



# JUVENILE JUSTICE REFORM IN CONNECTICUT:

How Collaboration and Commitment  
Have Improved Public Safety  
and Outcomes for Youth

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# SEIZING THE OPPORTUNITY

## INTRODUCTION

Over the past two decades, a tremendous volume of new knowledge has emerged about causes of adolescent delinquency and the effective responses. Through research and policy experimentation, scholars and practitioners have proven that several new approaches significantly improve outcomes for youth who become involved in delinquency, thereby enhancing public safety and saving taxpayers' money. These advances provide public officials with unprecedented opportunities to redesign their juvenile justice systems for the benefit of youth, families and communities.

Unfortunately, most states and localities have been slow to recognize and act on this new information, slow to seize these opportunities for constructive change. Progress has been uneven.

Perhaps more than any other state, Connecticut has absorbed the growing body of knowledge about youth development, adolescent brain research and delinquency, adopted its lessons, and used the information to fundamentally re-invent its approach to juvenile justice. As a result, Connecticut's system today is far and away more successful, more humane, and more cost-effective than it was 10 or 20 years ago.

This report will describe, dissect, and draw lessons from Connecticut's striking success in juvenile justice reform for other states and communities seeking similar progress.

The first section details the timeline and dimensions of change in Connecticut's juvenile justice system over the past two decades. In 1992, Connecticut routinely locked up hundreds of youths – many of them never convicted or even accused of serious crimes – in decrepit and unsafe facilities while offering little or no treatment or rehabilitation. The state was one of only three in the nation whose justice system treated all 16- and 17-year-olds as adults – trying them in criminal courts, with open records, and sentencing many to adult prisons without education or rehabilitative services designed for adolescents. By 2002, there was a growing awareness that these problems could no longer be ignored. Over the decade that followed, a movement for sweeping reforms began to build momentum and take root. And by 2012, Connecticut had a strong commitment to invest in alternatives to detention and incarceration, improve conditions of confinement, examine the research, and focus on treatment strategies with evidence of effectiveness.

Most impressively, these changes have been accomplished in Connecticut without any added financial cost, and without any increase in juvenile crime or violence. To the contrary, the costs of new programs and services for Connecticut's court-involved youth have been fully offset in the short-term by reduced expenditures for detention and confinement, and promise additional savings down the road as more youth desist from delinquency and crime. Arrests of youth have fallen substantially throughout the reform period, both for serious violent crimes and for virtually all other offense categories as well.

The report then looks under the hood of Connecticut's reform efforts and explores the critical factors underlying these accomplishments. The discussion begins by detailing the main elements and key champions of progress and by identifying the turning points that built momentum toward reform.

The report's final section explores what other states or local jurisdictions can learn from Connecticut's experience. The most important lesson, it finds, is that a new and vastly improved juvenile justice system is within reach for any jurisdiction that summons the energy and commitment, the creativity and cooperative spirit to do what's best for their children, their families, and their communities.

# JUVENILE JUSTICE REFORM IN CONNECTICUT:

## **1. REDUCED OVERRELIANCE ON CONFINEMENT**

Over the past decade, Connecticut has dramatically reduced the number of youth removed from home by delinquency courts and placed into pre-trial detention centers, correctional training schools, and/or other residential facilities. Specifically, the state has reduced residential commitments from 680 in 2000 to 216 in 2011 (nearly 70%), even though most 16 year-olds, who were previously treated as adults, are now handled in the juvenile system. The average daily population in Connecticut's pretrial detention centers fell from 132 in 2006 to 94 in 2011, the year after 16-year-olds entered the juvenile system, allowing the state to close one of its three state-operated detention centers. Meanwhile, the under 18 population in Connecticut's adult prisons fell from 403 in January 2007 to 151 in July 2012.

## **2. BUILT A CONTINUUM OF TARGETED, HIGH-QUALITY NON-RESIDENTIAL PROGRAMS AND SERVICES FOR YOUTH**

Over the past 15 years, Connecticut has developed an array of new community-based supervision and treatment programs for delinquent and behaviorally troubled youth. Specifically, the state has expanded its investment in evidence-based, family-focused adolescent treatment programs with proven success in reducing problem behaviors from \$300,000 in 2000 to \$39 million in 2009. In Fiscal Year 2012, 955 youths on probation supervision participated in intensive evidence-based family therapy programs and 652 in evidence-based cognitive behavioral therapy. Evidence-based treatment was also provided to thousands of other Connecticut youths, including delinquent young people committed to state custody, status offenders diverted from juvenile court, and behaviorally troubled youth served in the child welfare and children's mental health systems.

## **3. IMPROVED CONDITIONS IN JUVENILE FACILITIES**

Connecticut has undertaken sweeping reforms in recent years to ensure humane care for confined youth. After being sued in the early 1990s for overcrowding and problematic treatment of youth in its pre-trial detention facilities, Connecticut vastly improved detention programming, education and mental health services, and physical conditions in detention. After a series of investigations revealed severe deficiencies in the new \$57 million Connecticut Juvenile Training School from 2001-2004, Connecticut permanently closed a high-security unit where violent incidents had been commonplace, temporarily suspended new admissions, provided intensive retraining of staff on behavior management, reformed disciplinary practices, and vastly improved programming and treatment throughout the facility.

## **4. DIVERTED STATUS OFFENDING YOUTH AWAY FROM THE COURT SYSTEM AND OUT OF LOCKED DETENTION CENTERS**

Until just a few years ago, Connecticut routinely sent youth to court and even detained them for minor misdeeds (truancy, running away, alcohol possession) that would not be illegal if committed by an adult – despite evidence that such harsh treatment for these “status offenses” is costly, ineffective, and harmful to youth. Since 2005, Connecticut has eliminated admission of youth to detention centers for status offenses and opened Family Support Centers (FSC) statewide that offer community-based treatment and other services for status-offending youth and their families rather than probation supervision. The state reduced judicial processing (formal petition) of status offender referrals from 50 percent of those filed in 2006-07 to just 4.5 percent in 2010 and 2011. Since 2006, the number of youth with a status offense who were rearrested or convicted of crimes fell by more than 70 percent.

## SEVEN MAJOR ACCOMPLISHMENTS

### **5. KEPT YOUTH OUT OF THE ADULT JUSTICE SYSTEM**

For decades, Connecticut was one of only three states that prosecuted and punished all 16- and 17-year-olds as adults. In 2007, the state enacted historic legislation to raise the age of juvenile jurisdiction from 16 to 18, effective January 1, 2010 for 16 year olds and July 1, 2012 for 17 year olds. Even before 17 year-olds became eligible for juvenile court on July 1, 2012, the new law kept 8,325 16 year-olds from being prosecuted and punished in the adult criminal justice system. Extending juvenile jurisdiction to 16 year-olds has increased juvenile caseloads far less than expected (22 percent actual vs. 40 percent projected); as a result, the state spent nearly \$12 million less in fiscal years 2010 and 2011 than it had budgeted. Meanwhile, 16 year-olds served by the juvenile system have had higher success rates in alternative programs and lower rearrest rates than youth 15 and younger, disproving concerns that they should be in the adult system.

### **6. ADDRESSED RACIAL AND ETHNIC DISPARITIES IN THE JUVENILE JUSTICE SYSTEM'S TREATMENT OF YOUTH**

While Connecticut cannot claim significant statewide progress toward reducing racial and ethnic disparities in its juvenile justice system, the state has intensified its focus in recent years and launched promising new initiatives to address this pervasive and troubling problem. Connecticut's Juvenile Justice Advisory Committee (JJAC), the state advisory group, commissioned three in-depth studies analyzing racial disparities at 18 decision points in the state's law enforcement and juvenile court processes. The JJAC has also trained nearly 1,400 police officers on Disproportionate Minority Contact (DMC) since 2007. Pilot projects in Bridgeport and Hartford have reduced juvenile court referrals of Black and Hispanic students for misconduct at school by 40 percent (Bridgeport) and 78 percent (Hartford), and reduced the overall number of Black and Hispanic youth referred to juvenile court in both sites. In 2011, the state legislature enacted a new law requiring state juvenile justice agencies to prepare biennial reports on their DMC goals and accomplishments.

### **7. REDUCED ARRESTS AT SCHOOL FOR ROUTINE AND NON-SERIOUS MISBEHAVIOR**

Though Connecticut has not yet demonstrated significant statewide progress, it is making important strides. Nine Connecticut school districts have signed agreements with police limiting the circumstances under which students can be arrested at school. In one pilot district (Manchester), by the spring of 2012, arrests and expulsions both fell by more than 60 percent compared to the prior school year. The School-Based Diversion Initiative (SBDI) also is working in nine sites to promote mental health treatment rather than disciplinary or justice responses to misbehavior by emotionally disturbed students. An independent evaluation found that SBDI decreased the number of students arrested and/or suspended, and reduced subsequent misbehavior. In 2011, juvenile courts began rejecting referrals involving youth arrested for minor misbehavior. Of the first 221 cases the courts refused to prosecute, more than half involved school arrests. Connecticut schools have also sharply reduced out-of-school suspensions in the past five years.

### **THE BOTTOM LINE: COST SAVINGS AND IMPROVED PUBLIC SAFETY**

Perhaps Connecticut's most impressive achievements are that its overall spending on juvenile justice (after adjusting for inflation) has not increased despite the implementation of many new programs and services, and the state's juvenile crime rate has dropped considerably even as confinement rates plummeted. Among youth 15 and under (the state's traditional juvenile population), total arrests fell 48 percent from 2002 to 2011 and serious violent crime arrests fell 51 percent. Among 16 year-olds, total arrests and serious violent crime arrests fell 35 percent and 26 percent respectively from 2009 to 2011, the first two years after Connecticut 16 year-olds became eligible for juvenile court. Meanwhile, after adjusting for inflation, the two agencies that administer Connecticut's juvenile justice system -- the Department of Children and Families and the Judicial Branch's Court Support Services Division -- spent \$2 million less on juvenile programs and facilities in the 2011-12 fiscal year than they had 10 years earlier.

1992

2002

2012

# TIMELINE OF CHANGE:

THE TRANSFORMATION IN CONNECTICUT'S JUVENILE JUSTICE SYSTEM OVER TWO DECADES



# 1992

## A DEEPLY FLAWED SYSTEM

When you ask William Carbone about the state of Connecticut's juvenile detention centers in the early 1990s, he can't help but grimace. "The facility in Bridgeport was an embarrassment to walk through," exclaimed Carbone, who speaks from experience; not only has he overseen the state's juvenile probation and detention programs as executive director of the Court Support Services Division since its founding in 1999, but he held other senior positions in the Connecticut Judicial Branch and the Office of Policy and Management for a decade and a half before that. "There was no space for recreation; no space for programming."<sup>1</sup> Indeed, the problems involved much more than the physical plant and affected not just Bridgeport, but all three Connecticut detention centers providing short-term custody of youth pending court hearings or awaiting placement to residential facilities. A class action lawsuit filed in 1993 exposed that the facilities were:

### **OVERCROWDED**

Located in New Haven, Bridgeport and Hartford, the detention centers for youth ages 15 and younger suffered from severe overcrowding, with an average population of 114 youths per night (and sometimes more than 130) crammed into three facilities designed to hold a total of 64. As a result, many youth slept on floors or doubled or tripled up in cells built for one.<sup>2</sup>

### **UNSANITARY**

Many of the rooms had no toilets, and sometimes – when guards were slow to respond or refused to let youth out of their cells – children were left with no choice but to urinate on the floor or into towels.

### **HARSH**

Often, children who misbehaved were placed on room confinement – locked alone, day and night, sometimes for days at a time.

### **UNSAFE**

The state employed no classification system to separate youth accused of violent offenses from those who were truant or were caught shoplifting, younger children from older teens, or large youth from small. Combined with the severe crowding that forced multiple youth into cells designed for one, this put youth in danger. Several sexual assaults were reported.

### **NEGLECTFUL**

Despite the acute needs of many detained youth, screening and treatment for mental health issues were inadequate. In some cases, young people didn't even receive their prescribed medications.

### **UNCONSTITUTIONAL**

Education for detained children typically lasted just two hours per day, and – in violation of federal constitutional requirements – the facilities routinely failed to assess the special education needs faced by a large share of the detained population or to follow individual education plans for youth known to have learning disabilities.

### **OVERLY PUNITIVE**

Perhaps worst of all, most of the children exposed to these conditions weren't accused of serious offenses or didn't pose significant risk to Connecticut's citizenry. The first named plaintiff in the detention lawsuit, Emily J., for instance, was never charged with a crime. A learning-disabled 13 year-old with a homeless mother and missing father, Emily J. had been arrested only for truancy. Yet she spent months in detention, confined to a cell with two other girls, often for more than 21 hours per day. Indeed, most of the 3,000 youths placed into Connecticut detention centers in 1992 were accused of nothing more than misdemeanors, or like Emily J., status offenses such as truancy or running away that would not be illegal for adults.

The problems in Connecticut's juvenile justice system were not limited to the detention centers: the system was plagued with shortcomings, top to bottom.

## EXCESSIVE RELIANCE ON INCARCERATION AND OUT-OF-HOME PLACEMENTS

Like the detention centers, Connecticut's long-term facilities were also overflowing with youth ages 15 and younger who posed few dangers.

At the state's youth correctional facility, called the Long Lane School, just one-third of residents in the early 1990s were "serious juvenile offenders" found guilty of high-level felony crimes, whereas 40 percent were adjudicated only for misdemeanors or for violating court orders stemming from a truancy charge or other status offense.<sup>3</sup>

However, many Long Lane residents had serious social and mental health issues: 70 percent had special education needs, most were years behind in school, half were victims of abuse or neglect, and three-fourths had a history of running away from home.<sup>4</sup> Most were from low income families.<sup>5</sup> Opened in 1870, Long Lane wasn't designed or equipped to work with these low-risk, high-needs children, and its staff had limited capacity to provide mental health or social services counseling or treatment.<sup>6</sup>

Long Lane's population (which averaged 230 children) consistently exceeded its design capacity of 172.<sup>7</sup> Meanwhile, hundreds of other youths adjudicated in Connecticut's delinquency courts with even less serious records than the Long Lane population were removed from home and placed in private residential programs. For instance, more than 150 youths per year were committed to correctional or residential facilities in the early 1990s based on probation violations, not new offenses.<sup>8</sup>

## UNSAFE AND INHUMANE CONDITIONS OF CONFINEMENT

Unlike the state's detention centers, no class-action lawsuit was ever filed over conditions at Long Lane, and the facility received little scrutiny until 1998, when 15 year-old Tabatha Ann Brendle hanged herself there. Investigations following this tragedy revealed that youth confined at Long Lane endured shameful conditions and treatment, including:

- Widespread use of lockdowns and solitary confinement;<sup>9</sup>
- Frequent use of physical restraints. While no data is now accessible for 1992, published information from 1997-98 revealed 544 incidents in 12 months, with

many youth handcuffed and foot-shackled to their beds, sometimes for hours;<sup>10</sup>

- Lax suicide prevention protocols, despite an average of two suicide attempts every month.<sup>11</sup>

Summing up conditions at Long Lane, the *Hartford Courant* in 1998 described the facility as "deplorable," and a "wretched warehouse."<sup>12</sup>

## LACK OF NON-RESIDENTIAL ALTERNATIVES

Despite the minimal risks posed by most youth in Connecticut's detention centers and at Long Lane, for the most part the state did not support any alternative programs in 1992 – options such as community supervision, day treatment or home-based therapy programs – that could be used in lieu of detaining children or committing them to a state-funded residential facility.\*

In 1995, Long Lane's superintendent confessed to the *Hartford Courant* that "we need to develop a lot more community resources for kids who should be out of here. Some kids are here for being persistent runaways or for breaking a judge's curfew. They shouldn't be here."<sup>13</sup>

The dearth of community programs was especially glaring in light of the costs: locking non-dangerous children inside these troubled facilities cost Connecticut taxpayers upwards of \$200 per day each<sup>14</sup> – several times the price of even the most ambitious non-residential alternative program.

## YOUTH PROSECUTED AND PUNISHED AS ADULTS

Connecticut's lopsided overreliance on confinement and the poor treatment provided to youth in custody were troubling, but not unique. Similar flaws could be observed in juvenile justice systems across the nation. For instance, a 1993 study of 28 states found that only 14 percent of youth in correctional training schools were committed for violent offenses, while more than half were committed for property or drug crimes and were serving their first terms in a state institution.<sup>15</sup> And a national review of conditions in juvenile detention and corrections facilities found pervasive overcrowding and understaffing, widespread violence against youth and staff, and glaring gaps in suicide prevention.<sup>16</sup>

\* One exception to this lack of non-residential programming was an experimental project funded and evaluated by Connecticut's Juvenile Justice Advisory Committee, using funds from the federal Juvenile Justice and Delinquency Prevention Act.



What made Connecticut's juvenile system unusual and especially problematic was that the maximum age of juvenile jurisdiction was 15. Unlike all but two other states (New York and North Carolina), in Connecticut every 16 or 17 year-old arrested or convicted of any offense, even a common misdemeanor, such as shoplifting or simple assault, was prosecuted as an adult, and most were given a criminal record that would last a lifetime. In 37 states and the District of Columbia, the maximum age of juvenile jurisdiction was 17, and in 10 other states 16. As a result of this draconian public policy, 13,000 young people ages 16 and 17 who were arrested in Connecticut each year were denied the protections of the juvenile justice system.<sup>17</sup> Many of the 16 and 17 year-olds arrested were not prosecuted or convicted, while others convicted for minor offenses completed community service or paid small fines or restitution. But thousands of underage youth were placed on probation each year, and several hundred 16 and 17 year-olds each year were sentenced to adult prisons, where they received very limited education and little rehabilitative counseling developmentally appropriate for adolescents.

### **INAPPROPRIATE PROSECUTION AND DETENTION OF STATUS OFFENDERS**

Connecticut's punitive approach to youth also applied to those under 16, including young people who had committed no crime. In 1992, more than 2,000 Connecticut children ages 15 and younger were referred to juvenile court under the Family With Service Needs (or FWSN) law for status offenses, such as skipping school, running away from home, or other behavior that would not be illegal for adults.<sup>18</sup> More than one-third of these children were required to participate in a formal court hearing.<sup>19</sup>

Many youth adjudicated as status offenders were placed on court-ordered probation supervision, and then, if they violated the terms of their probation by, for instance skipping school, violating a curfew, or testing positive for drugs, they could be brought back to court, adjudicated

delinquent, and removed from their homes. Hundreds of status-offending youth were confined in a detention center each year for probation rule violations,<sup>20</sup> and dozens were committed to state custody as delinquent and sent to the Long Lane training school or other residential facilities.<sup>21</sup>

### **UNEQUAL TREATMENT OF BLACK AND HISPANIC YOUTH**

In 1988, the U.S. Congress amended the federal Juvenile Justice and Delinquency Prevention Act to add a fourth core requirement for states to remain eligible for federal juvenile justice funding. The prior requirements included rules to deinstitutionalize status offenders, limit confinement of juveniles in adult jails, and maintain sight and sound separation between juveniles and adults when youth were held in jails or prison. With the 1988 amendment, Congress required states to address (or at least examine) the problem of disproportionate minority confinement – a pervasive trend in juvenile justice in which children of color are detained and incarcerated at higher rates than White youth even when they have similar offending histories.

Seven years later, Connecticut released a comprehensive analysis of racial disparities in juvenile justice. The findings were eye-opening. The 1990 U.S. census showed that three-fourths of the state's youth were non-Hispanic Whites. Yet more than three-fourths of youth confined at Long Lane School were Black or Hispanic, even though just 11 and 10 percent of the state's youth population were Black or Hispanic, respectively.<sup>22</sup> The minority overrepresentation study also found that, controlling for offense and other characteristics, Black and Hispanic youth were more likely than White youth to be detained and held for longer periods in detention. Once committed to state custody, Black and Hispanic youth were also more likely than their White counterparts to be placed at the Long Lane training school, held in a maximum security unit, and remain longer at the facility.<sup>23</sup>

**544** incidents of physical restraint of confined youth were documented in 1997-98 at Long Lane School



## AN INEFFECTIVE SYSTEM

Virtually nothing about the system in 1992 was results-oriented. To that point, little research had been compiled to show convincingly that any strategy worked better than any other, and little effort was expended in the state to track outcomes, see what was working (or not working), or reallocate resources to strategies that proved effective.

