

2021 Legislative Package JJPOC Recommendations In Detail



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March 16, 2021

Dear Fellow Legislator,

I am pleased to share this package with you to highlight the recommendations made by the Juvenile Justice Policy and Oversight Committee this year. This package is intended to provide details of the 2021 recommendations for legislation. Data and supporting evidence is offered to provide a deeper understanding of the recommendations and the potential impact of a decision to support it. Enclosed you will find a summary of the recommendations and fact sheets on several of the key points proposed for legislation, as well as some definitions I hope will assist. A link (QR code) will direct you to the full recommendations including the workgroup members who worked tirelessly throughout the year in preparing them.

In addition, I personally invite you to attend a series of forums we are holding to provide more insight and data points supporting the recommendations. Experts from national organizations and other states will discuss the changes they have made and the successes of these changes in law. An invitation is included at the end of the package.

I thank you in advance for your time in reviewing this important factual document. If you have questions, please feel free to reach out to me at any time. I also encourage you to contact Erika Nowakowski at enowakowski@newhaven.edu or Kelly Orts at korts@newhaven.edu for any further details.

Most Sincerely,

Toni Walker

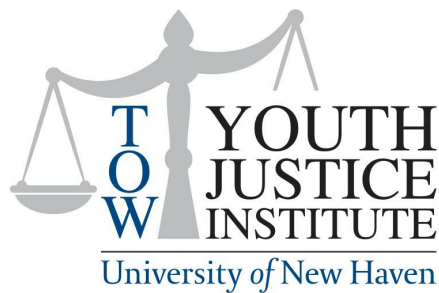
Representative Toni Walker
Co-Chair, Juvenile Justice Policy and Oversight Committee

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This package has been developed in collaboration with members of the Juvenile Justice Policy and Oversight Committee, the Council of State Governments, the Connecticut Juvenile Justice Alliance, and the Institute for Municipal and Regional Policy (IMRP) at Central Connecticut State University.

Scan below to read full 2021 JJPOC Recommendations or visit towyouth.newhaven.edu/jjpoc-recommendations.





We are pleased to share a summary of the 2021 Juvenile Justice Policy and Oversight Committee Recommendations



DIVERSION WORKGROUP RECOMMENDATION #1

- Legislation for raising the minimum age of juvenile court jurisdiction from seven years to twelve years on July 1, 2021.
- 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.

DIVERSION WORKGROUP RECOMMENDATION #2

- Beginning July 1, 2021, the legislature and the Governor will fund implementation of the community-based diversion system.

DIVERSION WORKGROUP RECOMMENDATION #3

- 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 (Families With Service Needs) laws and the implementation of the Community Based Diversion System.

EDUCATION WORKGROUP RECOMMENDATIONS #1 - 3

- Current legislation be amended to create a unit within DCF to oversee the education of youth in all juvenile justice facilities including incarcerated youth.

EDUCATION WORKGROUP RECOMMENDATION #4

- 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.
- JJPOC should collaborate with CHDI to review similar data collected on 211 calls made by public schools.
- All data analyses should be submitted for review by the JJPOC Education Committee on a bi-annual

EDUCATION WORKGROUP RECOMMENDATION #5

- An amendment to Public Act 15-96 sec. 10-233a-i “ban suspension and expulsion of children in preschool through grade two,” to expand to twelfth grade with a phased-in plan
- 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.
- No later than 2023, the implementation committee shall identify the phased-in plan and effective date for the following grades: Third grade through eighth grade; Ninth grade through twelfth grade
- An implementation committee shall be established and chaired by Steven Hernandez, Executive Director, Commission on Women, Children, Senior, Equity & Opportunity and Chair of the Social Emotional Collaborative and Fran Rabinowitz, Executive Director CT Association of Public School Superintendents and work collaboratively with CT School Discipline Collaborative and the JJPOC Education Committee Chairs.
- 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 State Department of Education shall be adequately funded and resourced to accommodate for its expansion as outlined in the implementation plan

INCARCERATION WORKGROUP RECOMMENDATION #1

- 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
- 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 18th birthday (whichever comes first) to determine the need for continued incarceration.

INCARCERATION WORKGROUP RECOMMENDATION #2

- 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.

INCARCERATION WORKGROUP RECOMMENDATION #3

- 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”
- 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.”

INCARCERATION WORKGROUP RECOMMENDATION #4

- Legislation be passed to ban use of all chemical agents on youth under the age of 18 by January 1, 2022.

RACIAL AND ETHNIC DISPARITIES WORKGROUP RECOMMENDATION #1

- 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
- 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 method for analyzing and reporting the findings to follow the precedent of the current approach with traffic stop reports.

COMMUNITY EXPERTISE WORKGROUP RECOMMENDATION #1

- 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.

EXECUTIVE COMMITTEE RECOMMENDATION #1

- 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.

IOYOUTH RECOMMENDATION #1

- 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.

IOYOUTH RECOMMENDATION #2

- 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.

[Click HERE to read the details of the JJPOC Recommendations!](#)



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RAISING THE MINIMUM AGE OF JUVENILE JURISDICTION

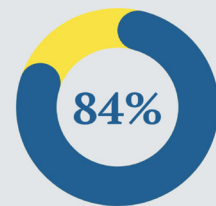
Increasing the minimum age of juvenile jurisdiction from 7 to 12 years of age would acknowledge the scientific differences in cognitive maturity of young children have, even in comparison to their teenager counterparts.

FACT

Connecticut's minimum age of juvenile jurisdiction of age 7 is low when compared to national and international trends and standards.

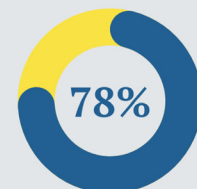
SUPPORTING DATA

In 2019, about **84% of referred youth under 12** were **identified as low or null risk**.



In recent years, the number of referrals averaged about 130 referrals per year. Referrals have decreased over the years, and as of recent years, have remained relatively stagnant. In 2019, **the 6 to 10 age bracket made up only 33 of the 112 referrals.**

An average of **78% of referrals** for this population **were for misdemeanors**.



It is important to note that systems already exist to meet the needs of high-needs young children and their families. Connecticut must utilize existing systems and ensure communication and integration between those current systems.



