involved in any way with the system in 2014-15 yields an average cost of \$13,779 per case across all services. Confinement or residential placement of juveniles is a particularly costly strategy in Connecticut. An estimated \$76.9 million of these funds are devoted to secure confinement at DOC, juvenile detention, or DCF, making up 41% of the total funding. Recent studies have identified an annual average cost of \$546,405 annually for each slot in the Connecticut Juvenile Training School (CJTS) (based on a daily rate for care of \$1,497) and an average daily cost of \$750 per slot at the juvenile detention facilities.¹³ The average daily cost across all residential placements in Connecticut (at \$726) was 3.5 times the average for 28 states reporting in a 2009 study.¹⁴ As the reform efforts proceed and rates of confinement continue to fall, more resources should be available to shift to community-based services under a policy approach of "Justice Reinvestment." This latter initiative involves the identification of savings achieved by the reduction in incarceration or the reduction in recidivism and the re-

investment of a portion of those savings in both the prevention end of the juvenile system and in the enhancement of community-based interventions for children and families, particularly in the neighborhoods that are most affected by juvenile crime.

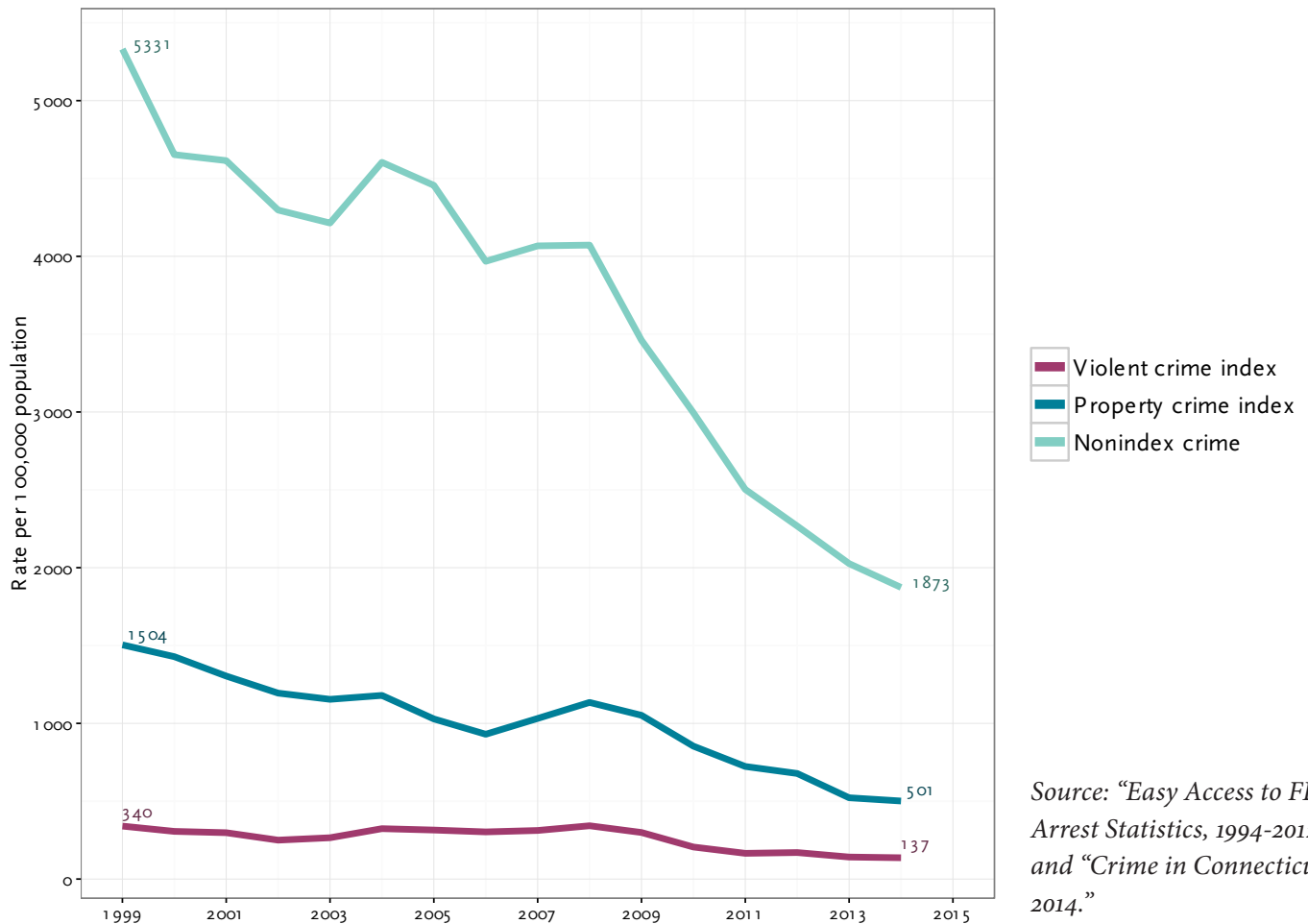
C. PROCESS THROUGH THE JUVENILE JUSTICE SYSTEM

Youth (legally defined as 16- and 17-year-olds) and children generally make initial contact with the juvenile justice system through law enforcement. However, legislation passed in the past few years has limited the depth of this first contact. In the vast majority of cases, youth may be issued a summons but not taken into police custody or taken to juvenile detention. At many points in the court process, youth may have their cases dismissed or be diverted from further involvement. Figure II.3 shows the relative numbers of cases at each major decision point for youth involved in delinquency determinations, as well as

¹³ Communication with the Department of Children and Families and Judicial Department, December 2015.

¹⁴ Justice Policy Institute, "The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense," May 2009.

Figure II.1: Connecticut Juvenile Arrest Rates by Index, 1999–2014



Source: "Easy Access to FBI Arrest Statistics, 1994-2012" and "Crime in Connecticut, 2014."

paths a case may take between decision points, based on Fiscal Year 2014–2015.

Once a youth has been referred to court, some combination of three decisions may be made: a youth may spend time in detention, a youth may be officially diverted from further court processes, and the prosecutor may submit a petition to file charges. Diversion from court does not guarantee that the youth will not move further into the court system: a youth may still be subject to requirements of a diversion agreement, which may result in court involvement if the diversion is unsuccessful. More than a third (based on 2014 cases) of referrals are instead handled non-judicially, or kept under probation supervision without court involvement.¹⁵

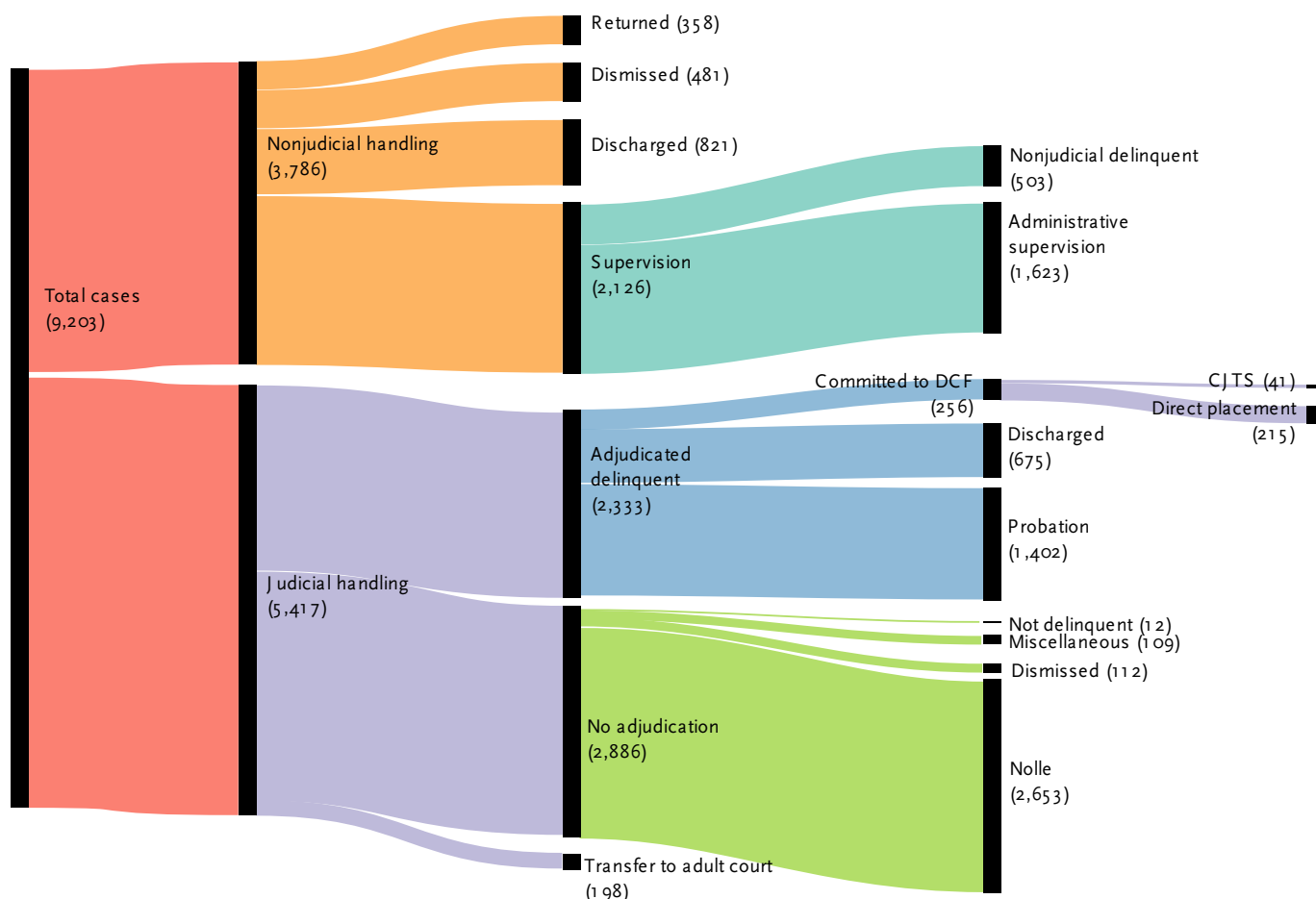
Once a youth has had charges petitioned (analogous to charges being pressed in adult criminal court), a youth

may or may not be found delinquent (analogous to a guilty verdict). Youth who are at least 15 years of age with the most serious charges may be transferred to the adult court system, a result in less than 3% of judicial cases. In 2014, about one quarter of youth whose cases were handled judicially were found delinquent.

After a delinquent ruling, most youth (65.6% in fiscal year 2014–2015) are placed on probation under CSSD; about 27.1% of youth have their cases discharged. The remainder—in 2014–2015, 7.3% of youth found delinquent—are committed to DCF for confinement in either a secure facility, such as CJTS for boys or Pueblo for girls,

¹⁵ All 2014 figures in this section from Connecticut Office of Policy and Management, "Facts & Figures on Connecticut's Juvenile Justice System," July 7, 2015.; fiscal year 2014–2015 figures provided by CSSD.

Figure II.2: Flow of Connecticut Juvenile Delinquency Cases, FY 2014–2015



Source: Data provided by CSSD

or a residential treatment program. Of those placed in confinement, most youth have a period of parole afterwards supervised by a DCF social worker.

TYPES OF COURT REFERRALS

Criminal charges can be broken into three major categories, based on the Federal Bureau of Investigation's indices: violent index offenses, including murder, rape, aggravated assault, and robbery; property index offenses, including larceny, burglary, car theft, and arson; and all other non-index offenses, which, for Connecticut juveniles, are most commonly simple assault, disorderly conduct, drug offenses, and vandalism.

In Connecticut, as has been the case nationwide, juvenile arrest rates have fallen significantly since the mid-1990s across most charges. Juvenile arrest rates for

violent crimes in Connecticut fell by 59.7% between 1999 and 2014, as shown in Figure II.2 below; arrest rates for both property crimes and non-index crimes decreased by more than 64.8% over that period. Of the more than 11,000 delinquency referrals to Connecticut juvenile courts in 2014, 67% were for misdemeanor charges; only 7.5% were considered Serious Juvenile Offenses (SJOs), some of which are felony-level charges that may be transferred to adult court.

In 2014, one quarter of the cases that went to juvenile courts in Connecticut were Family with Service Needs (FWSN) referrals. This designation means that a youth has committed a status offense, defined as an act that is only an offense when committed by a minor; these cases are diverted from further court handling, and the family is instead linked with services. The most common status

offenses in Connecticut are truancy, being beyond control of one's parent or guardian, and defiance of school rules. School related FWSN cases account for more than 70% of all referrals. Most of the FWSN cases are referred to privately run social service programs called Child, Youth and Family Support Centers where a range of mediation, crisis intervention, education advocacy, and access to evidence-based programming is available. If FWSN youth are unsuccessful at these programs, their cases may be referred back to court for further action. The vast majority, however, are successful. While youth referred for delinquency are predominantly male (71% in 2014), FWSN referrals are much more evenly split (46% female). Following federal guidelines, Connecticut enacted legislation in 2005 to prohibit the use of detention for status offenders and prevent further court involvement for these youth. Of interest, the JJPOC in January of 2016 recommended removing school related matters from eligibility for court referral as FWSN.

III.

Recent history

A. NATIONAL LEGISLATION AND TRENDS

Juvenile Justice and Delinquency Prevention Act

The federal Juvenile Justice and Delinquency Prevention Act (JJDP) was first enacted in 1974, and most recently reauthorized in 2002, to standardize and regulate state, county and municipal policies regarding juvenile justice. The act established the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to oversee the functioning of these local juvenile justice systems. Under the JJDP, states seeking federal funding for juvenile justice must meet the following basic requirements:

- **Deinstitutionalization of status offenders.** The JJDP mandates that status offenders (youth whose behavior would not be considered an offense if done by an adult, such as truancy) should be handled in community-based programs rather than held in detention centers. However, the law allows for several exceptions by which status offenders may be held for short periods of time in juvenile detention centers with a valid court order.
- **Adult jail removal.** The JJDP regulates the use of adult jails and lockups for holding youth, making exceptions for certain short-term holding needs.
- **Sight and sound separation.** In the event that youth are held in adult jails, the JJDP requires “sight and sound” separation, whereby youth cannot be housed adjacent to, share common areas and facilities with, or

otherwise come into contact with adult inmates.

- **Reduction of disproportionate minority contact.** The JJDP mandates assessments of disproportionate minority contact at all decision points in the juvenile justice system, and requires states make certain efforts to reduce such disproportionalities.

Reauthorization Act of 2015

As of the Fall 2015 writing of this report, a bill to reauthorize the JJDP, The Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015 (S 1169), has passed committee in the U.S. Senate, and its partner bill, HR 2728, has been introduced in the House of Representatives. This bipartisan reauthorization effort is being supported by a variety of national youth advocacy groups and experts in public safety and law enforcement. The reauthorization would strengthen many provisions of the current law, including:

- Eliminating current exceptions by which status offenders may be detained;
- Further removing exceptions by which youth may be held in adult jails, and strengthening sight and sound separation measures in the event youth are in adult facilities; and
- Strengthening mandates for reduction of disproportionate minority contact through clear objectives and better data collection.

The bill additionally introduces a definition of “trauma-informed” to apply to youth programs and services; reiterates the importance of behavioral health services, substance abuse treatment, and education for justice-involved youth; requires an increased use of community-based programs as alternatives to detention and incarceration; and specifies annual federal funding for juvenile justice. The reauthorization bill also adds further oversight of state systems, imposes penalties and losses in funding on states failing to comply with the JJDP’s core requirements, and adds reviews of states’ use of grants. The OJJDP would also be mandated to develop a national means of measuring recidivism, and to standardize data collection and evaluation for this measurement. States would have to report routinely on use of restraint and

Pending Federal Legislation On Juvenile Justice Reform

Youth PROMISE Act (S 1770, HR 2197)

The Youth PROMISE Act would fund community-based interventions and services to prevent gang violence and reduce youth incarceration. It focuses on evidence-based practices, stronger coordination of local efforts, quality research and data collection, and preventive programs.

MERCY Act (S 1965)

The MERCY Act would prohibit most uses of solitary confinement of youth in federal detention. The act then limits the amount of time for which youth may be held in solitary confinement, and only allows such after all less restrictive

techniques have been exhausted. The youth is then entitled to post-confinement services.

REDEEM Act (S 675, HR 1672)

In addition to measures for adults convicted of nonviolent crimes and low-level drug offenses, the REDEEM Act would offer grant incentives to states for keeping minors out of adult criminal courts; seal and expunge federal juvenile records; and prohibit, in almost all cases, the use of solitary confinement for juveniles.

RAISE Act (HR 3158)

The RAISE Act would expand the use of home confinement and other alternative programs in

lieu of incarceration; eliminate mandatory life sentences for youth; add reviews for youth with long sentences; limit incarceration for technical violations of probation; and introduce pilots of diversions and youth development programs.