No one measured juvenile recidivism in Connecticut. Little or no energy was spent examining the costs and benefits, in terms of public safety or youth success, of sending young people to the training school versus community-based alternatives. Serious proposals involving new approaches to treating, supervising or counseling court-involved children, such as day treatment centers, intensive probation, electronic monitoring, or family counseling, were rarely proposed or debated by policymakers. Whereas Connecticut began in the early 1990s to develop a range of alternative sanctions programming for adults, the state continued to send a constant stream of children, most of them youth of color, and few with any history of committing serious crimes, into cramped detention facilities and then to the century-old Long Lane training school.

This situation was allowed to persist because, quite simply, juvenile justice remained a backwater in Connecticut state government. Mike Lawlor, an East Haven prosecutor who was elected to the state legislature in 1986, admits that “I didn’t know anything about juvenile justice” in the early 1990s, even though he served on the Judiciary Committee from his very first day in office.<sup>24</sup>

## MAJOR DEVELOPMENTS 1992-2002

### 1993: THE LAWSUIT

In October 1993, the Connecticut Civil Liberties Union (CCLU) filed the Emily J. lawsuit seeking redress for 114 separate deficiencies in the state's treatment of youth within the pre-trial detention centers, the poor quality of education and mental health services, and the lack of alternative-to-detention programming for youth.

Initially, the state fought the litigation. But gradually, state leaders switched gears and entered into negotiations to settle it. "Conditions in the centers were unacceptable," said Thomas White, who served as Connecticut's Director of Detention Services in the mid-1990s. The thinking, White recalls, was that "if we felt we wanted to make dramatic changes to detention in the state, why fight the lawsuit when we could partner with the court and the CCLU under the consent decree?"<sup>25</sup> Christine Rapillo, Director of Juvenile Delinquency Defense and Child Protection in Connecticut's Office of the Chief Public Defender, recalls the Emily J. lawsuit as a crucial first step in Connecticut's juvenile justice reform movement: "It really began to focus the state's attention on what the juvenile justice system is supposed to be."<sup>26</sup>

### 1995: THE REFORM LAW

Just as youth crime was becoming a headline issue in 1995, Mike Lawlor was named co-chair of the Judiciary Committee and charged with spearheading the development of a major juvenile justice reform law. The first thing Lawlor discovered about Connecticut's juvenile justice system was how insulated it had been. "Nobody had answers to even basic questions about how the system worked, or how well. There was a big cone of silence around [juvenile justice], and we were opening up the window shade and looking inside."<sup>27</sup>

Suddenly, juvenile justice "was really a hot political issue," Lawlor recalls. Connecticut's juvenile crime rates were way up, a 15 year-old's heinous double-homicide case was making headlines in local newspapers, and a nationwide, full-scale public panic had erupted over a rapid rise in juvenile violent crimes. Lawlor involved many colleagues and stakeholders, including lawyers, probation officers, police, prosecutors, psychologists, university professors and other experts, in his efforts to develop a comprehensive juvenile justice reform package. Together, they crafted an elaborate compromise between the Democrat-dominated legislature and Republican Governor John Rowland.

The bill addressed three central concerns of the state's law-and-order conservatives: (1) changing the purpose clause of the state's juvenile code to focus on public safety and accountability, not just the best interests of the child; (2) broadening the list of offenses requiring automatic transfer to adult court and giving prosecutors discretion to transfer other cases; and (3) relaxing confidentiality rules to give victims and their families the right to learn about sanctions imposed on juveniles who harmed them.

However, most of the bill's text and virtually all of its funding supported a dramatic expansion of the state's diversion and intervention programs for youth. In January 1996, a policy group authorized under the law issued a plan calling for \$16 million in new funding for the recommended treatment programs in the first three years, plus an additional \$62 million funded through savings from downsizing the Long Lane training school and other existing programs.<sup>28</sup>

## MAJOR DEVELOPMENTS 1992-2002

### 1997: THE SETTLEMENT

In March 1997, Federal District Court Judge Richard Chatigny signed off on a consent decree to settle the Emily J. lawsuit. Under the settlement, which involved five years of federal court supervision, the state agreed to reduce crowding; improve education, recreation, and mental health services; and train staff in behavior management to reduce the use of seclusion and restraints. In addition, the state pledged to begin funding a wide range of mental health programs and other community-based alternatives to reduce the reliance on detention for youth involved in less serious crimes.<sup>29</sup>

### 1998: THE SUICIDE

The September 1998 suicide of Tabatha Ann Brendle, a girl confined inside the state's Long Lane training school, prompted a major investigation at Long Lane and many critical news stories. The state's Child Fatality Review Board found that Tabatha had been sexually abused and neglected repeatedly throughout her life, and had attempted suicide on previous occasions at Long Lane and in earlier child welfare placements. "There's no question that Tabatha was in need of intensive psychiatric treatment and that the counseling provided was simply insufficient to meet her needs," the report found.<sup>30</sup> The fatality review panel also examined the conditions at Long Lane generally, finding "grossly inadequate" staffing, deficient mental health care, a decaying and poorly lit physical plant, flawed suicide prevention, and widespread overreliance on harsh disciplinary tactics – particularly seclusion, physical takedowns, and mechanical restraint chairs – without a functioning grievance process to investigate possible abuses and hold staff accountable.<sup>31</sup> The *Hartford Courant* summed up the situation at Long Lane as "neglect bordering on cruelty."<sup>32</sup>

### 1999: THE CONSOLIDATION

In early 1999, Connecticut reorganized its Judicial Branch, consolidating the state's juvenile and adult probation offices, juvenile detention centers, family services division, bail commissioner, and Office of Alternative Sanctions into a single unit called the Court Support Services Division. The consolidation proved a crucial turning point in Connecticut's journey toward juvenile justice reform in two ways. First, by putting the juvenile detention, probation, and alternative sanctions offices under a single roof, it created a powerful hub for new thinking about juvenile justice and for creating an integrated system. Second, the man named to lead the new division, William Carbone, proved a tireless and widely respected innovator. Formerly the director of Connecticut's Office of Alternative Sanctions, Carbone has led the division ever since and has used his position to continually modernize its approaches to juvenile justice, embracing research and building the data-gathering and analysis capabilities necessary to monitor outcomes, make adjustments, and maximize successful outcomes for youth.

### 2001: THE NEW TRAINING SCHOOL

Following Tabatha's suicide, Connecticut's legislature approved funds for a new youth corrections facility for boys to replace Long Lane. However, Connecticut's governor, John Rowland, rejected recommendations to build a therapeutic facility or a regionalized network of smaller facilities (following the successful model employed in Missouri). Instead, Rowland fast-tracked a plan to build a new facility modeled after a maximum security adult prison in Ohio that offered little accommodation for adolescents' greater need for educational space.<sup>33</sup> The contract to build the training school was awarded on an emergency no-bid basis. Later, investigators would find that the contracting process had been rigged, leading to Governor Rowland's resignation from office in 2004 and also prison terms for Rowland, his chief of staff, and the contractor.<sup>34</sup> By then, however, the facility was already a *fait accompli*: the Connecticut Juvenile Training School opened its doors and launched operations in August 2001.<sup>35</sup>

# 2002

## GROWING ATTENTION, BUT FEW SOLUTIONS

This lack of scrutiny for juvenile justice did not persist. Repeatedly over the decade from 1992 to 2002, Connecticut's juvenile system burst into the news. Frequently, in fact, the system found itself on the front pages of state newspapers in stories that were often unflattering and sometimes alarming. All this attention, however, brought only modest change and little improvement for Connecticut young people in the state's juvenile courts and corrections system. Other than conditions and programming inside the state's pre-trial detention centers, which improved substantially as a result of the Emily J. lawsuit, virtually all the other flaws apparent in 1992 still remained 10 years later.

### CONTINUED OVERRELIANCE ON CONFINEMENT

Despite the settlement of the Emily J. lawsuit in 1997, Connecticut's detention centers remained severely overcrowded in 2002. Many youth, some as young as 10, were detained for months due to behavioral or mental health problems, not delinquency,<sup>36</sup> awaiting mental health evaluations or placement in treatment facilities.<sup>37</sup> At the end of 2001, a leading community youth agency in Bridgeport, the Regional Youth Adult Social Action Partnership (RYASAP), completed a study of youth confined inside the Bridgeport Juvenile Detention Center. It found that just 15% of confined youth were accused of felonies. Most were confined for misdemeanors (47%) or violations of probation rules (33%).<sup>38</sup> "The majority of children are in detention for violating a court order requiring them to participate in a service or program... or for challenging the judge, probation officer or detention official," the study found. "Others are in detention because the services they need are not available in the community."

At the new Connecticut Juvenile Training School (CJTS), which opened in 2001 to replace Long Lane, the average daily population hovered at 153 in 2001, and it still included many low-risk youth. For instance, just 37 youths at the training school in March 2002 were guilty of violent offenses, of which 21 were simple fights.<sup>39</sup> Most youth were confined for criminal mischief, drug possession, breach of peace, disorderly conduct, petty larceny, and other lesser offenses.<sup>40</sup> In 2003, a study by the New England Juvenile Defenders Center found that Connecticut had the highest youth incarceration rate in New England.<sup>41</sup>

### TROUBLING TREATMENT OF CONFINED YOUTH PERSISTS

By 2002, after five years of court-supervised remedies and reforms under the Emily J. consent decree, conditions inside Connecticut's detention centers had improved on many measures: the facilities had been renovated physically; counseling staff had been hired; training had improved for custody staff; an in-house medical service system was developed; educational programming and recreational offerings were expanded; suicide prevention protocols were strengthened; and new alternative-to-detention programs opened. However, crowding was still problematic in the detention centers, with as many as 20 youths sleeping on the floor on a given night,<sup>42</sup> and the state remained at odds with advocates over the continuing lack of appropriate services and placements for youth with serious mental health needs. After hearing testimony from local judges, state detention staff, and outside experts, the federal judge in the Emily J. lawsuit ruled in February 2002 that "children are not getting timely and adequate mental health services... [and] the evidence shows their conditions can and have worsened while they are being held in detention."<sup>43</sup>

Conditions were even more troubling in the state's new training school for boys.<sup>44</sup> Reports about lack of programming and problematic treatment of youth began almost as soon as the training school opened its doors. A September 2002 report from Connecticut's Child Advocate Jeanne Milstein and Attorney General Richard Blumenthal called the new facility a "dismal failure"<sup>45</sup> and found that "suicidal children go unsupervised

and young boys are illegally restrained for days on end.”<sup>46</sup> The Child Advocate and Attorney General also documented severe problems in the care of girls remaining at Long Lane School in 2002, including poor suicide prevention and alarming overreliance on seclusion.<sup>47</sup> Out-of-state experts and officials from the Department of Children and Families (which operated both facilities) also concluded that the new training school was unsatisfactory.<sup>48</sup>

## NON-RESIDENTIAL PROGRAMS NOW AVAILABLE, BUT INEFFECTIVE

As part of the comprehensive juvenile justice reform bill enacted in 1995, Connecticut allocated substantial funding for non-residential and community programs for the first time in its history. The 1997 Emily J. settlement committed the state to providing even more alternative-to-detention programming, as well as new mental health programs and facilities to reduce the confinement of emotionally and behaviorally troubled children in detention. Quickly, the state contracted with local agencies for a wide range of new community programs under such titles as Gateway Services, Juvenile Justice Centers, Intensive Case Management, and Juvenile Supervision and Reporting Centers. The combined budget quickly rose to exceed \$10 million per year.<sup>49</sup>

While these new programs addressed an urgent void in the Connecticut system, few were informed by research that just then was emerging about best practices for working with troubled teens,<sup>\*</sup> and many of the agencies selected to run the programs lacked capacity and experience.

Initially, the programs received little scrutiny, in part because Connecticut had no procedure to track outcomes. But in 2000, the state commissioned the Connecticut Policy and Economic Council to provide an in-depth recidivism analysis. The resulting report, formally released in August 2002, showed that most of the 22 alternative programs evaluated were ineffective.<sup>50</sup> Overall, participants in the alternative programs in 1999 had higher rates of recidivism than youth in 1994 who did not participate in any program.<sup>51</sup> Only two of the 22 alternative programs studied significantly reduced recidivism.<sup>51</sup> The results were “a major shock and surprise,” a key state senator, Donald E. Williams Jr., told the *Hartford Courant*. Meanwhile, other studies found that major gaps remained in mental health services<sup>53</sup> for

system-involved youth, programming for girls remained inadequate,<sup>54</sup> and the state still lacked any process to assess youth and ensure they were receiving services appropriate to their needs.<sup>55</sup>

## THOUSANDS OF CHILDREN STILL TRIED AND PUNISHED IN THE ADULT JUSTICE SYSTEM

Unlike the intense scrutiny faced by the juvenile courts and corrections system over this decade, little attention was paid to the state’s handling of older children, as Connecticut remained one of only three states that treated all court-involved 16- and 17 year-olds as adults. About 12,000 16- and 17 year-olds were referred to the adult justice system for law violations in 2002-03 (excluding motor vehicle infractions).<sup>56</sup> Roughly 1,700 were placed on adult probation, and about 300 Connecticut youths were confined on any given day in adult jails or prisons.<sup>57</sup>

In 2003, Connecticut Voices for Children ([www.ctvoices.org](http://www.ctvoices.org)) reported that Connecticut led the nation in the number of adult jail and prison inmates under age 18, with 20% more youth confined than any other state. The report noted that Connecticut incarcerated more youth in adult prisons than 29 other states combined.<sup>58</sup>

## MORE YOUTH THAN EVER PROSECUTED FOR STATUS OFFENSES

Connecticut’s handling of status offenses also changed little from 1992 to 2002. In fact, the number of youth referred to the juvenile court on these non-criminal charges was rising to an all-time high. Whereas the state referred 2,500 youths to court in 1992 for status offenses such as truancy, curfew violations, running away and other behaviors, by 2002, the figure had grown to more than 4,000.<sup>59</sup> More than half the youth referred to court on status offenses had their cases formally processed in juvenile court, and nearly 1,000 of them were placed on court-ordered probation supervision.<sup>60</sup> Several hundred were placed in locked detention facilities for violating probation – even though they had committed no crime.

Neither Connecticut’s Department of Children and Families nor the Judicial Branch’s Court Support Services Division (which oversees juvenile probation) offered any programs or services designed specifically for these youth and their families. Most were placed on probation or referred to other agencies. An alarming number of these underserved youth soon returned to

<sup>\*</sup> By contrast, a 2001 study found that the one evidence-based family therapy program launched for troubled Connecticut teens by the Department of Children and Families in 1999, Multisystemic Therapy (MST), was proving effective. Poitras, Colin. “State Tries New Family Counseling – Multisystemic Approach May Help More Youths,” *Hartford Courant*, January 30, 2002.

court charged with probation violations or with actual crimes. Though no data are available for 2002, 566 youths referred to court on status offense charges in the 2006-07 fiscal year (16 percent of all cases) were found guilty of subsequent crimes within 6 months.<sup>61</sup>

### **RACIAL DISPARITIES – MODEST PROGRESS**

In 2001, Connecticut released its second comprehensive analysis of racial and ethnic overrepresentation in juvenile justice, examining data from the 1998-99 program year. The study found that racial imbalances had been reduced since the early 1990s at a few decision points. Unlike in 1991, Black and Hispanic youth accused of serious offenses were no longer more likely than comparable White youth to be convicted of a serious

charge, and no longer more likely than White youth to be placed in a correctional facility (as opposed to placement in a therapeutic facility) if convicted.<sup>62</sup>

However, many significant racial disparities remained. Black and Hispanic youth comprised more than 70 percent of the population placed in detention or committed to the Long Lane training school in 1999, more than three times their share of the state's overall youth population.<sup>63</sup> Another study published in 2003 found that youth of color comprised 15.5 percent of the state's youth population, but they represented 74 percent of youth ordered into residential custody by Connecticut delinquency courts, the highest minority overrepresentation rate in New England.<sup>64</sup>

## **A CRESCENDO AND A TURNING POINT**

The steady drumbeat of increasingly worrisome developments during the prior decade reached a crescendo in 2001 and 2002 with a series of eye-opening reports and incidents occurring in rapid succession: alarming problems were revealed at the state's brand new training school, overcrowding continued at the Bridgeport Juvenile Detention Center, and youth placed into the state's new alternative programs experienced shocking failure rates. Developments related to the Emily J. lawsuit also came at a rapid pace in 2001 and 2002. Under the 1997 Emily J. settlement agreement, the five-year federal court supervision period was scheduled to end in 2002. But Emily J. litigator Martha Stone of the Center for Children's Advocacy at the University of Connecticut School of Law remained unsatisfied. The state, she said, had not fulfilled its obligation to provide timely and sufficient care to youth with serious mental illnesses and to keep them from languishing in detention. The Department of Children and Families contested the argument, resulting in damning testimony from state judges and other experts who described their frustration as children waited weeks in detention due to the lack of residential and community-based treatment programs. Soon after, the presiding judge in the Emily J. case ruled that the state was violating children's rights to timely care, and a new settlement agreement was signed.

After all the distressing developments during this decade, the system's problems were impossible to sweep under a rug. Even the purported solutions – a settlement agreement, new alternative programs, a new training school – were not yet turning the tide.

Perhaps the best news to emerge over the decade from 1992-2002 was that, by the time 2002 rolled in, these grave deficiencies plaguing the state's juvenile justice system were increasingly obvious to state leaders and the public. Connecticut was in turmoil over juvenile justice. Fortunately, there was growing evidence of what services worked for juveniles and a vigorous reform movement was beginning to take root.





# 2012

## A TRANSFORMED SYSTEM

Over the decade from 2002 to 2012, Connecticut transformed its juvenile justice system. Of the seven core problems it was facing – the seven focus areas of this report – Connecticut has:

- Fundamentally solved two – ending both the criminalization of status offenders and the practice of routinely trying and punishing 16 and 17 year-olds in the adult justice system;
- Made dramatic improvements on three other challenges – sharply reducing overreliance on confinement, improving treatment of confined children, and building an exemplary continuum of effective community-based services; and
- Launched ambitious and sophisticated new efforts to combat the remaining two challenges—unequal treatment of Hispanic and Black youth and overly harsh school discipline, which included excessive arrests at school for low-level misbehavior.

Connecticut has made these improvements without increasing its budget for juvenile justice (adjusted for inflation), and the changes have had no negative impact on crime or public safety in the state. Rather, youth offense rates have declined steadily throughout the reform period.

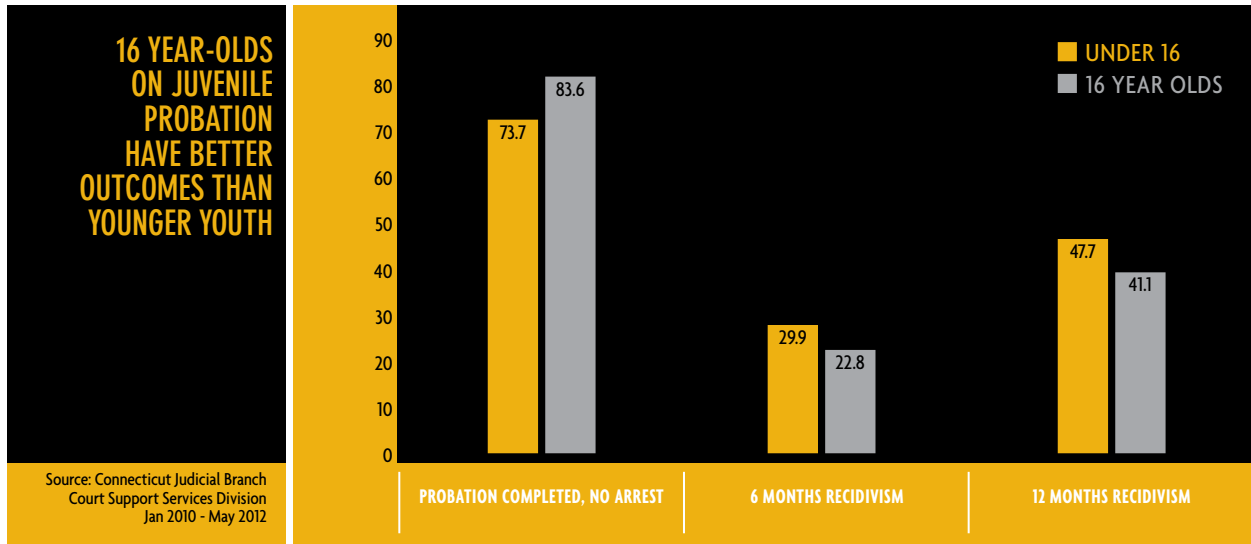
### RAISING THE AGE OF JUVENILE JURISDICTION

On July 1, 2012, Connecticut 17 year-olds came under the jurisdiction of the juvenile justice system – the final step in the long struggle to end the state’s harsh and counterproductive practice of sending children who commit crimes to the adult justice system.