Raising the Minimum Age of Juvenile Jurisdiction in Connecticut

Background

The Raising the Minimum Age Subgroup, under the Juvenile Justice Policy and Oversight Committee Diversion Workgroup, began meeting in 2019 and reconvened in early 2020 to prepare an implementation plan and set of recommendations for raising the minimum age of juvenile jurisdiction from age 7 to age 12. They reviewed the current statute that sets the minimum age of juvenile jurisdiction at 7, which is very low when compared to national and international trends and standards. An increased minimum age would acknowledge the scientific differences in cognitive maturity that young children have, even in comparison to their teenager counterparts.

One key component of the overall recommendation is the need for an alternative response for children who may be experiencing a crisis. This alternative response calls for support, training, and education for schools, law enforcement, Youth Service Bureaus (YSBs), and others on childhood development utilizing this new pathway. Information and training should also focus on how these systems can access and utilizing community based services as a more appropriate response to the need of the children and families. Supports should also be provided to schools for how best to handle the behaviors while the child is in school.

Recommendation

Raising the minimum age of juvenile court jurisdiction from 7 years of age to 12 by July, 1, 2021 will provide for a more developmentally appropriate approach through, including but not limited to:

- Children's Behavioral Health Services System (DCF),
- youth service bureaus/community-based services, and
- juvenile review boards.

Connecticut Data

In 2019, about 84% of referred youth under 12 were identified as low or null risk.

- **Referrals:** In recent years, the number of referrals averaged about 130 referrals per year. Referrals have decreased over the years, and as of recent years, have remained relatively stagnant. In 2019, the 6 to 10 age bracket made up only 33 of the 112 referrals.
- **Misdemeanors:** An average of 78% of referrals for this population were for misdemeanors.
- **Case Handling:** The majority of these cases are handled non-judicially with a recent increase in cases not being accepted and referred to Juvenile Review Boards. The majority of these cases are also not prosecuted or not accepted.
- **Services:** The number of referrals for this population is small and can be easily accommodated in the community. For clients that were disposed to supervision, some the current treatments programs included, educational support services, mentoring, individual counseling.

National and International Trends

- There are 22 states with the Minimum Age of Criminal Responsibility (MACR) ranging from 6-12 years of age. 12 states set a minimum age of 10.
- Nebraska recently established a new MACR of 11 in 2017
- Massachusetts raised their MACR from 7 to 12 in 2018
- California recently passed a bill that will implement a MACR of 12 in 2019.
- The United Nations Convention on the Rights of the Child, who serves as an international human rights instrument, declared the criminal prosecution of a child under the age of 12 as unacceptable.
- Currently, the medium minimum age across the globe is 12-13 years old.



Additional Context

It is important to note that systems already exist to meet the needs of high-needs young children and their families. Schools are mandated to meet special education needs, the Department of Children and Families is mandated to address children's mental health, child welfare, and prevention. Youth Service Bureaus, under DCF, have been identified as the Coordinating Hubs for at-risk youth and for those who are truant or were formerly known as "Family with Service Needs" cases. Connecticut does not need to create a new system to address the needs of very young children. Instead, it must utilize existing systems and ensure communication and integration between those current systems.

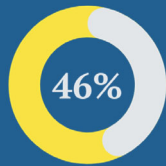
SCHOOL SUSPENSIONS

It is essential to reduce the number of suspensions & expulsions that occur in elementary schools as such disciplinary action can have life-long consequences for youth.

FACT

Male minority students were more negatively affected by stricter school policy than any other demographic.

SUPPORTING DATA



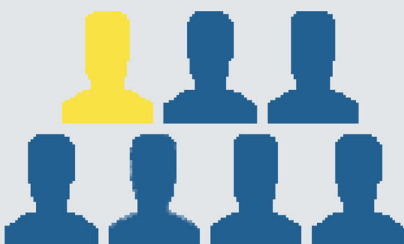
*Incidents coded as school policy violations declined 28.5% over the past five years and **account for 46% of all incidents.***

Large disparities remain in suspension rates between Black/African American and Hispanic/Latin students and their white counterparts.

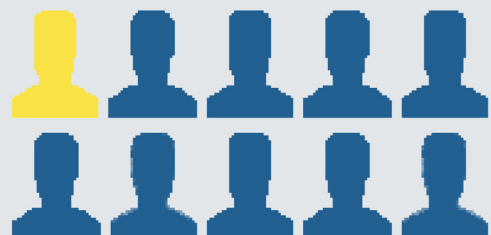
One out of every 25 white students received at least one suspension.



One out of every seven Black/African American students experiences the same sanction.



One out of every 10 Hispanic/Latino students experienced the same sanction.





School Suspensions

Background

Connecticut has made great progress in educational reform efforts. In 2015, Connecticut was the first state in the nation to pass legislation (PA 15-96) banning suspension or expulsion of children in preschool through the 2nd grade. This legislation excluded instances where a child's conduct was of a violent or sexual nature. PA 15-96 was passed as a direct result of the Connecticut State Department of Education's (CSDE) report that showed a 10.6% rise in suspensions of children under 7 years of age from the 2012-2013 to the 2013-2014 academic year.

In 2018, Center for Children's Advocacy, Child Health and Development Institute of Connecticut, Inc. and the Office of the Child Advocate produced a policy issue brief *"Setting Young Children Up for Success: Decreasing Suspensions by Investing in Social and Emotional Development"* with its goal to "provide best practice strategies, including local examples of effective models that will decrease the number of young children excluded from school through recommendations that will also improve children's social-emotional development and capacity to learn. The targeted interventions and approaches focus on training for school personnel, implementation of alternative in-school disciplinary practices, family engagement, screening for health and mental health concerns, and strengthening connections to community-based services and supports including trauma-informed mental health interventions.

In addition, the most recent CT education data supports the need for ongoing work and demonstrates that implementation of PA 15-96 is not consistent in our educational system and, in fact, suspension and expulsion continue at a higher rate for children of color.

Recommendation

JJPOC recommends an amendment to PA 15-96 to expand to 12th grade and includes the elimination of "violent or sexual nature" and replace with only those exceptions required by federal law to be effective by July 2022.

An implementation plan will be created for preschool to second grade by January 2022, with an effective date of July 2022. No later than 2023, an implementation committee shall identify the phased-in plan and effective date for third grade through eighth grade, and ninth grade through twelfth grade.

Connecticut Data

The Connecticut State Department of Education delivered the following report in February 2020 to the state board of education the *2018-2019 Report on Student Discipline in Connecticut Public Schools*. It reported that:

- Total number of in-school and out-of-school suspensions has declined over the past five years by 17.4 and 13.3 percent, respectively. Incidents coded as school policy violations declined 28.5 percent over the past five years and now account for 46 percent of all incidents – down from 59 percent five years ago.
- Large disparities remain in suspension rates between Black/African American and Hispanic/Latin students and their white counterparts. While one out of every 25 white students received at least one suspension, one out of every seven Black/African American students and one out of every 10 Hispanic/Latino students experienced the same sanction.