Effective and Humane Treatment of Youth Act a.k.a. Kalief's Law (HR 3155)

Named after Kalief Browder, a young man who died of suicide after two years of solitary confinement in NY when he was unable to post bail, Kalief's Law would reauthorize the Juvenile Accountability Block Grant program used to fund state juvenile justice systems. States must ensure speedy trials

and proper bail procedures, eliminate the use of solitary confinement for youth, and introduce training for police on youth interactions. The Act bans solitary confinement for youth in federal detention, and bans shackling and restraint of youth in federal court unless clearly justified.

isolation, school-based arrests, and several other measures.¹⁶

OTHER RECENT AND PENDING FEDERAL LEGISLATION

On the heels of the efforts to reauthorize and strengthen the JJDPa, several related bills have been introduced in both the House of Representatives and the Senate (see sidebar). These bills follow more than a year of political outcry around police interactions with communities of color and racial disparities in the criminal justice system; increasing mainstream acceptance of critiques of the U.S.'s reliance on mass incarceration; study after study illustrating the pervasiveness of the school-to-prison pipeline, widespread racial disparities in school discipline and juvenile justice, and the failure of the 1990s' "Tough on Crime" doctrine; and a growing body of knowledge of best practices in youth development and youth justice.

B. WHERE CONNECTICUT STANDS

Many of these pending federal bills, including JJDPa reauthorization, reiterate or strengthen reforms already made in Connecticut, such as improved continuity in behavioral health and educational services. In many ways, Connecticut is one of several states whose deep reform laws have set the tone for the rest of the country. However, these federal bills would also require some further actions by Connecticut, and suggest areas for Connecti-

cut to make greater strides.

In particular, Connecticut would need to adjust its laws restricting use of seclusion within secure facilities, as current state laws would likely not be consistent with how far provisions in pending federal bills go in limiting seclusion. The JJDPa reauthorization may prompt an increased use of promising diversion programs, further shrinking the population of youth in courts, detention, and confinement. This mandate would be quite consistent with recent recommendations adopted by the JJPOC to increase the number of youth diverted by 20% by July 2018. Further, Connecticut would be required by the JJDPa to improve its data collection, particularly to track recidivism rates, as many points in the state's system lack sufficient data. This, too, is an area where the recommendations of the JJPOC and pending federal laws intersect. In January 2016, President Obama enacted an executive action to ban solitary confinement for juveniles in federal prisons. While this affects a very small population, advocates expect the move to set a precedent for states to reevaluate seclusion policies.

In other areas, Connecticut has made legislative

¹⁶ See overviews in support of JJDPa Reauthorization from the American Bar Association (www.americanbar.org/content/dam/aba/uncategorized/GAO/JJDPaonepagerjuly2015.authcheckdam.pdf), resources available from the Act 4 Juvenile Justice Campaign (www.act4jj.org/jjdp-a-reauthorization/jjdp-a-114th-congress), and the official Congressional summary (www.congress.gov/bill/114th-congress/senate-bill/1169).

changes ahead of national mandates; one such promising move is around lengthy sentences for juveniles. In 2012, the Supreme Court ruled in the case *Miller v. Alabama* that mandatory sentences of life without parole (LWOP) for juveniles convicted of murder constitutes cruel and unusual punishment. Following that ruling, Connecticut's General Assembly passed PA 15-84, which brings the state into agreement with *Miller*; the state then went one step further, retroactively eliminating LWOP for juveniles. The Supreme Court's 2016 decision in *Montgomery v. Louisiana* held that *Miller* could be applied retroactively.

Connecticut has also made gains beyond these pending federal bills in the use of evidence-based practices for intervention and diversion from court. State agencies already must use evidence-based programming that follows Results First guidelines, a joint initiative of the Pew Charitable Trust and the MacArthur Foundation for states to conduct rigorous cost-benefit analysis of public programs such as those used in juvenile justice. These programs must be inventoried and evaluated, under PA 15-5. Connecticut has also surpassed the federal bills by outlawing the use of shackles in court, under PA 15-183.

THE CAMPAIGN TO RAISE THE AGE

Until recently, Connecticut was one of only three states in the United States automatically prosecuting 16- and 17-year-olds as adults. Following the 2005 suicide of a young man incarcerated at Manson Youth Institution for a parole violation, a coalition of advocacy groups, state agencies, grassroots organizations, and lawmakers came together to support legislation to raise the age of juvenile jurisdiction. Passed in June of 2007, Public Act 07-4—better known as *Raise the Age*—changed the definition of “juvenile” to include 16- and 17-year-olds in most cases. However, issues with actually implementing the law—including fears of budget impact, overcrowding in the juvenile system, and police training—delayed the effect of the law. On January 1, 2010, newly arrested 16-year-olds came under juvenile court jurisdiction; 17-year-olds followed on July 1, 2012.

The expected problems of implementing *Raise the Age* did not materialize. Lawmakers anticipated larger caseloads and as a result, higher costs from the increased age of juvenile jurisdiction; yet, after initial increases in caseloads during each of the implementation years (2010 and 2012), rates of arrest and confinement continued

their previous downward trends. The changes to FWSN laws that moved youth out of courts for status offenses decreased probation caseloads, making room for 16- and 17-year-olds in the juvenile system. The state made extra space in its juvenile court budget for the 2010 and 2011 fiscal years, yet ended up saving \$12 million overall.¹⁷

By all indications, *Raise the Age* was a broad success. Treating 16- and 17-year-olds in the juvenile system follows scientific knowledge of youth and adolescent development.¹⁸ Older teens have shown better outcomes in the few years since the change to juvenile jurisdiction and gaining access to services that youth need, such as education and family counseling. The campaign also laid the foundation for future collaborations across sectors and throughout the state toward reform.

LEGISLATIVE MILESTONES SINCE RAISE THE AGE

Since the successes of *Raise the Age*, Connecticut has passed an array of related reform legislation. A table of nearly 20 key bills passed since *Raise the Age* began is on the following page. Many of the bills passed since *Raise the Age* began in 2010 have served to strengthen the rights of youth to a safe and supportive education; regulated schools' use of in-school and out-of-school suspensions and expulsions; introduced alternatives to incarceration and other diversionary programs; expanded youth behavioral health programs, particularly targeted to youth who may otherwise become justice-involved; regulated and reduced the uses of restraint, seclusion, and shackling; and reinforced the status of juveniles as children, developmentally different from adults and entitled to age-appropriate processes and protections. Several laws related to the juvenile justice system passed in 2015 alone, focused especially on the need for evidence-based practices in juvenile justice and increased oversight of juvenile justice programs.

¹⁷ Justice Policy Institute, “Juvenile Justice Reform in Connecticut,” 31.

¹⁸ A 2007 study by the Centers for Disease Control and Prevention (CDC) found such adverse outcomes of automatic transfer of juveniles to adult courts that the reporting task force recommended against such policies as a public health measure; see Angela McGowan et al., “Effects on Violence of Laws and Policies Facilitating the Transfer of Juveniles from the Juvenile Justice System to the Adult Justice System: A Systematic Review,” *American Journal of Preventive Medicine* 32, no. 4 Suppl (April 2007): S7–28, doi:10.1016/j.amepre.2006.12.003.

GOVERNOR'S SECOND CHANCE SOCIETY INITIATIVE

In the summer of 2015, the Connecticut General Assembly passed—and Governor Malloy signed—Public Act 15-2, better known as the Second Chance Society initiative. This bill, championed by Governor Malloy as being “smart on crime,” introduced several landmark reforms affecting a variety of nonviolent charges, including reducing many drug possession charges to misdemeanors with no mandatory jail sentences, expediting parole for victimless cases, and piloting and expanding reentry programs.¹⁹

While most of the provisions of the Second Chance Society are limited to adults, the law also puts \$1 million

toward expanding the successful School-Based Diversion Initiative (SBDI), described in greater detail in Section IV.A. Since signing that law, Gov. Malloy has brought up the need for further reforms specific to young adults, including a proposal to raise the juvenile age even higher to 21 and provide an opportunity for record expungement for young adults up to age 25. Such measures would be the first of their kind in the nation. These reforms are strongest when they span across both juvenile and adult criminal justice; treating entire families and communities, not just individual children, follows current literature on youth justice and youth development, and affords Connecticut another opportunity to build itself as a leading state in criminal justice innovation and reform.

“If we are to acknowledge that a one-size-fits-all approach to criminal justice hasn’t worked, that permanent punishment hasn’t worked, then let’s think about changing the artificial barriers society has imposed to get it right. We must recognize that what may be trailblazing today may be the norm tomorrow. That’s how progress happens.”

GOV. MALLOY, ON JUSTICE REFORMS FOR YOUNG ADULTS²⁰

¹⁹ State of Connecticut, Office of Governor Dannel Malloy, “Gov. Malloy Signs ‘Second Chance Society’ Bill to Further Reduce Crime and Successfully Re-Integrate Nonviolent Offenders into Society,” July 9, 2015.

²⁰ State of Connecticut, Office of Governor Dannel Malloy, “Gov. Malloy Launches Conversation on Expanding ‘Second Chance Society’ Initiatives in Connecticut,” November 6, 2015.

Table III.1: Key State-Level Legislation

YEAR & ACT NO.	DESCRIPTION
2011: PA 11-115	Expands right to reenroll in previous school district after release, including after an offense for which the student could be expelled; requires immediate enrollment when transferring from DCF/DOC unified school districts; requires transfer of school credits
2011: PA 11-154	Prohibits police from placing youth in detention after arrest without Superior Court order and before appearing before a judge; requires biennial reports on disproportionate minority contact and steps taken to reduce racial disparities in the juvenile justice system
2011: PA 11-157	Numerous changes, including limits to admissibility of confessions made by 16-year-olds; transfer of school records to detention facilities; adds 17-year-olds to jurisdiction of juvenile court system (effective July 1, 2012)
2013: PA 13-234	Pilots Raise the Grade program to better coordinate between DCF and school districts in order to improve academic achievements of youth in state custody
2013: PA 13-247	Requires OPM to work with officials on plans to expand Project Longevity statewide; establishes committee on use of Pew-MacArthur Results First model for cost-benefit analysis and use of evidence-based programming
2013: PA 13-268	Launches pilot collaborations between CSSD and community-based youth programs in Hartford to prevent at-risk youth from coming in contact with the justice system
2013: PA 13-302	CSSD pilot of programs to reduce contact with juvenile justice system, recidivism in Bridgeport, Hartford, New Haven
2014: PA 14-99	Continues Raise the Grade reforms, including improvements in coordination between schools, DCF case workers, and foster parents; improves sharing and review of educational records
2014: PA 14-103	Pilots New Haven truancy clinic within probate court; mandates reporting for truancy clinics in New Haven and Waterbury
2014: PA 14-187	Expands circumstances for returning a youth to DCF placement, including violation of aftercare services
2014: PA 14-217	Establishes JJPOC and gives mandates until January 1, 2017, including quarterly reporting; requires evaluations of various criminal justice-related programs, including several used by DOC, DCF, and CSSD, toward the goals of the Results First initiative; charges IMRP at CCSU with studying juvenile recidivism rates
2015: PA 15-5	Requires stringent inventorying and reporting of evidence-based programs used by all juvenile justice-related agencies; charges IMRP with conducting cost-benefit analyses of programs
2015: PA 15-27	Establishes Children's Mental, Emotional, and Behavioral Health Plan Implementation Advisory Board
2015: PA 15-58	Clarifies requirements for risk and needs assessments by DCF for high-risk youth, including specifications that such procedures apply to girls in custody
2015: PA 15-84	Brings Connecticut laws on parole and lengthy sentences of minors into alignment with US Supreme Court ruling in <i>Miller v. Alabama</i> , including retroactively eliminating sentences of life without parole and shortening time to parole
2015: PA 15-96	Prohibits out-of-school suspensions and expulsions of children in pre-K through 2nd grade; includes behavioral health and disciplinary issues in school health screenings
2015: PA 15-141	Extends restrictions on use of restraint and seclusion in public schools to all students, not just those in special education programs; bars use of restraint by untrained employees; requires notification of parents within 24 hours
2015: PA 15-168	Requires memoranda of understanding between school districts that employ school resource officers with local police department specifying role of officers in schools; clarifies definition of school-based arrest; requires collection and disaggregation of data on suspensions, expulsions, and arrests
2015: PA 15-183	Numerous changes to juvenile proceedings, including transfers to adult court, raising the minimum age for certain transfers to 15, and data tracking by the Judicial Branch; eliminates use of shackles in court; continues mandates to JJPOC
2015: PA 15-218	Requires all juvenile facilities to comply with recommendations of the National Prison Rape Elimination Commission

C. RECENT COLLABORATIONS AND PLANNING INITIATIVES

COLLABORATION BETWEEN JUDICIAL BRANCH AND DCF

Promising practices in juvenile justice reform around the country are pushing states to increase collaboration of the agencies involved in their systems. Researchers and reform groups, such as the National Center for Juvenile Justice (NCJJ), find that because of the prevalence of “dual-status youth” or “crossover youth”—youth who have come into contact with both the child welfare and juvenile justice systems—it is best for these sectors to work together in new ways. Research shows that youth who have been involved in a child welfare system are at higher risk of “crossing over” into justice involvement; however, with strong collaboration between these systems, agencies and staff can better understand the needs and issues of young people, allowing for early intervention and diversion from the justice system.²¹ This collaboration and sharing of data between courts and child welfare agencies is also encouraged by amendments made in the 2002 reauthorization of the federal Juvenile Justice and Delinquency Prevention Act.

A recent research brief from the University of Connecticut's Center for Applied Research in Human Development provided a first glimpse of the detailed characteristics of crossover youth in Connecticut, finding that 16.6% of DCF-involved youth were also involved in the juvenile justice system. The rate for youth with repeated DCF involvement was 24.1%. This research was made possible by a data sharing agreement between DCF, the Judicial Branch's CSSD, and the Superior Court division of Juvenile Matters (Court Operations).²² As evidenced by the availability of such shared data, Connecticut has already taken positive steps in understanding and serving crossover youth.

DCF and the Judicial Branch, including CSSD, routinely work together in formal planning, beginning with an initial joint strategic plan between the two agencies in 2006 and renewed with the Joint Juvenile Justice Strategic Plan for Fiscal Years 2013-2016.²³ This publically available plan outlines the shared mission and vision for the juvenile justice system, as well as specific strategies across 10 major goal areas, including deepening engagement with community partners, strengthening data sharing, and eliminating racial disparities. This collaboration was

also evidenced in the development of the multi-partner Connecticut Children's Behavioral Health Plan, issued on October 1, 2014 pursuant to state legislation, which outlines numerous system improvements that will address justice-involved youth's access to needed behavioral health services.²⁴

In highlighting Connecticut's work to reduce the use of confinement in the juvenile justice system, the Justice Policy Institute pointed to these cross-agency collaborations as part of the state's success.²⁵ Their report cites “a concerted statewide effort to change the culture of juvenile justice in the state,” resulting in a nearly 60% decrease in youth in confinement between 1999 and 2010.²⁶

COLLABORATION BETWEEN AGENCIES AND COMMUNITY PARTNERS

In addition to joint strategic planning between its juvenile justice agencies, Connecticut has seen a strong collaboration across a variety of organizations toward juvenile justice reform. Most notably, the Raise the Age effort was built upon a diverse coalition of community groups and state partners, as described previously. This follows, once again, research that shows great gains in juvenile justice systems that work collaboratively, not just between agencies like DCF and CSSD, but with advocates and communities affected by the flaws in these systems. Such broad partnerships allow for wraparound services for youth with multiple needs, filling gaps in areas such as education and mental health that may otherwise go unnoticed.²⁷ Many of these referrals may be facilitated by one of Connecticut's 102 Youth Service Bureaus, organizations put in place by state law and directed by most municipalities to help coordinate youth services and as-

²¹ “When Systems Collaborate: How Three Jurisdictions Improved Their Handling of Dual-Status Cases” (Pittsburgh, PA: National Center for Juvenile Justice, 2015).

²² “Research Brief: Connecticut's Crossover Youth” (University of Connecticut, Center for Applied Research in Human Development, 2015).

²³ State of Connecticut Judicial Branch and Department of Children and Families, “Joint Juvenile Justice Strategic Plan for Fiscal Years 2013-2016,” August 2013.

²⁴ State of Connecticut Department of Children and Families, “Connecticut Children's Behavioral Health Plan,” October 1, 2014.

²⁵ Justice Policy Institute, “Common Ground: Lessons Learned from Five States That Reduced Juvenile Confinement by More than Half,” February 2013.

²⁶ Ibid.

²⁷ Elizabeth Seigle, Nastassia Walsh, and Josh Weber, “Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System” (New York, NY: Council of State Governments Justice Center, 2014).

sess youths' needs in that area. Additionally, the agencies receive support from Local Interagency Service Teams (LISTs), which are made up of representatives of juvenile justice agencies, health care and service providers, police departments, parents, and youth, and help the juvenile courts and School-Based Diversion Initiative (SBDI) districts with referrals for youth and family services.