The reform effort was spearheaded by the Connecticut Juvenile Justice Alliance (Alliance), which was formed in late 2001 by a coalition of the state’s leading youth advocates. Initially, the Alliance’s reform agenda did not focus on the age of juvenile court jurisdiction, and prospects for raising the age looked poor after a high-level panel led by the state’s chief juvenile court judge issued a report in February 2004 estimating that adding 16 and 17 year-olds to the juvenile caseload would cost the state \$84 million in higher operating expenses and \$81 million in new construction costs.<sup>65</sup> The report also suggested that the change might have a detrimental effect on children already in the system.<sup>66</sup>

Nonetheless, members of the Alliance saw the opportunity for success and embraced the issue. It rolled out the “Raise the Age Connecticut” campaign in early 2005 based on a recommendation from the Campaign for Youth Justice ([www.cfyj.org](http://www.cfyj.org)), a national advocacy organization that offered to provide both financial and logistical support for Connecticut’s efforts. The Alliance engaged leaders in the state legislature, won over a handful of key judges, mobilized families, fed stories to the media, and launched an all-out education and advocacy blitz to push the reform effort. In 2006, moved by testimony from the mother of a 17 year-old mentally ill boy who committed suicide while incarcerated in one of Connecticut’s adult prisons, the legislature authorized a new panel, which included members of the Alliance, to develop a plan for raising the age. A year later – in July 2007 – the state enacted an historic Raise the Age law, based on a plan ironed out through intensive negotiations involving all the state’s

More than **8,000** youths have been spared prosecution in adult courts as of June 30, 2012

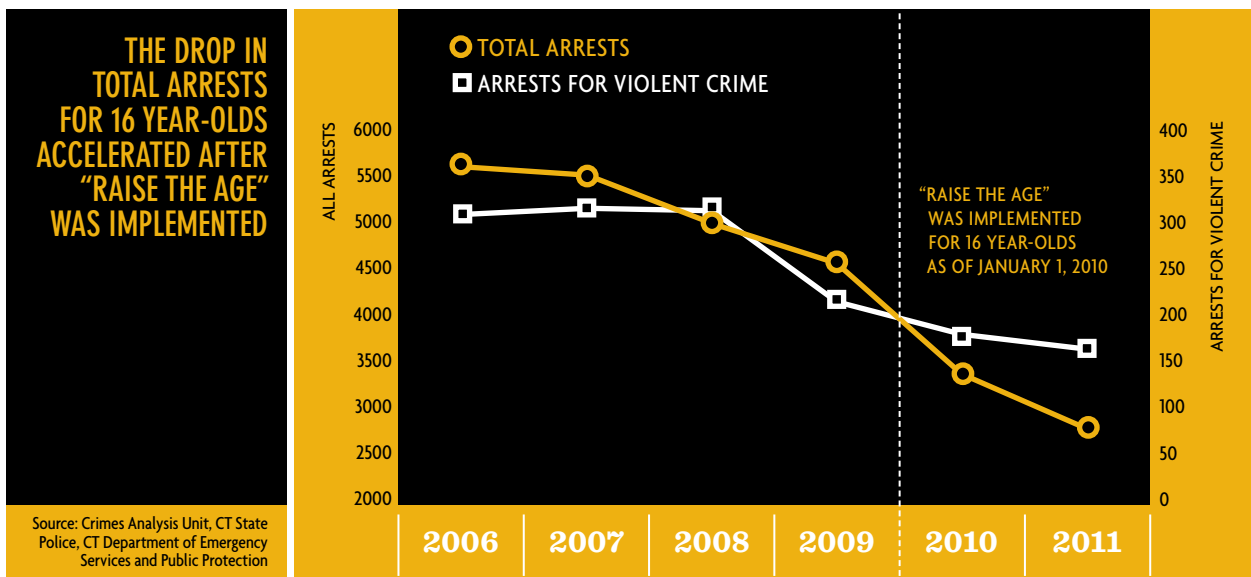


key stakeholders. The law called for 16 and 17 year-olds to enter the juvenile system beginning on January 1, 2010. However, faced with a state budget crisis and continuing resistance from some law enforcement leaders, the legislature amended the law in 2009 to slow down the implementation – allowing 16 year-olds to enter the juvenile system at the start of 2010 as scheduled, but delaying the entry of 17 year-olds until July 1, 2012.

Sarah Bryer, director of the National Juvenile Justice Network, calls Connecticut’s Raise the Age law “perhaps the most salient victory we’ve seen” nationally in juvenile justice reform. “When you’re one of only three states that treats 16 year-olds as adults, and when you then step up and say ‘no more,’ it’s a big deal. It brought a lot of attention to the issue nationally.”<sup>67</sup>

From the perspective of Connecticut’s children, Raise the Age has been even more significant, and will only grow more so in subsequent years now that 17 year-olds are included in the juvenile system.<sup>68</sup> Already, from January 1, 2010 to June 30, 2012, 8,325 16 year-olds have been spared prosecution and punishment in the adult criminal justice system, and thousands more have benefitted from juvenile counseling and treatment programs previously unavailable to them.

Population counts in the state’s detention centers have risen only marginally since Raise the Age went into effect, remaining well below capacity, and the training school’s population has seen no measurable growth. In fact, in the midst of the Raise the Age implementation, Connecticut actually shut down one of its three state-



operated detention centers due to low census in 2011, saving \$2.45 million in the state's fiscal year 2011-12 budget.<sup>69</sup> Meanwhile, 16 year-olds served by the juvenile courts and corrections system have achieved higher success rates in alternative programs and lower rearrest rates than youth 15 and younger – refuting arguments that 16 year-olds are not appropriate for the juvenile justice system.<sup>70</sup>

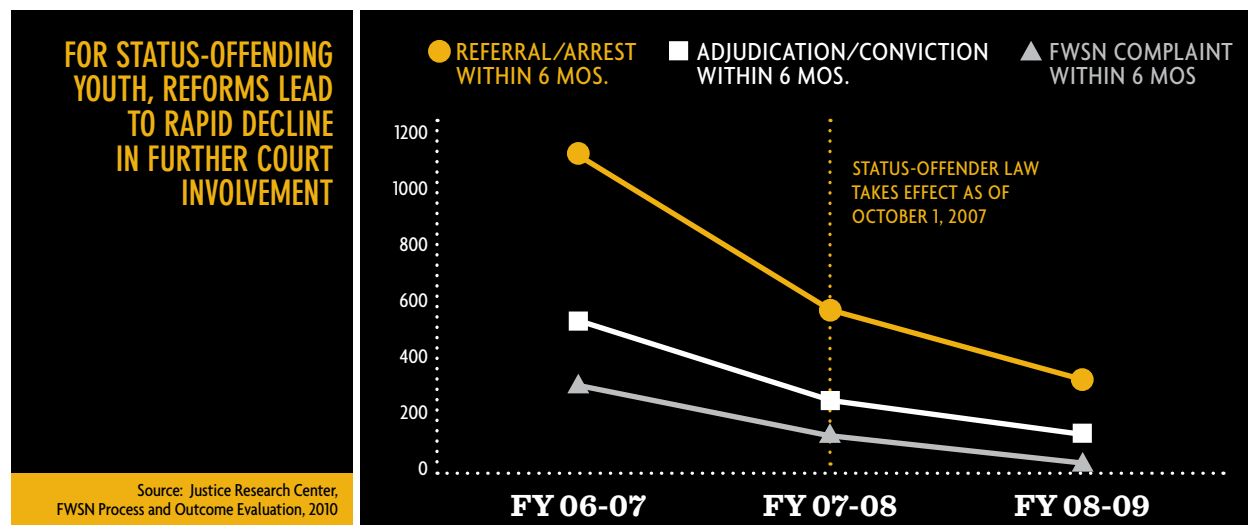
Both Connecticut state agencies working with justice-involved youth continue to adjust their policies and add new programming to suit the population of older youth. The Department of Children and Families (DCF) -- which operates the state's training school, oversees other residential facilities, and provides aftercare for youth returning home from these placements -- has added vocational training and college-level classes for youth at the training school. To enhance reentry, DCF also created supervised independent living facilities where youth without access to a safe and secure family home can begin learning to live on their own after release from correctional custody or residential treatment. The Court Support Services Division, which operates probation and community-based programs and treatment services for probation youth, has also added a number of new educational and vocational services for older youth, plus training and support to help them develop independent living skills.

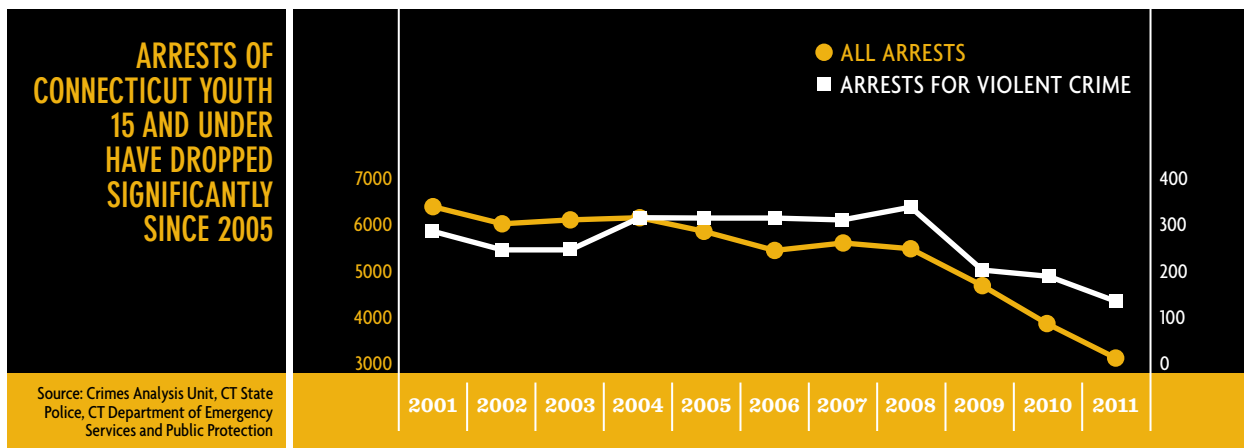
"We're adjusting to working with these older youth," said Brett Rayford, Director of DCF's Division of Adolescent and Juvenile Services. "They present different challenges, and sometimes they have those [negative] behaviors pretty ingrained. Our job is to instill hope, and to develop their educational and vocational skills while teaching them to live independently."<sup>71</sup>

## PROGRAMS, NOT PROSECUTION FOR STATUS OFFENDERS

Swept up in the zero tolerance ethos of the 1990s through early 2000's, Connecticut steadily increased the number of youth referred to court under the state's status offender law, Family With Service Needs (or FWSN). Referrals to court for status offenses grew from just under 2,100 in 1994 to more than 4,000 in 2000. Numbers remained above 4,000 every year until 2007, when reforms began taking hold. In 2004, 65 percent of the 4,161 FWSN cases were handled judicially and had their cases heard in court (versus 35 percent diverted from court), and 23 percent of the cases reaching court (over 600 cases) resulted in formal probation supervision.<sup>72</sup> Hundreds of these youths were subsequently detained for violating probation rules, and about 80 were committed to state custody as delinquent in 2004 without ever committing a crime.<sup>73</sup>

All that began to change in 2005 when the legislature approved a bill prohibiting detention for violating a court order in any case arising from a status offense. Known as the "valid court order" exception, this tactic is still used around the country to get around the federal Juvenile Justice and Delinquency Prevention Act's prohibition on locking youth up for status offenses. Beginning in 2007, youth in Connecticut could no longer be detained or committed to custody solely for violating probation or disobeying a judge's order. Martha Stone, a founding member of the Alliance, litigator in the Emily J. lawsuit and director of the Center for Children's Advocacy ([www.kidscounsel.org](http://www.kidscounsel.org)), worked with key legislators to make the case for change.





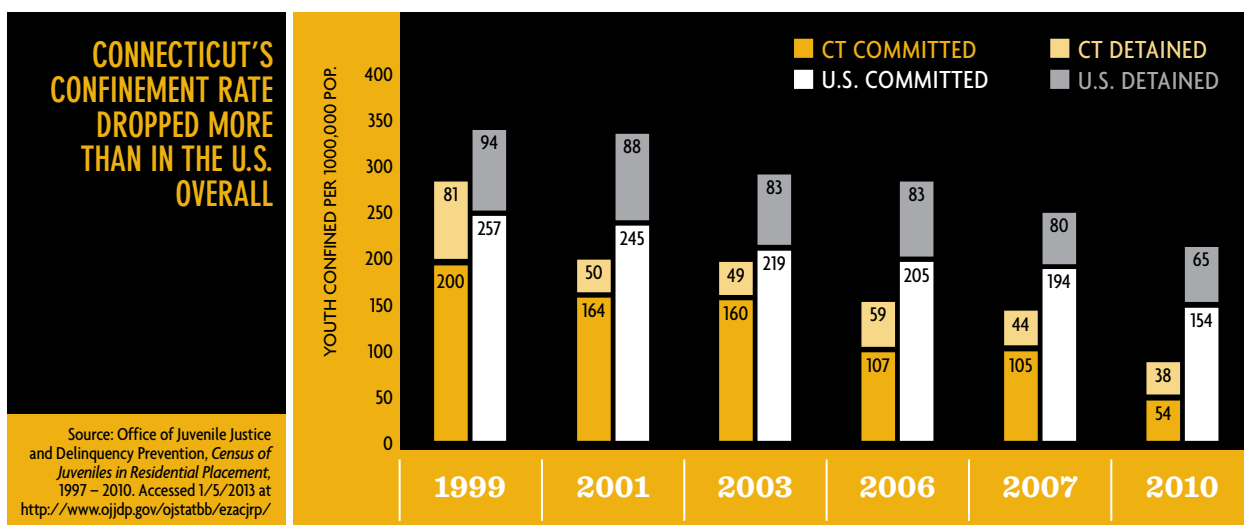
The state still lacked any non-court programs or services to assist status offending (FWSN) youth. No one, other than a probation officer, interacted with the children and their families or attempted to determine why, for instance, they weren't attending school or why they ran away from home. Outcomes for FWSN youth were poor: 52 percent of youth sent to detention in 2005 had previously been referred to court on a status offense<sup>74</sup> and one-third of youth referred on FWSN charges in 2006-07 were arrested and/or referred again to court within six months.<sup>75</sup>

In 2006, the legislature formed an advisory board to recommend plans for improving the state's handling of FWSN cases. In July 2007, the state legislature adopted the board's recommended plan, which called for non-judicial handling of virtually all FWSN cases and authorized a new network of Family Support Centers to provide targeted services for FWSN youth and their families.\* The centers contact families within three hours

of a case being filed and provide them with an array of services that include screening and assessment, crisis intervention, family mediation, mental health treatment, resiliency skill-building, educational evaluations and advocacy, and short-term respite care.<sup>76</sup>

Since 2007, when the law went into effect, the FWSN caseload has plummeted, and the success rates of Connecticut's status-offending youth have soared:

- The number of youth detained for status offenses has dropped from 493 in 2006-07 to 0 in 2008-09;<sup>77</sup>
- The share of status offense referrals formally processed in court has fallen from 50 percent of those referrals filed in 2006 to 4.5 percent of all status offender referrals filed in 2010 and 2011;<sup>78</sup>
- Seventy percent fewer status-offending youth were arrested for a subsequent delinquent offense in 2008-09 compared with two years earlier,<sup>79</sup> and their behavior has reportedly improved both at home and in school.<sup>80</sup>



\* The legislature initially provided funding for just four Family Support Centers – located in Hartford, Bridgeport, New Haven, and Waterbury. Beginning in 2010, the state has expanded the Family Support Center services statewide.

## REDUCING OVERRELIANCE ON CONFINEMENT

Connecticut has sharply reduced the number of youth confined in prison, held in detention facilities, and committed to the state’s training school or other residential facilities.

The average daily population in detention fell from 132 in 2006 to 71 in 2010.<sup>81</sup> The detention population rose in 2011 as 16 year-olds entered the juvenile system, but remained far below the 2006 level, allowing the state to close one of its three detention facilities.<sup>82</sup> The state has slashed total commitments to its training school and other residential facilities from 680 in 2000 to 216 in 2011, even with the addition of 16 year-olds to the juvenile system.<sup>83</sup> The average daily population at the state training school declined from 229 in 1993<sup>84</sup> to 153 in 2001,<sup>85</sup> to 109 in 2011, also counting 16 year-olds.<sup>86</sup> Meanwhile, Connecticut has reduced the under-18 population incarcerated in the state’s adult prisons from 403 in January 2007 to 151 in July 2012.<sup>87</sup>

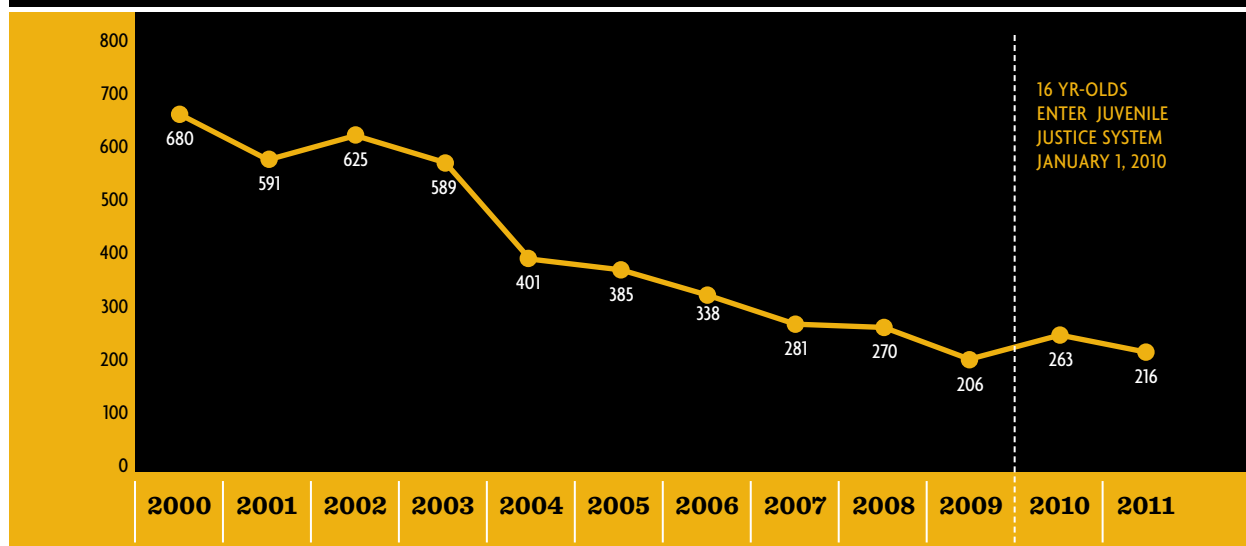
The reduced number of youth in state prisons can be attributed in part to the Raise the Age law. In addition, the drop in imprisoned youth also reflects the state’s falling crime rates and has likely been aided by the dramatic reduction in commitments to the state training school. A growing body of research documents alarming recidivism among youth incarcerated in juvenile facilities, and several studies have found that juvenile incarceration increases the likelihood of future involvement with the justice system, particularly for youth with less serious offending histories.<sup>88</sup>

Connecticut’s falling juvenile detention populations have been driven by several factors. The new FWSN (status offender) programs and policies have prevented hundreds of detention admissions per year and also resulted in fewer subsequent delinquency charges against status-offending youth. So too have new probation practices developed by the Court Support Services Division (CSSD) and aggressively promoted to line staff, including new rules requiring a supervisor’s approval before a youth can be detained for violating probation. And a widely expanded continuum of mental health treatment programs has reduced the number of days youth spend in detention awaiting appropriate placements.<sup>89</sup> Finally, CSSD has created a new Clinical Coordinator position – licensed clinicians employed by the Judicial Branch to identify youth who suffer with significant mental health issues, expedite any required mental health assessments, and match youth to timely and appropriate care. CSSD data show that these Clinical Coordinators save the state more than \$450,000 per year by preventing unnecessary evaluations and reducing lengths of stay in detention.<sup>90</sup>

The decline in the number of youth confined in the training school and other residential placements following juvenile court adjudication is the result of several factors:

- Fewer youth in detention: Youth detained prior to their court dates are three times more likely to be committed to custody than youth who remain successfully in the community during the pre-adjudication period.<sup>91</sup>

### NUMBER OF YOUTH COMMITTED TO RESIDENTIAL PLACEMENT DROPPED BY NEARLY 70% SINCE 2000



Source: CT Judicial Branch Court Support Services Division

- Improved screening process: Commitments are now only allowed for high-risk youth. Youth with lower-level offenses are placed on probation or diverted from the court process entirely.
- Better probation practices and programs: Despite handling many youth who would previously have been committed, new counseling and treatment programs have enabled Connecticut to reduce the share of probation youth who are re-arrested or referred to juvenile court by more than four percent since 2006-07.<sup>92</sup>
- Case Review Teams: Since 2005, whenever a young person is being considered for commitment, CSSD has convened a team meeting that includes the youth, his or her family, educators, treatment providers, attorneys and representatives from the Department of Children and Families (DCF) and CSSD to discuss the case and explore options to help the young person remain safely in the community. Of the first 597 cases considered by these teams (from 2005 to 2007), 72 percent of the youth were able to avoid an out-of-home placement.<sup>93</sup>
- Closing gateways to delinquency and incarceration: Connecticut's diminishing correctional population also reflects its success in closing several of the historic gateways to the deep end of its juvenile justice system. For instance, Connecticut's FWSN reforms have reduced the number of status offending youth who lapse into delinquency. Also, the state is making progress in stemming the "school-to-prison pipeline," reducing suspensions, expulsions, and arrests for low-level misbehavior in school that can substantially increase the odds that at-risk students drop out and end up in delinquency court. Finally, Connecticut is taking steps to improve the treatment of "cross-over" youth – those involved simultaneously in both the child welfare and delinquency court systems – who are also at elevated risk for commitment.
- Shorter lengths of stay: A final factor in Connecticut's declining population of youth in custody has been a gradual reduction in the length of time youth spend in the state training school and other residential facilities. From 2002 to 2011, the average period of time that boys spent away from home following commitment declined from 304 days to 176 days. The length of stay for girls has fallen less dramatically (from 190 days to 174) over this period.<sup>94</sup> But, overall, the shorter period of confinement has been a significant factor in reducing the daily population of youth in state custody.