- Black/African American and Hispanic/Latino students who receive a suspension or expulsion are involved in more than one incident during the school year at a greater rate than their white peers.
- In three of four cases, Black/African American students were more likely to receive a more severe sanction (i.e., OSS or Expulsion) for similar behavior than both Hispanic/Latino and white students. Hispanic/Latino students were more likely to receive a more severe sanction than white students in two of the four cases.

National Data

There are many state examples that have been working to improve suspension and expulsion issues.

- Michigan: 2016 legislation provided that prior to suspending or expelling a student, the school has to consider key factors like age, disciplinary history, seriousness of violation, disability status and whether a less harsh intervention would address the behavior properly.
- New Hampshire: established a committee to study expulsions and suspensions in preschools to the third grade.
- New Jersey: 2016 legislation prohibits the expulsions and out-of-school suspensions in kindergarten to second grade.
- Oregon: 2016 limits out-of-school suspensions and expulsions for children in prekindergarten to the fifth grade.
- Louisiana: 2018 prohibits public or charter school from suspending or expelling a student in preschool through fifth grade for a “uniform violation” not tied to willful disregard of school policies.
- Maryland: 2017 legislation prohibits the suspension and expulsions of students in preschool through the 2nd grade. There are some exceptions in the event that experts determine there is an imminent threat of harm to students or staff.

Potential Impact

Fostering the behavioral, social, and emotional development of youth through eliminating expulsion and suspension practices in early childhood academic settings is essential to maintaining the well-being of youth. A study was conducted and published by the National Bureau of Economic Research suggesting that suspensions were the result of policies rather than student populations. Students who were assigned to a school that had a one standard deviation higher suspension rate and were 15-20% more likely to be arrested or incarcerated as adults and less likely to go to college.

Impact on Racial and Ethnic Disparities

Male minority students were more negatively affected by stricter school policy than any other demographic. There is a disproportional use of suspensions on black, economically disadvantaged students as well as students with disabilities. It is essential to reduce the number of suspensions and expulsions that occur in elementary schools as such disciplinary action can have life-long consequences for youth.

PRE-TRIAL TRANSFERS

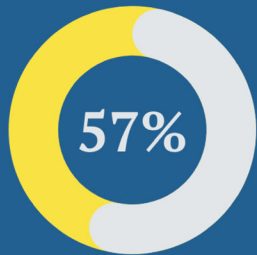
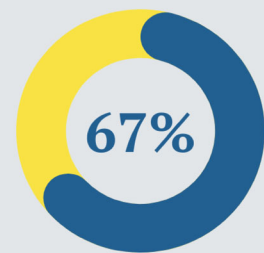
Youth under the age of 18 are being held in adult jails. Federal law prohibits states from doing this except in narrow circumstances.

FACT

Youth receiving more long-term developmentally appropriate services leads to lower rates of recidivism.

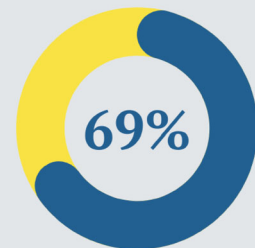
SUPPORTING DATA

Two-thirds of youth under 18 in Department of Correction that exit prior to sentencing *stay in the facility less than 90 days*, and 30–40 percent stay less than 2 weeks.



In 2018, *57%* of youth under 18 admitted to Manson Youth Institute were *released prior to sentencing*.

A snapshot in September 2019 indicated that *69%* of youth at Manson Youth Institute at the time were *unsentenced youth*.



DOC's data analysis also indicates that more than *2/3* of youth admissions in 2018 were *youth of color*.



Pre-trial Transfer

Background

In 2018, the federal Juvenile Justice and Delinquency Act (JJDPA) was reauthorized, and a new provision prohibits states from holding adult-charged youth in adult jails (except in narrow circumstances). The requirement was signed into law with bipartisan support, recognizing that retaining youth in the juvenile justice system holds the best potential for positive public safety outcomes (e.g., lower rates of reoffending). For states that receive JJDPA dollars, youth that are held in adult jails must be transferred to juvenile facilities by December 2021. Although Connecticut has opted out of participation in the JJDPA in recent years, it has been a focus of study by the JJPOC to evaluate, analyze, and make recommendations for how best to serve this population.

Recommendation

The JJPOC recommends that not later than January 1, 2022, the Judicial Branch shall develop and submit 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.

Connecticut Data

- Two-thirds of youth under 18 in DOC that exit prior to sentencing stay in the facility less than 90 days, and 30–40 percent stay less than 2 weeks.
- In 2018, 57% of youth under 18 admitted to Manson Youth Institution (MYI) were released prior to sentencing.
- A snapshot in September 2019 indicated that 69% of youth at MYI at the time were unsentenced youth.
- DOC's data analysis also indicates that more than 2/3 of youth admissions to DOC in 2018 were youth of color.

National Data

Current transfer policies pose detrimental effects on juveniles. The potential negative ramifications of the adult court system, the impact of adult facilities, and the lack of age-appropriate services/programs/staff education can lead to harmful disruptions in youth's development including social development and challenges with finding one's sense of self identity. This recommendation seeks to address the irreversible effects of pre-trial transfers to the adult system.

Potential Impact

Youth under age 18 charged as adults, will be able to receive more long-term developmentally appropriate services under Judicial Branch supervision. The Judicial Branch is charged with providing supervision and services to the juvenile population, and as such, has the knowledge and expertise to better serve this population in more appropriate facilities and with more tailored services to meet young people's needs.

Impact on Racial and Ethnic Disparities

Connecticut reflects national trends and trends in other states in that youth of color are overrepresented among youth transferred to adult court. The current transfer laws disadvantage youth of color by making it more likely that they will reoffend more frequently and reoffend for more violent offenses, resulting in a higher likelihood of future and more extensive contact the criminal justice system.

ALTERNATIVES TO ARREST

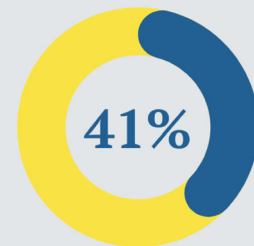
Court involvement for low-risk youth often does more harm than good. Most grow out of their behavior and stop reoffending without system intervention.

