

Proposed Substitute HB-06667 (LCO 6557)

“An Act Concerning the recommendations of the Juvenile Justice Policy and Oversight Committee”

<https://www.cga.ct.gov/2021/juddata/sl/2021HB-06667-R00LCO6557JUD-SL.PDF>

DIVERSION WORKGROUP RECOMMENDATION

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

EDUCATION WORKGROUP RECOMMENDATIONS

Section 2: An implementation team shall assist the Department of Children and Families in the development of an operational plan to create an education unit.

Section 3: The Commissioner of Children and Families shall implement the operational plan...to establish an education unit within the Department of Children and Families, for the education of any child who resides in any juvenile justice facility and any incarcerated child

Section 4: Not later than August 1, 2021, the Department of Education shall assemble a list of persons who may perform the function of reentry coordinator.

Section 5: A local or regional board of education under whose jurisdiction a student would otherwise be attending school if such student were not educated under the oversight of the education unit of the Department of Children and Families established...shall award a diploma to any such student seventeen years of age or older who satisfactorily completes the minimum credits required

Section 6: The Commissioners of Education and Children and Families shall develop a system for standardized conversion of credits transferred

Section 7: In the case of a student placed in any juvenile justice facility and any incarcerated student being educated under the oversight of the education unit...The school district in which the student previously attended school or the state charter school that the student previously attended shall, not later than five days after such placement or incarceration, transfer the student's education records to the education unit

Section 8: There is established a committee for the purpose of studying the effects of and possible alternatives to suspensions and expulsions of students in any grade... Not later than January 1, 2022, the committee shall complete a report concerning the effects of and alternatives to suspension and expulsion of students in preschool through second grade...Not later than January 1, 2023, the committee shall complete a report concerning the effects of and alternatives to suspension and expulsion of students in grades (A) three to eight, inclusive; and (B) nine to twelve, inclusive.

INCARCERATION WORKGROUP RECOMMENDATIONS

Section 9: 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.

Section 10: There shall be a committee... shall study telephone call rates and commissary needs for all persons eighteen to twenty-one years of age who are incarcerated in Department of Correction facilities. The committee may make recommendations for legislation based on such study

Section 11: On and after July 1, 2022, the Commissioners of Correction and Children and Family and the Court Support Services Division of the Judicial Department shall ensure that chemical agents are not used on any person under eighteen years of age detained in a juvenile detention center or incarcerated in a correctional facility.

IOYOUTH RECOMMENDATIONS

Section 12:

- Not later than January 1, 2022, the implementation team shall develop a plan for automatic prearrest diversion of children to youth service bureaus or other services in lieu of arrest for Tier 1 offenses that include infractions such as (A) simple trespass under section 53a-110a of the general statutes, (B) creating a public disturbance under section 53a-181a of the general statutes, (C) possession of less than one-half ounce of a cannabis-type substance under section 21a-279a of the general statutes, and (D) use, possession or delivery of drug paraphernalia related to less than one-half ounce of a cannabis-type substance
- Not later than January 1, 2023, the implementation team shall develop a plan for automatic prearrest diversion of children to youth service bureaus or other services in lieu of arrest for Tier 2 offenses that include offenses such as (A) breach of peace in the second degree under section 53a-181 of the general statutes, (B) disorderly conduct under section 53a-182 of the general statutes, (C) larceny in the fifth or sixth degree under section 53a-125a or 53a-125b of the general statutes, (D) possession of one-half ounce or more of a cannabis-type substance under section 21a-279 of the general statutes, and (E) use, possession or delivery of drug paraphernalia related to one-half ounce or more of a cannabis-type

Section 13: The Judicial Branch shall develop 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 of such plan... Not later than January 1, 2022, the Judicial Branch shall submit the implementation plan,