## ESTABLISHING A CONTINUUM OF COMMUNITY PROGRAMS

In the late 1990s, DCF began experimenting with a new research-driven non-residential treatment model, Multisystemic Therapy (MST), which had produced encouraging results in multiple scientific trials involving substance-abusing, delinquent, and mentally ill teens. Based on favorable results in the initial projects, combined with mounting pressure from the Emily J. lawsuit to expand and improve mental health services for court-involved adolescents, DCF quickly ramped up its investment in MST for substance-abusing and behaviorally troubled youth. In 2003, DCF added a second, evidence-based, non-residential treatment model for high risk adolescents, Multidimensional Family Therapy.

In the wake of the disappointing 2001 study showing alarming recidivism rates in its initial cohort of community-based programs for juvenile offenders, CSSD closed down most of the programs and began funding a new set of evidence-based and research-informed community programs. CSSD has continued to expand and improve its network of programs, as has DCF. Both DCF and CSSD subsequently committed extensive funding to expand and improve the network of evidence-based community programs available for court-involved youth. By 2009, the combined annual budget for these programs reached \$39 million.

For its highest risk youth, CSSD offers two intensive family-focused treatment programs, Multisystemic Therapy (MST), and Intensive In-Home Child and Psychiatric Service (IICAPS). Combined, 628 of Connecticut's serious and high-risk probation youths were enrolled in MST or IICAPS therapy in 2011.<sup>95</sup> Other youth assigned to probation are served by one of CSSD's 12 YES! Centers around the state, which offer a mix of individual and/or group programming, including several evidence-based family treatment programs other than MST or IICAPS. Group programs teach such skills as anger management, moral reasoning, drug refusal, emotional regulation and self-awareness. In addition, probation staff has been trained to engage young people and their families individually, and to then identify and build on their goals and strengths.

In addition to these CSSD programs, DCF provides evidence-based community treatment for several thousand more youth every year, many of them involved in the juvenile court system, through a new

Behavioral Health Partnership that is funded with a combination of state tax dollars and federal Medicaid funds. The widespread availability of effective community-based treatment programs has been a crucial factor in reducing Connecticut's detention population and in diverting youth with high needs who are not a significant risk to public safety away from the juvenile justice system.

Finally, Connecticut now provides extensive programming for youth diverted from court. In addition to the Family Support Centers for FWSN youth (status offenders), the state has expanded its network of Juvenile Review Boards (JRB). These panels, comprised of community volunteers, police, school personnel, and/or local agency staff, consider the cases of youth who have admitted to committing minor offenses. After consulting with the young person and his/her family, the JRBs impose an appropriate sanction, which may include

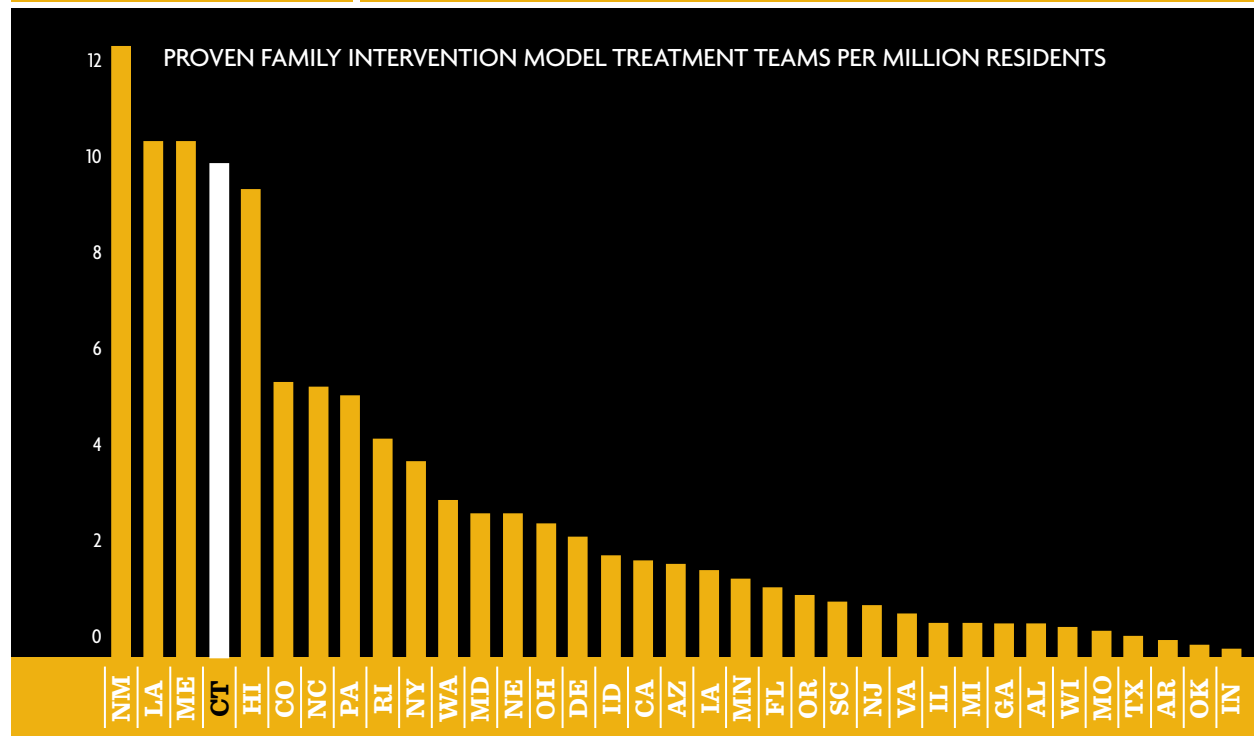
participating in substance abuse treatment or after school programs, writing a letter of apology to the victim(s) of their offense, or cleaning up, repairing or paying restitution for any damage they have caused. For many years, the JRBs operated only in the state's suburbs and small towns. In 2006, the Department of Children and Families provided funds to launch JRB programs in Connecticut's three largest cities – Bridgeport, Hartford, and New Haven. It has been providing approximately \$200,000 per year to each city to support the JRB diversion efforts. In 2013, DCF will begin funding JRB programs in the remaining three of the six DCF regions of the state.<sup>66</sup>

Referrals to these various alternatives are guided by a rigorous screening and assessment process. "The system is designed to make sure the right kids are placed into the right program," said CSSD Executive Director William Carbone.<sup>67</sup>

### A NATIONAL LEADER IN USE OF EVIDENCE-BASED FAMILY TREATMENT

Source: Greenwood, Walsh, & Rocque, Implementing Proven Programs for Juvenile Offenders: Assessing State Progress, Association for the Advancement of Evidence-Based Practice, December 2012.

Connecticut's adoption of evidence-based programs has outpaced most other states. A study released in December 2012 calculated every state's utilization of the three most promising treatment models for youthful offenders – Multisystemic Therapy, Functional Family Therapy, and Multidimensional Treatment Foster Care – all of which involve intensive family therapy. The study identified Connecticut as one of five states that have adopted these models far faster than the rest of the nation, with 10 or more treatment teams per million residents in the state population. (The national average is roughly two teams per million residents.)



## Connecticut's Array of Evidence-Based Family Interventions

### **BRIEF STRATEGIC FAMILY THERAPY®**

Brief Strategic Family Therapy (BSFT) is designed for medium-risk children and adolescents between the ages of 6 and 17 who display or are at risk for substance abuse, conduct problems, delinquency, and other behavior problems. BSFT is typically delivered in 12 to 16 family sessions at home or other locations convenient to the family. The treatment aims to correct maladaptive family interactions, inappropriate family alliances, and parents' tendency to unfairly blame all problems on a single individual (usually the adolescent), with the expectation that transforming how the family functions will help improve the youth's behavior. BSFT has demonstrated significantly better outcomes than other adolescent treatment methods in several evaluation studies dating back to 1988.

### **FUNCTIONAL FAMILY THERAPY**

Functional Family Therapy (FFT) is a highly-structured family therapy treatment model program for youth ages 11-18 who exhibit or are at high risk for delinquency, violence, substance use, conduct disorder, oppositional defiant disorder, or disruptive behavior disorder are the target population. FFT usually requires 8-15 sessions for referred youth and their families, and up to 26 sessions for severe cases. FFT therapy is typically conducted in an office setting but can be delivered in the home or at school and other community settings. FFT's effectiveness has been demonstrated in a long series of clinical studies dating back 40 years. In one evaluation, 40 percent of youth randomly assigned to FFT avoided subsequent arrests following treatment, compared with just 7 percent of youth assigned to other treatments.

### **INTENSIVE IN-HOME CHILD AND ADOLESCENT PSYCHIATRIC SERVICES**

Intensive In-Home Child and Adolescent Psychiatric Services is (IICAPS) is a rigorous home-based intervention model for children with serious psychiatric disorders who are at high risk for placement into psychiatric or correctional facilities, and whose families need assistance in managing them safely in the home and community. The IICAPS model was designed by adolescent treatment experts at the Yale Child Study Center to address maintain high-needs youth at home, rather than removing them from their families and placing them into expensive (and often ineffective) residential programs. The IICAPS model is currently being evaluated in a random assignment study, but results will not be available until 2015.

### **MULTIDIMENSIONAL FAMILY THERAPY**

Multidimensional Family Therapy (MDFT) is a family-based treatment developed for adolescents with drug and behavior problems, and for substance abuse prevention with early adolescents, with a heavy emphasis on family therapy. The treatment seeks to curb the adolescent's substance abuse and other problem behavior, and to improve overall family functioning. MDFT has proved significantly more effective than group therapy, family discussion groups, and other treatment approaches in several random assignment studies.

### **MULTIDIMENSIONAL TREATMENT FOSTER CARE**

Multidimensional Treatment Foster Care (MDFT) is targeted to children at the highest risk for out of home placement. In MDFT, youth are assigned to live with a foster family and receive counseling for up to a year while their parents (or guardians) simultaneously receive counseling and parenting skills training. At the end of the therapy process, youth are reunited with their biological families. MDFT has been evaluated extensively, with excellent results.

### **MULTISYSTEMIC THERAPY**

Multisystemic Therapy (MST) is an intensive family- and community-based treatment program that focuses on addressing all environmental systems that impact chronic and violent juvenile offenders – their homes and families, schools and teachers, neighborhoods and friends. MST works with youth ages 12 through 17, including youth with long and serious offending history. MST clinicians go to where the child is and are on call 24 hours a day, seven days a week. MST is an evidence-based "Blueprint" program endorsed by OJJDP, US Surgeon General and other national leaders in juvenile justice.





## GENDER-SPECIFIC SERVICES ADDED FOR GIRLS

Led by both DCF and CSSD, Connecticut has also developed an ambitious continuum of services for girls involved in its juvenile justice system. From 1999 to 2002, a series of studies found that one-third of all juvenile cases in the state involved girls, many of whom had committed only status offenses or low-level misdemeanors and most of whom had suffered neglect, physical or sexual abuse, and other trauma.<sup>98</sup> Despite their low risk to public safety, girls were regularly detained or committed to residential facilities often because the state lacked community-based treatment for serious mental health problems, substance abuse disorders, and other needs. Since 2001, when the state's legislature enacted a law demanding more gender-responsive programming, "Connecticut has made significant improvements to probation, detention, and diversion systems for girls," a recent Georgetown University study declared.<sup>99</sup> Together DCF and CSSD worked with Yale University and an outside consultant to develop program guidelines for girls services. DCF has adopted gender-specific parole supervision for girls returning home following commitment to state custody. It also has created a network of private agencies operating group homes and other facilities for girls – bringing the providers together to meet monthly

and requiring each agency to prepare periodic self-assessments to measure how well they are adhering to best practice guidelines. CSSD has created specialized girls-only probation units and opened a number of shelter and community-based alternative programs for girls in lieu of confinement in the state's secure detention facilities.<sup>100</sup> Through these efforts, Connecticut has reduced girls' detention admissions by 36 percent from fiscal years 2006 to 2012, while boys' detention admissions fell 25 percent.<sup>101</sup> Commitments to state custody also fell sharply for girls in this period.<sup>102</sup>

## IMPROVING CONDITIONS OF CONFINEMENT

### DETENTION

Since 2002, Connecticut has continued to significantly improve conditions inside its detention centers. Specifically, improvements have been made in education, recreational programming, and medical care, as well as the physical condition of the facilities themselves. Connecticut has become the only state in the nation whose detention centers are accredited both by the American Correctional Association (ACA) and the National Commission on Correctional Health Care. The one serious deficiency that remained in 2002, a lack of appropriate mental health treatment alternatives, has been addressed. CSSD and DCF have strengthened their

mental health screening and assessment processes and created a substantially expanded set of community-based programs and services. This has reduced the number of youth with severe mental health needs placed into detention, as well as the length of stay for those who are detained.

### **TRAINING SCHOOL**

The terrible conditions documented in the new Connecticut Juvenile Training School (CJTS) by the state's Attorney General and the Child Advocate in 2002 only grew worse in the succeeding two years. The situation descended into acute crisis in May 2004 when a weekend of unrest resulted in the restraint of 21 youths and sent eight staff to the hospital with injuries.<sup>103</sup> Two months later, a new report from the Attorney General and Child Advocate documented 119 suicide attempts at the facility over the prior year, including several close calls.<sup>104</sup>

The state issued a temporary moratorium on admissions to the training school in mid-2004, and it hired a national expert, Don DeVore, to revamp the facility's operations. DCF quickly slashed the facility's population, sending many youth with less serious offenses home to participate in community programs. Within four months, the census had dropped from 150 to 72 boys. DCF also closed the facility's punitive, high-security restraint unit where many of the worst incidents had occurred, instituted intensive staff training in crisis management, improved substance abuse counseling and behavior management programs as well as the facility's education system, and invited families to participate in family counseling and to attend occasional "Family Nights" at the facility.

Through these efforts, the environment at the training school improved.<sup>105</sup> In 2009, CJTS earned accreditation from the ACA after demonstrating 98.7 percent compliance with ACA's 455 national standards and best practices related to programming, services, and safety. Despite continuing concern about its physical limitations (such as small cells with narrow windows), the training school has avoided scandal since 2005 and has gradually earned the respect of youth advocates. For instance, Connecticut Juvenile Justice Alliance Executive Director Abby Anderson said in a 2009 interview, "I think [CJTS is] doing a tremendous job with what it's been given."<sup>106</sup>

Since 2009, DCF has continued to enhance programming at the training school. For instance, the department has intensified its procedures for assessing the mental

health needs of training school residents, including a new screening procedure to identify those with histories of serious trauma, and added an array of new evidence-based cognitive therapy programs. It has established a Boys Club program at the facility both to teach life skills and to connect the young men to Boys & Girls Clubs and other supportive services in their home communities upon their release.<sup>107</sup> And now that the facility is housing more 16 and 17 year-olds (due to Raise the Age), it has forged connections with a local community college to provide college level courses and vocational training opportunities.

Even with the addition of older youth, safety at the training school continues to improve. Arrests within the facility have fallen from 108 in 2008 to 25 in 2012, and assaults on staff have also fallen during this period.<sup>108</sup> In 2013, DCF will undertake a major reconstruction project that will remedy longstanding problems with the structural design of the training school. Units that were previously broken into prison-like cells will be transformed into open recreational space, a new school will be created on the campus, and a new open housing unit will be created for younger residents. When the project is completed, says William Rosenbeck, CJTS' superintendent, "there will be much more of a consistent feel of a boarding school, without the trappings of a prison."<sup>109</sup>

### **STEMMING THE SCHOOL-TO-PRISON PIPELINE**

In 2007, Connecticut's leaders began to grapple with a pervasive and growing problem that had long eluded public discussion: excessive punishment of public school students for routine misbehavior. Following the national trend toward zero tolerance school discipline, Connecticut schools were suspending tens of thousands of children every year. State Department of Education data for the 2005-06 school year showed that Connecticut schools issued 77,000 out-of-school suspensions, resulting in more than 250,000 missed school days. In one Bridgeport elementary school that year, a student body of 263 children was handed 391 out-of-school suspensions.<sup>110</sup> Over three in five of the 86,000 out-of-school suspensions issued statewide in 2006-07 were for breaking school rules, such as insubordinate behavior, classroom disruptions, and truancy. Just two percent of cases involved weapons and less than one percent involved violence (other than routine fighting).<sup>111</sup>

While no statewide data from this time period were available on the number of Connecticut youth arrested in schools, this problem was clearly growing. Encouraged



by the availability of federal funding, Connecticut schools increasingly employed “school resource officers,” inviting local police to patrol school hallways, or – in some of the state’s largest municipalities – hiring their own school district police forces. A study prepared in 2006 found that over half of all youth arrests in Bridgeport (more than 600 in 2003-04) took place at school during the school day.<sup>112</sup> Combined, three Hartford-area school districts saw nearly 300 arrests at school in 2006-07.<sup>113</sup>

In 2007, Connecticut’s legislature passed a law sharply limiting schools’ use of out-of-school suspensions. Approved with strong bi-partisan support, the law prohibited out-of-school suspension except for youth who threatened school safety or disrupted the school’s educational mission so severely that removal was essential. Even before the requirement went into effect in 2010, the number of out-of-school suspensions declined 30 percent statewide.<sup>114</sup>

Connecticut leaders have launched a variety of further efforts to reform school discipline and reduce school arrests. Based on a model document developed by Connecticut’s Juvenile Justice Advisory Committee (JJAC), an office overseen by the state’s Office of Policy and Management that administers federal juvenile justice grant funds, nine Connecticut school districts have signed memoranda of understanding with local police aimed at reducing arrests at school for low-level misbehavior. These school-police partnerships have also received grant funding from the JJAC to support their efforts.<sup>115</sup> In two of these districts, local officials, in partnership with the Connecticut Juvenile Justice Alliance, launched particularly ambitious pilot programs in 2011 aimed at reducing school-based arrests; a third district initiated major changes in 2012. At the end of the 2011-2012 school year arrests were down 78% at Manchester High School (one of the pilot sites) and

more than 60% district-wide, and expulsions were down 69% at the high school and 63% district-wide compared to figures from the prior school year.<sup>116</sup>

With support from the John D. and Catherine T. MacArthur Foundation’s Models for Change Initiative and DCF, Connecticut launched the School-Based Diversion Initiative (SBDI) in 2009, led by the Connecticut Center for Effective Practice of the Child Health and Development Institute ([www.chdi.org](http://www.chdi.org)). This model promotes mental health treatment rather than disciplinary or justice responses to misbehavior by emotionally disturbed students. SBDI began in two pilot sites, expanded to seven sites and launched two additional sites in 2012/13 with funding from the Connecticut Department of Education and other state agencies. An independent evaluation found that SBDI increased the use of emergency mobile psychiatric services, decreased the number of students arrested and suspended, and reduced subsequent misbehavior.<sup>117</sup>

In 2011, Connecticut juvenile courts began rejecting referrals involving youth arrested for very minor misbehavior. Of the first 221 cases the courts refused to prosecute, more than half involved school arrests. “We’re hoping schools will come up with a new approach,” said William Carbone, CSSD’s executive director. “The more children are arrested and processed in court for minor infractions, the more likely they’ll be to come back to us, and the more separated they’ll be from school. We don’t serve public safety by encouraging unnecessary referrals to court.”<sup>118</sup> That same year, CSSD began to collect and analyze data on school arrests for the first time, finding that 1,612 Connecticut students were arrested at school during the 2011-2012 school year.<sup>119</sup> CSSD is now also breaking down these data at the local level, and providing regular updates on school arrests to local coalitions striving to stem the school-to-prison pipeline.