OJJDP FUNDING FOR JUVENILE REENTRY PLANNING

In 2015, the state's Office of Policy and Management, which oversees the JJPOC, received a federal grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) under the Second Chance Act's Smart on Juvenile Justice: Community Supervision program. This grant funds a strategic planning process, led by JJPOC, to develop an improved, comprehensive reentry system for youth returning from confinement into their communities. The planning process is intended to be at the "grassroots" level targeting the state's urban areas—Hartford, New Haven, Bridgeport, and Waterbury—that send most youth into the justice system; it seeks to achieve greater community ownership of this matter by bringing new partners into the process including parents, clergy, healthcare, housing, and other entities previously not actively involved. In addition, it is geared toward improving case management collaboration between agencies, more dynamically assessing and meeting the needs of youth returning to their communities, and increasing each agency's capacity for data collection. If the planning process is deemed successful by the OJJDP, the state may be awarded an additional grant for implementation.

D. EXPANDING EVIDENCE-BASED PRACTICES

Connecticut, like many states, has increased its use of evidence-based practices in its juvenile and criminal justice systems. The case for using evidence-based practices is simple: practices aimed at reducing recidivism and improving youth outcomes must be evaluated by researchers and shown to be effective.²⁸ Many of these programs have been further scrutinized through meta-analysis and vetted by clearinghouses such as the OJJDP's Model Programs Guide or the federal Substance Abuse and Mental Health Services Administration's National Registry of Evidence-Based Programs and Practices.

Connecticut has taken a step further, by mandating under state law that agencies involved in juvenile justice

use vetted evidence-based practices. This is an important step in ensuring that youth involved in the justice system are receiving interventions and services that are indicated by thorough, evidence-based risk and needs assessments and that are scientifically grounded, rather than just assumed to have positive results. CSSD has built its data and analysis capacity to allow for the generation of local evidence for evidence-based programs and services already in use.

Additionally, the Institute for Municipal and Regional Policy (IMRP) at Central Connecticut State University has been tasked with conducting regular cost-benefit analyses of programs used in juvenile justice, and with studying recidivism rates of youth in each of these programs, to ensure the best outcomes. A summary of several of these proven programs in use by state agencies is shown in Table III.2.

Additional programs in use include Intensive In-Home Child and Adolescent Psychiatric Services (IICAPS), a home-based family therapy for youth with serious psychiatric disorders that is currently undergoing clinical trials; Motivational Interviewing, a versatile counseling style shown effective in many aspects of juvenile justice and youth support; Trauma Affect Regulation: Guide for Education and Therapy (TARGET), a form of psychotherapy to manage symptoms of trauma; and Aggression Replacement Training (ART) for anger management. Agencies use a variety of programs and therapies adapted for substance use and other common issues youth may have.

²⁸ See the work of Mark Lipsey for in-depth discussion on uses of evidence-based practices, including groundbreaking work in meta-analysis; Mark W. Lipsey et al., "Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice" (Center for Juvenile Justice Reform, Georgetown University, 2010).

Table III.2: Evidence-Based Practices in Use by Agencies and Partners

PROGRAM/PRACTICE	DESCRIPTION	USED BY
Risk Assessment	Tools used to measure the risk a youth has of recidivating so that agencies may respond accordingly in decisions in their case. Strategic planning under OJJDP funding (see previous section) includes work to revise or replace current risk assessment tools.	CSSD, DCF
Family Integrated Transitions Multisystemic Therapy (MST-FIT)	Family therapy focused on youth returning from placement or residential treatment programs. Combines elements of MST with Dialectical Behavior Therapy (DBT) and Motivational Interviewing (MI) to reintegrate youth with co occurring disorders.	DCF
Functional Family Therapy (FFT)	Structured, multi-phase family intervention for at-risk youth.	DCF
Multidimensional Family Therapy (MDFT)	Adaptable family therapy revolving around youth, often with substance abuse issues, featuring objectives for the youth, parents, family, and community.	DCF, CSSD
Multidimensional Treatment Foster Care (MTFC)	Age-specific treatment program to serve as an alternative to residential placement. Youth are instead hosted in a specially trained foster family that serves as part of the youth's treatment team. The child's birth family also receives therapy and services to prepare for family reunification.	CSSD, DCF (through June 2016)
Multisystemic Therapy (MST)	Intensive home- and community-based intervention based on Ecological Systems Theory to build prosocial behavior. Includes branches that focus specifically on problem sexual behavior and substance abuse.	CSSD, DCF
Trauma-Focused Cognitive Behavioral Therapy (TF-CBT)	CBT-based therapy to help youth and their parents overcome the effects of trauma.	DCF, CSSD

countability (RBA) by agencies;

- Analyzing the existence of disproportionate minority contact (DMC) across the juvenile justice system; and
- Reporting to the state on the quality and effectiveness of a variety of programs in community supervision, congregate care, diversion, behavioral health, and other areas.

IV.

Goals and opportunities for improvement

A. JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE

HISTORY

The Juvenile Justice Policy and Oversight Committee (JJPOC) was established in 2014 by Public Act 14-217, An Act Implementing Provisions of the State Budget for the Fiscal Year Ending June 30, 2015. Members of the JJPOC are appointed from state government, public and private agencies, law enforcement, the judicial branch, and community advocacy groups. By design, the JJPOC takes a collaborative approach to studying and recommending reforms to juvenile justice, working within a Results Based Accountability framework as mandated by legislation (see Appendix B).

MISSION

The mission of the JJPOC is to “evaluate policies related to the juvenile justice system and the expansion of juvenile jurisdiction to include persons sixteen and seventeen years of age” (PA 14-217). Among the tasks assigned to the committee are:

- Recommending changes in state law regarding juvenile justice;
- Crafting a standard definition of recidivism;
- Setting goals for reform;
- Assessing the impact of Raise the Age;
- Assessing the quality of education within the juvenile justice system;
- Planning for implementation of Results-Based Ac-

B. MAJOR SYSTEMWIDE GOALS

In recent years, a growing body of research has shown the failures of “tough on crime” criminal justice policies and zero tolerance school discipline. Trends nationwide that relied heavily on punitive measures for youth, overuse of confinement and incarceration, charging children as adults, and other costly forms of social exclusion are now being shown to be largely ineffective at best, and, in many cases, instead contribute to adverse outcomes for youth, families, and entire communities. As states are now moving to reform their juvenile justice systems, many governments are recognizing that practices that work best for youth—and for public safety overall—require keeping youth out of facilities, rather than simply locking away problem behavior. As such, many states, including Connecticut, are working to reduce the number of youth arrested and placed in confinement.

To that end, Connecticut, as advised by the JJPOC and the Tow Youth Justice Institute, has taken on three measurable system-wide goals for juvenile justice:

- Increasing the number of youth diverted away from court,
- Decreasing the rate of youth recidivism, and
- Decreasing the use of confinement.

Strategic planning by the JJPOC is geared toward achieving targets set for each of these goal areas, as discussed below. JJPOC work groups have presented further recommendations—expanding the above three goals to include their intersections with education, behavioral health, and cross-agency data sharing—and the JJPOC is adopting these recommendations as ambitious strategies for the state to enact. (See Appendix C for detailed recommendations from the JJPOC adopted January 2016.)

INCREASED USE OF DIVERSION

Goal: Increase diversion rates by 20% over 3 years

If Connecticut has made its greatest strides in any one area of juvenile justice reform, it may be in the prevalence of innovative diversion programs. In their report on 20 years of juvenile justice reform efforts, the Justice Policy Institute highlights seven major accomplishments; notably, three of these involve efforts to divert youth from the court system.²⁹ Connecticut has increasingly invested in community-based alternatives and treatment programs, including pilots of truancy clinics, Juvenile Review Boards, and Family Support Centers, to divert youth with underlying substance abuse issues, youth in families with service needs, and other low-risk youth who are shown to not have improved outcomes through traditional court routes. Many youth benefit from evidence-based programs, including wraparound family therapies, to better address their needs, many of which are handled non-judicially. The JJPOC Diversion Work Group is focusing on multiple opportunities to divert children out of the system at decision points before and after arrest. Connecticut's participation with a multi-partner team in the Georgetown Juvenile Diversion Certification Program will support this work.

One of the largest and most promising initiatives, the School-Based Diversion Initiative (SBDI), was established through a grant from the MacArthur Foundation's Models for Change Mental Health/Juvenile Justice Action Network with assistance from the National Center for Mental Health and Juvenile Justice. SBDI was developed by CSSD and DCF, in partnership with the Connecticut Center for Effective Practice at the Child Health and Development Institute of Connecticut (CHDI) in 2009. This initiative, piloted in several school districts around the state and set to expand in the next few years, trains school staff on how to improve classroom management, school climate, and staff understanding of behavioral health and related services in order to reduce reliance on police within schools.

The SBDI links schools with community resources, such as Local Interagency Services Teams (LISTs) and Community Collaboratives, to support students; encourages use of Emergency Mobile Psychiatric Services (EMPS) for students' mental health crises; and provides support for districts to rethink their approaches to discipline and to develop associated data. Between the 2010-11

and 2013-14 school years, schools participating in SBDI reported a 45% reduction in referrals to court, and a 94% increase in calls to EMPS.³⁰ In addition, SBDI works with districts to develop memoranda of agreement (MOA) between district administrators and corresponding police departments to lay out appropriate roles for both parties and to agree on the use of arrest as only a last resort in most cases.³¹ Such MOAs have been so promising that, in 2015, the General Assembly passed PA 15-168, which mandates similar written agreements for districts that employ school resource officers within any of their schools, and approved an additional \$1 million in state funding to expand the initiative.

Within the court system, the Judicial Branch's Juvenile Probation department revised its intake process at the state level so that Juvenile Probation Supervisors may now reject a court referral if they find the case does not warrant court intervention and would be better handled by the school and community. CSSD provides guidance for determining that a case is inappropriate for judicial processing, and then returns that case to the district; far too many of these cases actually stem from common school discipline and classroom management issues that should be handled within the school. Juvenile Probation Supervisors also have new procedures in place to divert referrals to Youth Service Bureaus and Juvenile Review Boards (JRBs) when cases meet guidelines for non-judicial handling.³² JRBs are community-based boards that offer an alternative resolution grounded in restorative justice practices to an issue that may otherwise result in a court referral.

Two concerns that remain with diversionary programs are whether youth have equitable access to diversion options, and that practices and available services are consistent across the state. Data on case disposition for Connecticut youth is sparse, but data submitted to OJJDP since Raise the Age show a gap between referrals of white youth diverted from court and those of black and Latino youth. In 2014, 46% of white youth referred to court had their cases diverted, versus 30% of black youth and 34% of

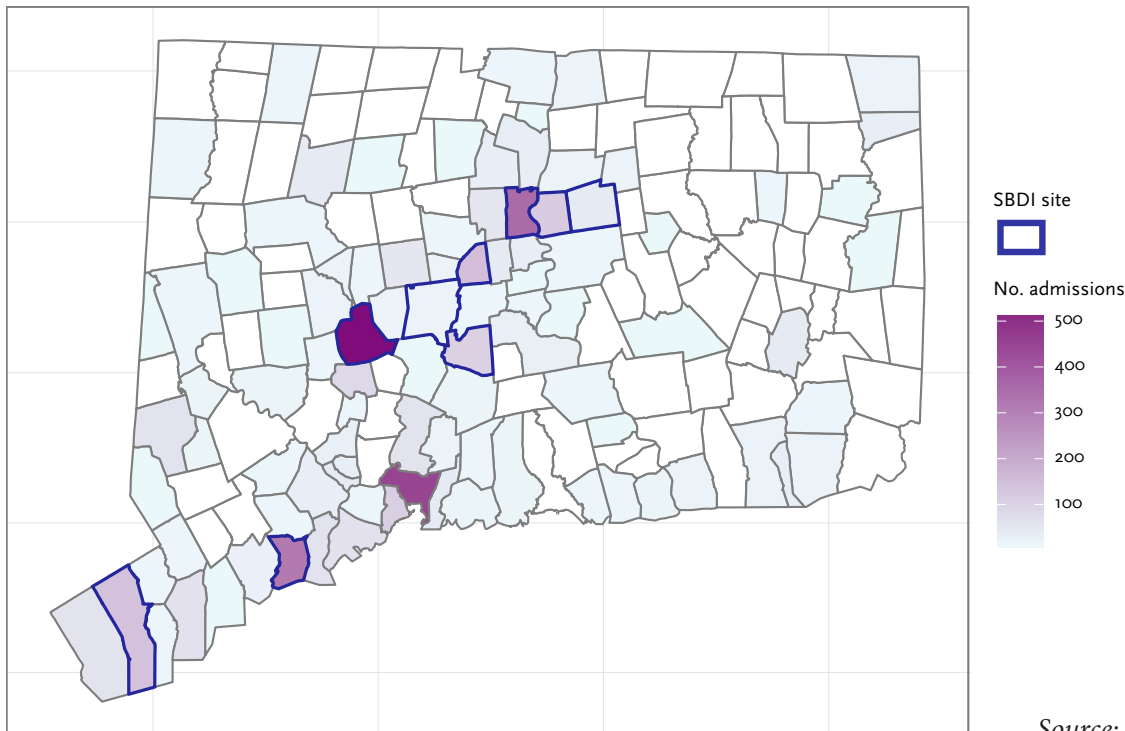
²⁹ Justice Policy Institute, "Juvenile Justice Reform in Connecticut."

³⁰ Jeana R. Bracey, Yecenia Casiano, and Jeffrey Vanderploeg, "Brief: Connecticut School-Based Diversion Initiative," January 20, 2015.

³¹ Jeana R. Bracey et al., "Connecticut's Comprehensive Approach to Reducing In-School Arrests: Changes in Statewide Policy, Systems Coordination and School Practices," *Family Court Review* 51, no. 3 (2013): 427-34.

³² *Ibid.*

Figure IV.1: Admissions to Detention by Town of Residence, Fiscal Year 2014



Source: CSSD

Latino youth; while uneven, these figures are all higher compared to 2012.³³ With diversion initiatives targeting school districts and cities with the highest referral counts, as is being done by SBDI and the truancy courts, this disparity may begin to close. Juvenile court staff may also need clear guidelines specific to reducing this disparity in using their discretion to divert cases.

JJPOC's Diversion Work Group will be analyzing caseloads across decision points to identify new points to divert youth from extensive court involvement, both before and after arrest. Additionally, several representatives of JJPOC and TYJI have participated in the Juvenile Diversion Certification Program at Georgetown University's Center for Juvenile Justice Reform in 2016, and will be targeting this matter as a team effort.

Recommendations from JJPOC

(See detail of these recommendations in Appendix C.)

- Expand use of community- and school-based diversion services so that truancy and defiance of school rules may be removed as family with service needs offenses
- Develop a comprehensive community-based diversion

system through law enforcement training; expanded Juvenile Review Board capacity; memoranda of understanding between police departments, communities, and schools; and improved access to community services

DECREASED RATES OF RECIDIVISM

Goal: Decrease recidivism rates by 10% over 3 years

Current research now shows evidence that previous decades' "tough on crime" tactics of harsh punishments for minor offenses have now backfired for far too many youth; instead, credible research, including meta-analyses and longitudinal studies of youth outcomes, have found many youth to become more likely to recidivate after confinement.³⁴ These tactics simply do not work and

³³ W. Haywood Burns Institute, "Annual Decision Points," Unbalanced Juvenile Justice, 2015.

³⁴ Seigle, Walsh, and Weber, "Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System"; National Reentry Resource Center, "Measuring and Using Juvenile Recidivism Data to Inform Policy, Practice, and Resource Allocation" (Council of State Governments Justice Center, July 2014); Lipsey et al., "Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice."

are far from developmentally appropriate.

In order to understand and measure recidivism, there must first be a clear, shared definition. Standardizing the definition of recidivism is one of the mandates to the JJPOC under PA 14-217. The current working definition from the JJPOC Recidivism Workgroup is “new criminal activity (arrest) by a juvenile offender after a specified point in the system (e.g. conviction, DCF commitment, probation, discharge, transfer to adult system).”³⁵ As defined, “new activity” may include rearrest or technical violation, readjudication or reconviction, and recommitment to DCF or other sentencing. This broad definition allows agencies to count youth arrested or referred at multiple points in the justice system.

However, differing capacities to collect data make it difficult to accurately measure juvenile recidivism. In particular, DCF's lack of a system-wide platform for data collection, disaggregation, and analysis is, as stated by researchers from Georgetown, “a significant systems limitation.”³⁶ An improved, standardized means of data analysis is one of the focus areas of the JJPOC, but, until then, Georgetown reports, “it is impossible to establish or manage a modern data-driven parole system without valid and reliable data. The DCF-JSD [Juvenile Services Division] cannot advance significantly without objective data and performance outcomes.”³⁷ Under the Results First rubric taken up by the state and with guidance from the Institute for Municipal and Regional Policy at Central Connecticut State University, agencies increasingly must be able to report clear outcomes and cost-benefit analysis of their programs; for the juvenile justice system, this most importantly means clear evidence of reduced recidivism and cost effectiveness for each program used, across dynamically understood risk levels.