FACT

Diversion is a more cost-effective public safety strategy than court processing for low-risk youth. As a result, diversion is an effective solution to directly address racial and ethnic disparities in the juvenile justice system.

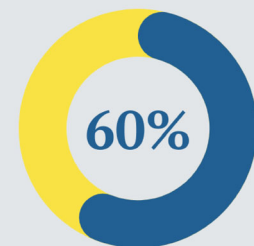
SUPPORTING DATA

In 2018, **41%** of all referrals to juvenile court were **first-time referrals**, demonstrating that opportunities exist to expand diversion.



Five low level offenses represented 55% of all misdemeanor referrals to juvenile court in 2018.

The **same five offenses** represent nearly **60%** of all first time misdemeanor referrals.



Expanding alternative to arrest options for youth who have committed low level offenses frees up limited resources of the juvenile justice system to support youth that are higher risk and have committed more serious offenses.



Alternatives to Arrest

Background

Research demonstrates three key justifications as to why the juvenile justice system is not the appropriate response for youth who may come into contact with the system.

1. Research has shown that court involvement for low-risk youth often does more harm than good and takes limited resources away from focusing interventions on youth whose behavior poses a public safety risk.
2. Research has shown that most low-risk youth grow out of their behavior and stop reoffending without system intervention.
3. Diversion is a more cost-effective public safety strategy than court processing for low-risk youth. As a result, diversion is an effective solution to directly address racial and ethnic disparities in the juvenile justice system and promote equity.

In addition, research shows that disparities occur when law enforcement, court officials or other practitioners use their discretion differently when dealing with individuals of different racial and ethnic backgrounds. By making diversion automatic for certain low-level offenses, youth are held accountable in a similar manner.

Many changes in diversion alternatives are already happening in practice through the current community-based diversion system. Youth committing violations/infractions and first- and second-time low-level misdemeanor offenses are already being referred by law enforcement to Juvenile Review Boards (JRB) in lieu of an arrest, or by the juvenile court in place of court involvement. JRBs include as its foundation a restorative justice process designed to help repair harm and restore relationships, and the entire process is done collaboratively with the family and youth. *Most diversion cases are successful (over 80%), but in the event a contract is not completed, the case is referred back to the referral agency to determine next steps.*

Recommendation

JJPOC recommends that 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. This recommendation will ensure that the diversion process currently followed is fair and standard for all youth.

Connecticut Data

Analyses conducted as part of the IOYouth assessment revealed that a significant number of referrals to juvenile court were for low level offenses, and that many of these youth received dispositions with supervision.

- In 2018, 41% of all referrals to juvenile court were first-time referrals, demonstrating that opportunities exist to expand diversion.
- Five low level offenses represented more than half (55%) of all misdemeanor referrals to juvenile court in 2018
 - The same five offenses represent nearly 60 percent of all *first time* misdemeanor referrals.
- 70% of all infraction/violation referrals to juvenile court were for 4 behaviors – simple trespass; Possession of less than .5 oz. cannabis; Use/possession of drug paraphernalia < .5 oz. marijuana; and Possession of alcohol by minor.
- While delinquent referrals to juvenile court declined 25% since 2014, disproportionality in referrals has remained the same.



- Analyses of JRB data found that in 2016, whereas 27% of all JRB referrals are Black youth, 42% of JRB referrals from court are for Black youth, and, Black youth are less likely to be referred to services through JRBs than their peers.

National Data/Examples

According to the Massachusetts Juvenile Justice Policy and Data Board, in April 2018 passed “An Act Relative to Criminal Justice Reform” which among other things removed Juvenile Court jurisdiction for certain lower-level offenses. This means that youth can no longer be found delinquent for certain offenses and first offenses for lower-level misdemeanors. Massachusetts found that youth participating in diversion programs were less likely to reoffend than youth who were formally processed into the system. As a result, there has been a reduction in use of the juvenile justice system for lower level offenses.

- Juvenile arrests fell 43% from FY18 to FY19
- Overnight arrest admissions dropped 44% from FY18 to FY19
- Applications for complaint dropped 26% from FY18 to FY19
- Delinquency filings dropped 33% from FY18 to FY19
- Pre-trial detention admissions dropped 27% from FY18 to FY19
- Probation delinquency monthly caseloads dropped 24% from July 2018 to July 2019
- First-time commitments to DYS dropped 17% from FY18 to FY19

Florida created a civil citation program, whereby youth are issued a citation in lieu of an arrest via statute. Under Chapter Law 2018-127, civil citation or similar prearrest diversion programs are established for misdemeanor offenses in each judicial circuit of the state. Each judicial circuit’s civil citation or similar prearrest diversion program must specify the misdemeanor offenses that qualify a juvenile to participate in the program and the program’s eligibility requirements. The program requirements include, but are not limited to, completion of community service hours; payment of restitution; and intervention services indicated by a needs assessment that has been approved by the Department of Juvenile Justice.

Potential Impact

Expanding alternative to arrest options for youth who have committed low level offenses or low level behaviors frees up limited resources of the juvenile justice system to support youth that are higher risk and have committed more serious offenses. Developing these alternatives will also directly address disproportionate contact that youth of color may have with the juvenile justice system, and provide them with access to diversionary services more quickly than through the juvenile court.

CHEMICAL AGENTS

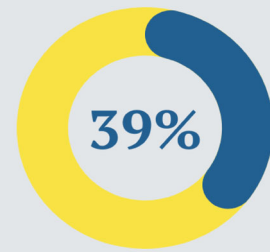
According to a national study, the “use of pepper spray puts the health of youth at risk: chemical agents generate adverse physical reactions that can be exacerbated in secure settings with poor ventilation, causing potential harm to youth and staff, even if they are not direct targets of its use.

FACT

The Manson Youth Institute (MYI) and York Correctional Institution (YCI) are re-examining policies and procedures and, as a result, has decreased the use of chemical agent. The Office of the Child Advocate’s (OCA) most recent report found that chemical agent continues to be used with youth who have psychiatric and respiratory disorders/conditions.

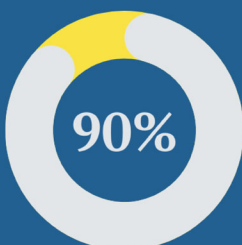
SUPPORTING DATA

During an 18-month period (January 1, 2017 - July 1, 2018) 39% of the youth population at MYI who had experienced cell restriction had also been subjected to a chemical agent.



Between February 2019 and November 2019, there were 18 boys subjected to chemical agent during 11 incidents. 12 boys were Black, 5 were Hispanic and 1 youth was White.