The Connecticut Department of Education has been training school districts to implement School-Wide Positive Behavioral Interventions and Supports (PBIS), a proven model for promoting a safe and positive learning climate in schools with minimal reliance on punishments and sanctions. The model is now being adopted in approximately 300 schools in 54 Connecticut school districts – nearly one-fifth of all schools in the state.<sup>120</sup>

In 2011, Connecticut Public Television produced and aired a documentary, *Education vs. Incarceration*, and organized 22 community-based forums across the state in partnership with the Connecticut Juvenile Justice Alliance, raising public awareness and generating dialogue around the school-to-prison issues and potential solutions.

## ADDRESSING RACIAL DISPARITIES

Reducing the disproportionate juvenile justice contact of Black and Hispanic youth remains a work in progress in Connecticut. In fact, the state's third comprehensive assessment of racial and ethnic overrepresentation, completed in 2009 using data from 2005 to 2007, showed that the situation had actually deteriorated – with several prior disparities growing more pronounced, and some new disparities appearing. Progress toward reducing disparities was seen only at a handful of the many decision points examined.<sup>121</sup>

This lack of progress comes despite years of concerted effort by the Juvenile Justice Advisory Committee (JJAC). The JJAC has maintained a subcommittee dedicated to combatting racial and ethnic disparities, and commissioned the three comprehensive studies on racial disparities that have been lauded by the U.S. Office of Juvenile Justice as some of the most in-depth, decision-point analyses in the country.

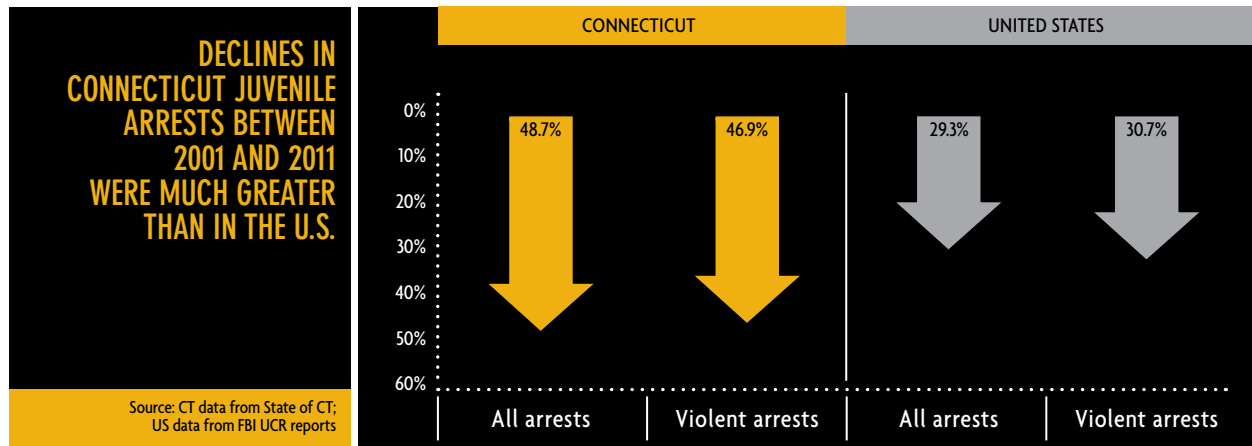
Based on data showing that police have been more likely to refer Black and Hispanic youth to juvenile court than White youth, the JJAC has conducted 76 training sessions on Disproportionate Minority Contact (DMC) since 2007 involving nearly 1,400 police officers.<sup>122</sup> A 2008 evaluation showed that this training had a lasting positive impact on participating officers' knowledge and attitudes about youth development and issues related to racial disparities.<sup>123</sup>

Since 2011, the Washington, DC-based Center for Children's Law and Policy ([www.cclp.org](http://www.cclp.org)) and Connecticut's Center for Children's Advocacy have partnered with local teams in two communities,

Bridgeport and Hartford, to develop comprehensive data-driven work plans to reduce DMC and unnecessary processing and detention of youth generally. In the first phase of the project, the two communities combed through all available data to identify decision points where disparities are most prevalent and brainstorm possible solutions. Since then, the teams, which meet monthly, have begun taking concrete action on their local plans.

Much of the effort has focused on school discipline, since Black students in Connecticut are four times as likely as White students to be expelled or receive an out-of-school suspension, while Hispanic students are twice as likely.<sup>124</sup> Agreements have been forged between public schools and the police in both Bridgeport and Hartford to limit arrests at school for minor offenses. School personnel have been trained in positive behavioral approaches and alternatives to suspension and arrest, and some schools with high levels of school arrests have adopted the School-Based Diversion Initiative model. In addition, the sites have expanded the use of court diversion for youth accused of misdemeanors and some low-level felonies, and provided training for police on alternatives to arrest. The Court Support Services Division (CSSD) has also developed a court date notification system (in place in several jurisdictions around the country for adults) to reduce the number of youth detained for failing to appear for scheduled court appointments. As of spring 2012, the sites had reduced juvenile court referrals of Black and Hispanic students for misconduct at school by 40 percent (Bridgeport) and 78 percent (Hartford), and the overall number of Black and Hispanic youth referred to juvenile court has fallen in both sites.<sup>125</sup>

In addition, CSSD has been providing detailed DMC data reports to local jurisdictions on a quarterly basis – an important new tool for local coalitions working to combat persistent disparities in the juvenile system. The Office of Policy and Management has launched “JUST.Start,” a campaign to educate policymakers, media, and the public about disproportionate contact of youth of color with the juvenile justice system. After determining that a previous law change requiring a court order to detain youth accused of serious offenses had helped reduce racial disparities, the state enacted a new law in 2011 requiring a court order to detain a youth for any crime. The 2011 law change also requires state juvenile justice agencies to prepare biennial reports on their DMC goals and accomplishments.

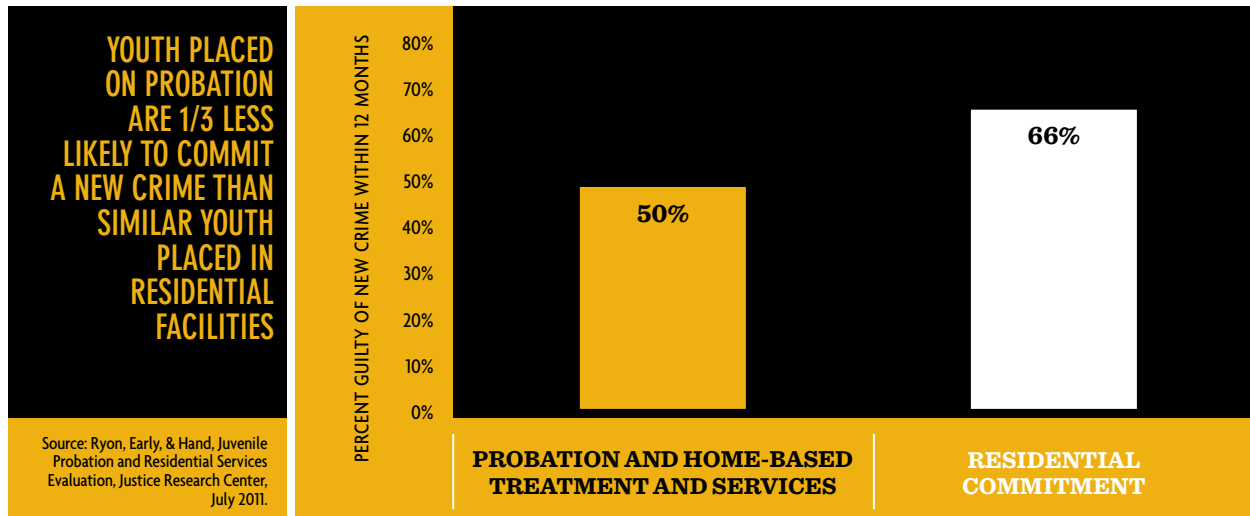


## A BETTER, MORE COST-EFFECTIVE SYSTEM

Available data leave no doubt that public safety has improved as a result of Connecticut's juvenile justice reforms. The number of young people arrested in Connecticut has declined substantially. Among children 15 and younger, Connecticut's traditional juvenile justice population, total arrests have fallen steadily since 2002, with 48 percent fewer arrests in 2011 than nine years earlier. And from 2006 to 2011 – when the most ambitious reforms took effect – serious violent crime arrests for youth under age 16 fell 65 percent. Among 16 year-olds, total arrests and serious violent crime arrests fell 35 percent and 26 percent respectively from 2009 to 2011, the first two years after Connecticut 16 year-olds became eligible for juvenile court.<sup>126</sup>

In terms of expense, the entrance of 16 year-olds into the system has increased juvenile caseloads less than expected (22 percent actual vs. 40 percent projected), lowering the state's expenditures to serve these youth to nearly \$12 million less than the amount initially budgeted for the 2010 and 2011 fiscal years.

Overall, despite the vast array of new and improved programming that has emerged in recent years, Connecticut's spending on juvenile justice has not increased over the past decade. The state's combined expenditures for juvenile justice (including both the youth corrections programs of the Department of Children and Families, and detention, probation and community treatment programs operated by the Court Support Services Division) totaled \$111 million in the 2001-02 fiscal year, equivalent to \$139 million in 2011, after adjusting for inflation. In 2011-12, Connecticut's juvenile justice expenditures totaled \$137 million.<sup>127</sup> In effect, the drop in confinement has fully paid for the state's increased budget for community-based alternatives. The average daily cost of custody at the Connecticut Juvenile Training School is \$744 for each young person – meaning \$134,000 for a typical stay of 6 months.<sup>128</sup> That compares to \$10,000 or less for a full course of Multisystemic Therapy or any of Connecticut's other community treatment programs.<sup>129</sup>



Moreover, the reduced treatment and supervision costs are only the beginning of the savings Connecticut will ultimately realize through successful juvenile justice reform. Far more substantial are the financial and social rewards that come from reducing re-offense rates (therefore improving public safety), and boosting successful outcomes for court-involved youth.

As a result of Connecticut's shift away from residential confinement, the evidence suggests that many fewer youth will re-offend and many more will go on to productive lives in adulthood. In a sophisticated statistical analysis conducted for CSSD in 2011, the Justice Research Center, a Florida-based research organization, found that "the predicted probability of recidivism for youth released from residential facilities (all other factors held constant) was 66 percent, compared to 50 percent for youth with equivalent backgrounds released from probation."<sup>130</sup> In other words, youth committed to state custody and confined in residential facilities costing hundreds of dollars per day were one-third more likely to re-offend than identical youth supervised and treated on probation for a fraction of the cost.

The cost savings from these reforms reach well beyond the juvenile justice system. The average costs to society whenever a court-involved young person lapses into a lifetime of serious and chronic criminality as an adult are estimated at \$3.8 million, including wages lost, taxes unpaid, victim costs, and criminal justice system expenditures.<sup>131</sup> Indeed, society pays a heavy price whenever a young person re-offends or proves unable to transition successfully into adulthood. By reducing the number of children who experience these failures, Connecticut's reforms have clearly been a financial winner for its taxpayers.

*Most importantly, reform has improved the lives of young people, their families, and their neighbors through gains in public safety and the increased positive contributions these youth are now able to make to Connecticut communities.*

## JUVENILE JUSTICE REFORM IN CONNECTICUT: Work in Progress

While Connecticut has made impressive strides in addressing a wide variety of flaws in its juvenile justice system, its leaders are the first to admit that important challenges remain, and much work still needs to be done:

### **RACIAL DISPARITIES**

Black and Hispanic youth make up 30 percent of Connecticut's population ages 10 to 16. Yet they accounted for more than 70 percent of Connecticut youth admitted to detention in 2010 and nearly 80 percent of youth admitted to the Connecticut Juvenile Training School. "It troubles all of us," says William Carbone, executive director of the Court Support Services Division of the Judicial Branch. Part of the problem is that youth of color enter the justice system at higher rates than Whites – a fact Carbone attributes to police practices, school discipline policies, and the lack of services and support in the low-income neighborhoods where many youth of color reside. Yet, studies consistently find that Connecticut's youth of color are treated more harshly than similarly situated White youth at numerous decision points in the juvenile justice process. Connecticut leaders are taking steps to address these issues, but thus far the data show that progress has been slow.

### **EXCESSIVE DETENTION TIMES FOR MANY GIRLS, AND FOR "STUCK" KIDS**

Unlike its predecessor, the Long Lane School, the Connecticut Juvenile Training School has never accepted girls. Thus, for a decade, the state has not had a state-operated secure facility for girls. Instead, it has relied upon an overstretched network of private facilities for girls requiring residential care, at times resulting in long wait times in detention. A similar problem has persisted for boys with extreme needs, the so-called "stuck" kids, including youth with severe disabilities, low IQ, and acute need for treatment related to problem sexual behavior. The average wait time in detention for youth awaiting residential placements is more than 35 days – down just 10 percent since 2001.<sup>132</sup>

### **MEASURING RECIDIVISM**

The Department of Children and Families (DCF) tracks the number of youth who are recommitted following release from state custody, but unlike many states, it does not calculate the number of youth who are re-arrested or convicted of new offenses following release from DCF custody (including those who land in the adult justice system). It also does not track re-offending for at least two years following release, as recommended by the Council of Juvenile Correctional Administrators. Most states track recidivism of youth released from state custody more rigorously than Connecticut. (By contrast with DCF, the Court Support Services Division does carefully monitor re-offending by youth supervised on probation statewide.)

### **CARE AND TREATMENT OF YOUTH REMAINING IN ADULT CORRECTIONS**

The number of youth incarcerated as adults in Connecticut has declined substantially in recent years, and should fall further now that 17 year-olds are included in the juvenile system. Yet some youth will remain in adult facilities due to legal provisions mandating or allowing transfer to adult criminal court for those accused of the most serious crimes. In 2010, 173 juvenile cases were transferred, and as of July 2012, 151 youths under age 18 were in adult custody. Though the care and treatment of youth in adult prisons has improved in recent years, significant gaps remain, says Martha Stone, executive director of the Center for Children's Advocacy. Also, Department of Correction data show that youth incarcerated in adult correctional facilities suffer alarming recidivism: 85 percent are re-arrested within two years of release, 62 percent are convicted of new crimes, and 70 percent return to prison on a new charge or parole violation.<sup>134</sup>

# JUVENILE JUSTICE IN CONNECTICUT: TRANSFORMATION OVER TWO DECADES

2001

## RELIANCE ON CONFINEMENT

- › CT pre-trial detention centers filled to twice their intended capacity.
- › Many youth detained for status offenses, not crimes, and most of the rest are accused of only misdemeanors. Many suffer from acute mental health problems.
- › Also serious overcrowding at CT's youth corrections facility, Long Lane training school.
- › There, too, many youth incarcerated for misdemeanors, status offenses, or probation violations, not serious crimes.

## CONDITIONS OF CONFINEMENT

- DETENTION CENTERS:**  
1993 lawsuit documents terrible conditions:
- › severe overcrowding;
  - › children in rooms with no toilets, wetting themselves;
  - › widespread use of solitary confinement;
  - › no mental health treatment;
  - › minimal educational programming.
- TRAINING SCHOOL:**  
Conditions at Long Lane training school "deplorable," says *Hartford Courant*, a "wretched warehouse":
- › heavy reliance on seclusion;
  - › frequent restraints, with many youth handcuffed and foot-shackled to their beds;
  - › lack of effective suicide prevention (despite 2 suicide attempts per month).

## NON-RESIDENTIAL PROGRAMS AND SERVICES

- › No state funding for non-residential alternatives-to-placement/incarceration for youth (other than routine probation).
- › No investment in alternatives to pre-trial detention for accused youth.
- › CT created Office of Alternative Sanctions in 1990, but initial programming only for adults, none for juveniles.

2002

- › In detention centers, many youth still detained for conduct related to mental health and behavior problems, and many held months awaiting mental health evaluations or treatment.
- › In Bridgeport juvenile detention center in 2002, just 15% of detained youth are accused of felonies. Most accused of misdemeanors or rule violations.
- › At CT's new training school, just one-tenth of youth confined for violent crimes more serious than simple fighting. Most held for criminal mischief, drug possession, breach of peace, disorderly conduct, or larceny.
- › Overall, CT has highest youth incarceration rate in New England.

- DETENTION CENTERS:**  
Conditions improving following 1997 lawsuit settlement, but...
- › In February 2002, federal judge finds "children still not getting timely and adequate mental health services";
  - › Crowding remains problematic, with as many as 20 youths sleeping on the floor.
- TRAINING SCHOOL:**  
New training school labeled a "dismal failure" where "suicidal children go unsupervised and young boys are illegally restrained for days on end."
- › Severe problems in care for girls remaining at Long Lane, including weak suicide prevention and overreliance on seclusion.

- › Created a number of non-residential program alternatives in the late 1990s, but..
- › a 2002 evaluation of CT's juvenile alternatives-to-incarceration programs found that only two of 22 programs studied significantly reduced recidivism.
- › Still no process to assess youth and ensure they are placed in programs or services appropriate to their needs.
- › Still major gaps in mental health services and girls programming.

2012

- › Detention admissions decreased by more than 40% from 2002 to 2009.
- › Even after 16 year-olds entered the juvenile system in 2010, admissions remain well below 2002 level.
- › Lower populations enabled CT to close one of its 3 state-operated detention centers in 2011.
- › 70% fewer residential commitments from 2000 to 2011 (680 to 216), even with addition of 16 year-olds to the juvenile system.
- › Average daily population in training school down 50% from 1993 to 2011 (229 to 109) – even with the addition of 16 year-olds.

- DETENTION CENTERS:**  
Significant improvements since 2002 in conditions and programming, and all detention centers now accredited.
- › No reports of serious or chronic problems with crowding, seclusion or harsh discipline, or substandard education programming in detention.
  - › Enhanced services and reduced wait times for youth with mental health needs.
- TRAINING SCHOOL:**
- › Fundamental reform effort in 2004-05 improved behavior management at training school and reduced use of seclusion and restraint.
  - › No recent reports of serious or chronic problems with violence, seclusion, or excessive use of restraints.
- Plans in progress for major structural, programmatic and educational changes, particularly to address the needs of the older population.

- › Funding for non-residential, family-focused treatment programs grew from \$300,000 in 2000 to \$39 million in 2009.
- With this budget, CT now funds an integrated continuum of high-quality programs, including:
- non-court programs and services for status offenders;
  - evidence-based therapies for youth on probation;
  - behavioral health system for court-involved adolescents;
  - gender-specific programs for girls;
  - evidence-based aftercare programs for youth returning from correctional facilities.



## STATUS OFFENDERS

- More than 2,000 youths referred to court in 1992 for status offenses, of whom more than one-third were formally processed in juvenile court.
- Many of these youth were placed on probation for truancy, running away, curfew violations, and other non-crimes.
- A one-day census of juveniles in confinement in 1991 found that 67 status offenders were confined in juvenile facilities after violating probation rules.