One measure of recidivism data comes from Juvenile Probation, as the Judicial Branch publishes annual Results-Based Accountability (RBA) “report cards” to analyze trends across their programs (see Appendix B for more discussion on RBA in juvenile justice). Juvenile Probation measures rearrest rates of youth within 24 months of the start of probation; this rearrest rate declined from 64% in 2009 to 57% in 2015.³⁸

Currently, the JJPOC's goal is to reduce the recidivism rate statewide by 10% over 3 years.³⁹ However, the Second Chance Act Smart on Juvenile Justice: Community Supervision grant includes the federal mandate of a much more ambitious reduction by 50% over 5 years. Such a

large reduction will need to drive the JJPOC's strategic planning process and its proposal for more innovative cross-agency collaboration.

The framework the JJPOC will use to achieve recidivism reduction, as articulated by CSSD based on the Risk-Need-Responsivity Model, includes: use of validated risk and needs assessment, motivational interviewing, targeted interventions, addressing of cognitive-behavioral functioning, positive reinforcement, measure outcomes, and effective quality insurance across all activities.⁴⁰ The JJPOC adopted a recommendation making this framework essential for all juvenile justice programming.

Recommendations from JJPOC

(See detail of these recommendations in Appendix C.)

- Adopt an empirically supported recidivism framework, including use of risk and needs assessments, cross-agency measurements, evidence-based programming, motivational interviewing techniques, and collective accountability between agencies
- Train agency staff in de-escalation and diversion as precursors to police involvement
- Appoint a single, neutral state agency to annually track, analyze, and report on recidivism

DECREASED RELIANCE ON CONFINEMENT

Goal: Decrease incarceration rates by 30% over 3 years

The United States has the dubious honor of leading the developed world in rates of incarceration of minors;⁴¹ much like mass incarceration of adults, the nation's juvenile justice system is a uniquely American problem. The past year has seen an unprecedented mainstream

³⁵ Tow Youth Justice Institute, “Juvenile Justice Policy and Oversight Committee Report per Public Act 14-217, Section 79.”

³⁶ Marion R. Kelly, James C. Howell, and Kristen Johnson, “Final Report for the State of Connecticut” (Center for Juvenile Justice Reform, Georgetown University, 2013).

³⁷ Ibid., iii.

³⁸ Correspondence with Judicial Branch, Court Support Services Division.

³⁹ Tow Youth Justice Institute, “Presentation to Juvenile Justice Policy and Oversight Committee,” July 16, 2015.

⁴⁰ Julie Revaz, “Judicial Branch, Court Support Services Division Presentation to JJPOC,” December 17, 2015.

⁴¹ Mendel, “No Place for Kids.”

awareness of issues of mass incarceration and the school-to-prison pipeline, particularly in African American communities, with bipartisan political coalitions proposing criminal justice reform legislation and a round of juvenile justice laws (see Section III.A above). The Annie E. Casey Foundation, whose Juvenile Detention Alternatives Initiative (JDAI) is modeling reductions in juvenile detention in 40 states (not including Connecticut), announced support in June 2015 to any state that will work to close its secure juvenile facilities.⁴²

Connecticut has made significant gains in this area, reducing its juvenile residential commitments from a peak of 783 in 1999 down to 279 in 2013—a 64% reduction—even while adding 16- and 17-year-olds under *Raise the Age*.⁴³ As the state seeks to further reduce use of secure facilities, there may be target areas that can help to curtail the detention and incarceration rates.

In particular, the high proportion of youth placed in secure facilities like CJTS for technical violations may be a key target. While the percentage of youth committed for person and property crimes remained roughly the same between 2001 and 2010, and that of drug crimes dropped significantly, the portion of youth committed for technical violations increased from 20.5% of confinements in 2001 to 35.2% in 2010. Georgetown's report to DCF cites the prevalence of and punishment for technical violations as a critical point in the justice system to reevaluate.⁴⁴ Of the youth on parole under DCF, 10.1% in Georgetown's study were referred for a technical violation within one year of release; of those, 92% were returned to CJTS for the violation.

In addition, youth on parole may be admitted to CJTS for “respite,” a short-term confinement (officially less than a month, but in practice, sometimes longer) without a due process hearing. Youth on “respite” make up approximately 20% of CJTS admissions. In their report, Georgetown recommended DCF eliminate this “sanctions-based system” whereby large numbers of youth are reincarcerated from parole, and instead put in place less restrictive methods of reintegration into communities that are proven to reduce recidivism in youth.⁴⁵ CJTS's advisory board reports that these policies have since been adjusted with a clearer and more consistent length of stay protocol in response to the Georgetown report.⁴⁶

Initially, the JJPOC set a goal to reduce incarceration rates by 20% over 3 years. In developing recommendations to the JJPOC, the Tow Youth Justice Institute

(TYJI) found that the state could reasonably increase this target to 30%. TYJI notes that admissions to juvenile detention and the Manson Youth Institute, run by Department of Correction, are both seeing clear downward trends, and that this goal requires concerted effort to reduce admissions to CJTS as well.⁴⁷

As is the case at almost all other decision points (see detailed analysis of disproportionate minority contact across decision points later in this report), residential confinement disproportionately affects black and Latino youth. While relatively small numbers of youth are committed to facilities like CJTS and Pueblo—in 2014, just over 4 out of every 100 youth ruled delinquent were incarcerated as a result—black and Latino youth found delinquent are each 2.5 times as likely as white youth to be incarcerated as a result of a delinquent ruling.⁴⁸

Connecticut has one of the lowest rates of juveniles in residential placement (both detention and commitment)—on any given day in 2013, 74 Connecticut youth were in placement for every 100,000 in the population, well below the national rate of 173 per 100,000. But breaking placement rates down by race tells a different story: Connecticut's black youth had a 2013 placement rate of 306 per 100,000 residents, 18 times higher than that of white youth. Similarly, the rate for Latino youth was 122 per 100,000 residents, 7.2 times higher than that of white youth, but representing the second highest disparity ratio for Latino youth of any state in the country. These disparity ratios are much higher than national averages: nationwide, black youth are 4.6 times more likely than white youth, and Latino youth are 1.7 times more likely, to be either detained or incarcerated.⁴⁹

Clearly, the gains made in Connecticut have not been

⁴² Annie E. Casey Foundation, “Annie E. Casey Foundation CEO Calls for States to Close ‘Youth Prisons,’” accessed September 22, 2015, <http://www.aecf.org/blog/annie-e-casey-foundation-ceo-calls-for-states-to-close-youth-prisons/>.

⁴³ M. Sickmund et al., “Easy Access to the Census of Juveniles in Residential Placement,” National Center for Juvenile Justice, 2015. Note that counts from OJJDP are always rounded to multiples of 3 for privacy.

⁴⁴ Kelly, Howell, and Johnson, “Final Report for the State of Connecticut,” 24.

⁴⁵ Kelly, Howell, and Johnson, “Final Report for the State of Connecticut.”

⁴⁶ Connecticut Juvenile Training School Advisory Board, “Report to the Commissioner of the Department of Children and Families,” 2015.

⁴⁷ Tow Youth Justice Institute, “Trend Report for JJPOC Target Goal to Decrease Incarceration,” July 2015.

⁴⁸ W. Haywood Burns Institute, “Annual Decision Points.”

⁴⁹ Sickmund et al., “Easy Access to the Census of Juveniles in Residential Placement.”

experienced equally. For the state to further reduce its incarceration rates down to the point that it may realistically heed the call to close its secure juvenile facilities, different tactics are needed that support all youth across demographics, and that allow them to successfully remain in their communities.

Recommendations from JJPOC

(See detail of these recommendations in Appendix C.)

- Reduce the use of detention by limiting the grounds for detention, implementing detention risk assessments, allowing youth to be released under certain circumstances, reducing the time between detention hearings, keeping initial hearings closer to home, holding case review team meetings prior to seeking a violation of court order, and diverting youth to community-based alternatives for services
- Close CJTS and Pueblo by July 2018, based on joint planning by DCF and the JJPOC
- Reconvene work to review laws and policies regarding youth incarcerated in adult facilities and issue further recommendations

FURTHER RECOMMENDATIONS FROM JJPOC

In addition to these three major goal areas, the JJPOC developed recommendations regarding data sharing, behavioral health, and education. The inclusion of these additional areas represents the intersections between juvenile justice and other fields affecting youth. The recommendations are summarized below; see detail of these recommendations in Appendix C.

Cross-agency data sharing

- Establish a permanent group within JJPOC for oversight of agency access to data, uniform provisions for confidentiality, and linking of databases between agencies
- Convene a work group to examine data sharing policies to improve case management
- Standardize data sharing processes and memoranda of understanding between agencies

Behavioral health

- Further integrate statewide behavioral health and juvenile justice system plans, and invest in community-based behavioral health services
- Develop a comprehensive array of preventive behavioral health services, including diversion from court involvement and services for youth involved in the juvenile justice system

Education

- Adopt restorative justice practices in schools, and address truancy and exclusionary discipline policies
- Provide an array of academic supports for students in all stages of the juvenile justice system
- Increase collaboration and accountability across agencies to improve educational outcomes for justice-involved youth

C. OPPORTUNITIES FOR IMPROVEMENT

While Connecticut's advisory groups have set clear, strong goals for the state's juvenile justice system, there are still areas in need of improvement. Understanding reform as a multiple-system process requires developing solutions for nuanced problems. This means engaging not just juvenile justice agencies in using traditional tactics, but more comprehensive approaches that support youth in their schools, communities, and families. Building these solutions means being accountable to communities most adversely affected by justice involvement.

SCHOOL DISCIPLINE

Goal: End the school-to-prison pipeline

One key point at which to intervene with students before they enter the justice system is through school discipline. The existence of the "school-to-prison pipeline," the mechanism by which unnecessarily harsh school discipline pushes youth—largely inner-city youth of color and youth with disabilities—out of school, away from healthy social supports, and into contact with the justice system, no longer needs debating. These effects of zero tolerance policies, often disproportionately applied, are now widely acknowledged by researchers, politicians, and policy makers. Countless studies have shown the adverse effects

of time spent out of school.⁵⁰ For example, an exhaustive, statewide longitudinal study of school discipline in Texas found that students suspended or expelled for a discretionary violation were almost three times as likely to come into contact with the justice system within the next year alone.⁵¹ At the federal level and citing this Texas study, the Department of Education and the Department of Justice issued guidance to states on stemming the school-to-prison pipeline and introducing supportive discipline practices, equitably applied, in place of purely punitive measures.⁵²

Connecticut, following these recommendations, has in recent years begun rolling back many of its districts' zero tolerance policies. As of 2007, state law limits the use of out-of-school suspension except where student and staff safety is clearly in jeopardy or the school is being seriously disrupted. Several laws passed in 2015 make further limits to discipline, including a ban on out-of-school suspensions and expulsions of students in preschool through second grade, and strengthened requirements to collect and disaggregate district data on sanctions and arrests. With these policy changes and concerted efforts to create healthier school environments, Connecticut's expulsion rate decreased by 31% between 2008 and 2013, and its rate of out-of-school suspension decreased by 46% over the same time period.⁵³ However, many of these out-of-school sanctions have been replaced by an increase in in-school suspensions, and, across all types, these sanctions continue to disproportionately affect students of color, students with disabilities, and students in high-poverty districts.⁵⁴

In addition to disciplinary sanctions, a disturbing effect of harsh discipline policies is the rate of arrest of students within schools. As is the case with sanctions, school-based arrests happen disproportionately to youth of color, youth in special education, and youth in low-income districts.⁵⁵ With the increased presence of school-resource officers (police stationed inside schools), common discipline issues easily become referrals to court; studies from Connecticut Voices for Children found that 11% of school-based arrests in the state in 2011 stemmed primarily from school policy violations.⁵⁶ As discussed previously, pilot projects such as the School-Based Diversion Initiative (SBDI) have shown promising results in decreasing arrests in school, but the adverse effects of overly punitive school discipline remain.

CONDITIONS OF CONFINEMENT

Goal: Improve safety and health conditions and phase out secure facilities

In July 2015, two reports were released publicly about conditions at Connecticut's secure juvenile facilities, CJTS and the Pueblo Unit. The first report was written by Dr. Robert Kinscherff, who is affiliated with the National Center for Mental Health and Juvenile Justice and was commissioned by DCF; the second came from the Connecticut Office of the Child Advocate (OCA), whose job is to investigate and report on state agencies' youth services, particularly for youth in facilities.

One of the major issues Dr. Kinscherff highlighted is the lack of a clear purpose or strategy in operating facilities such as CJTS and Pueblo—places that function as high-security incarceration facilities, but where there is an overwhelming need for behavioral health care and treatment. He refers specifically to the “uneasy interplay between a juvenile corrections model with an emphasis on ‘accountability’ and a rehabilitation model with an emphasis on ‘treatment’ [that] creates a deep core ambiguity and tension as to mission and methods.”⁵⁷ Issues highlighted by Dr. Kinscherff's report included: (a) the unavailability of data, particularly assessment of youth's risks and needs, which prevents assessment of program effectiveness; (b) the need to shift to truly trauma-informed care across all aspects of the operation and better meet the behavioral health needs of the youth in confinement; and (c) the use of restraints and seclusion.

⁵⁰ See discussions from U.S. Department of Education, “Guiding Principles: A Resource Guide for Improving School Climate and Discipline,” 2014; and Steven C. Teske, “A Study of Zero Tolerance Policies in Schools: A Multi-Integrated Systems Approach to Improve Outcomes for Adolescents,” *Journal of Child and Adolescent Psychiatric Nursing* 24 (2011): 88–97.

⁵¹ Tony Fabelo, “Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement” (Council of State Governments Justice Center and Public Policy Research Institute, Texas A&M University, July 2011).

⁵² U.S. Department of Education, “Guiding Principles: A Resource Guide for Improving School Climate and Discipline.”

⁵³ Sarah Iverson, Edie Joseph, and Cyd Oppenheimer, “Keeping Kids in Class: School Discipline in Connecticut, 2008-2013” (Connecticut Voices for Children, February 2015).

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ Sarah Esty, “Arresting Development: Student Arrests in Connecticut” (Connecticut Voices for Children, September 2013).

⁵⁷ Robert Kinscherff, “Strategic Review of CJTS/Pueblo Girls Program Policies and Practices,” July 1, 2015, 17.

The findings of a 2015 report on CJTS and Pueblo from the Office of the Child Advocate's (OCA) report echo those of Dr. Kinscherff's, while focusing more on the potential of mistreatment of youth in confinement. The OCA report identifies safety concerns and cites the high rate of serious mental illnesses, learning disabilities, and other behavioral health needs that they feel are not served well in an institutional environment. It cites the lack of longitudinal data pointing to the effectiveness of these programs or achievement of public safety goals in suggesting that the funds spent on the high operation costs of these facilities might be better invested and yield stronger outcomes in proven community-based programs.⁵⁸

DCF released an action plan to address in the short term several of Dr. Kinscherff's recommendations, including those around restraint and seclusion, suicide prevention, understanding of trauma, risk assessment protocol, increased access to clinical staff, and overall quality assurance. Working to produce effective data will be critical to success in this plan.

DCF, with support from the JJPOC, will develop recommendations to enable the closing of CJTS by July 2018, and ensure that all relevant public safety concerns are addressed. Nevertheless, the state faces a daunting task of finding the right solution for the juveniles who would otherwise be placed at a closed CJTS. Whether that is smaller, community-based residential programs or other alternatives is what DCF and the JJPOC will be deciding. This matter is further complicated by the proposal to raise the age of juvenile jurisdiction to 21 and the decision of how similar youth in that age group will be handled.

COMMUNITY SUPERVISION AND REENTRY SERVICES

Goal: Support youth in their communities

While much attention is paid to the youth at the "deep end" of the juvenile justice system—those confined at CJTS and Pueblo—the vast majority of cases are overseen by CSSD and do not involve secure confinement. Youth who have been referred to court may be placed in any number of alternatives before their case moves deep into court involvement—for example, cases that are decided non-judicially but result in administrative supervision—or may be placed on probation under CSSD. Youth

returning home from confinement are generally placed on parole under DCF.

A 2011 evaluation of CSSD, carried out by the Justice Research Center, found lower rates of recidivism for youth on probation (49% rearrested and 34% adjudicated or convicted within one year) than for youth released from residential programs (68% rearrested and 53% adjudicated or convicted); this is consistent with national research.⁵⁹ After matching characteristics of youth in residential placement with those of youth on probation, these evaluators still found significantly higher risks of recidivating for youth in residential placement, allowing them to conclude that community-based programs are viable alternatives for many youth.⁶⁰

The introduction of reform laws has kept many youth out of confinement; however, for those youth who have been placed in confinement, there is still a need for comprehensive reentry services to meet their needs before and after release. Youth at lower risk of recidivating have mostly been kept out of confinement, meaning that those who remain in the confined population are in much more need of aftercare and transition services.

