



**Juvenile Justice Policy and Oversight Committee**

**2020-2021 Recommendations**  
**as Adopted on January 21<sup>st</sup> and February 18<sup>th</sup>, 2021**

**I. 2020-2021 JJPOC RECOMMENDATIONS IN BRIEF**

<p><b>DIVERSION WORKGROUP RECOMMENDATION 1</b></p>	<p>JJPOC recommends:</p> <ul style="list-style-type: none"> <li>A. Legislation for raising the minimum age of juvenile court jurisdiction from seven years to twelve years on July 1, 2021.           <ul style="list-style-type: none"> <li>1. Alternative handling for these cases will include, but not limit Children’s Behavioral Health Services System, Youth Service Bureaus, Juvenile Review Boards, and/or community-based services</li> </ul> </li> <li>B. The development of a plan for ensuring that a child who would have been referred to the juvenile court system will instead be referred to the Children’s Behavioral Health System, the Community-Based Diversion system, and/or other community-based services.           <ul style="list-style-type: none"> <li>1. The Diversion workgroup shall develop a plan that outlines a referral process for developmentally appropriate services (screening, assessment, interventions). The plan shall be delivered to the JJPOC by January 6, 2021 (see Appendix A).</li> </ul> </li> </ul>	<p><b>Implementation Strategies</b></p> <p>Legislation</p>
<p><b>DIVERSION WORKGROUP RECOMMENDATION 2</b></p>	<p>JJPOC recommends that:</p> <ul style="list-style-type: none"> <li>A. Beginning July 1, 2021, the legislature and the Governor will fund implementation of the community-based diversion system.</li> </ul>	<p>Funding</p>
<p><b>DIVERSION WORKGROUP RECOMMENDATION 3</b></p>	<p>JJPOC recommends:</p> <ul style="list-style-type: none"> <li>A. The development and implementation of a funded statewide data-base system within the Youth Service Bureau System. The data system is necessary for monitoring, tracking, evaluating and for case management purposes. A data system is critical for evaluation based on the numerous reforms made to the FWSN laws and the</li> </ul>	<p>Funding</p>

	implementation of the Community Based Diversion System.	
<p><b>EDUCATION COMMITTEE RECOMMENDATION 1</b></p>	<p>JJPOC recommends that:</p> <p>A. Current legislation be amended to create a unit within DCF to oversee the education of youth in all juvenile justice facilities including incarcerated youth.</p> <ol style="list-style-type: none"> <li>1. An implementation team shall be established by to assist DCF in the development of an operational plan to create the unit within the agency. This implementation team will include representatives of state and local agencies, as well as the chairs of the JJPOC Education Committee and one youth and one family representative, who will serve as voting members. The implementation team shall identify the implementation timeline, funding, and other measures necessary to fully implement the recommendation. The implementation team shall provide a report back to the JJPOC by September 2021</li> <li>2. DCF may hire its own personnel, and/or subcontract to private providers and/or other school districts for the provision of services.</li> <li>3. DCF shall be adequately funded and resourced to accommodate for its expansion.</li> <li>4. DCF shall develop and review quarterly reports on academic performance, school discipline, attendance, etc.</li> <li>5. DCF shall require subcontracted education providers (no less than semi-annually) to provide student performance data to ensure that reporting measures are tailored to experiences of students in short and long-term placements.</li> <li>6. DCF shall require education providers to develop partnerships and programs with local education agencies, non-profit cultural groups, local industries, and businesses.</li> </ol>	<p>Legislation &amp; Funding</p>

	<p>7. DCF shall report student performance data, attendance, and rates of participation for all education programs. They shall also be required to document transition activities and outcomes, collaborations with community service providers, and parents.</p> <p>8. DCF shall ensure that students have access to earn credits toward high school graduation, have access to arts and career and technical education (CTE) courses, statewide and college prep testing, and provide alternative options for HS equivalency certificates for students who are overage and under credits.</p> <p>9. DCF shall enable students to have access to web-based content including credit recovery programs.</p>	
<p><b>EDUCATION COMMITTEE RECOMMENDATION 2</b></p>	<p>JJPOC recommends that:</p> <p>A. The education unit within DCF for youth in juvenile justice facilities may employ transition specialists whose primary responsibility is to facilitate the successful transition of youth from their communities to secure facilities and then back to their local educational program upon release. These transition specialists shall:</p> <ol style="list-style-type: none"> <li>1. Collaborate with receiving schools, youth serving agencies, employers, and other community supports to plan and manage successful transition.</li> <li>2. Manage to track educational credits of youth while in out of home placement and documenting the success of placements following youths' reentry into their communities.</li> <li>3. Be responsible for communicating with the reentry coordinators. This information will be used in reporting by the receiving district LEA or the district of nexus, if applicable.</li> </ol> <p>B. <i>Reentry coordinators</i> (established per PA 18-31 Sec. 7(q)) shall be responsible for obtaining records of youth in juvenile justice facilities and assisting in transfer of the records to the facility.</p>	<p>Legislation</p>