## YOUTH IN THE ADULT JUSTICE SYSTEM

- CT was one of only three states in the U.S. that treated all 16- and 17 year-olds as adults.
- Thousands of 16 and 17 year-olds per year arrested and tried as adults.
- Several hundred boys and girls under age 18 incarcerated in CT Department of Correction prisons, where they received little or no age-appropriate education or rehabilitative services.

## RACIAL AND ETHNIC DISPARITIES

- CT's juvenile justice system suffers with severe racial disparities.
- Whites make up three-fourths of CT youth population, but less than 25% of youth detained or admitted to Long Lane training school in 1991. More than 75% of confined youth were Black or Hispanic.
- The first comprehensive analysis of minority overrepresentation in CT's juvenile justice system finds that, controlling for offense and other characteristics, Black and Hispanic youth are treated more harshly than White youth at many stages of the juvenile justice process.

## DISCIPLINE IN SCHOOLS

- No data available on arrests or school suspension and expulsion rates during early 1990s.
- Virtually no schools in CT had school-based law enforcement officers.

- More than 4,000 status offenders referred to court in 2002.
- More than half had their cases formally processed in juvenile court.
- Nearly 1,000 of these status-offending youth were placed on court-ordered probation supervision.
- Several hundred were placed in locked detention for violating probation – even though they'd committed no crimes.
- No programs or services for status offending youth outside the delinquency system.

- CT remained one of only three states in U.S. that treated all 16- and 17 year-olds as adults.
- About 12,000 16 and 17 year-olds referred to the adult justice system for law violations in 2002-03 (excluding motor vehicle infractions).
- Roughly 1,700 16 and 17 year-olds placed on adult probation, and about 300 were confined on any given day in state jails or prisons.

- Second comprehensive analysis examining data from 1998-99, finds that racial disparities have improved since the early 1990s at several decision points, but many disparities still present.
- However, a 2003 study finds that 74 percent of confined youth in CT are minority, even though minorities were just 15 percent of state's youth population – the highest minority overrepresentation rate in New England.

- Still no reliable data available on school arrests.
- Data on school suspensions and expulsions unavailable for 2002, but 41,227 CT students suspended at least once during 2006-07, resulting in more than 250,000 school days missed.
- Most suspensions (61%) were for breaking rules (insubordination, truancy, disruptive behavior). Just 2% involved weapons and <1% involved violent crimes (other than routine fighting).
- Growing number of police or other law enforcement workers stationed inside CT schools.

- New law in 2005 prohibits detention of status offenders for violating probation or court order.
- New law in 2007 creates Family Support Centers to work with status offenders and their families outside the delinquency court system.
- As a result, number of status offenders detained fell from 493 to 0.
- Status offense case referrals down from 4,560 in 2006 to 2,475 in 2009.
- Share of status offender cases formally processed in court reduced from 50% of cases in 2006-07 to under 5%.
- Far greater success for status offenders: 70% fewer status offenders re-arrested, and improved behavior documented at home and in school.

- Enacted historic "Raise the Age" legislation in 2007.
- From Jan. 1, 2010 (when the law went into effect for 16 year-olds) and June 30, 2012, 8,325 CT 16 year-olds avoided prosecution and punishment as adults.
- 17 year-olds became eligible for juvenile court on July 1, 2012.
- Allowing 16 year-olds into juvenile system increased caseloads far less than expected, saving \$12 million from amounts initially budgeted in 2010 and 2011 fiscal years.
- 16 year-olds achieving better success and lower recidivism in juvenile system than youth 15-and-under.
- 17-and-under population in CT adult prisons declined from 403 in January 2007 to 151 in July 2012.

- Third analysis of minority representation, examining data from 2006-07, finds little progress. In fact, some disparities growing.
- However, CT has launched several efforts since 2007 to combat disparities:
  - Provided training for nearly 1,400 police officers statewide to eliminate racial disparities in treatment of youth;
  - Pilot projects in Bridgeport and Hartford substantially have reduced school arrests for Black and Hispanic youth, and reduced total arrest rates for Black and Hispanic youth as well;
  - Local breakdowns of racial/ethnic disparities now calculated quarterly by the state to support local efforts to combat disproportionate treatment.

- In 2007, CT legislature passes law prohibiting out-of-school suspensions for minor misconduct.
- CT's out-of-school suspension rate reduced 30% since 2007.
- In 2011, state juvenile probation department begins refusing to process some cases for truancy and other minor school misbehavior. Of the first 221 cases rejected, more than half involved arrests at school.
- Schools and police in nine jurisdictions have signed agreements to limit school arrests and pilot efforts to reduce arrests and improve discipline policies underway in other CT school districts.
- In one district (Manchester), school arrests and expulsions both declined more than 60 percent district-wide.
- CT Judicial Branch began calculating and reporting school-based arrests for the first time.

# KEYS TO SUCCESS:

STATE OF CHANGE: CONNECTICUT'S CHEMISTRY FOR REFORM



The contrast between the Connecticut juvenile justice system today and the deficient and scandal-plagued system of 10 and 20 years ago could not be sharper. Connecticut's improvements have quickly thrust the state into a position of national leadership on juvenile justice. Shay Bilchik, who directed the federal Office of Juvenile Justice and Delinquency Prevention in the 1990's and now leads the Center for Juvenile Justice Reform at Georgetown University, says that most states are not taking advantage of new practices and research findings about what works in juvenile justice that could dramatically improve outcomes and cost-effectiveness.

"As a nation, we're really not there yet," said Bilchik, "but we have early adopters who are putting to use the knowledge base we have now." Citing Connecticut as a charter member of that select group, Bilchik adds, "We need to celebrate that small cadre of states that are doing things right."<sup>15</sup>

What were the core elements underlying Connecticut's progress in reform? While there were many critical developments and pivotal players in Connecticut's reform story, it is impossible to imagine the dramatic changes occurring without the following:

- Formation of the Connecticut Juvenile Justice Alliance and the coalescing of advocates statewide;
- Commitment by the state to using evidence-based treatment models and other promising practices validated by research;
- A comprehensive statewide juvenile justice strategic planning process that helped forge a new interagency consensus in favor of working with children and their families within their homes and communities, identifying their risks and addressing their needs – while removing youth from their homes only as a last resort;
- Philanthropic support that provided funding at pivotal moments for advocates and reforms;
- Effective litigation that gave policymakers the push they needed to start and sustain reform efforts.

### **1. CREATING A VOICE FOR JUVENILE JUSTICE REFORM: THE CONNECTICUT JUVENILE JUSTICE ALLIANCE**

While Connecticut had a number of organizations promoting the needs of all children, there was no group with a laser-like focus on juvenile justice reform. In late 2001, the Connecticut Juvenile Justice Alliance (Alliance) was conceived to fill that void under the leadership of four organizations: Connecticut Voices for Children, a statewide policy advocacy organization; the Center for Children's Advocacy, a statewide legal services and advocacy organization; RYASAP, the youth advocacy organization in Bridgeport; and The Tow Foundation, a private family philanthropy.

The Alliance created a new forum for advocates and concerned leaders, and it brought an organizational capacity to Connecticut's juvenile justice reform movement. The coalition, with a steering committee made up of advocacy agencies, service providers, parent groups, the state's Child Advocate, and other stakeholders, created an agenda for reform that had previously been absent. As the Alliance added dedicated staff, it built capacity to recruit and organize volunteers; engage the media; provide support for public events; and conduct policy research, data analysis, and strategic planning for system reform efforts.

The Alliance elevated the conversation around juvenile

justice through a series of annual forums in Hartford that featured keynote addresses by national experts and panel discussions with state leaders. These forums attracted hundreds of policymakers, stakeholders and families. The Alliance helped to convince leaders in the Department of Children and Families and the Court Support Services Division in 2004 to jointly undertake a juvenile justice strategic planning process. This process is widely praised today as a key step toward building a shared vision for juvenile justice in the state.

By 2006, the Alliance had solidified its standing as a powerful player in Connecticut and emerged as the driving force behind the state's historic "Raise the Age" legislation. "The Juvenile Justice Alliance was absolutely central to the reform effort" for raising the age, according to Liz Ryan, executive director of the Campaign for Youth Justice in Washington, D.C. "They brought together the different stakeholders and created a plan that all could get behind, and they had the discipline to stick with it."<sup>136</sup>

"The Alliance identified and cultivated legislative champions to take this on," Ryan added, "not just members associated with the Judiciary Committee, but also the money committee, Appropriations."<sup>137</sup> During the heat of the legislative debates and in other debates since, the Alliance became a force multiplier for state legislators and other allies, providing talking points, mobilizing volunteers, and filling the room at hearings and other high profile events. The Alliance brought in national experts and Connecticut youth and their families, prepping them to help ensure their testimony would make the issue real for legislators, systems administrators and other opinion leaders. All this attracted steady media attention.

State Representative Toni Walker of New Haven, a dedicated legislative champion for Raise the Age, recalls that the Alliance was crucial to her efforts. "Being a part-time legislator makes it really difficult; you can't keep track of all the intricate details [of legislation] on your own. I really depended on [the advocates] to tell me what's going on and what needed to be done. We all worked well together."<sup>138</sup>

The Alliance also excelled at grassroots mobilizing. A postcard campaign resulted in 4,000 messages to state legislators encouraging them to raise the age. An event at the Capitol brought over 350 young people,

family members, and other advocates clad in orange "Raise the Age" t-shirts to the statehouse. The Alliance has remained a powerful voice in state policy debates, teaming up regularly with legislative allies to beat back calls to delay implementation of Raise the Age; to push for reduction of out-of-school suspensions, expulsions and school-based arrests; to address racial disparities, and to help mobilize and support local coalitions created under the state's Juvenile Justice Strategic Plan – known as Local Interagency Service Teams (LISTS) – working on juvenile justice issues around the state.

**“Being a part-time legislator makes it really difficult; you can't keep track of all the intricate details [of legislation] on your own. I really depended on [the advocates] to tell me what's going on and what needed to be done. We all worked well together.”**

**– CT State Rep. Toni Walker**

## **2. DOING WHAT WORKS: EMBRACING EVIDENCE-BASED AND OUTCOMES-FOCUSED PRACTICES**

As a 20-year veteran working inside Connecticut's juvenile justice system, Catherine Foley Geib concurs that the Alliance has been a key contributor to reform.

"The advocates bring us an outside perspective," remarked Foley Geib, currently the Manager of Clinical and Educational Services in the Judicial Branch's Court Support Services Division (CSSD). "They call our attention to issues that we can't see, that deserve our attention, and they hold us accountable." But, Foley Geib added, "Even with the best advocacy, if you don't have a functional state government, a functional agency, these great ideas aren't going to get implemented well."

Fortunately, CT's system is widely praised today as a top-notch provider of supervision and treatment services for court involved youth. CSSD and its sister

agency, the Department of Children and Family Services (DCF), have worked together closely in recent years to make Connecticut a national leader in the use of evidence-based and data-driven programming for youthful offenders.

That wasn't always the case. According to Peter Panzarella, the longtime director of DCF's adolescent substance programs before retiring in 2012, "when we looked at adolescent behavioral health services in Connecticut in the mid-1990s, we were heavily oriented to institutional services [i.e., residential treatment facilities], which were very expensive and not terribly effective. We were very light on community services."<sup>140</sup> In 1997, Panzarella secured a federal grant to establish the state's first family-focused, evidence-based treatment program for adolescents, Multisystemic Therapy (MST), which had proven highly effective in a series of controlled clinical trials. When the initial pilot project showed promising results, DCF added additional MST treatment teams around the state and began investing in a second home-based treatment model, Multidimensional Family Therapy, aimed at youth with deep-seeded family problems. Today, DCF offers these and other evidence-based family therapy programs to thousands of youth each year in its child welfare, behavioral health, and juvenile justice programs.

In addition, DCF has embraced evidence-based practices in other aspects of its work with justice-involved youth. At the training school, DCF has provided intensive in-service training for its clinical staff and introduced a number of proven cognitive-behavioral models for helping youth improve their perspective-taking and decision-making skills, as well as state-of-the-art substance abuse treatment. DCF carefully screens all youth for mental and behavioral health issues, and it provides specialized treatment groups for those with a history of serious trauma. DCF has developed an elaborate quality assurance process to ensure that private provider agencies adhere to best practice in the care and treatment of girls in state custody.

CSSD took a bit longer to embrace the evidence-based models. The agency was created in 1999 through the merger of several previously independent units, including juvenile probation, adult probation, juvenile

## AGENTS FOR CHANGE: Legislators

At key moments in the effort to reform Connecticut's juvenile justice system, members of the state legislature have stepped forward to provide timely and consistent leadership.

- In the mid-1990s, at a time when fear of adolescent crime was rising and states across the nation were enacting reactive, get-tough juvenile justice laws, Connecticut's legislators took a more measured and farsighted approach. Led by Michael Lawlor, the new co-chair of the Judiciary Committee, the legislators crafted an elaborate juvenile reform law in 1995 that addressed some of the concerns voiced by law-and-order conservatives, such as easing confidentiality restrictions and allowing state prosecutors to transfer serious cases to adult court (subject to judicial review). However, most of the new provisions in the law – and millions in new funding – were devoted to creating the state's first community-based supervision and treatment programs for court-involved youth.
- As the Raise the Age campaign was getting underway in 2005, State Representative Toni Walker and State Senator Toni Harp, both of New Haven, stepped forward as determined and skillful legislative champions. Walker and Harp served as co-chairs of the Juvenile Jurisdiction Planning and Implementation Committee that hashed out the details of the Raise the Age legislation prior to the 2007 legislative session, and Walker co-chaired the follow-up committee that monitored the law's implementation through Fall 2012. During the legislative battles, Walker and Harp worked closely with advocates to build legislative momentum, answer members' policy concerns, and demonstrate the proposal's deep and widespread support among both Connecticut residents and national policy experts. The "Two Toni's" (as they are known) serve as co-chairs of the legislature's powerful Appropriations Committee. From these positions, they were able to repel opponents' efforts to delay implementation of Raise the Age and to ensure continued adequate funding for juvenile justice reform initiatives at a time of state budget cuts.
- Other legislators have also made crucial contributions to reform in Connecticut. For instance, State Representative Gail Hamm of Middletown was a passionate advocate for reforming the state's treatment of status offenders in 2005-2007. "You would not have had the status offender reform without Gail Hamm," said the state's chief juvenile defender, Christine Rapillo. "She was relentless, and she was smart enough to get it written into law that there would be a task force [to address the issue]."

## AGENTS FOR CHANGE:

### Judges

Given their position and the deference they are typically shown in the state's political culture, it's safe to say that no major reforms were likely to emerge without at least tacit support from the Judiciary. Fortunately, Connecticut judges have provided much more than that – often becoming strong advocates for the reform process.

- Judge Christine Keller, Chief Court Administrator and the state's Chief Administrative Judge for Juvenile Matters from 2007 to 2012, has been described as a behind-the-scenes crusader for judicial reform. Keller, who also served as the state's chief juvenile judge from 1997 to 2002, played a key role in forging consensus on the coordinating committee that crafted recommendations for Raise the Age legislation in 2006 and 2007. From 2010 to 2012, Keller used her position to bring attention to excessive school arrests for low-level misbehavior. She worked closely with the Connecticut Juvenile Justice Alliance to convene a 2010 training conference for local teams from across the state to hear about innovative school-police partnerships to limit student arrests for misbehavior on school grounds. Since then, Keller has encouraged other judges to get involved in the issue. "A lot of the judges are really coming out of their comfort zones," Keller says. "They're going to committee meetings; they're going to school boards."
- Judge Barbara Quinn, Chief Court Administrator from 1997 to present and Keller's immediate predecessor as the state's chief juvenile judge, has also been a pivotal supporter of juvenile justice reforms. Quinn served on the drafting committee of the advisory board that developed the Family With Service Needs (FWSN or status offender) reform legislation in 2006.
- Judge William Lavery, Connecticut's chief court administrator in 2006 and 2007, also played a key role in the passage of Raise the Age, helping combat objections that the changes would create overwhelming costs and logistical challenges. While Lavery was also concerned about the costs and complications that raising the age would entail, ultimately he was persuaded by the data showing that trying all 16 and 17 year-olds as adults would have negative impacts on youth and public safety, as well as the detailed planning undertaken by reformers and the widespread support for the change among top leaders in state government. Lavery testified in support of the legislation in March 2007, and his testimony proved a turning point in breaking down resistance to the law.
- Judge Richard Chatigny, the federal district court judge who oversaw the *Emily J.* lawsuit over conditions and services in Connecticut's juvenile detention system, also provided crucial leadership. According to litigator Martha Stone, Chatigny injected himself into the process at several points and pressed the parties to reach agreement on reforms, not only to correct physical conditions, but also to improve mental health screening and treatment and make appropriate alternatives to detention available.

detention, and an office of alternative sanctions. At the outset, CSSD inherited a large number of new community-based treatment programs for youth. However, most of these programs lacked any basis in theory or research, and CSSD was ill prepared to measure results or carefully assess youth to figure out which programs might best suit their needs. "We didn't have a lot of research and evidence on how to do this," said the division's Executive Director William Carbone.<sup>141</sup>

CSSD immediately began to build its information systems. But urgency for change – in fact, the entire direction of the division's programming for system-involved youth – shifted dramatically in 2001 and 2002 thanks to two catalytic events

The first came in 2001 when Thomas White, then CSSD's Director of Operations, led a staff team to Canada to meet with a group of Carleton University scholars who had developed an exciting new body of research. Until the 1980s, criminologists had no clear evidence that any particular rehabilitation strategy for youth worked better than any other. Then scholars began producing evidence that a handful of model intervention programs outperformed standard practices in random trials, as long as their complex models were followed faithfully.

The Canadians' new research showed that certain types of programs consistently worked better than other types, without the caveat that they needed to follow any particular model. Inspired by this research, CSSD quickly established a Center for Best Practices to spearhead an agency-wide campaign to align all of its programming with available research.

The second catalyst was the state-sponsored outcomes evaluation of CSSD's existing alternative programs by the Connecticut Policy and Economic Council (CPEC), which found that the programs were largely ineffective. Youth served by alternative programs in 1999 had higher recidivism rates than youth in 1994 who did not participate in any program. Just two of the 22 programs examined reliably reduced recidivism.<sup>142</sup>

The CPEC study "created a crisis," said Julie Revaz, who oversees CSSD's best practices center.<sup>143</sup> Within 18 months, the agency scrapped virtually all of its existing programs, cancelling \$7.5 million in contracts.

In 2003, the division began statewide funding for one evidence-based treatment model, Multisystemic Therapy (MST), hiring enough therapists to serve 675 youths per year. Since then, CSSD has expanded MST services and added a number of other evidence-based model programs, nearly all of which are home-based and family-focused rather than residential. They are all based on research showing that these types of therapeutic interventions yield far better results than standard probation supervision, and equal or better results than far more expensive residential confinement or treatment programs.

**“Connecticut’s innovative spirit and commitment to high quality practice and system improvement ensure the state’s role as one of the most advanced juvenile justice systems in the country.”**

**– Shay Bilchik, Georgetown Center for Juvenile Justice Reform**

“It would have been easier to work with those [existing] programs and try to make them better,” said Carbone,<sup>144</sup> “but we replaced them”<sup>145</sup> with proven models.

In addition to instituting evidence-based programs, CSSD also developed a scientifically validated assessment tool to determine the needs of individual youth, and a sophisticated management information system to track results and determine how well programs were working and for which youth. Prior to these investments, explained Carbone, “we knew how many youth we were serving, in terms of a headcount, but we had no data at all on how well they were doing, how timely our services were, or what the reasons were for failures or probation violations.”<sup>146</sup>

To Shay Bilchik, this commitment to evidence makes Connecticut stand out among states as a leader in juvenile justice: “They are heavily invested in data, and they’ve really used data in their day-to-day management of the system...They’ve really spent time developing evidence-based programs.”<sup>147</sup>

Leaders throughout Connecticut share similar respect for the agency. “CSSD is a high-functioning agency,” said Rep. Toni Walker, a champion of juvenile justice reform in Connecticut’s legislature.<sup>148</sup> Adds Christine Rappillo, the state’s chief juvenile public defender, “Bill Carbone is so good at understanding that you’ve got to prove what works.”<sup>149</sup>

### **3. BUILDING A CONSENSUS: THE CONNECTICUT JUVENILE JUSTICE STRATEGIC PLAN**

A third critical step for Connecticut’s juvenile justice reform efforts began in 2004, when advocates affiliated with the Connecticut Juvenile Justice Alliance helped to convince leaders in CSSD and DCF to undertake a strategic planning process for the state’s juvenile justice system.