Connecticut was recently awarded a federal grant under the Second Chance Act for strategic planning for youth reentry. The proposal for this grant involves building more comprehensive, data-driven approaches to individualized aftercare planning and case management; better coordination of youths' multiple system involvement, including swifter re-enrollment in school; and shifting traditional community supervision to a wraparound model that involves schools, families, and mentors.

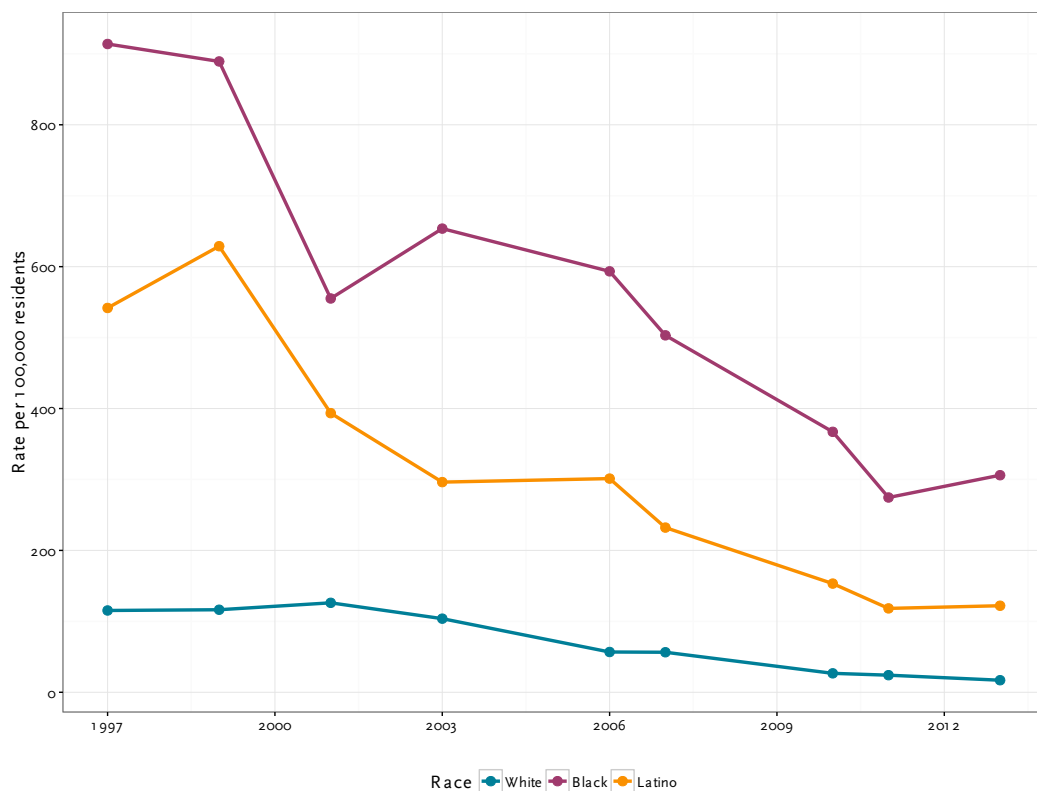
Research points to lower recidivism rates when responses to youth are applied with equitable and appropriate dosage, based on the individual's risks and needs. To this end, agencies are currently reevaluating and revising the risk assessment tools in use, and working with researchers from Central Connecticut State University to develop new, shared assessment tools; this follows recommendations to DCF from Georgetown researchers, as discussed previously. However, as has been stressed by several reports to DCF, many reforms are nearly impos-

⁵⁸ Ibid., 14.

⁵⁹ Bontrager Ryon, Stephanie, Winokur Early, Kristin, and Hand, Greg, "Juvenile Probation & Residential Services Evaluation" (Justice Research Center, July 2011), 27.

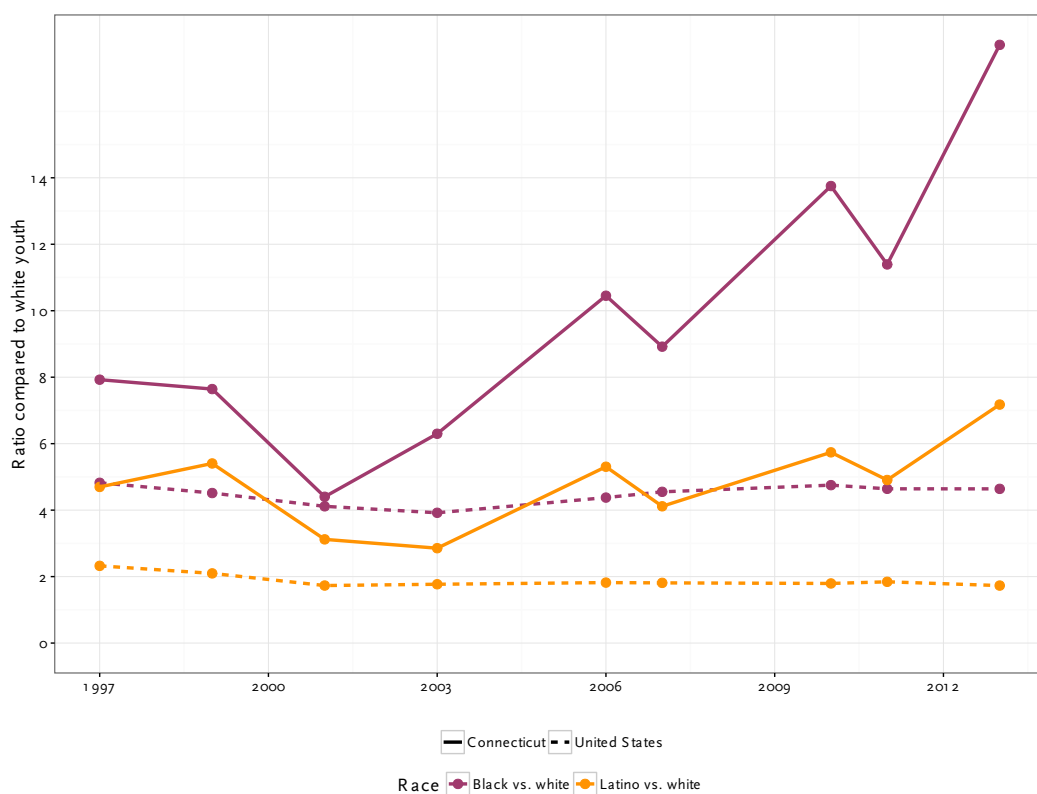
⁶⁰ Bontrager Ryon, Stephanie, Winokur Early, Kristin, and Hand, Greg, "Juvenile Probation & Residential Services Evaluation."

Figure IV.2: Incarceration rates by race, 1997–2013



Source: "Easy Access to the Census of Juveniles in Residential Placement."

Figure IV.3: Disparity ratios in incarceration rates, 1997–2013



Source: "Easy Access to the Census of Juveniles in Residential Placement."

sible with the current data capacity. DCF and the Judicial Branch have been planning improved data systems, both individually and jointly, which will require new and ongoing investments of state capital and operating funds. Improving the agencies' ability to collect, analyze, and report data is one of three major goal areas for this federally funded strategic planning.

DISPROPORTIONATE MINORITY CONTACT

Goal: Eliminate racial disparities across the juvenile justice system

While Connecticut has clearly made great gains in reforming its juvenile justice system—drastically decreasing juvenile detention and confinement rates, diverting large numbers of youth from court, returning older youth to juvenile jurisdiction, improving access to education during and after confinement, improving safety and health conditions in confinement—all while saving taxpayer money at no risk to public safety, these reforms have not reached all youth and families equally.

As mandated under the Juvenile Justice and Delinquency Prevention Act (JJDP Act) and state laws aimed at reducing disproportionate minority contact (DMC), Connecticut's Juvenile Justice Advisory Committee (JJAC) analyzes juvenile case data, most recently publishing a report in 2011. JJAC's analyses look at 18 decision points across the justice system; their 2009 study found levels of DMC at 9 of these 18 decision points that could not be justified by any factors besides race and ethnicity.⁶¹ These disparities appear throughout decisions that may be made in a youth's involvement in the juvenile justice system, from referrals to court, to transfers to adult court and returns to juvenile court, to length of stay in secure facilities.

Connecticut is not alone in finding these disparities throughout its system. Under the Juvenile Justice and Delinquency Prevention Act (JJDP Act), states must collect, analyze, and report data on DMC in their juvenile systems, and submit plans to reduce disparities. However, the JJDP Act is vague in its guidelines to reduce disparities. States must report disparities in their systems as ratios of rates for youth of color compared to rates for white youth, called a relative rate index (RRI). The RRI analysis gives relative rates of youth of each race moving between decision points—for example, the rates at which youth who have been referred to court are then held in

detention—and then provides a comparison between racial groups. A detailed analysis of DMC across decision points follows in Appendix A.

Unfortunately for Connecticut's reform movement, not only have disparities at some points of the juvenile justice system not decreased, they have, by some measures, become worse. Point-in-time rates of juvenile incarceration, which combine youth in detention and those committed to secure facilities, have declined significantly since the mid-1990s, but they have declined more steeply for white and Latino youth than for black youth; combine this with the fact that black juvenile incarceration rates have long been much higher (in 1997, there were 914 black youth incarcerated in Connecticut for every 100,000 in the population, compared to 115 white youth⁶²), and the gap is nowhere near closed.

The JJAC's 2011 DMC report listed several strategies supported by the committee and in use throughout the state, including police training, funding and technical assistance for projects designed to improve relations between police and youth, and legislative changes targeting DMC. Agencies also have access to a data analysis tool to identify disproportionalities in incident reporting in their programs. The report also highlights legislative changes that have successfully targeted discretionary actions that led to DMC, such as provisions of PA 11-154, which requires a court order for police to bring youth into a juvenile detention center.

⁶¹ Connecticut Office of Policy and Management, "Biennial Report on Disproportionate Minority Contact, Fiscal Years 2010-2011," December 31, 2011.

⁶² Sickmund et al., "Easy Access to the Census of Juveniles in Residential Placement."

V.

Conclusion: Building a movement for youth justice in Connecticut

As reforms take hold and spread throughout levels of the juvenile justice system around the state, it may behoove reformers to adopt a broader framework. Framing this work as youth justice allows this work to expand beyond the scope of involvement with police and court systems, as juvenile justice traditionally does, but to look more holistically at education, opportunity, equity, and positive development for youth throughout their lives. An approach based on youth justice integrates issues of social justice—racism, sexism, poverty, violence, access to care, and so forth—for youth long before, and in order to prevent, contact with court systems.

President Barack Obama declared October 2015 the first-ever National Youth Justice Awareness Month. In doing so, President Obama cited these integrated issues that combine in youths' lives to push them prematurely and unfairly into contact with the justice system. Rather than gaining access to opportunities for positive development and growth, youth in traditionally punitive juvenile justice systems “were afforded no margin of error after making a mistake.”⁶³ The declaration advocates for prevention, community alternatives, and innovative forms of restorative justice.

These are some of the reforms being championed in Connecticut already. A broad and holistic framework of youth justice can expand these reforms into areas of education, health, and economic justice, and can recognize the racial disparities and needs for responsive services within these areas. Such a framework is necessary for shutting down the school-to-prison pipeline and closing opportunity gaps.

In fact, just during the writing of this report, reformers in Connecticut are learning more about brain development that may drive the target age of reform work even higher than the currently proposed 21 years of age. Indeed, neuroscience is convincing policymakers that the brain continues in the maturity process through the mid-twenties. Governor Malloy's proposal to create a special designation for young adults aged 21 to 25 in the adult criminal justice system, permitting more legal confidentiality to avoid future barriers, seems to align very closely with this research.

Connecticut has largely learned from its policy failures during the “tough on crime” era of the 1990s, but must do more to continue building from these mistakes. The goals set by the JJPOC—decreased rates of confinement and recidivism, and increased use of diversion—form the core of the next wave of reforms. Through coalition-building and careful implementation planning throughout the state, Connecticut can expand from that core set of reform measures to create the innovative and equitable youth justice system that our young people deserve.

⁶³ The White House, Office of the Press Secretary, “Presidential Proclamation—National Youth Justice Awareness Month, 2015,” Whitehouse.gov, September 30, 2015.

VI.

Appendices

APPENDIX A: ANALYSIS OF DISPROPORTIONATE MINORITY CONTACT

As part of its mandate around disproportionate minority contact (DMC), the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) provides guidance for states to collect and analyze disproportionalities in their juvenile justice systems.

Figure A.1 shows a simple overview of racial distributions across decision points in Connecticut's juvenile justice system. Based on 2014 counts, this graph shows the portions of cases from each racial group at each decision point to give an overview of these disparities.⁶⁴

The Juvenile Justice and Delinquency Prevention Act (JJDPA) requires a more detailed analysis, looking to

pinpoint disparities in the movement of cases between decision points. As part of this analysis, states find a relative rate index (RRI) for each decision point (see Section II.C for definitions of decision points).

The RRI is calculated in several steps. First, rates are found for the volume of cases moving from one decision point to the next. Second, these are translated into ratios at each decision point to compare rates for white youth to those of other racial and ethnic groups. Third, these ratios are then tested for statistical significance. If youth move between decision points at equal rates regardless of race, these ratios should all come out to 1.0, meaning that youth of color are present at each decision point at rates exactly equal to those of white youth; a ratio greater than 1.0 means youth of color are overrepresented.

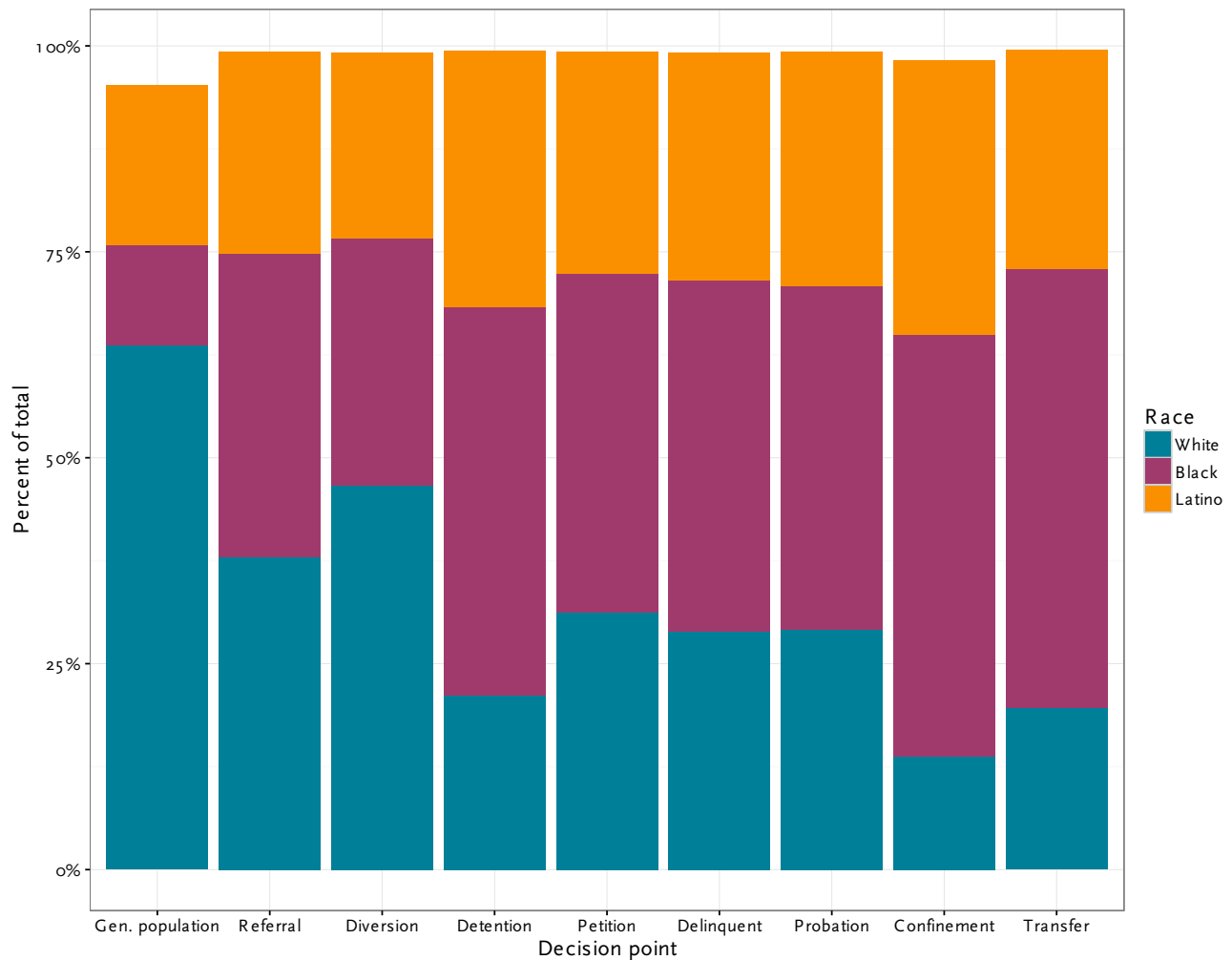
For example, a state might calculate an RRI of 3.0 for black youth at the detention stage. This means that, of youth referred to court, black youth are three times more likely than white youth to move from one decision point (referral) to the next (detention). This is not the same as a simple rate, which would be a rate from the general population. The benefit of using an RRI is that it allows advocates and policymakers to target a specific decision point at which inequities occur. Shown in Table A.1 are the rates at which youth from each racial group move between decision points.