All incidents leading to the use of chemical agent involved youth fighting each other. Several boys subjected to chemical agent were boys with psychiatric disabilities and/or asthma.



*Nearly 90 percent of juvenile correctional agencies do **not** authorize staff to carry chemical sprays in secure facilities.*



Use of Chemical Agents

Background

Currently, the Department of Corrections uses chemical agents as part of a continuum of population management and facility security strategies. Chemical agents immediately impairs a person's ability to see or breathe while possibly inducing other physiological reactions, such as body spasms, hypertension, or a burning sensation. The Manson Youth Institute and York Correctional Institution are reexamining policies and procedures and, as a result, has decreased the use of chemical agent.

According to the National Institute of Corrections' Desktop Guide to Working with Youth in Confinement, "Use of pepper spray puts the health of youth at risk: chemical agents generate adverse physical reactions that can be exacerbated in secure settings with poor ventilation, causing potential harm to youth and staff, even if they are not direct targets of its use. Children with asthma and other health problems are at particular risk, as are those who are taking psychotropic medications. Studies conducted on the adult population further indicate that the use of pepper spray on those with mental illness may lead to an increase in violent behavior and a worsening of the mental health condition. Moreover, the use of chemical restraints, like mechanical restraints, can traumatize youth and undermine their rehabilitative efforts."

Recommendation

JJPOC recommends that legislation be passed to ban use of all chemical agents on youth under the age of 18 by January 1, 2022 and the Department of Corrections should develop alternatives in place of chemical agents.

Following the OCA's January 2019 Conditions of Confinement report, DOC is required that, as of August 1, 2020, and "monthly thereafter," they must report to the JJPOC "each instance, if any, of use of chemical agents or prone restraints on any person ages seventeen years of age or younger" and requires that the DOC develop, in consultation with the Department of Children and Families, a policy of best practices in correctional facilities where persons ages seventeen years and under are detained, addressing, in part, the harmful effects of using chemical agents and prone restraints on detained persons, including limiting and documenting the use of such chemical agents and limiting the use of prone restraints. It is recommended that DOC, in consultation with the Department of Children and Families, and where needed, national experts, continue their development of adolescent engagement, therapeutic and behavior management policies that reflect best practices for youth, their health and well-being, and ensure that staff are trained and supportive in utilizing alternatives to chemical agent with minors.

Connecticut Data

In 2018 OCA report found that:

- During an 18-month period (January 1, 2017 - July 1, 2018) 39% of the youth population at MYI who had experienced cell restriction had also been subjected to a chemical agent.
- Between February 11, 2019, and November 6, 2019, there were 18 boys subjected to chemical agent during 11 incidents (a decrease of 1 incident from 2018). Twelve boys subjected to chemical agent were Black, five were Hispanic and one youth was White. All incidents leading to the use of chemical agent involved youth fighting each other. Several boys subjected to chemical agent were boys with psychiatric disabilities and/or asthma.
- Overall, in Connecticut between 2018 and 2020, chemical-agent use fell 79%, from 19 to 4 cases. The four cases involved emergencies in which there was immediate risk of physical injury to youth or staff. While instances have dropped, there is still a disparity between Black, Hispanic and White youth.



National Data/Examples

The majority of states prohibit the use of chemical agent in juvenile facilities. There is reason to believe that the effects of chemical agents are more pronounced in children and confined settings. Department of Justice (DOJ) has noted there are constitutional boundaries to its use.

State Models

The majority of states prohibit the use of chemical agent in juvenile facilities. The Council of Juvenile Correction Administrators found in 2011, already nearly 90 percent of juvenile correctional agencies do not authorize staff to carry chemical sprays in secure facilities.

- *Los Angeles, California:* In 2019, the Los Angeles County Board of Supervisors voted unanimously to approve a phased elimination of pepper spray. It is projected that the elimination of the use of pepper spray will be in full effect in September of 2020. The County looked to other jurisdictions to assist in implementing the change, and are committed to the steps it will take to eliminate its use in their facilities.
- *Oklahoma:* In 2017, Oklahoma's Office of Juvenile Affairs voted unanimously to end the use of pepper spray on children in their care. Because their state law only allows the use of chemical agents per the regulations of the Office of Juvenile Affairs, their use has effectively been banned statewide.
- *Mississippi:* In 2015, Mississippi's state legislature passed a bill ensuring that the written policies, procedures, and actual practices of juvenile detention facilities prohibit the use of chemical agents, including pepper spray, tear gas, and mace.
- *Louisiana:* In 2007, the Louisiana Office of Juvenile Justice barred chemical agents in its facilities. In 2012, the state's Department of Children and Family Services promulgated standards prohibiting the use of use of "any chemical restraint" in local juvenile detention facilities.
- *New Hampshire:* In 2010, New Hampshire passed a statute prohibiting "the intentional release of noxious, toxic, caustic, or otherwise unpleasant substances near a child for the purpose of controlling or modifying the behavior of or punishing the child" in a broad range of settings, including schools, group homes, shelters, detention centers, and commitment facilities.
- *Wisconsin:* In 2010, the state's Department of Corrections promulgated regulations prohibiting the use of chemical agents for disciplinary purposes in juvenile detention facilities.
 - eliminating punitive solitary confinement and reducing al other forms of isolation
 - eliminating the use of pepper spray
 - strictly limiting the use of mechanical restraints
 - prohibiting strip searches without individualized probable cause.
 - All staff at the facilities will receive de-escalation training by a nationally recognized provider and the facilities will be regularly monitored by an individual with expertise in juvenile corrections.
- *Florida:* In 2006, the state legislature required the Department of Juvenile Justice to adopt a policy that "[p]rohibit[ed] the use of aerosol or chemical agents, including, but not limited to, oleoresin capsicum spray and ammonia capsules, on a youth unless required for medical treatment of the youth by a licensed medical professional."



- *New Jersey*: In 2005, the state amended its administrative code to clarify that the use of “chemical and/or natural agents, such as mace, pepper spray, or other similar agents” is not allowed in juvenile detention facilities.
- *Kansas*: State regulations require that detention centers have policies and practices that “ensure that chemical agents are not used by center personnel.”