	<p>1. The list of reentry coordinators shall be distributed to system stakeholders, including DOC, DCF, CSSD and parents of students. This list should also be made public and displayed on the SDE website.</p> <p>2. SDE should implement and maintain a current list of reentry coordinators. This list should be reviewed and updated concurrently with the August 1<sup>st</sup> statutory guideline. In districts under enrollment of 6,000, an alternate will be identified to coordinate the reentry process.</p> <p>C. An amendment to C.G.S § 10-253 (g)(7) &amp; (g)(8) be made to read, <u>“(7) When a child is not enrolled in a school district at the time of a juvenile justice out-of-home placement, or upon discharge does not return to the same school where the child was previously enrolled.”</u> <u>“(8) Upon learning that a child is to be discharged, the educational services provider for the facility shall immediately notify the jurisdiction in which the child will continue his or her education after discharge. A child shall have the right to enroll in such school district immediately upon discharge into the community, as provided in subsection (7).”</u></p> <p>D. Legislation requires special education students in juvenile justice facilities when at all possible, to be provided PPT meetings upon entry and in advance of their discharge to plan for their program and placement in their receiving school district.</p> <p>1. For youth who are sentenced or given an order of probation supervision with residential placement, a transition PPT meeting should be held 30 days in advance of the youth’s known date of discharge. Both the discharging and receiving school district shall participate in this PPT meeting and a person knowledgeable about the continuum of programmatic offerings available in the receiving district shall participate in the meeting.</p>	
<p><b>EDUCATION COMMITTEE</b></p>	<p>JJPOC recommends that:</p>	<p>Legislation</p>

<p><b>RECOMMENDATION 3</b></p>	<p>A. The education unit within DCF for youth in juvenile justice facilities will ensure that sending and receiving schools and programs provide services and supports that maximize student's success.</p> <ol style="list-style-type: none"> <li>1. Use a uniform system of state-wide electronic record transfers (i.e. Powerschool, PSIS) for maintaining and sharing educational records for all students, including court-placed youth in educational programs, to be overseen by a Directory Manager as designated by DCF and align with the IEP Task Force.</li> </ol> <p>B. A student's home district should be mandated to offer home district diplomas earned by students 17 and above graduating while in educational programs for court-placed youth who meet the statutory graduation requirements. If no nexus district can be determined, DCF will participate in the determination of credits and facilitate in the issuance of a diploma. There should be flexibility and collaboration in this process with the student's home district and special school districts.</p> <p>C. State-wide expectations should be established for ensuring credit transfers/partial credit transfers.</p> <ol style="list-style-type: none"> <li>1. Classroom hour-to-credit conversion should be standardized.</li> <li>2. Credits should be awarded as soon as possible, but no later than 30 days of the transfer to the home district.</li> <li>3. At intake, it is recommended that a review be done of the student's transcript and attendance records to determine educational requirements upon graduation. Credits should be transferred from the home district within 5 school days of students' placement.</li> </ol> <p>D. A timeframe should be established for updating educational records pre-discharge.</p> <ol style="list-style-type: none"> <li>1. At a minimum, educational records should be up-to-date per marking period, as well as immediately upon discharge.</li> </ol>	
<p><b>EDUCATION COMMITTEE</b></p>	<p>JJPOC recommends that:</p>	

<p><b>RECOMMENDATION 4</b></p>	<p>A. A pilot program be designed to review 911 calls from the 10 Opportunity School Districts (Hartford, Bridgeport, Waterbury, New Haven, East Haven, Derby, Norwich, New London, East Hartford, New Britain) to their local 911 jurisdictions in an effort to better understand for districts’ utilization of police. Data should include: de-identified data related to the demographics of child, including age, gender, race, and disability classification, similar to the existing documentation for other emergency interventions, such as restraint and seclusion, already codified in statute and regulation and the circumstances leading to less restrictive alternatives considered (if available). JJPOC and TYJI should partner to create an MOU with each 911 jurisdiction to receive, review, and analyze these data.</p> <p>B. JJPOC should collaborate with CHDI to review similar data collected on 211 calls made by public schools.</p> <p>C. All data analyses should be submitted for review by the JJPOC Education Committee on a bi-annual basis.</p>	<p>Legislation</p>
<p><b>EDUCATION COMMITTEE RECOMMENDATION 5</b></p>	<p>A. An amendment to Public Act 15-96 sec. 10-233a-i “ban suspension and expulsion of children in preschool through grade two,” <b>to expand to twelfth grade with a phased-in plan consisting of:</b></p> <ol style="list-style-type: none"> <li>1. Preschool through second grade with an implementation plan to be delivered by January 2022 with an effective date of July 2022</li> </ol> <p>B. The amendment shall include elimination of “violent or sexual nature” and replace with only those exceptions required by federal law to be effective by July 2022.</p> <p>C. No later than 2023, the implementation committee shall identify the phased-in plan and effective date for the following grades:</p> <ol style="list-style-type: none"> <li>1. Third grade through eighth grade</li> <li>2. Ninth grade through twelfth grade</li> </ol> <p>D. An implementation committee shall be established and chaired by Steven Hernandez, Executive Director, Commission on Women, Children, Senior, Equity &amp; Opportunity and Chair of the Social Emotional Collaborative</p>	<p>Legislation</p>