⁶⁴ In Connecticut, nearly all youth involved in the juvenile justice system fall into one of three categories—white, black, or Latino—so the analysis presented here, as well as in the state's official DMC reports, is limited to those groups.

Table A.1: Rates of Movement Between Decision Points, Connecticut, 2014

DECISION POINT	BASE FOR CALCULATION	WHITE	BLACK	LATINO
Referral to court	Per 1,000 youth in general population	17.57	89.89	37.25
Diversion from court	Per 100 youth referred to court	45.93	30.48	34.33
Detention	Per 100 youth referred to court	10.90	25.08	24.83
Petition to charge	Per 100 youth referred to court	50.44	68.12	67.24
Delinquent finding	Per 100 youth petitioned	37.72	42.42	42.03
Probation	Per 100 youth found delinquent	61.91	60.00	63.13
Confined in secure facility	Per 100 youth found delinquent	1.99	5.04	5.05
Transferred to adult court	Per 100 youth petitioned	1.73	3.57	2.72

Figure A.1: Distribution by Race at Each Decision Point, Connecticut, 2014



Source: OJJDP via Burns Institute

In particular, and as discussed previously, Connecticut may want to target disparate outcomes of referrals. Much of the recent reform effort has been focused on decreasing the number of youth placed in detention and increasing the number of youth diverted from court, yet disparities still appear at both of these decisions. Figure A.2 shows the results by race of referrals to court, whether youth are diverted, detained, and/or petitioned (note that these three outcomes are not mutually exclusive).

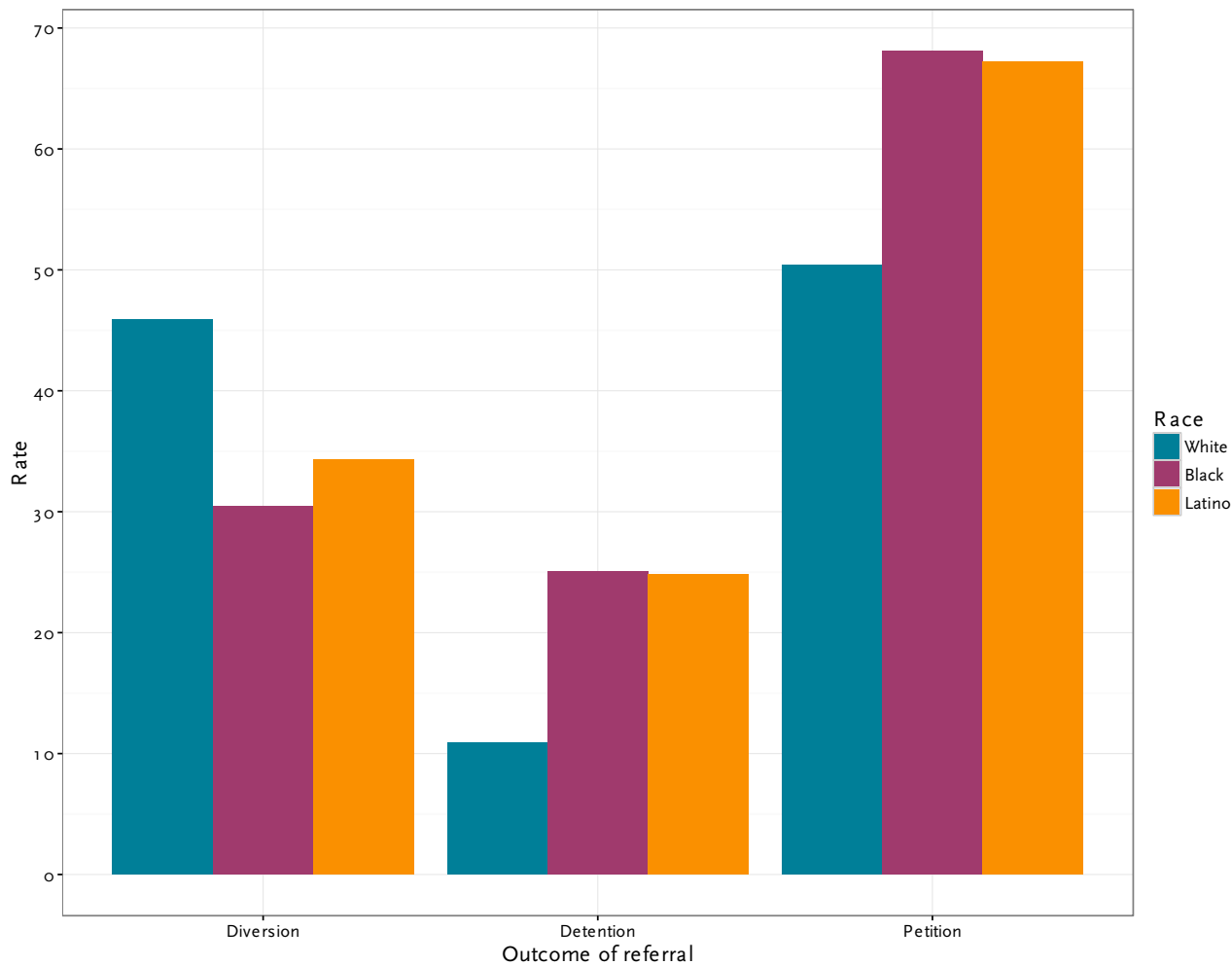
Presented in Table A.2 are the RRI for black and Latino youth in Connecticut, based on 2014 data. Each RRI value was tested for statistical significance in its difference from 1.0, which would indicate parity between white youth and youth of color.⁶⁵ All RRIs were found to be statistically significant—meaning there is statistical

evidence that rates for black and Latino youth are different from those for white youth—except at the decision to place a youth on probation. The RRIs are visualized in Figure A.3, with an overlay at 1.0 that would indicate parity at any decision point.

At each of these decision points, black and Latino youth are overrepresented in Connecticut's juvenile justice system, with the exception of the decision to divert a youth from court processing, at which point both groups are less likely to benefit from diversion than their white peers. By far, the RRI furthest from a parity ratio of 1.0 comes from the number of black youth referred to court

⁶⁵ Statistical significance is tested with a Chi-squared test at a 95% confidence level.

Figure A.2: Outcomes per 100 Referrals to Court, Connecticut, 2014



Source: OJJDP via Burns Institute

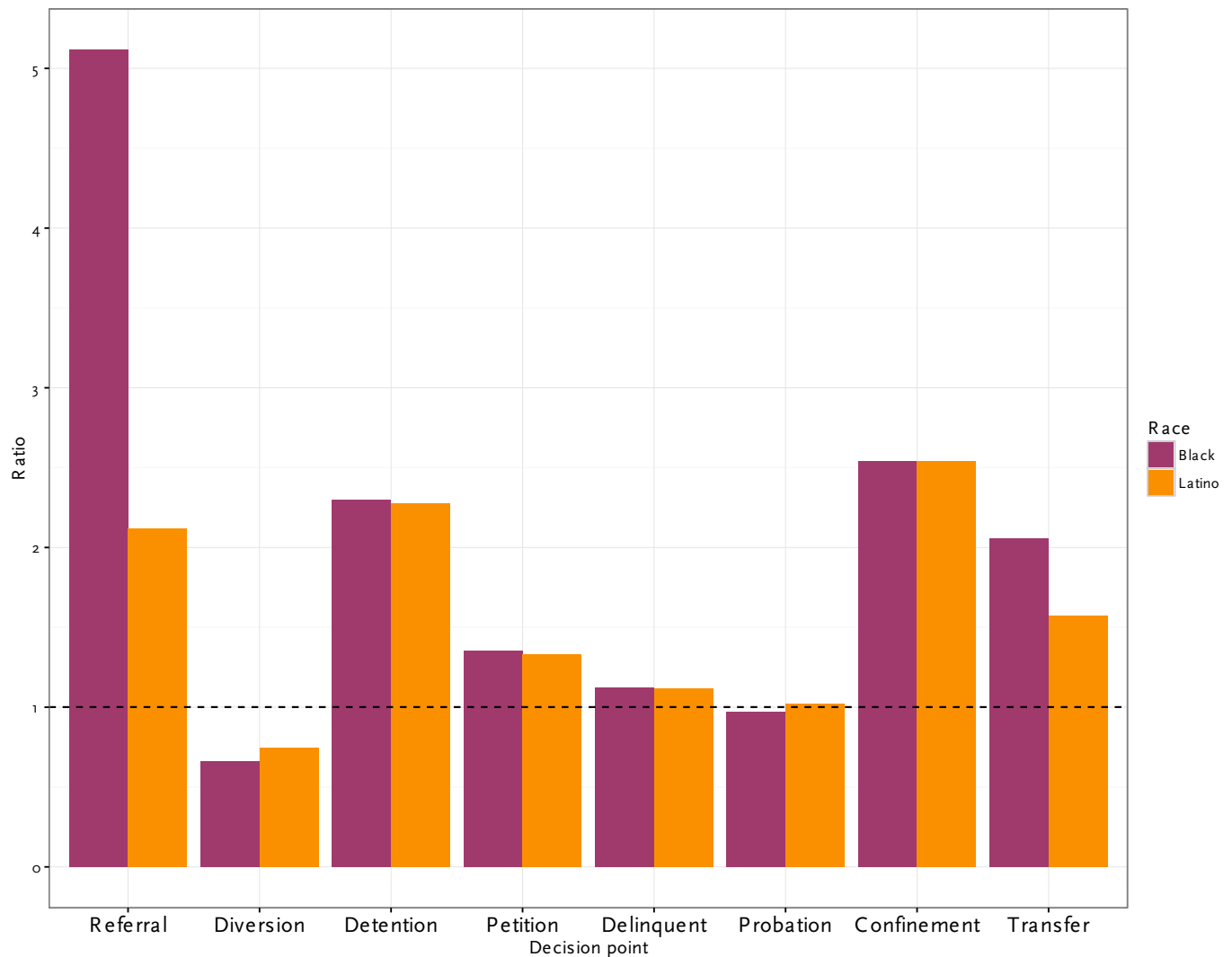
from the general population; this decision point has an RRI of 5.12, meaning black youth are more than 5 times more likely than white youth to move from the general population to having been referred to court. As research shows adverse effects of even a single contact with the court system, this stark disparity may be an urgent point for Connecticut reformers to address. Likewise, Connecticut has worked to reduce the number of youth in detention and confinement, yet both of these decision points—the decision for a youth referred to court to be held in detention, and the decision for a youth found delinquent to be placed in secure confinement—have the next highest RRIs for both black and Latino youth. At both of these stages, youth of color are more than twice as likely to be placed in detention or confinement as

Table A.2: Relative Rate Indices, 2014

DECISION POINT	BLACK RRI	LATINO RRI
Referral to court	5.12*	2.12*
Diversion from court	0.66*	0.75*
Detention	2.30*	2.28*
Petition to charge	1.35*	1.33*
Delinquent finding	1.12*	1.11*
Probation	0.97	1.02
Confined in secure facility	2.54*	2.54*
Transferred to adult court	2.06*	1.57*

* indicates ratio has a statistically significant difference from 1.0

Figure A.3: Relative Rate Indices at Each Decision Point, Connecticut, 2014



Source: OJJDP via Burns Institute

white youth moving from the same prior decision point.

Connecticut lawmakers and advocates wanting to better understand disproportionate minority contact in the state's juvenile justice system should carry out a more detailed analysis to accurately pinpoint targets and begin finding reasons for disparities. OJJDP provides states with a DMC Technical Assistance Manual and several data analysis tools for calculating RRI, used in preparing this appendix, as well as technical assistance in developing strategies to reduce DMC.

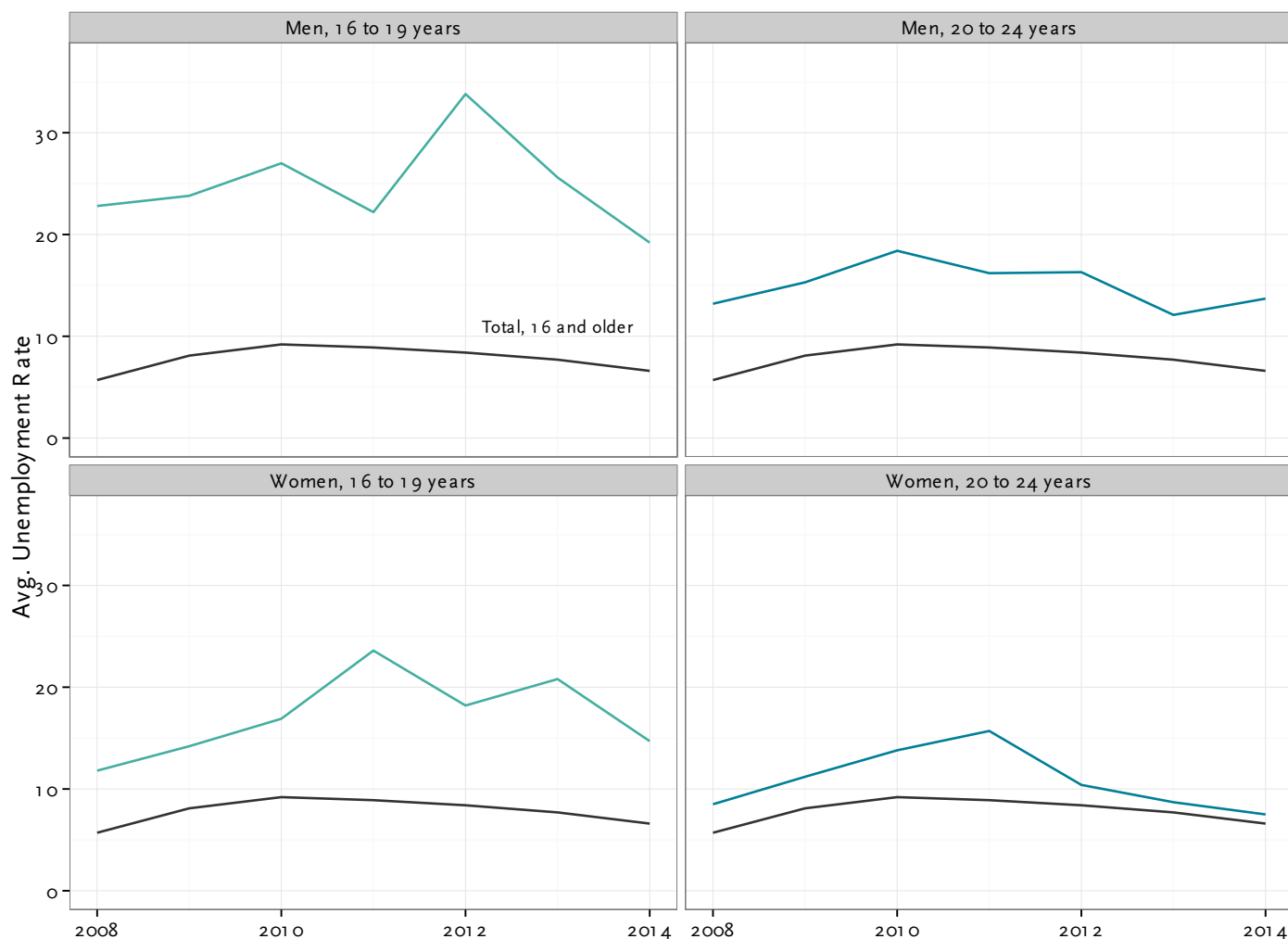
The Connecticut Juvenile Justice Advisory Committee (JJAC) performs in-depth analyses of DMC every several years, with the most recent studies published in 1995, 2001, and 2009, and a new study underway at this time.

OJJDP has cited Connecticut as one of only a few states to have conducted sufficiently detailed analyses of DMC before designing intervention strategies.