Additional Considerations

The Alternatives

Jurisdictions may begin their transition away from use of chemical agents by phasing out their use. Facility administrators can **reduce** the use of chemical agents by:

- Keeping chemical agents in the facility administrator’s office instead of on units or with direct care staff;
- Requiring authorization by a facility administrator before use;
- Adopting a clear policy that chemical agents should only be used as a last resort, and only in riot situations;
- Adopting policies that ban the use of chemical agents on particularly vulnerable populations such as pregnant youth, youth with respiratory conditions, and youth with mental illnesses;
- Bringing staff together to discuss each incident involving the use of chemical agents and discussing alternative ways of responding to a youth’s behavior; and
- Holding staff accountable for inadequate supervision practices and for failing to follow de-escalation procedures.

Facility administrators who **prohibit** the use of chemical agents rely on a number of alternative strategies to respond to youth behavior. These include:

- Develop a full schedule of programming to keep youth busy so that they are less likely to become bored and have fewer opportunities to fight
- Ensure that staff receive regular training on alternative behavior management techniques, conflict management, de-escalation of confrontations, crisis intervention, adolescent development, developmental disabilities, mental health disorders, trauma-informed care, approved physical force techniques, and appropriate use of restraints
 - “Key Components of De-Escalation Techniques: A thematic synthesis” by Owen Price and John Baker 2012
 - Oregon Youth Authority STEPS program
 - Restorative Justice Models
- Require that staff actively engage with youth under their supervision to identify conflicts before they escalate
 - Classification protocols and gang-management
 - Positive and rewarding behavioral health management programs
- Ensure that facilities are adequately staffed to permit interaction with youth that can help identify problems
- Staff the facility with enough mental health professionals to respond to youths’ needs and incorporate mental staff interventions.



FACT SHEET: YOUTH IN PRISON-LIKE ENVIRONMENTS

YOUTH UNDER 18 SHOULD NOT BE IN PRISON-LIKE ENVIRONMENTS

If it looks like a cage, it feels like a cage, and if the true goal of the juvenile system is to rehabilitate kids while holding them accountable, we must stop locking up young people in prison-like environments. Rehabilitation cannot effectively happen in punitive environments and the physical design of such environments has made social distancing within prison-like facilities and prisons nearly impossible without subjecting youth to conditions that amount to solitary confinement.

This means removing youth under 18 from REGIONS secure units inside the juvenile detention centers and ending the practices that allow youth to be transferred to adult facilities. Those who need out-of-home treatment should be in small, therapeutic facilities that are developmentally appropriate.

YOUTH UNDER 18 SHOULD NOT BE IN ADULT FACILITIES

Currently, youth aged 15-17 whose cases are transferred to adult court are placed in adult facilities pre- and post-trial: Manson Youth Institution (MYI) and York Correctional Institution (York). These facilities, services, and staff are not created for or trained to be effective for youth and therefore are not appropriate for youth under 18.

In 2007, the Centers for Disease Control and Prevention published the findings that found “*transfer to the adult criminal justice system typically increases rather than decreases rates of violence among transferred youth.*” Without access to rehabilitative services and after exposure to de-facto solitary confinement, youth held in adult facilities re-enter their communities with significant barriers to emotional, educational, or vocational success.

BLACK YOUTH ARE MORE LIKELY TO BE TRANSFERRED TO ADULT COURT

A 2017 report on Connecticut data found that in cases that involved discretionary transfer, Black youth were much more likely to be transferred to adult court than their white peers. The study looked at other factors like age, previous record, charge, socioeconomic status, etc. to see if they explained the different outcomes, but found that *race was the deciding factor*. Our current system is not fair or equitable.

REMOVE YOUTH FROM PRISON AND PRISON-LIKE ENVIRONMENTS

- The state must develop a timeline to phase out the use of REGIONS secure units inside the juvenile detention centers
- The state must stop housing any youth under 18 in adult prisons run by the Department of Corrections (DOC)
- Court Support Services Division (CSSD) and DOC should develop their capacity to provide local, intensive, individualized wrap-around supports to and families —this would create community-based alternatives to incarceration or out-of-home placement

For more information contact Christina Quaranta at christina@ctjja.org or 203-814-8452.
Connecticut Juvenile Justice Alliance | ctjja.org

FACT SHEET: REMOVE POLICE FROM SCHOOLS

SROs, SCHOOL SAFETY AND RACIAL JUSTICE

SROs, or School Resource Officers, are simply police officers assigned to schools. There is no specific mandatory training or accreditation required before an SRO is placed in a school setting.

SROs in schools are intended to maintain a safe and secure learning environment, but [studies have shown](#) that SROs do not measurably increase safety. Further, the presence of an SRO in a school increases the likelihood that youth, specifically Black and Latino youth will be referred to law enforcement and/or arrested. Experiencing arrest, or watching a classmate experience arrest, can be traumatizing for students.

Police presence in schools to address “safety” must be viewed through a racial justice lens due to the disproportionate, negative impact of SROs on students of color.



SOURCE: Connecticut Voices for Children - Counselors Not Cops

INVESTING IN SUCCESS NOT ARREST

Instead of paying for a police presence in schools, districts should increase investment in people trained and programs focused on providing health and mental health services, behavioral support, and student achievement. The cost-savings in removing SROs from schools can be used to fund:

- Wrap around services, such as job readiness programs, mentorships, tutoring, and programs open past 8pm on weekends
- Social workers and guidance counselors
- Nurses and health services
- Mental health service professionals and services
- Mediation specialists, restorative justice trainers and school climate specialists

Currently, some districts in Connecticut invest more money in school resources officers than they do in nurses. By default, SROs do not receive training in mental health services and therefore are not the appropriate persons to respond to behavioral issues. Money being used to fund SROs can be better spent towards creating supportive learning environments where students have access to services and programs that promote success and provide opportunity.

Please Support **NO Police in Schools**



FACT SHEET: RAISE THE AGE OF ARREST TO 12

KIDS UNDER 12 DON'T BELONG IN POLICE STATIONS OR COURTS

Connecticut children as young as 7 can be and are arrested and sent to court. In 2019 there were [just under 100](#) very young children arrested and sent to court.

The vast majority of very young children are arrested for misdemeanors and the majority of cases involving very young children are dismissed, discharged, or not prosecuted. This wastes time and resources, while also creating unnecessary trauma of police and court involvement for a young child.

THIS IS NOT COMMON PRACTICE

The United States is an international outlier in the fact that it subjects very young children to police and courts. In fact, the United Nations has determined that the minimum age for court involvement should be *at least* 12. There is a current movement in the U.S. to raise the minimum age. California and Massachusetts [recently passed legislation](#) to make their minimum age of arrest 12.