	<p>and Fran Rabinowitz, Executive Director CT Association of Public School Superintendents and work collaboratively with CT School Discipline Collaborative and the JJPOC Education Committee Chairs. The implementation committee will include representation of the</p> <ol style="list-style-type: none"> <li>1. Connecticut State Department of Education,</li> <li>2. representation from the State Board of Education Accountability and Support Committee,</li> <li>3. Head of Superintendents Association, Parent Representation or Chair from Special Education Advisory Committee,</li> <li>4. Representative from Disability Rights Connecticut,</li> <li>5. Special Education Equity for Kids in CT (SEEK-CT),</li> <li>6. Children Health Development Institute, Center for Children’s Advocacy, and Connecticut Youth Services Bureau Association.</li> </ol> <p>E. The implementation committee shall provide an update on the progress of the development of the plan to the JJPOC and Education and Children’s Committees by January, 2022 with an effective date of July 2022. The implementation plan shall identify:</p> <ol style="list-style-type: none"> <li>1. Phase-in plan as noted in A-C of the recommendation</li> <li>2. Funding and phase in timeline</li> <li>3. Include district by district data needs, data perimeters, and reports.</li> <li>4. training for school personnel;</li> <li>5. implementation of alternative in-school disciplinary practice, strategies and intervention to support students and school staff</li> <li>6. family engagement;</li> <li>7. screening for health and mental health concerns; and</li> <li>8. strengthening connections to community-based services and supports including trauma-informed mental health interventions</li> </ol>	
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	<p>F. SDE shall be adequately funded and resourced to accommodate for its expansion as outlined in the implementation plan</p>	
<p><b>INCARCERATION WORKGROUP RECOMMENDATION 1</b></p> <p>Submitted in accordance with the requirements of Public Act 19-187(r).</p>	<p>JJPOC recommends that:</p> <p>A. The laws on juvenile transfer be amended to limit both the number of cases eligible for mandatory and discretionary transfer in order to decrease the population of youth in the adult criminal justice system (See Appendix B).</p> <ol style="list-style-type: none"> <li>1. Cases with A felonies remain as automatic transfers.</li> <li>2. Cases with B felonies be removed from automatic transfers and, instead, receive a discretionary hearing.</li> <li>3. Cases with C, D, E, or unclassified felonies be removed from transfers entirely.</li> <li>4. The criteria for transfers to the criminal justice system be amended to specify the need of presenting an imminent risk of death or serious physical injury to the public.</li> </ol> <p>B. A “second look” provision be adopted for all youth transferred to adult court who receive sentences of incarceration. This “second look” will require a sentence review within 50% of their sentence, or by their 18<sup>th</sup> birthday (whichever comes first) to determine the need for continued incarceration.</p>	<p>Legislation</p>
<p><b>INCARCERATION WORKGROUP RECOMMENDATION 2</b></p>	<p>JJPOC recommends:</p> <p>A. Legislation be proposed to provide the automatic erasure of certain juvenile records, and elimination of the petition requirement that exists in current law which youth and families rarely avail themselves of. Specifically, this proposal would do the following:</p> <ol style="list-style-type: none"> <li>1. It would provide for automatic erasure of juvenile records after the existing statutory waiting period of two years and fulfillment of the requirement that there be no additional offenses, for any juvenile offense that is not a serious juvenile offense.</li> </ol>	<p>Legislation</p>