APPENDIX B: POPULATION LEVEL INDICATORS

Many programs related to Connecticut's juvenile justice system, including individual programs run by CSSD and DCF, use Results-Based Accountability (RBA) to measure their outcomes over time. RBA is a data-focused framework by which programs and organizations identify high-level targets for a community, and track how their work contributes to those larger indicators. Organizations carefully track their performance measures to ensure that they, along with partners throughout their

Figure B.1: Unemployment in Connecticut by Age and Sex, 2008–2014



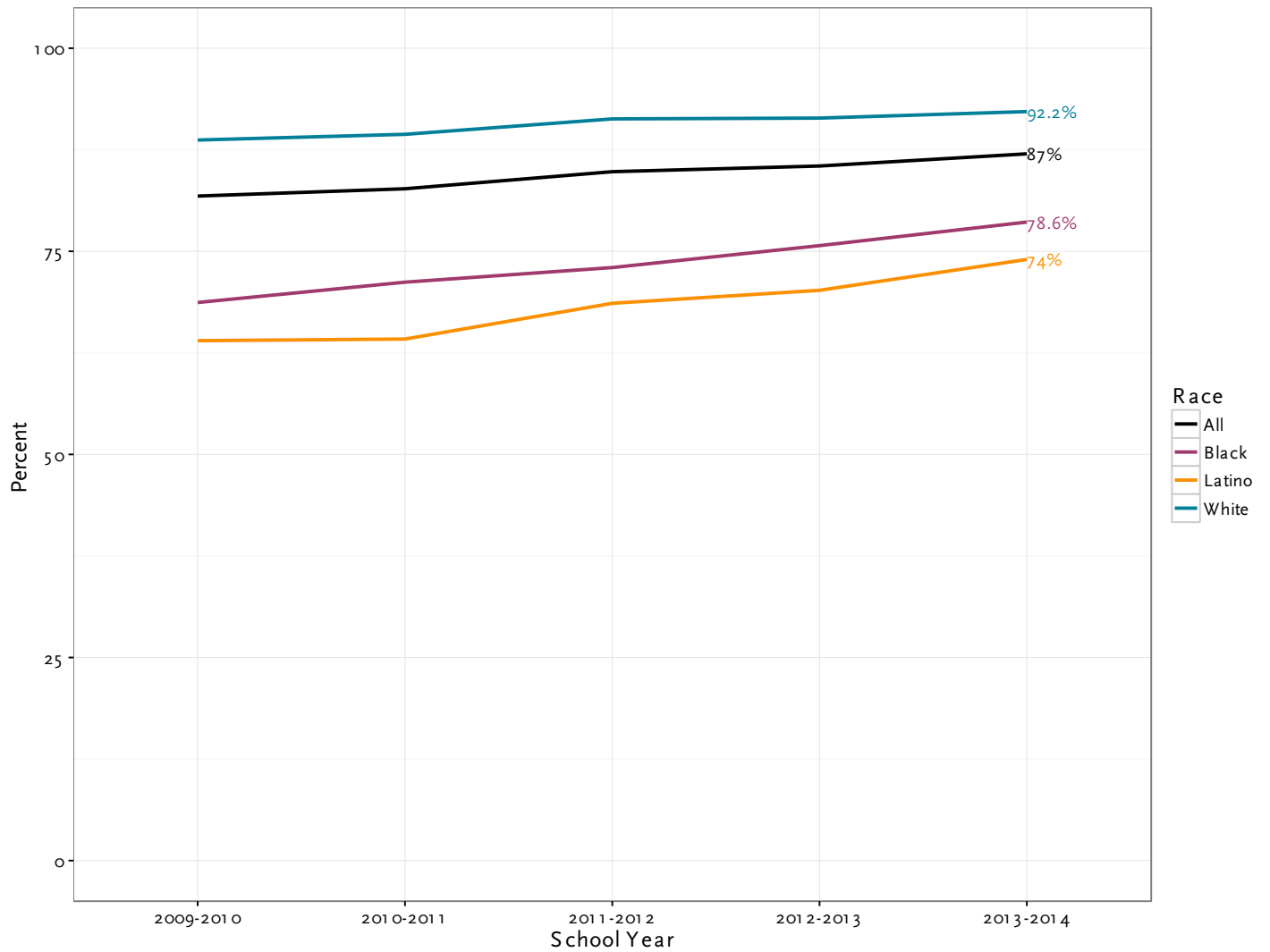
Source: US Census Bureau, American Community Survey

community, can have an impact on high-level indicators. RBA typically involves organizations asking themselves three main questions about their work:

1. How much did we do?
2. How well did we do it?
3. Is anyone better off?

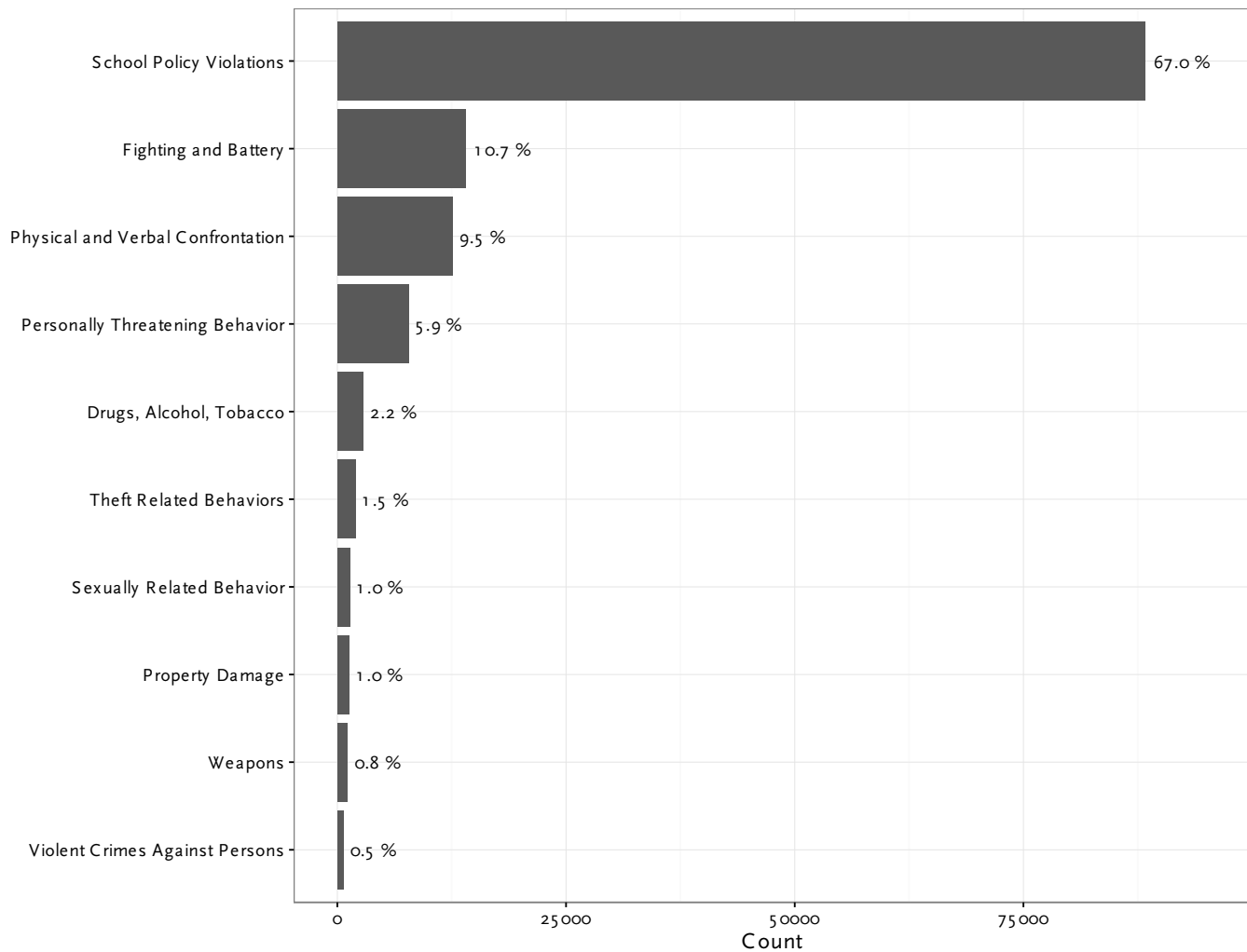
The Tow Youth Justice Institute at University of New Haven recently sought recommendations for use of RBA in strengthening the reform mission of the Juvenile Justice Policy and Oversight Committee (JJPOC). The recommendations include population-level indicators—general measures of quality of life for Connecticut youth and families—as well as performance measures for spe-

cific agencies to track the performance of their programs. Included in these recommended population-level indicators to give a picture of conditions for youth throughout the state are unemployment rates, school discipline and attendance, high school graduation rates, and counts of disconnected youth (youth ages 16 to 19 not attending school or employed). Some of these indicators for Connecticut are presented here.

Figure B.2: Four Year High School Cohort Graduation Rates by Race, 2010–2014

Source: Connecticut State Department of Education

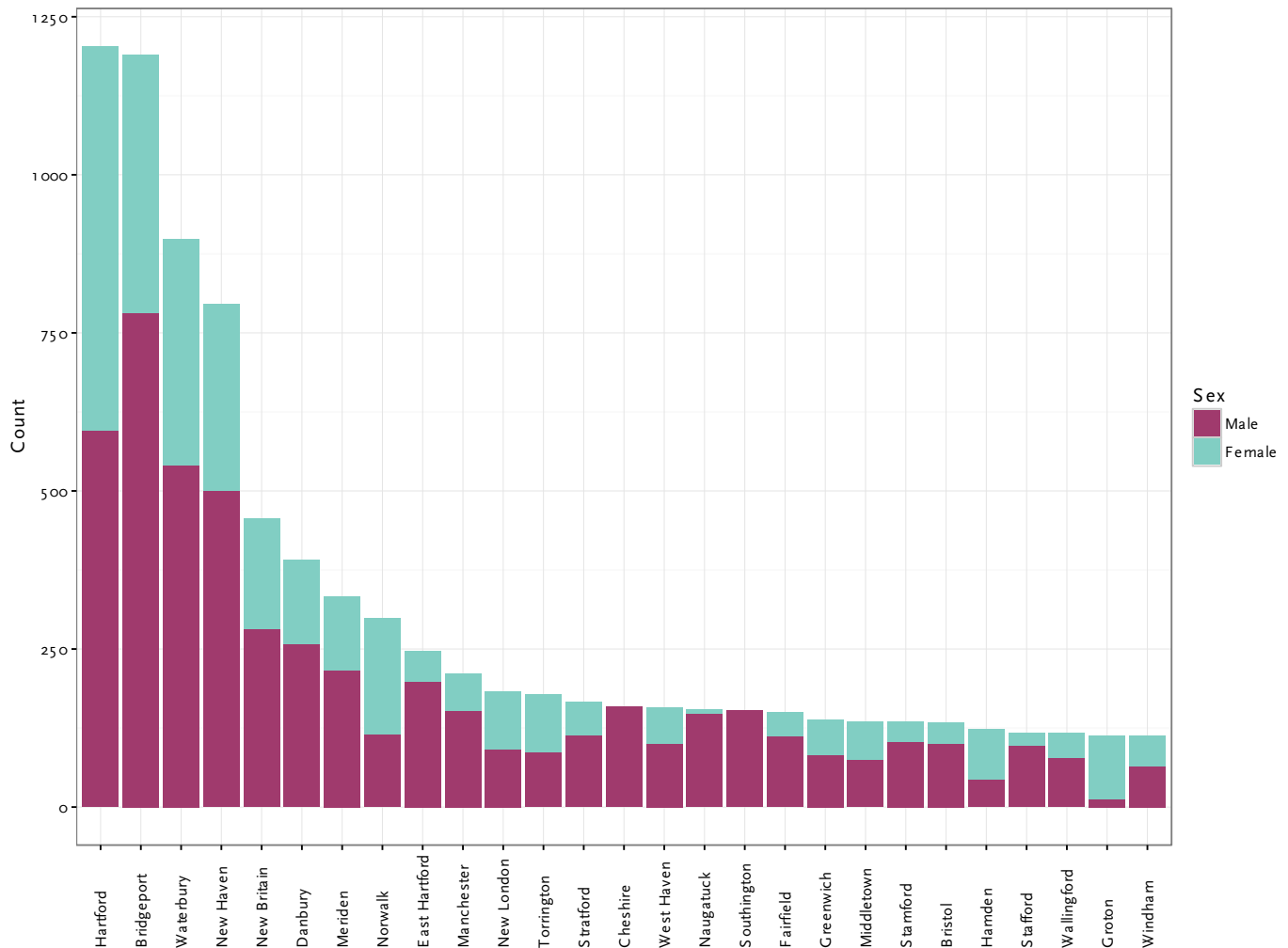
Figure B.3: Statewide Count of Sanctions by Category of Offense, SY 2012–2013



Note: Sanctions include in-school suspensions, out-of-school suspensions, and expulsions.

Source: Connecticut State Department of Education

Figure B.4: Towns With More Than 100 Disconnected Youth, 2013



Source: US Census Bureau, American Community Survey

APPENDIX C: RECOMMENDATIONS FROM JJPOC, JANUARY 2016

As part of its mandate to make recommendations for statewide juvenile justice reforms, the Juvenile Justice Policy and Oversight Committee (JJPOC) outlined three major goals in July 2015 (see Section IV.B for detailed discussion of goals):

- Decreasing the use of incarceration by 30%;
- Increasing diversion of youth from the court by 20%;
- Decreasing the rate of youth recidivism by 10%.

Through a series of workgroup meetings, in January of 2016, the JJPOC adopted a set of recommendations,

as summarized on page 37. Together, they represent a significant effort to continue and advance the reforms that have characterized the State of Connecticut for the past decade. Implementation of these recommendations takes on increased importance in light of the pending legislative measure to increase the age of juvenile jurisdiction to 21. These recommendations will build a solid foundation on which the next wave of reform can rest. Their implementation will involve a continued commitment of resources by the TYJI to insure operational efficiency and effectiveness and further the systems, data driven and evidence-based approach to youth justice reform.

The recommendations are outlined on page 37.

Table C.1: Recommendations from JJPOC, January 2016

FOCUS AREA	RECOMMENDATIONS
Incarceration: Decrease rate of youth incarceration by 30%	<ol style="list-style-type: none"> 1. Reduce use of detention by: <ol style="list-style-type: none"> a. Limiting the grounds for detention from six to three (public safety, assure court appearance, and hold for another jurisdiction); b. Develop and implement a validated Detention Risk Screening Instrument to determine which youth are at risk to offend or not appear for court; c. Instituting policy consistent with C.G.S. §46b-133(f) to allow the detention deputy director to release a youth under certain judicially sanctioned circumstances; d. Reducing the number of days between detention hearings from 15 to 7; e. Holding initial detention hearings at the "home" court; f. Holding a Case Review Team meeting prior to seeking a violation of any court order; and g. Diverting youth from detention to community-based alternatives for services to address behavioral health, domestic violence, and running away (e.g., assessment centers, intensive care coordination, respite beds, other services). 2. Close CJTS/Pueblo as expeditiously as possible, no later than July 2018, in accordance with a plan jointly developed by DCF and the JJPOC through an inclusive process that incorporates input from national experts and local stakeholders. The plan shall promote public safety, youth rehabilitation, elimination of racial and ethnic disparity, and ensure the optimal use of public resources. The plan shall include community-based secure and non-secure congregate care settings, supervision and programming based on national best practices. 3. Reconstitute the incarceration workgroup to review statutes, conditions and outcomes for youth incarcerated in adult facilities. By April 1, 2016, issue recommendations to the JJPOC regarding possible statutory changes, enhancements to community supervision, and improvements to housing and programming for young offenders while ensuring public safety.
Diversion: Increase rate of diversion by 20%	<ol style="list-style-type: none"> 1. Increase diversion by: <ol style="list-style-type: none"> a. Amending C.G.S. §46b-120(5)(D) to remove truancy and defiance of school rules as family with service needs (FWSN) offenses from the jurisdiction of the Superior Court Juvenile Matters only upon such time as the JJPOC confirms that both community and school based diversion services are sufficiently available and accessible, in every jurisdiction, to address the needs of these children and families. b. Implementing a comprehensive community based diversion system that appropriately diverts youth who commit crimes, excluding serious juvenile offenses, from involvement with the juvenile justice system. The building of a comprehensive diversion system will be accomplished through targeted law enforcement training, expanded Juvenile Review Board capacity and Police/School/Community MOAs, and improved access to needed community services.
Recidivism: Decrease recidivism rate by 10%	<ol style="list-style-type: none"> 1. Build on national research by adopting and adhering to an empirically supported recidivism framework for CT's juvenile justice system that includes; validated risk and need assessment; treatment matching based on risk/need; high quality service delivery through the development of common cross-agency measurements; and program and practice monitoring and collective accountability by JBCSSD and DCF. Core components include: <ol style="list-style-type: none"> a. Sufficient contract and quality assurance capacity within DCF and Judicial. b. Aligned contract monitoring and quality assurance practice. c. Shared training for providers and contract staff d. Annual inventory of emerging, best and evidence-based practices. e. Annual reports to the JJPOC on any differential outcomes by race and gender as well as service access and gaps. 2. DCF and the Judicial Branch should develop, monitor and provide staff training on policies and practices that promotes de-escalation and diversion efforts as a precursor to police involvement when problem behaviors occur. The cross-agency core components of a restorative justice model include: <ol style="list-style-type: none"> a. Collect and report baseline data on the number and rates of arrests in facilities stratified, as warranted, by risk, race, and gender. b. Track and monitor successful and unsuccessful de-escalation efforts. c. Contract and licensing language should include directives for policy compliance or noncompliance around expectations for police involvement. d. Develop and implement a comprehensive, cross-agency pre- and in-service staff training curriculum. e. Annual reports to the JJPOC on public and private sector staff training in crisis management, de-escalation techniques, and restorative justice. 3. Appoint a neutral single state agency (e.g., OPM) to annually track, analyze and report on recidivism of all youth.