INVOLVING YOUNG CHILDREN IN THE JUSTICE SYSTEM CAUSES HARM

Research shows that involvement with the courts can negatively impact young children, making them more, rather than less likely to become court involved in the [future](#).

Very young children are immature in their decision-making. Their level of brain development means that they don't fully understand their actions or the legal or court process. This means they are not "competent" to stand trial.

THIS IS A RACIAL JUSTICE ISSUE

Connecticut's data shows that [57%](#) of the children under 12 arrested in 2019 were children of color, mostly from urban areas.

RAISE THE MINIMUM AGE OF ARREST FROM 7 TO 12

1. We support the Juvenile Justice Policy Oversight Committee recommendation to raise the minimum age of arrest to 12.
2. We further support calls to ensure funding and cooperative relationships are in place to make sure children can get services from the appropriate educational, mental health, or family support systems when necessary. These services need to be accessible, trauma-informed and age-appropriate.



FACT SHEET: UNDERSTANDING JUVENILE CAR THEFTS

UNDERSTANDING JUVENILE CAR THEFTS - A NATIONAL ISSUE

Cities and towns in Connecticut and across the country are seeing an uptick in car thefts and break-ins during 2020. Certain cities outside Connecticut are experiencing significant increases: New York City saw a 53% increase in car thefts in April 2020 compared to April 2019, and Seattle reported a 24% increase during peak COVID-19 shut downs. The National Insurance Crime Bureau reported there has been a 56% increase nationally in vehicle thefts with keys or fobs in the vehicle. Unlike many areas of the country, Connecticut has generally seen a substantial decline in car thefts over the last decade, including a 20% decline in 2019 from the previous year, (Institute for Municipal and Regional Policy/CCSU), and there is promising evidence that the state's new car theft diversion program is effective for participating youth.

While Connecticut's 2020 crime data is still being analyzed, including whether most car thefts are committed by adults or young people, some community members have raised concerns about whether our state's juvenile justice system is adequately addressing offenses by children, particularly those children seen as repeat offenders. Prolonged school and court closures, along with the lack of in-person services for many children are also contributing to current concerns about activity and mental health of young people.

WHEN DOES A CAR THEFT LEAD TO DETENTION?

In most cases, a young person is released to their parent's custody at the time of arrest with a summons to appear in court. However, if the police believe the child is a risk to public safety, they can ask a judge for an order to detain the child immediately (see below). As part of the court process, in most cases, the youth is assessed by probation and, if appropriate, placed on supervision if adjudicated for the offense and required to attend programs and services. In some cases, the young person is sent to juvenile detention on or after the first court hearing or transferred to the adult system.

After any arrest (including car thefts), the police can go to the court and ask the judge for an order to detain. Youth are sent to detention in Connecticut when:

- There is probable cause that the young person committed the offense and is considered a risk to public safety. This includes a look at the history of offenses
- The young person is considered to be a risk not to appear in court or fails to follow court orders
- The young person needs to be held for a different jurisdiction

INCARCERATING YOUTH IN THE ADULT SYSTEM

If the charges against a child are particularly serious, a hearing can be held to transfer that case to the adult court. For children aged 15 to 17, the juvenile court is required to transfer very serious offenses to the adult docket, and has discretion to transfer less serious offenses. It is important to note that the majority of transferred youth in Connecticut are Black, a persistent concern in this state and the CT Department of Corrections prison housing young men charged as adults, Manson Youth Institution, is currently under federal investigation for civil rights violations.

INCARCERATING YOUTH IS NOT AN EFFECTIVE SOLUTION TO CAR THEFTS

- **Locking up youth is typically costly and ineffective.** Data shows that youth who are detained or incarcerated may be more likely to reoffend than their peers who aren't, meaning that using detention and incarceration can have the opposite effect that people are hoping for. According to the Judicial Branch of CT, Court Support Services Division, detention costs about \$800 per child per day. [In 2018, the average length of a stay in detention was 14 days](#) - that's \$11,200 spent each time we put a child in juvenile detention. [In 2020 the average length of a stay in detention was 25 days](#) - if the amount per day is the same, that's \$20,000 spent each time we put a child in juvenile detention.
- **Locking up youth in adult prison does not address root issues.** According to a [recent state audit](#), the overwhelming majority of transferred boys, and all of the transferred girls, in the adult system during 2019 lived in families previously investigated for child abuse or neglect, often multiple times. The audit found that most boys in the system completed few or no programs while incarcerated. Young people will most likely be unable to change behaviors until their root issues are addressed and taken care of.
- **Our current system disproportionately harms Black and Brown youth.** Connecticut incarcerates youth of color at significantly higher rates than it does white youth.*

*Note: An additional fact sheet is forthcoming with statistics on race and ethnicity as it corresponds to detention and incarceration in Connecticut.

COST EFFECTIVE RESPONSES TO REDUCE CAR THEFTS

Stakeholders agree that children engaged in repeat car thefts are a very small number of youth. There are opportunities to enhance our current response of services and accountability to address their needs and hold youth accountable.

- **Strengthen investment in CT's car theft diversion program.** In 2019, the Connecticut Legislature passed PA 19-110, which created a program designed to deal specifically with motor vehicle theft by young people. The Act allows the court to suspend delinquency proceedings for up to 6 months to allow the child to participate in services aimed at addressing their needs and risks - factors that often contribute to the child committing the offense in the first place. If the child satisfactorily completes the services and complies with probation/court orders, the charge(s) can be dismissed. Per CSSD data, as of mid-December, 2020, approximately 60 kids had participated in the program and of those completing the program, more than 75% have had no subsequent arrest.
- **Invest dollars in programs that have proven track records with high need youth.** While Connecticut's juvenile justice system includes a variety of programs, it has struggled to create individualized service/supervision plans for higher need youth. We have not yet invested in or implemented programs that have proven effective with high risk youth in other states. Examples include Individualized Wrap/Supervision Programs, [Cure Violence](#), [Credible Messengers](#), (and [Credible Messengers Justice Center Youth Advocate Programs](#)), among others. We can reverse this trend now.
- **Return children to school and services as safely and quickly as possible.** It is vital that we ensure schools and community providers have the support and resources to safely return children to school and services as soon as possible. Variations in school district and community approaches to schooling and services during COVID-19 may exacerbate problems for high need youth.

While community concerns about crime are very important and should drive collective urgency regarding effective solutions, data does not support the claim that historical changes to our juvenile justice laws are causing an increase in auto thefts or car break-ins, particularly as most juvenile crime has steadily decreased in Connecticut, and car thefts are a national phenomenon. Public dollars should invest in programs (existing and new) that have proven effective in Connecticut and other jurisdictions.