	<p>2. It would still require youth with serious juvenile offenses to petition to have their records erased after the existing required four year waiting period.</p> <p>3. It would not impact the ability to petition earlier by requesting a hearing for good cause for any youth with a record.</p>	
<p><b>INCARCERATION WORKGROUP RECOMMENDATION 3</b></p>	<p>JJPOC recommends:</p> <p>A. A bill in the General Assembly which reads, “Beginning July 1, 2021, telephone services or any other telecommunications services provided to a child confined in a correctional facility or transferred to DOC shall be provided free of charge”</p> <p>B. Beginning July 1, 2021, a committee be established to study phone call rates and commissary needs for all youth, 18-21 years of age, confined in Connecticut correctional facilities, and such committee shall make recommendations to the General Assembly and Department of Administrative Services prior to the renegotiation of the current prison phone services contract set to expire March 1, 2021.”</p>	<p>Legislation</p>
<p><b>INCARCERATION WORKGROUP RECOMMENDATION 4</b></p>	<p>JJPOC recommends that:</p> <p>A. Legislation be passed to ban use of all chemical agents on youth under the age of 18 by January 1, 2022.</p> <p>1. The Department of Corrections should develop alternatives in place of chemical agents.</p>	<p>Legislation</p>
<p><b>RACIAL AND ETHNIC DISPARITIES WORKGROUP RECOMMENDATION 1</b></p>	<p>JJPOC recommends:</p> <p>A. The provisions of C.G.S. § 54-1m be extended so that racial profiling data is collected on all police stops, whether traffic or pedestrian, giving a full and complete picture of any racial profiling that takes place in the state</p> <p>B. The co-chairs of the RED Workgroup should present this recommendation to the Connecticut Racial Profiling Advisory Board and collaborate with the advisory board to further define “pedestrian stop” and establish a</p>	<p>Legislation</p>

	method for analyzing and reporting the findings to follow the precedent of the current approach with traffic stop reports.	
<b>COMMUNITY EXPERTISE WORKGROUP RECOMMENDATION 1</b>	<p>JJPOC recommends that:</p> <p>A. The General Statutes be amended to increase the membership of JJPOC by two community members and two youth (must be under 26 years of age) with first or second-hand justice system involvement. Funding should be provided for stipends, transportation, and child care to enable member attendance.</p>	Legislation & Funding
<b>EXECUTIVE COMMITTEE RECOMMENDATION 1</b>	<p>JJPOC recommends that:</p> <p>A. An amendment to PA14-217 sec. 79 to expand the purview of the juvenile justice policy and oversight committee to the under 21 year old population for purposes of research and data collection to inform and evaluate justice system policies.</p>	Legislation
<b>IOYOUTH RECOMMENDATION 1</b>	<p>JJPOC recommends that:</p> <p>A. Legislation be proposed to establish a pre-arrest juvenile diversion model that holds youth accountable for low-level misbehavior while diverting them from any court processing or formal arrest record. The model is based on a youth's offense and prior history, and requires in each case that law enforcement provide an alternative response in lieu of an arrest. The model consists of the following:</p> <ol style="list-style-type: none"> <li>1. Beginning January 1, 2022, for the following behaviors would be decriminalized and removed from juvenile court jurisdiction while still allowing law enforcement, schools, and other systems to refer youth to a Youth Service Bureau (YSB) or other local agency in lieu of an arrest. This is similar to the prior removal of FWSN behavior from juvenile court jurisdiction effective 6/30/20 (PA19-187).             <ol style="list-style-type: none"> <li>a. Simple Trespass</li> <li>b. Creating a Public Disturbance</li> <li>c. Possession of cannabis-type substance (under .5 ounce only)</li> </ol> </li> </ol>	Legislation

	<ul style="list-style-type: none"> <li>d. Use/Possession/Delivery of drug paraphernalia (related to under .5 ounce of cannabis-type substance)</li> </ul> <p>2. A multi-agency and cross-branch implementation committee would be created in legislation to develop a plan, with youth, family, law enforcement, and stakeholder input, for mandatory pre-arrest diversion to a YSB or other local agency for first or second time low-level misdemeanor offenses, including</p> <ul style="list-style-type: none"> <li>a. Breach of Peace, 2nd Degree</li> <li>b. Disorderly Conduct</li> <li>c. Larceny, 5<sup>th</sup> and 6<sup>th</sup> Degree</li> <li>d. Possession of cannabis-type substance (more than .5 ounce)</li> <li>e. Use/Possession/Delivery of drug paraphernalia (more than .5 ounce)</li> </ul> <p>1. The committee would be required to submit an implementation plan to the General Assembly by January 1, 2022 for mandatory pre-arrest diversion of first or second-time Tier 2 offenses, which plan would include:</p> <ul style="list-style-type: none"> <li>a. Capacity of YSBs and other local agencies to provide services for this population</li> <li>b. Accountability mechanisms</li> <li>c. Process for victim input and involvement</li> <li>d. Data collection for tracking YSB referrals</li> <li>e. Communication and outreach to stakeholders on accessing local services</li> <li>f. Proposed effective date for full Tier 2 implementation</li> </ul> <p>2. The implementation plan shall be approved and adequately funded and resourced to accommodate these changes.</p>	
<p><b>IOYOUTH RECOMMENDATION 2</b></p>	<p>JJPOC recommends that:</p>	<p>Legislation</p>

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