By that time, both CSSD and DCF were heartily embracing evidence-based treatment models and other data-driven best practices. Yet severe problems remained in the state’s treatment of troubled and delinquent youth, and the state’s juvenile justice system still lacked a unified and coherent strategy. By 2004, the two agencies had begun working more closely together, thanks to their status as joint defendants in the ongoing Emily J. lawsuit over conditions in the state-operated detention centers and the lack of community alternatives for court-involved youth. Recognizing the need for a more cohesive system, leaders of both agencies embraced the idea of a statewide juvenile justice strategic plan, which quickly grew into an immense and pivotally important undertaking.

Facilitated by experts from the Child Welfare League of America with funding support from the state legislature, the process involved a hundred stakeholders representing various levels of staff from state agencies, the courts, community and family groups, philanthropy, and academic experts. The effort started with community listening sessions where more than 450 children and families shared their experiences with the juvenile justice system, followed by extensive strategy work by three committees (each with several active subcommittees).<sup>150</sup> General sessions to discuss the overall progress of the various committees were well-attended throughout the nine-month process.<sup>151</sup>

Published in August 2006, the resulting Juvenile Justice Strategic Plan embodied a progressive new consensus for

the state that was shared by advocates, public agency leaders, and even the law enforcement community. It helped pave the way for the rapid adoption of major reforms that have continued from 2007 to the present day.

Specifically, the Strategic Plan endorsed a number of ambitious goals long sought by the advocacy community, such as providing 16- and 17 year-olds with age-appropriate services in the juvenile justice system and diverting status offending youth from court whenever possible. The plan advocated vigorous action to address racial disparities and disproportionate minority contact in the juvenile system, and it highlighted the importance of enhancing community-based services to divert youth from juvenile court and from the juvenile corrections system. In addition, the Strategic Plan drew attention to the excessive reliance on suspensions and expulsions for misbehavior in schools – an issue that had received little notice previously – advocating instead for alternative discipline strategies to keep youth in school.

Along with setting broad goals for reform, the Strategic Plan outlined improvements to ensure the juvenile system was evidence-based, data-driven, competently staffed, and outcomes-oriented. Among its major recommendations, the Strategic Plan called for systematic use of reliable screening tools to ensure that youth were assigned to programs and services matched to their individual needs and risks, and it stressed the need for rapid adoption of evidence-based programs and treatment strategies. It called for improved coordination and information-sharing between CSSD and DCF, as well as new mechanisms to ensure greater coordination across the entire range of agencies and professionals involved in the lives of delinquent youth (including educators and mental health providers). Also, the plan advocated for major investments in staff training and workforce development so that front-line workers in probation, community treatment programs, and residential facilities were culturally competent and well-versed in effective practices for working with high-risk youth.

The Strategic Plan created new mechanisms to foster continuing attention to juvenile justice and an ongoing platform to promote further improvements in the state's juvenile system. It called for the creation of Local Interagency Services Teams (or LISTs) in every juvenile court district in the state. These LISTs involve a cross-

section of community leaders concerned with juvenile justice who meet regularly to identify and discuss local issues and challenges and inform state officials about gaps or problems in state policies and programs that affect their communities. The plan also created an "Executive Implementation Team" to oversee and monitor the state's efforts to implement the Strategic Plan. This oversight body, which has continued to meet quarterly since 2006, has helped ensure that state leaders retain their focus and follow through on the Strategic Plan recommendations, and it has created a high-level forum for leaders to discuss emerging issues and challenges.

**“Connecticut’s accomplishments reflect the essential elements of effective juvenile justice reform: dedicated leadership, stakeholder collaboration, use of data to drive decisions, and a shared belief in serving youth and families in their own communities.”**

– Mark Soler, Center for Children’s Law and Policy

Finally, the Strategic Plan committed state leaders to a new Results-Based Accountability (RBA) system that holds state agencies accountable for achieving specific and quantifiable performance goals related to juvenile justice, and then monitoring progress over time. For instance, under the RBA process, the juvenile probation department reports its progress regularly on a series of measures tied to common sense questions such as: “how much did we do?” (tracking new juvenile court intake cases annually); “how well did we do?” (the share of probation youth served in treatment programs appropriate to their individual risks and needs); “how well did we do it?” (percentage of youth taken into custody for violating probation rules); and “is anyone better off?” (both the re-arrest rates of youth served by probation and the number of youth committed to state custody annually).



“I firmly believe that without a shared vision and a plan to execute it with concrete goals and measures, Connecticut’s progress on juvenile justice reform would not have been anywhere near as widespread and comprehensive as it has been,” said Emily Tow Jackson, executive director of The Tow Foundation, a co-founder of the Connecticut Juvenile Justice Alliance. “I feel the [Strategic Plan] paved the way for future reforms and legislative wins.”<sup>152</sup>

Anne McIntyre Lahner, who served as the Department of Children and Families’ point person on the Strategic Plan, identifies the state’s attitudinal shift as the most important impact of the process. “It changed our whole understanding of who these kids are,” said McIntyre Lahner. “We looked deeply at the underlying significant needs of the juvenile justice kids. Many of them have suffered trauma or abuse; a lot of them have been through our child welfare system, or have serious mental health problems. This new shared understanding of who the kids are and what they need, it really changed the conversation.”<sup>153</sup>

#### **4. PROVIDING A BASE OF SUPPORT: THE TOW FOUNDATION AND OTHERS COMMIT TO JUVENILE JUSTICE REFORM**

A fourth key catalyst for Connecticut’s impressive strides in juvenile justice reform has been the emergence of steady and substantial philanthropic support. Since the late 1990s, The Tow Foundation, based in New Canaan, has provided more than 300 grants totaling \$12 million to support juvenile justice reform efforts statewide, including direct services, research and advocacy. Other foundations, both within and outside Connecticut, have also provided invaluable assistance to juvenile justice advocates, innovators, and reformers. Within the state, the Connecticut Health Foundation has awarded dozens of grants to support juvenile justice and adolescent mental health projects and the Edward S. Moore Family Foundation and Hartford Foundation for Public Giving have also contributed significantly. In addition, national funders, such as Public Welfare Foundation, the John D. and Catherine T. MacArthur Foundation, Open Society Foundations, and the JEHT Foundation, have all provided important support for Connecticut juvenile justice reform projects, often leveraged by local foundation investments.

## **AGENTS FOR CHANGE: Advocates and the Media**

### **CENTER FOR CHILDREN’S ADVOCACY**

A founding partner of the Connecticut Juvenile Justice Alliance, the Center filed the Emily J. lawsuit in 1993. Led by Martha Stone since its inception, the Center has initiated litigation related to numerous child welfare and juvenile justice policies and practices that has helped to drive important reforms in both systems and identified emerging issues, such as youth homelessness, trafficking and the needs of girls.

### **CONNECTICUT VOICES FOR CHILDREN**

A founding partner of the Connecticut Juvenile Justice Alliance, Voices produced juvenile justice research vital to reform efforts and took the lead in raising awareness of excessive school suspensions and school-based arrests.

### **THE REGIONAL YOUTH ADULT SOCIAL ACTION PARTNERSHIP (RYASAP)**

A local youth advocacy organization in Bridgeport and founding partner of the Connecticut Juvenile Justice Alliance. RYASAP continues to provide a home to the Alliance and serve as its fiscal agent. RYASAP’s longtime executive director, Robert Francis, has been co-chair of the Alliance steering committee since it was founded. In 2000, RYASAP convened the Greater Bridgeport Juvenile Justice Task Force, bringing local leaders and advocates together on a regular basis to identify and address concerns related to juvenile justice – a model that has now been replicated statewide in the form of Local Interagency Service Teams in every juvenile court district.

### **PARENTS AND FAMILIES**

Families have consistently injected their perspective into policy discussions around juvenile justice. Through grassroots organizing and state-level advocacy, FAVOR, Inc., a statewide family advocacy organization led by Hal Gibber, that is focused on behavioral and mental health services for children, and African Caribbean American Parents of Children with Disabilities (AFCAMP) have helped keep parents’ voices at the center of reform efforts statewide and hold system leaders accountable. Longtime AFCAMP Executive Director, Merva Jackson, who passed away in 2012, served on the Executive Implementation Team for the state Juvenile Justice Strategic Plan and participated on many of the task forces and legislative committees that have shaped key reforms in Connecticut.

### **THE MEDIA**

The media has played a crucial role by shining a light on the need for reforms. Examples include reporter Colin Poitras, who wrote more than 300 news stories about juvenile justice for the *Hartford Courant* between 1994 and 2008 and the *Connecticut Mirror*, an online news service that covers state government; Connecticut Public Television, which aired the important documentary, *Education vs. Incarceration*, in 2011; and Youth Rights Media, a New Haven nonprofit organization whose youth members have produced influential documentaries since 2002 on juvenile justice and related topics.

# AGENTS FOR CHANGE:

## State Partners

### JUVENILE DEFENDERS

The state's chief juvenile defender, Christine Rapillo, worked to protect children's constitutional rights throughout the reform process, including serving on several state committees. Rapillo serves as co-chair of the Alliance's steering committee and plays a key role in its oversight of Connecticut's Raise the Age law. She also sits on the state's Juvenile Justice Advisory Committee and the U.S. Department of Justice's Federal Advisory Committee on Juvenile Justice.

### JUVENILE PROSECUTORS

The state's chief juvenile prosecutor, Francis Carino, sat on many of the planning committees charged with framing major reforms representing the perspective of law enforcement and the issues around public safety. Carino has volunteered his time to design and deliver trainings to help court and law enforcement personnel implement new reform laws and work with local Juvenile Review Boards to help establish effective diversion programs.

### JUVENILE JUSTICE ADVISORY COMMITTEE (JJAC)

Housed in the Office of Policy and Management (OPM), the JJAC has long played a key role in focusing attention on crucial issues in juvenile justice. Led by Valerie LaMotte, the JJAC sponsored intensive analyses of disproportionate treatment of youth of color in the state's justice system and trained nearly 1,400 police officers on appropriate handling of juvenile cases. The JJAC also allocates federal juvenile justice resources to a variety of reform and system improvement projects every year.

### CENTER FOR EFFECTIVE PRACTICE

The Connecticut Center for Effective Practice of the Child Health and Development Institute, led first by Dr. Janet Williams and currently by Dr. Robert Franks, was created in 2001 to improve Connecticut's mental health and juvenile justice systems. It has published two major reports that recommended practice changes in mental health service delivery; evaluated and supported replication of MST programs statewide; published a juvenile justice system guidebook for parents and caregivers of children in the system; and implemented and enhanced the School-Based Diversion Initiative (SBDI) targeting at risk youth vulnerable to school-based arrest. The Center continues to train hundreds of DCF and CSSD staff annually in best practices related to adolescent development, evidence-based treatment, and trauma-focused services for youth.

### LOCAL LAW ENFORCEMENT

Leaders around the state, such as Bridgeport Police Chief Joseph Gaudett, have actively worked with the education and judicial systems to help reduce school arrests and support training of officers on how to minimize racial and ethnic disparities in their handling of juvenile cases.

In addition, using funds from a variety of national foundations, the Campaign for Youth Justice provided substantial financing to support the Connecticut Juvenile Justice Alliance's successful Raise the Age campaign.

Viewed in perspective, the total value of philanthropic contributions to juvenile justice reform from Tow and other foundations remain modest – vastly overshadowed by the state's annual spending for juvenile justice facilities, programs, and services, which exceeds \$137 million per year.<sup>154</sup> Yet, the steady and consistent availability of even this limited funding has been critical, reinforcing and rewarding the efforts of advocates and youth-serving agencies to continue testing new approaches and pushing for change.

"Connecticut is unusual in that we have a foundation that has made juvenile justice a key priority," explained Connecticut Juvenile Justice Alliance Executive Director Abby Anderson. "This is not a population that gets a lot of attention from anyone, especially not from people with money.

"[The consistent philanthropic support] gives our work a strong base, a spine, so we always know there's something we can build on," Anderson added. "In states that don't have a foundation like Tow – a funder which has made a long-term commitment to the issue – it's hard to get people involved [in juvenile justice reform]. A foundation can help bring people to the table. It can make it safe to do the work."<sup>155</sup>

## 5. ACCELERATING REFORM THROUGH LITIGATION

Over the past four decades, lawsuits have made a crucial difference in addressing abuses and improving conditions of confinement in many states. However, litigation has been less effective as a fulcrum for deep and sustained reforms, particularly in jurisdictions where system leaders view litigation as an obligation to be met with minimalistic corrective action plans and legalistic compliance rather than a call to action to revamp policies and practices that are ineffective and/or inhumane. In Connecticut, however, litigation has proved a powerful lever for

success. The filing of the Emily J. lawsuit in 1993 marked the beginning of the state’s juvenile justice reform movement, the first indication for many state leaders that the state’s juvenile justice system was seriously troubled. Ever since, litigation (or the threat of it) has

**“The Connecticut story speaks to the power of partnership between tireless advocates and reform-minded policymakers working together to do right by youth, families, and communities.”**

– Katayoon Majd, Public Welfare Foundation

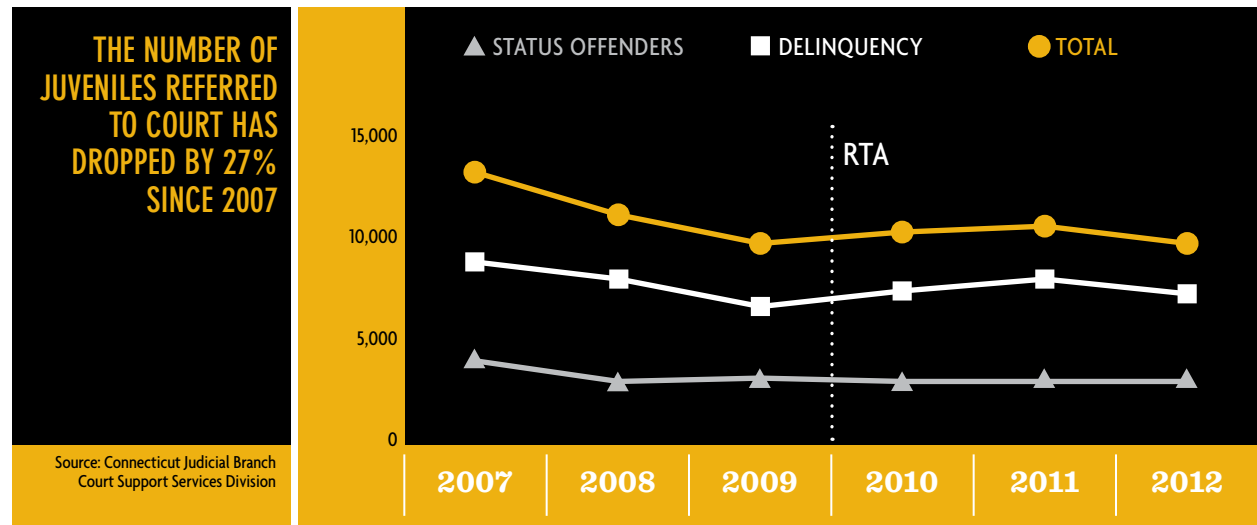
been a key tool for augmenting the policy arguments advanced by advocates and for adding urgency to the reform impulses of leaders within the juvenile courts and corrections system. For instance, the first settlement in the Emily J. lawsuit, signed in 1997, required the state to invest in alternatives to confinement – a step the state had already begun to implement. The second and third settlements in the case, signed in 2002 and 2005, also required concrete steps and included substantial new funding to improve risk assessment screening and treatment of youth with mental health needs, and to

fund new mental health treatment programs.

Much credit for the deep and sustained impact of litigation in Connecticut can be traced to a determined litigator, Martha Stone, who played a central role first as a legal director for the Connecticut Civil Liberties Union, then as director of her own legal clinic, the Center for Children’s Advocacy at the University of Connecticut School of Law. In addition to documenting the system’s deficiencies, Stone created a constant drumbeat for continued reforms over 20 years, in many ways acting as Connecticut’s conscience. Connecticut’s policymakers and juvenile justice system leaders – the targets of the lawsuits – also deserve credit for the positive results of the litigation. These officials recognized that the system had to change, and the threat of legal sanctions helped them muster the political support to pass needed policy reforms and increase funding for effective alternatives to confinement.

The settlements were hailed as beneficial by both the litigators and state leaders. For instance, then Attorney General Richard Blumenthal (now a U.S. Senator) told the *Hartford Courant* in 1997 that the first settlement involved “excellent changes” that were already underway in the state.<sup>156</sup>

Christine Keller, until recently the state’s chief juvenile judge, also lauds the positive impact the state has seen from litigation. “No one wants to get sued,” Keller said. “But sometimes the best way to get money from the legislature for the things that need doing is to have a lawsuit filed.”<sup>157</sup>



## A SHARED VISION AND A COMMITMENT TO CHANGE

Perhaps the single most important element in Connecticut's recent successes has been a mutually reinforcing dynamic that has emerged in the state's juvenile justice reform efforts, where each step forward serves as a springboard for the next.

This self-perpetuating virtuous cycle of reform is fueled by contributions from all the advocates, system leaders and other stakeholders described in this chapter. But it is held together by something else – a common vision that has emerged in Connecticut for juvenile justice.

Repeatedly in recent years, Connecticut has convened high-level committees or task forces of legislators, administrators, advocates and parents to examine top-priority juvenile justice challenges, beginning with the juvenile justice strategic planning process that played such a crucial role in forging statewide consensus for reform. Since then, the state has used this approach in creating a planning and implementation committee to develop a proposal for raising the age of juvenile jurisdiction, a Family With Service Needs (FWSN) Advisory Board convened in 2006 to examine policies toward status offenders, and a coordinating committee created in 2007 to monitor implementation of the Raise the Age legislation.

These workgroups have often involved the same people, or at least the same agencies, and they have allowed key players from various disciplines and arms of government to get to know each other, build trust, and develop a common understanding and shared vision of the issues.

That unified vision, which guides virtually all of Connecticut's juvenile justice reform efforts, revolves around two key principles:

1. Adolescents are different than adults and deserve a separate, less punitive, and more therapeutic justice system.
2. The juvenile justice system often succeeds best with youth when it does the least – diverting as many children as possible from arrest and formal court involvement, keeping them in school, and committing children to residential custody only as a last resort.