Fact vs. Fiction

A Series on Connecticut Juvenile Justice Reform

Join us for these virtual forums on upcoming legislation proposed to reform the juvenile justice system. They will be panel discussions with experts in the field, and youth and families who have had direct contact with the juvenile justice system. It is our intent to demonstrate through data the facts around juvenile crimes and alternatives strategies for appropriately addressing the needs and risk of the youth involved. There will be an opportunity to ask questions following a facilitated conversation.

Series #1

Hearing The Truth About Car Theft In Connecticut

**March 25th
5:00-6:30 p.m.**

You will hear the data that tells the true story of youth and car theft activity, the programs that exist to address it and suggestions of programs that will work with youth.



Series #2

Shaping A Service Approach In JJ Facilities

**April 6th
5:00-6:30 p.m.**

Improving juvenile justice programming, education and services in juvenile justice facilities that will provide youth the best opportunity to be successful and not recidivate.



Series #3

Raising Up Our Youth

**April 7th
5:00-6:30 p.m.**

Raising the minimum age of juvenile jurisdiction, decriminalization of lower offenses and promoting Community Based Diversion and Children's Behavioral Health will be demonstrated as ways to reduce trauma and recidivism.



Zoom links not active until event begins.

Brought to you by:



Alternatives to Arrest Appendix

Legislative Recommendation

The recommendation creates a two-tiered approach to reduce juvenile justice system involvement for low-risk youth by 1) decriminalizing four low-level behaviors classified as infractions, and 2) making diversion automatic for certain first- and second-time low-level misdemeanor offenses.

Tier 1

- Simple Trespass
- Creating a Public Disturbance
- Possession of cannabis-type substance (under .5 ounce only)
- Use/Possession/Delivery of drug paraphernalia (related to .5 ounce of cannabis-type substance)

Tier 2

- Breach of Peace 2nd
- Disorderly Conduct
- Larceny 5th and 6th
- Possession of cannabis-type substance (more than .5 ounce)
- Use/Possession/Delivery of drug paraphernalia (more than .5 ounce)

Definitions of Infractions and Misdemeanors

Sec. 53a-110a. Simple trespass: Infraction. (a) A person is guilty of simple trespass when, knowing that such person is not licensed or privileged to do so, such person enters or remains in or on any premises without intent to harm any property.

Sec. 53a-181a. Creating a public disturbance: Infraction. (a) A person is guilty of creating a public disturbance when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he (1) engages in fighting or in violent, tumultuous or threatening behavior; or (2) annoys or interferes with another person by offensive conduct; or (3) makes unreasonable noise.

Sec. 21a-279a. Penalty for illegal possession of small amount of cannabis-type substance. (a) Any person who possesses or has under his control less than one-half ounce of a cannabis-type substance, as defined in section 21a-240, except as authorized in this chapter, shall (1) for a first offense, be fined one hundred fifty dollars, and (2) for a subsequent offense, be fined not less than two hundred dollars or more than five hundred dollars.

(b) The law enforcement officer issuing a complaint for a violation of subsection (a) of this section shall seize the cannabis-type substance and cause such substance to be destroyed as contraband in accordance with law.

(c) Any person who, at separate times, has twice entered a plea of nolo contendere to, or been found guilty after trial of, a violation of subsection (a) of this section shall, upon a subsequent plea of nolo contendere to, or finding of guilty of, a violation of said subsection, be referred for participation in a drug education program at such person's own expense.

Sec. 21a-267. (Formerly Sec. 19-472a). Penalty for use, possession or delivery of drug paraphernalia. Immunity. (d) No person shall (1) use or possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal, or to ingest, inhale or otherwise introduce into the human body, less than one-half ounce of a cannabis-type substance, or (2) deliver, possess with intent to deliver or manufacture with intent to deliver drug paraphernalia knowing, or under circumstances where one reasonably should know, that it will be used to plant,

propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal, or to ingest, inhale or otherwise introduce into the human body, less than one-half ounce of a cannabis-type substance. Any person who violates any provision of this subsection shall have committed an infraction.

Sec. 53a-181. Breach of the peace in the second degree: Class B misdemeanor. (a) A person is guilty of breach of the peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: (1) Engages in fighting or in violent, tumultuous or threatening behavior in a public place; or (2) assaults or strikes another; or (3) threatens to commit any crime against another person or such other person's property; or (4) publicly exhibits, distributes, posts up or advertises any offensive, indecent or abusive matter concerning any person; or (5) in a public place, uses abusive or obscene language or makes an obscene gesture; or (6) creates a public and hazardous or physically offensive condition by any act which such person is not licensed or privileged to do. For purposes of this section, "public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests. (b) Breach of the peace in the second degree is a class B misdemeanor.

Sec. 53a-182. Disorderly conduct: Class C misdemeanor. (a) A person is guilty of disorderly conduct when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: (1) Engages in fighting or in violent, tumultuous or threatening behavior; or (2) by offensive or disorderly conduct, annoys or interferes with another person; or (3) makes unreasonable noise; or (4) without lawful authority, disturbs any lawful assembly or meeting of persons; or (5) obstructs vehicular or pedestrian traffic; or (6) congregates with other persons in a public place and refuses to comply with a reasonable official request or order to disperse; or (7) commits simple trespass, as provided in section 53a-110a, and observes, in other than a casual or cursory manner, another person (A) without the knowledge or consent of such other person, (B) while such other person is inside a dwelling, as defined in section 53a-100, and not in plain view, and (C) under circumstances where such other person has a reasonable expectation of privacy.

Sec. 21a-279. (Formerly Sec. 19-481). Penalty for illegal possession. Alternative sentences. Immunity. (a)(1) Any person who possesses or has under such person's control any quantity of any controlled substance, except less than one-half ounce of a cannabis-type substance and except as authorized in this chapter, shall be guilty of a class A misdemeanor.

Sec. 53a-125b. Larceny in the sixth degree: Class C misdemeanor. (a) A person is guilty of larceny in the sixth degree when he commits larceny as defined in section 53a-119 and the value of the property or service is five hundred dollars or less.

Sec. 53a-125a. Larceny in the fifth degree: Class B misdemeanor. (a) A person is guilty of larceny in the fifth degree when he commits larceny as defined in section 53a-119 and the value of the property or service exceeds five hundred dollars. (b) Larceny in the fifth degree is a class B misdemeanor.