FOCUS AREA	RECOMMENDATIONS
Cross-Agency Data Sharing: Develop systemic strategies to institutionalize cross-agency data sharing	<ol style="list-style-type: none"> 1. Establish a permanent JJPOC juvenile justice data sharing group to assist the committee in the implementation and ongoing monitoring and oversight of the adopted 2016 recommendations. Specifically, the data sharing group's charge will include the development of a mechanism to: <ol style="list-style-type: none"> a. Access relevant data on juvenile justice populations; b. Link these data maintained by Executive Branch agencies and the Judicial Branch for the purposes of facilitating the sharing and analysis of data; and c. Establish uniform provisions for protecting confidential information and enforcing state and federal confidentiality protections. d. The membership of the group will include representatives of the Department of Children and Families, State Department of Education, Department of Mental Health and Addiction Services, Office and Policy and Management, Department of Labor, Department of Correction, Department of Social Services and the Judicial Branch. 2. Convene a work group to develop specific recommendations for the JJPOC on the use of limited releases for client specific data sharing across systems for the sole purpose of improving case management by February 2017. The workgroup should be comprised of representatives from the Office of the Public Defender, Office of Chief State's Attorney, Department of Children and Families, State Department of Education, Department of Mental Health and Addiction Services, Office and Policy and Management, and the Judicial Branch. 3. In order to expedite projects that require cross-agency/branch data, there should be developed a standard template for data sharing MOUs between Executive Branch agencies, the Judicial Branch, and, when necessary, researchers outside of state government. Where possible, confidentiality agreements, requirements for data user background checks, and citation of relevant state and federal statutes should be standardized.
Juvenile justice/ behavioral health intersection	<ol style="list-style-type: none"> 1. It is recommended that the juvenile justice system infrastructure and integration be enhanced to address the behavioral health needs of all youth, including those who are involved with, or at risk of involvement with, the juvenile justice system. Youth in the juvenile justice system with behavioral health needs will benefit from further integration at the systems level by: enhancing coordination of the JJPOC and Behavioral Health Plan Advisory Board; supporting the full implementation of the Children's Behavioral Health Plan; further investing in the community-based behavioral health system; ensuring integration of data across systems; and implementing a comprehensive outcome measurement plan. Some specifics include: reviewing the law and policy issues associated with the integration of the children's behavioral health and the juvenile system; establishing reimbursement policies to create incentives for providers; promoting common screening tools for schools and communities; insuring screening for behavioral health in all secure and privately contracted juvenile facilities; insure that probation and parole officers have access to licensed clinicians for assessment and consultation; examine Medicaid reimbursement rates to expand services. 2. It is recommended that an integrated system be developed that provides an effective array of services and supports that identify and address service needs at the earliest possible point, prevents deep-end behavioral health and juvenile system involvement, coordinates care across systems, and fully addresses the needs of system-involved youth. Research has clearly established a significant overlap of behavioral health needs among justice-involved youth, so there is a need to ensure the presence of a comprehensive array of effective behavioral health services including screening and assessment, programs and initiatives for youth diverted from the juvenile justice system, and effective services for youth who are involved at various points in the juvenile justice system. Those services should be evidence-based, trauma-informed, and culturally and linguistically appropriate.
Education: removing the barriers	<ol style="list-style-type: none"> 1. It is recommended that chronic absenteeism be reduced by initiating truancy intervention models, addressing exclusionary school discipline practices, and adopting restorative justice practices. Truancy Intervention models as well as restorative justice practices should be evaluated and implemented to address chronic absenteeism. Increased measures to address exclusionary discipline practices in the schools which push students out can prevent students from entering into the juvenile justice system. 2. It is recommended that the Appropriate and Necessary Menu of Educational Supports be provided for all Students at each stage of the juvenile justice system including those diverted from Court, placed on probation, incarcerated, or re-entering the community in order to maximize their academic success. An array of academic supports will provide an opportunity to ensure that the students who have gotten off track are receiving the educational interventions that they will need to be successful. 3. It is recommended that SDE, DCF, CSSD and DOC address the educational deficiencies of the juvenile justice population by increasing Interagency Collaboration, Monitoring, and Accountability. By increasing collaboration and monitoring among agencies, service delivery and evaluation of system outcomes will be more reliable and data driven and such accountability measures will result in program improvements.

Bibliography

- Annie E. Casey Foundation. "Annie E. Casey Foundation CEO Calls for States to Close 'Youth Prisons.'" Accessed September 22, 2015. <http://www.aecf.org/blog/annie-e-casey-foundation-ceo-calls-for-states-to-close-youth-prisons/>.
- Bontrager Ryon, Stephanie, Winokur Early, Kristin, and Hand, Greg. "Juvenile Probation & Residential Services Evaluation." Justice Research Center, July 2011. https://www.jud.ct.gov/CSSD/research/juvprob/JuvProb_ResServ_Eval.pdf.
- Bracey, Jeana R., Yecenia Casiano, and Jeffrey Vanderploeg. "Brief: Connecticut School-Based Diversion Initiative," January 20, 2015.
- Bracey, Jeana R., Catherine Foley Geib, Robert Plant, Julia R. O'Leary, Abby Anderson, Lara Herscovitch, Maria O'Connell, and Jeffrey J. Vanderploeg. "Connecticut's Comprehensive Approach to Reducing In-School Arrests: Changes in Statewide Policy, Systems Coordination and School Practices." Family Court Review 51, no. 3 (2013): 427–34.
- Connecticut Juvenile Justice Alliance. "Adult Decisions: Connecticut Rethinks Student Arrests," January 2013. <http://ctjja.org/resources/pdf/CTJJA-AdultDecisions-WhitePaper.pdf>.
- Connecticut Juvenile Training School Advisory Board. "Report to the Commissioner of the Department of Children and Families," 2015.
- Connecticut Office of Policy and Management. "Biennial Report on Disproportionate Minority Contact, Fiscal Years 2010-2011," December 31, 2011. <http://www.ct.gov/opm/lib/opm/cjppd/cjjyd/juststart/DMCBiennialReport123111.pdf>.
- . "Facts & Figures on Connecticut's Juvenile Justice System," July 7, 2015. www.ct.gov/opm/jjdata.
- Development Services Group. "Literature Review: Correctional Services." Office of Juvenile Justice and Delinquency Prevention, 2010. http://www.ojjdp.gov/mpg/litreviews/Correctional_Facilities.pdf.
- Esty, Sarah. "Arresting Development: Student Arrests in Connecticut." Connecticut Voices for Children, September 2013. <http://www.ctvoices.org/sites/default/files/jj13schoolarrestfull.pdf>.
- Fabelo, Tony. "Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement." Council of State

- Governments Justice Center and Public Policy Research Institute, Texas A&M University, July 2011. http://youthlaw.org/wp-content/uploads/2014/11/Appendix-G-Breaking_Schools_Rules_Report.pdf.
- Iverson, Sarah, Edie Joseph, and Cyd Oppenheimer. "Keeping Kids in Class: School Discipline in Connecticut, 2008-2013." Connecticut Voices for Children, February 2015. <http://www.ctvoices.org/sites/default/files/jj15schoolarrestsreport.pdf>.
- Justice Policy Institute. "Common Ground: Lessons Learned from Five States That Reduced Juvenile Confinement by More than Half," February 2013. http://www.justicepolicy.org/uploads/justicepolicy/documents/commonground_online.pdf.
- . "Juvenile Justice Reform in Connecticut: How Collaboration and Commitment Have Improved Public Safety and Outcomes for Youth," 2013. <http://www.justicepolicy.org/research/4969>.
- . "The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense," May 2009. http://www.justicepolicy.org/images/upload/09_05_rep_costsofconfinement_jj_ps.pdf.
- Kelly, Marion R., James C. Howell, and Kristen Johnson. "Final Report for the State of Connecticut." Center for Juvenile Justice Reform, Georgetown University, 2013. http://ctfosteradopt.com/dcf/lib/dcf/juvenile_services/pdf/connecticutparolereport_nov_final.pdf.
- Kinscherff, Robert. "Strategic Review of CJTS/Pueblo Girls Program Policies and Practices," July 1, 2015. <http://www.ct.gov/dcf/lib/dcf/agency/pdf/reportcjtspueblo.pdf>.
- Lipsey, Mark W., James C. Howell, Marion R. Kelly, G. Chapman, and Darin Carver. "Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice." Center for Juvenile Justice Reform, Georgetown University, 2010. <http://forumfyi.org/files/ImprovingEffectivenessofJuvenileJusticePrograms.pdf>.
- McGowan, Angela, Robert Hahn, Akiva Liberman, Alex Crosby, Mindy Fullilove, Robert Johnson, Eve Moscicki, et al. "Effects on Violence of Laws and Policies Facilitating the Transfer of Juveniles from the Juvenile Justice System to the Adult Justice System: A Systematic Review." *American Journal of Preventive Medicine* 32, no. 4 Suppl (April 2007): S7-28. doi:10.1016/j.amepre.2006.12.003.
- Mendel, Richard A. "No Place for Kids: The Case for Reducing Juvenile Incarceration." Annie E. Casey Foundation, 2011. <http://eric.ed.gov/?id=ED527944>.
- National Juvenile Justice Network. "Comeback and Coming-from-Behind States: An Update on Youth Incarceration in the United States." Texas Public Policy Foundation, 2013. <http://www.njjn.org/uploads/digital-library/The-Comeback-and-Coming-from-Behind-States.pdf>.
- National Reentry Resource Center. "Measuring and Using Juvenile Recidivism Data to Inform Policy, Practice, and Resource Allocation." Council of State Governments Justice Center, July 2014. <https://csgjusticecenter.org/wp-content/uploads/2014/07/Measuring-and-Using-Juvenile-Recidivism-Data-to-Inform-Policy-Practice-and-Resource-Allocation.pdf>.
- Office of the Child Advocate, State of Connecticut. "Investigative Facility Report: Connecticut Juvenile Training School and Pueblo Unit," July 22, 2015. http://www.ct.gov/oca/lib/oca/oca_investigative_cjts_pueblo_report_july_22_2015.pdf.
- "OJJDP Statistical Briefing Book," December 13, 2015. http://www.ojjdp.gov/ojstatbb/crime/JAR_Display.asp?ID=qa05200.

- Pew Charitable Trusts. "Juvenile Commitment Rate Drops 53%," November 2015. [http://www.pewtrusts.org/~media/assets/2015/11/jjcommitment_infog-\(8\).pdf](http://www.pewtrusts.org/~media/assets/2015/11/jjcommitment_infog-(8).pdf).
- Puzzanchera, C., and Kang, W. "Easy Access to FBI Arrest Statistics 1994-2012." National Center for Juvenile Justice, 2014. <http://www.ojjdp.gov/ojstatbb/ezaucr/>.
- Quinn, M. M., R. B. Rutherford, P. E. Leone, D. M. Osher, and J. M. Poirier. "Youth with Disabilities in Juvenile Corrections: A National Survey." *Exceptional Children* 71, no. 3 (April 1, 2005): 339-45. doi:10.1177/001440290507100308.
- "Research Brief: Connecticut's Crossover Youth." University of Connecticut, Center for Applied Research in Human Development, 2015. <http://appliedresearch.uconn.edu/2015/06/01/center-researchers-release-a-research-brief-on-crossover-youth/>.
- Revaz, Julie. "Judicial Branch, Court Support Services Division Presentation to JJPOC." December 17, 2015.
- Rovner, Joshua. "Policy Brief: Disproportionate Minority Contact in the Juvenile Justice System." Sentencing Project, 2014. http://sentencingproject.org/doc/publications/jj_Disproportionate%20Minority%20Contact.pdf.
- Seigle, Elizabeth, Nastassia Walsh, and Josh Weber. "Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System." New York, NY: Council of State Governments Justice Center, 2014. <https://csgjusticecenter.org/wp-content/uploads/2014/07/Core-Principles-for-Reducing-Recidivism-and-Improving-Other-Outcomes-for-Youth-in-the-Juvenile-Justice-System.pdf>.
- Sickmund, M., T.J. Sladky, W. Kang, and C. Puzzanchera. "Easy Access to the Census of Juveniles in Residential Placement." National Center for Juvenile Justice, 2015. <http://www.ojjdp.gov/ojstatbb/ezacjrp/>.
- State of Connecticut Department of Children and Families. "Connecticut Children's Behavioral Health Plan," October 1, 2014. http://www.plan4children.org/wp-content/uploads/2014/10/CBH_PLAN_FINAL-_2_.pdf.
- State of Connecticut Department of Emergency Services and Public Protection. "Crime in Connecticut, 2014," September 2015. <http://www.dpsdata.ct.gov/dps/ucr/data/2014/Crime%20in%20Connecticut%202014.pdf>.
- State of Connecticut Judicial Branch and Department of Children and Families. "Joint Juvenile Justice Strategic Plan for Fiscal Years 2013-2016," August 2013. https://www.jud.ct.gov/Publications/Joint_JuvJustice_StrategicPlan_2013-16.pdf.
- State of Connecticut, Office of Governor Dannel Malloy. "Gov. Malloy Launches Conversation on Expanding 'Second Chance Society' Initiatives in Connecticut," November 6, 2015. http://portal.ct.gov/Departments_and_Agencies/Office_of_the_Governor/Press_Room/Press_Releases/2015/11-2015/Gov__Malloy_Launches_Conversation_on_Expanding__Second_Chance_Society__Initiatives_in_Connecticut/.
- . "Gov. Malloy Signs 'Second Chance Society' Bill to Further Reduce Crime and Successfully Re-Integrate Nonviolent Offenders into Society," July 9, 2015. http://portal.ct.gov/Departments_and_Agencies/Office_of_the_Governor/Press_Room/Press_Releases/2015/07-2015/Gov__Malloy_Signs__Second_Chance_Society__Bill_to_Further_Reduce_Crime_and_Successfully_Re-Integrate_Non-violent_Offenders_into_Society/.
- Teplin, Linda A., Leah J. Welty, Karen M. Abram, Mina K. Dulcan, Jason J. Washburn, Kathleen McCoy, and Marquita L. Stokes. "Psychiatric Disorders in Youth After

- Detention.” Office of Juvenile Justice and Delinquency Prevention Juvenile Justice Bulletin, 2015. <http://www.ojjdp.gov/pubs/246824.pdf>.
- The White House, Office of the Press Secretary. “Presidential Proclamation—National Youth Justice Awareness Month, 2015.” Whitehouse.gov, September 30, 2015. <https://www.whitehouse.gov/the-press-office/2015/09/30/presidential-proclamation-national-youth-justice-awareness-month-2015>.
- Tow Youth Justice Institute. “Juvenile Justice Policy and Oversight Committee Report per Public Act 14-217, Section 79,” January 15, 2015. https://www.cga.ct.gov/app/tfs/20141215_Juvenile%20Justice%20Policy%20and%20Oversight%20Committee/JJPOC%20Progress%20Report%201-1-15%20APPROVED.pdf.
- . “Presentation to Juvenile Justice Policy and Oversight Committee.” July 16, 2015.
- . “Trend Report for JJPOC Target Goal to Decrease Incarceration,” July 2015.
- U.S. Department of Education. “Guiding Principles: A Resource Guide for Improving School Climate and Discipline,” 2014. <http://www.azed.gov/special-education/files/2014/05/f3.3-pbis-and-restorative-discipline-ppt.pdf>.
- W. Haywood Burns Institute. “Annual Decision Points.” Unbalanced Juvenile Justice, 2015. <http://data.burnsinstitute.org/>.
- “When Systems Collaborate: How Three Jurisdictions Improved Their Handling of Dual-Status Cases.” Pittsburgh, PA: National Center for Juvenile Justice, 2015. http://www.modelsforchange.net/publications/776/When_Systems_Collaborate_How_Three_Jurisdictions_Improved_their_Handling_of_DualStatus_Cases.pdf.