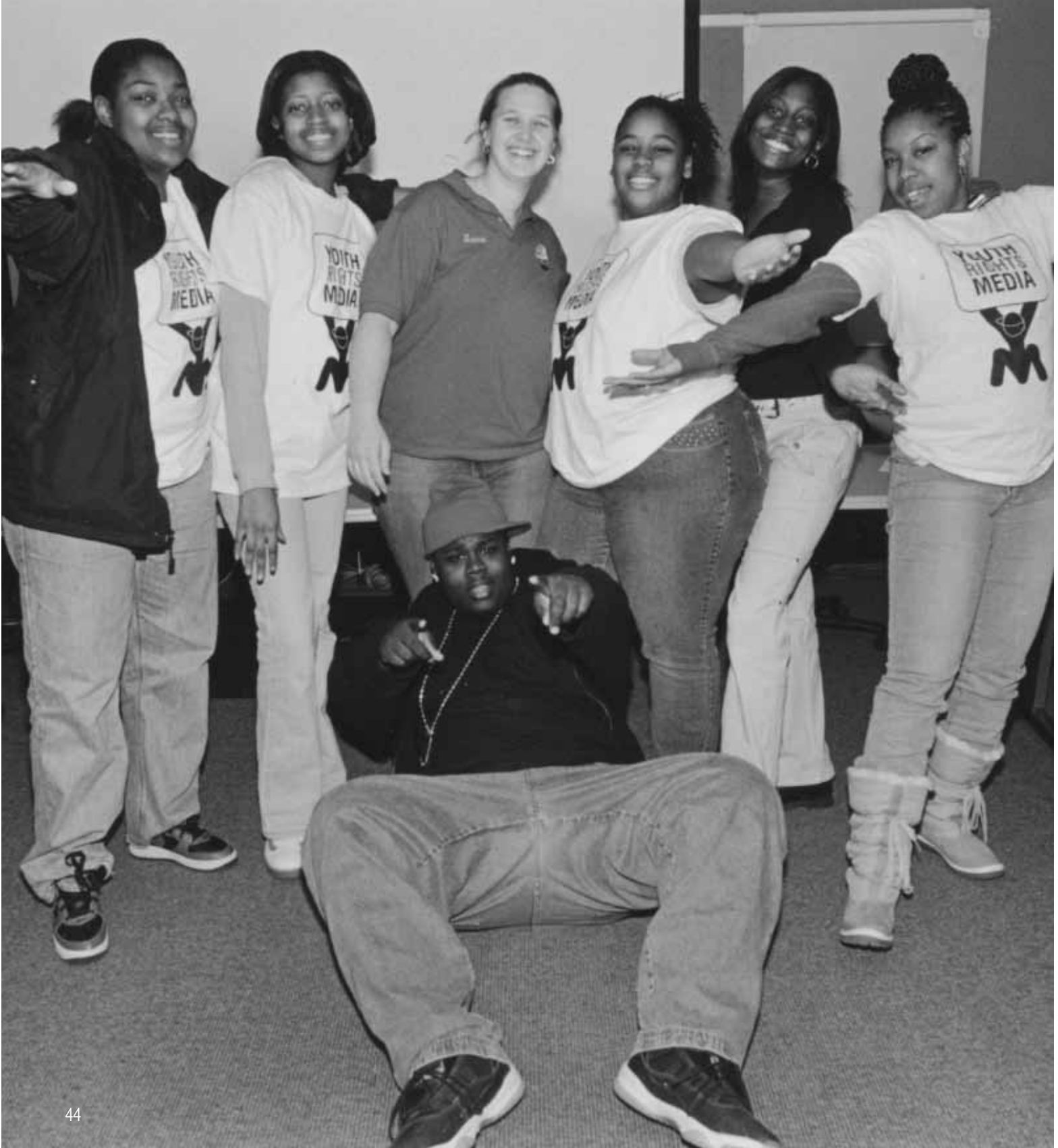
Two decades ago, neither of these principles was widely accepted in Connecticut outside of the advocacy community. Ten years ago, support for these principles was growing, but the state lacked programming capacity to apply them.

Today, the principles are embraced throughout Connecticut's leadership – from the judiciary, to law enforcement, to juvenile corrections and schools. And with remarkable breadth and speed, that vision is becoming reality.



# LESSONS:

STRATEGIES FROM CONNECTICUT THAT COULD HELP BOOST SUCCESS IN OTHER JURISDICTIONS



Every state is different when it comes to juvenile justice: different challenges, different economic circumstances, different system architecture, different leaders, different political cultures. As a result, it's impossible to draw a straight line from Connecticut's experience to reform efforts in any other state. Nonetheless, Connecticut's success in re-engineering its juvenile justice system offers useful insights to leaders in other states and jurisdictions seeking to accomplish ambitious top-to-bottom reforms. The following pages detail seven key lessons that have emerged from Connecticut's experiences:

## 1. SEIZE THE MOMENT

It's an unfortunate adage, but nonetheless true: never let a crisis go to waste. Time and again in Connecticut, advocates and reformers have seized on alarming events to mobilize and press for far-reaching reforms.

In the mid-1990s, Connecticut legislators used the national panic over youth crime (and legitimate concerns about rising youth violence) as an opportunity to begin providing significant funding for alternatives to detention and incarceration. In 1998, advocates used the tragic suicide of a girl in the state's Long Lane training school to raise awareness of problematic conditions and promote reforms, taking advantage of in-depth investigations by the state's Child Advocate and Attorney General.

Since 2000, reformers have been even more opportunistic, advancing the movement by responding quickly and decisively to emerging problems, including the following:

From 2001 through 2004, advocates seized on a stream of reports documenting problems with the state's new training school to push for more and better alternative programming, as well as improved conditions within the facility itself. Advocates also used the scandal over improper contracting of the construction of the facility – which ultimately led to the governor's resignation and imprisonment on corruption charges – to keep up the pressure on state leaders and advance their reform goals. Rather than ignoring or trying to explain away the findings of a high-profile 2002 recidivism study showing that its community-based alternatives programs were ineffective, leaders within the Judicial Branch's Court Support Services Division embraced the findings, terminated the programs and invested in a new generation of evidence-based treatment models.

The Connecticut Juvenile Justice Alliance (Alliance) launched its "Raise the Age" campaign in August 2005 – the month after a suicide of a mentally ill 17 year-old imprisoned at the state's Manson Youth Institution, an

adult prison. While the campaign had been in the works for some time, the suicide received prominent coverage in Connecticut newspapers and created substantial momentum for legislation that would eventually return 16 and 17 year-olds to the juvenile system.

## 2. LAY THE GROUNDWORK

For Connecticut's two most sweeping and important juvenile justice reform laws – raising the age and removing status offenders from juvenile courts and detention centers – state leaders employed a two-stage process. First, the legislature established a high-level advisory group or task force to carefully examine the challenges, alternative solutions, and associated costs. Then, after key stakeholders and data analysts agreed upon detailed proposals, the legislature debated the measures and enacted legislation.

This two-step process proved invaluable for two reasons:

1. Getting the reforms right, and
2. Bringing leaders and factions together ahead of time to make needed compromises and forge lasting consensus.

Both reforms required complex, wide-ranging, and sometimes contentious changes in the state's handling of youth. The two-step process enabled reformers to study and resolve the practical challenges associated with reform, and also prepare for the political objections these reforms were likely to encounter from opponents. "The task force approach has worked," says Christine Rapillo, the state's chief juvenile public defender. "It brought all of the key players into the room, all working on the assumption that this legislation is going to pass, so we need to get it right."<sup>158</sup>

Moreover, in both cases, the legislature went even one step further – keeping the advisory groups in place after the laws were enacted to monitor implementation and ensure success.

### 3. MAKE IT REAL

Call it the “Somebody Else’s Children”<sup>159</sup> problem. One of the biggest challenges in building support for reforms in juvenile justice is getting affluent, successful, mostly White policymakers to feel and understand the importance of changing a system that primarily involves low income youth and families of color. To meet this challenge, legislators, members of the Alliance and other advocates have been creative in their efforts to “make it real” in their advocacy efforts. Facts and figures provide essential justification for any reform campaign. But ultimately, Connecticut reformers have learned that the human factor is critical – touching policymakers’ hearts and showing them what reform means in the lives of real children and families.

To help policymakers make this human connection on juvenile justice, Connecticut advocates have employed several strategies:

The Alliance has worked closely with parent organizations and other grass-roots groups to ensure broad participation in rallies at the state Capitol, local informational breakfast meetings with legislators, and other events throughout the state. These occasions have provided youth and families the opportunity to introduce themselves to legislators, describe their experiences in and with the system, and explain why changes were needed.

One of the most compelling spokespeople in the Raise the Age movement was Diana Gonzalez, the mother of the 17 year-old boy, David Burgos, who committed suicide while incarcerated as an adult in a Connecticut state prison. Speaking before the state legislature, Ms. Gonzalez issued a challenge that lingered in the ears and minds of many legislators: “What’s it going to take for us to make the change? Why do we wait for a tragedy? Why does someone like my son have to die before we make a change we know is right? It’s time for us to stop talking about making this change and do it.”<sup>160</sup>

The Alliance also brought in compelling experts. For instance, in the midst of the debate over Raise the Age, Dr. Abigail Baird, then a Dartmouth neuroscientist, explained the differences between adolescent and adult brains to an auditorium full of legislators. Baird described one experiment during which adults and adolescents were asked whether they would be willing to jump into a pool filled with sharks: the adults

all decided “no” in a fraction of a second, but most adolescents seriously considered diving in, and took several seconds to decide. According to long-time legislator Mike Lawlor, now the undersecretary of the Criminal Justice Policy and Planning Division at the state’s Office of Policy and Management, many of his legislative colleagues referred to the anecdote repeatedly in their discussions about Raise the Age. In a way that statistics never could, the vivid illustration brought home the reality that adolescents are different than adults (prone to risk-taking and impulsive behavior) and need to be treated differently by the justice system.

State Representative Toni Walker, co-chair of the Appropriations Committee and one of the legislature’s leading advocates for juvenile justice reform, said she was highly conscious of race as she tried to build legislative support for the Raise the Age legislation in 2007. Walker, who is African American, says that she selected only White youth and families to testify at her hearings about Raise the Age based on her belief that, subconsciously, her colleagues (who are predominantly White) would be better able to relate to White families’ plights.

### 4. ADVOCATE, BUT DON’T ALIENATE

The Connecticut Juvenile Justice Alliance and other members of the state’s advocacy community have fought hard for their goals, displaying dogged persistence, but they have been careful not to employ antagonistic tactics. Advocates have sought to build relationships with those in power and win them over whenever possible, rather than beating system officials over the head and trying to make them look bad.

“It sounds a little bit Dale Carnegie,” says Alliance Executive Director Abby Anderson, “but you catch more flies with honey.”<sup>161</sup>

When she gets a phone call from the media about some new revelation or allegation of problems in the system, Anderson says, “my first instinct is to call the agency and talk with them about it” – not to issue an inflammatory quote to the reporter. “If we need to be hard-nosed, we will,” she added, “but we want to be collaborative first.”

Martha Stone of the Center for Children’s Advocacy has also worked hard to build mutually respectful relationships with system leaders – even when she’s suing them over conditions of confinement or failing to provide youth with appropriate and timely mental health treatment services.



This ethos of collaboration has paid off in important ways:

Rather than devolving into acrimony and mutual recrimination, settlement talks for resolving the Emily J. lawsuit over conditions and programming in the state's juvenile detention facilities served repeatedly as a forum for brainstorming and collaborative planning – and an opportunity to secure funding for programming that might otherwise have been unavailable to the Judicial Branch. With encouragement from the federal judge supervising the case, litigator Martha Stone and officials from the Court Support Services Division (CSSD) and other state agencies negotiated a detailed five-year reform plan in 1997 that both sides supported. Then, when progress on improving mental health treatment and alternative programming failed to materialize, the two sides returned to the bargaining table in 2002 and reached another mutually advantageous agreement.

This collaborative spirit was also evident – and beneficial – in the work of the two committees created by Connecticut's legislature in 2006 and tasked with forging plans for raising the age and reforming the state's treatment and handling of status offenses. Both groups included committed leaders with widely diverging perspectives – judges, prosecutors, defenders, staff from the Department of Children and Families (DCF) and CSSD, as well as advocates. And both groups were responsible for creating plans that required potentially divisive policy choices on a range of intricate and complex issues. Yet, rather than allow philosophical or bureaucratic differences to derail progress, both groups forged consensus on plans that adhered to best practice research and required compromise from all sides.

The 2004-2006 statewide juvenile justice strategic planning process owed its success to a similar commitment to collaboration. Initially suggested by the Connecticut Juvenile Justice Alliance, the process was overseen jointly by CSSD and DCF, with funding from the state legislature and assistance from the Child Welfare League of America, and it involved a diverse group of stakeholders from around the state.

## 5. FOLLOW THE EVIDENCE

In Connecticut, system leaders have committed to track and heed the evidence, even if it requires dramatic changes. As detailed previously, Connecticut has fundamentally re-oriented its juvenile programs and services over the past decade to align its efforts with new research about what works and to carefully track results and adjust its approaches based on outcome data.

Ever since the adolescent substance abuse unit within DCF established the state's first Multisystemic Therapy program in 1997, the state has made an enormous investment in evidence-based treatment models for troubled and delinquent youth. Today, programs operated by DCF and CSSD together serve more than 5,000 youths per year. DCF has also incorporated evidence-based best practices into a number of other aspects of its work with juvenile offenders, including assessment and treatment of youth in the training school; trauma-informed treatment and other best practices for court-involved girls; and adoption of evidence-based aftercare service models for youth returning home from residential placement.

The state's Juvenile Justice Strategic Plan, completed in 2006, created a number of concrete outcome goals and adopted "Results-Based Accountability" to monitor progress. This process continues to keep state leaders focused on critical outcomes and forces them to identify and address obstacles to success.

This focus on outcomes and commitment to maximizing results has been especially evident in CSSD, which scrapped its early ineffective programs and went back to the drawing board, importing models with the strongest evidence of effectiveness and replicating them widely throughout the state. And when research made clear that removing youth who had committed minor offenses from their homes increased recidivism and wasted taxpayers' money, CSSD created a new objective screening grid that prohibits commitments of low-risk youth. CSSD also instituted new practices requiring a supervisor's approval before probation officers can order a youth taken into custody and began rejecting school-based referrals of cases that do not involve serious law-breaking.

**Today, more than 5,000 youths per year are served by non-residential evidence-based programs operated by DCF and CSSD**

National experts and leaders within the state cite CSSD's highly developed data capabilities as a rare and invaluable asset.

"Connecticut, and CSSD in particular, has a very, very strong data system, and they're willing to produce the data we ask for," reports Jason Szanyi, a staff attorney at the Center for Children's Law and Policy (CCLP) in Washington, D.C. who has been working with local teams in Bridgeport and Hartford to combat racial disparities.<sup>162</sup> Noting that CCLP has conducted similar work in 17 jurisdictions nationwide, Szanyi's colleague Tiana Davis adds that "ours is a data-driven process. Connecticut's capacity with data ... [has made it] much better prepared than a lot of jurisdictions that we've worked with."<sup>163</sup>

CSSD Executive Director William Carbone agrees that data is vital. "How can you set goals for change if you don't understand the characteristics of your population?" asks Carbone, noting that CSSD's management information system now allows managers to track outcomes and trends in minute detail. "If you have no data, how do you measure anything?"<sup>164</sup>

## 6. ENGAGE NATIONAL EXPERTS... AND LOCAL ONES, TOO

### NATIONAL EXPERTS

Even with the impressive expertise and resources available within the state, Connecticut leaders have not hesitated to reach out for help from national experts and resources.

Connecticut's Raise the Age effort relied heavily on the support of the Campaign for Youth Justice and its president, Liz Ryan. At the height of the Raise the Age debates in 2006 and 2007, Ryan was a frequent fixture in the state, intimately involved in helping the Connecticut Juvenile Justice Alliance plan and coordinate its advocacy efforts. The National Juvenile Justice Network in Washington, D.C., a coalition of state-based advocacy groups such as the Alliance, also provided valuable support.

Prior to that, the planning committee that developed the Raise the Age statute called upon three national organizations – the Vera Institute of Justice, the National Center for State Courts, and the criminal justice consulting firm Hornby Zeller Associates to help determine the proper mix of services required to

serve older youth, the implications for courts and court dockets, and other logistical details.

To facilitate the state's juvenile justice strategic planning process in 2004 to 2006, Connecticut secured the help of experts from the Child Welfare League of America. Connecticut has sought out top national experts on a range of other issues as well, including child welfare and juvenile justice expert Dr. Marty Beyer to examine the needs of girls in Connecticut's juvenile justice system; Judges Steven Teske (Clayton County, GA) and Brian Huff (Jefferson County, AL) to advise on reducing school arrests; Joseph Cocozza (National Center for Mental Health and Juvenile Justice) regarding mental health issues; Mark Soler (Center for Children's Law and Policy) to support local projects to reduce racial disparities; Ned Loughran (Council of Juvenile Correctional Administrators) to improve care and prevent maltreatment at the state training school; Dr. Thomas Grisso (National Youth Screening and Assessment Project) to help develop procedures for assessing the mental health status of court-involved youth; and Shay Bilchik (Georgetown University's Center for Juvenile Justice Reform) to advise on integration of evidence-based programs and practices, among others.

### LOCAL EXPERTISE

At the same time, state officials in Connecticut are increasingly partnering with community leaders who can provide on-the-ground feedback whether state programs are working. In Bridgeport, the Regional Youth Adult Social Action Partnership (RYASAP) has played a valuable role since 2000 by bringing local leaders together and focusing attention on gaps and problems that are not well understood at the state level.

Since 2010, the 13 Local Interagency Service Teams (LISTs), most operated by members of the Connecticut Youth Services Association, have played a similarly valuable role across the state. Conceived during the state's juvenile justice strategic planning process and based on the RYASAP model, the LISTs provide valuable feedback to the state on juvenile justice issues in the local communities. They receive no funding, but have the ear of state leaders, so the meetings are widely attended in many communities, and they are generating substantial new energy toward building awareness and crafting creative solutions to lingering local youth problems.

**Available data leave no doubt that public safety has improved as a result of Connecticut's juvenile justice reforms**

Some examples:

LISTs are spearheading pilot projects in Bridgeport and Hartford to combat racial disparities in juvenile justice – poring over data to identify decision points where youth of color are being targeted disproportionately, and working with local police, schools, and court officials to brainstorm solutions. These pilots will be replicated in 2013 in Waterbury and New Haven with the assistance of the Washington, DC-based Center for Children’s Law and Policy.

LISTs in other jurisdictions have been active in new efforts to reduce school suspensions and arrests – helping to bring attention to the issue, engage officials in local school districts and police departments, and, in a growing number of jurisdictions, iron out formal agreements between schools and police limiting the circumstances under which students may be arrested at school.

By convening community breakfasts and other events to discuss local issues, the LISTs are helping to uncover problems and concerns over how well state policies and programs are working on the ground. In Danbury, for instance, the local LIST got word that, due to an anomaly in the state’s domestic violence statutes, two brothers (ages 11 and 13) were threatened with domestic battery charges for getting into a fight with each other. Through the LIST, the case was brought to the attention of advocates in Hartford, who successfully encouraged legislators to tweak the law to ensure that children could not be prosecuted in court for normal childhood behavior. “In the past, there would be no forum for someone to raise a concern like this,” according to Abby Anderson of the Connecticut Juvenile Justice Alliance, “or for anyone to hear them.”<sup>165</sup>

In addition, Anderson notes that the LISTs have provided the Connecticut Juvenile Justice Alliance with an additional avenue to keep supporters informed about pending legislation and other developments – and another way to identify individuals across the state who might provide compelling testimony to the legislature. For instance, Anderson credits the LISTs with a valuable assist in winning legislative support in 2010 to fund Family Support Centers and comparable programming to serve status offenders statewide. Until then, these centers – designed to provide status offenders with individual and family counseling, mediation and other services – were active only in four of the state’s largest cities.

## 7. COMMIT FOR THE LONG HAUL

Connecticut has learned that the challenges to reform never end. There is always more to do. Creating and maintaining a first-rate juvenile justice system requires a continuing thirst for improvement and innovation.

Even with all that Connecticut’s juvenile justice reformers have accomplished in recent years, their efforts are not slowing down. If anything, they are accelerating, with ambitious initiatives to address racial disparities, school arrests, and the issues of youth who are dually involved in the child welfare and juvenile justice systems. The state is also ramping up its investments in mentoring, restorative justice and age-appropriate services for older youth, including job training, college access and supervised housing.

The Connecticut Juvenile Justice Alliance and Keep the Promise Children’s Committee, a new statewide coalition around children’s mental health, continue to meet monthly and attract new members committed to identifying and advocating policy and practice changes that benefit youth and families. The Court Support Services Division has rejuvenated its Center for Best Practices to keep abreast of new research around juvenile justice reform and, among other things, has adopted and trained probation officers in a graduated behavior response system that also rewards good behavior. The Department of Children and Families has integrated parole into its child welfare and behavioral health systems, increasing services for youth in aftercare, and it is planning soon to make major renovations to improve the training school and open a new facility for girls that will serve as a bridge between the one state-funded secure (locked) facility for girls and the state’s network of more open group homes and residential treatment centers. In addition, both state agencies have committed to increasing family engagement.

At the federal level, Connecticut’s two U.S. Senators, Richard Blumenthal and Chris Murphy, have prioritized juvenile justice reform and violence prevention.

“I’ve always believed that while standing up for kids in the juvenile justice system isn’t always politically popular, it’s incredibly important,” says Murphy. “Connecticut should be proud of its unyielding commitment to improving the system to keep our most vulnerable youth safe and give them a second chance. By taking bold steps that put kids and evidenced-based policies first, Connecticut has become a nationwide model for reform.”<sup>166</sup>



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Written by Richard Mendel

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JUSTICE POLICY INSTITUTE

1012 14th St. NW, Suite 400

Washington, DC 20005

[info@justicepolicy.org](mailto:info@justicepolicy.org)

T. 202.558.7974

F. 202.558.7978