Juvenile Justice Policy and Oversight Committee

2022 Approved Recommendations

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I. Introduction

This document provides a comprehensive overview of all legislative recommendations that were developed by the members of the Juvenile Justice Policy and oversight Committee (JJPOC) and its various sub-committees and workgroups over the course of 2021. These recommendations were crafted by a diverse collection of stakeholders, including policymakers, practitioners, service providers, students, community members, and families. They are designed to elevate the state's juvenile justice laws and practices to incorporate greater restorative measures and promote equity within our society. A brief description of all recommendations can be found at the beginning of this document, while more detailed information concerning the background, data, and potential impact of each recommendation will be located later in the packet, under the appropriately titled section. Several legislatively mandated reports have also been attached to this document as addendums and serve as additional sources of information.

II. 2022 JJPOC RECOMMENDATIONS IN BRIEF

		Implementation Strategies	JJPOC Status

DIVERSION WORKGROUP RECOMMENDATION 1	JJPOC recommends that:
	
	A. The following behaviors would be automatically diverted pre-arrest to the community-based diversion system for first and second-time offenses. This would still allow law enforcement, schools, and other systems to refer youth to a Youth Service Bureau (YSB) or other local agency in lieu of an arrest.
	    1. Beginning July 1, 2022
	        a. simple trespass under section 53a-110a of the general statutes
	        b. creating a public disturbance under section 53a-181a of the general statutes
	    2. Beginning January 1, 2023
	        a. disorderly conduct under section 53a-182 of the general statutes
	        b. larceny sixth degree under section 53a-125a or 53a-125b of the general statutes[1]
	B. An Implementation Plan (Addendum A) outlines further recommendations for implementation.
	    1. Capacity of YSBs and other local agencies to provide services for this population
		Legislation	Approved

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[1] The remaining Tier 2 offenses will be addressed in the report due on or before January 1, 2023.

	2. Accountability mechanisms 3. Process for victim input and involvement 4. Data collection for tracking YSB referrals 5. Communication and outreach to stakeholders on accessing local services		

DIVERSION WORKGROUP RECOMMENDATION 2	JJPOC recommends that:
	
	A. Beginning July 1, 2022, the legislature and the Governor will begin funding a multi-year plan to strengthen and expand the community-based diversion system.
	    1. In addition to the funds for the community-based diversion system, all available funding sources should be considered to address the current crisis, including, but not limited to, utilizing time-limited federal funds until longer-term federal opportunities in prevention and diversion can be accessed.
	    2. Efforts be coordinated between juvenile justice, behavioral health, education, and prevention services to ensure short-term and sustainable development of the child-serving system.
		Funding	Approved

EDUCATION COMMITTEE RECOMMENDATION 1	JJPOC recommends that: A. Supports and resources be allocated in order to ban suspension and expulsion of children in preschool through grade two, as listed in Addendum B Suspension and Expulsion Committee Report and Recommendations, page 13.	Legislation	Approved
SUSPENSION & EXPULSION SUB-COMMITTEE (1-2)	1. The legislature and the Governor shall adequately fund school needs, alternative in-school disciplinary practices, strategies, and intervention to support students and schools' personnel as outlined in this report for the purpose of implementing Public Act 15-96 "An Act Concerning Out-Off-School Suspension and Expulsions for Students in Preschool and Grades Kindergarten to Two effective July 2022. 2. This committee shall work towards recommending strategies to reduce to zero _all suspensions_ (in-	Legislation/Funding	Approved Approved

	school and out of school), expulsions, and out-of-school removals of students in Preschools and Grades Kindergarten to Two. Such strategies may include a recommendation to remove the current exceptions of "behavior of a violent or sexual nature" and replace with only those exceptions required by federal requirements under the Gun-Free Schools Act. Legislative recommendations shall be delivered to the JJPOC effective January 2023.		
SUSPENSION & EXPULSION SUB-COMMITTEE (FUNDING RECOMMENDATION 3)	3. **Effective July 2022** provide funding to build on successful, existing models of reducing exclusionary discipline such as, but not limited to, the Connecticut School-Based Diversion Initiative (SBDI). a. Expand the legislative appropriation to each of SBDI's current funding partners (CSDE, CSSD, and DMHAS) to support a 10% expansion of SBDI programming in each of the coming five fiscal years. b. Pilot CHDI's School-Based Diversion Initiative (SBDI) Elementary school model. Funding should be identified to support the implementation of SBDI-E pilots for elementary schools with high utilization of law enforcement and exclusionary discipline.	Legislation/Funding	Approved
SUSPENSION & EXPULSION SUB-COMMITTEE (TRAINING RECOMMENDATION 4)	4. CSDE shall, in conjunction with SBDI and other experts in the field, develop a program of training in effective methods of addressing within the school environment the underlying issues of students who present with disruptive or dangerous behavior as a means to reduce the incidence of exclusion of these students from school. Such training should focus initially on students in Grade Two and younger and should include: a. Trauma-informed and trauma sensitive classroom techniques b. De-escalation, redirection and managing trauma. c. Mental-health first aid. d. Social and emotional learning. e. Restorative practices. f. Interpersonal and environmental triggers. g. The function of inappropriate behavior. h. The identification, measurement, and tracking over time of behavior.	Legislation/Funding	Approved

	Such training should be:
	    a. Mandated for schools and or districts that are identified as Tier 4 for disproportionality and prevalence of exclusionary discipline in two or more subsequent years.
	    b. Available to all schools and or districts at no cost to the school district.
	
	4A) CSDE should identify and or develop guidelines for a supportive framework for support and peer-to-peer coaching for the purpose of properly disseminating this content throughout each school. Such a framework could include the designation of a formally identified, district-level staff to oversee the diffusion of training, technical assistance, and the peer-to-peer coaching model. The district-level staff will work with a school-based staff at each school site to implement the framework and to serve as the school lead in developing peer-to-peer coaching skills. Districts should review its existing staffing capacity (i.e., school climate coordinator, SBDI Leader in Residence) to determine if additional capacity resources are needed to fulfill this responsibility. All available funding sources should be considered (.i.e. Alliance funding, Recovery funding). If additional capacity resources are needed CSDE shall adequately fund district capacity need.
	
	CSDE should, primarily utilizing existing materials, promptly publish guidance on the implementation of alternative in-school disciplinary practices, strategies, and interventions to support students and school personnel.		

SUSPENSION & EXPULSION SUB-COMMITTEE (INTERVENTION RECOMMENDATION 5)	5. By July 1, 2023, the CSDE will develop a comprehensive systems approach to identify and support districts with high suspension rates in Pre-K to Grade Two and to help districts address challenging behaviors. The Pre-K to Grade Two structure shall include:
	    a. Methodology for identifying districts with high suspension rates in Pre-K to Grade Two
	        o Collecting, analyzing, and monitoring school discipline data
	    b. A continuum of integrated tiered supports for identified districts.
	        o Provide an MTSS framework that integrates data and professional learning, instruction, coaching, and
		Legislation/Funding	Approved

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technical assistance on building equitable systems coherence
- o Provide support on using research/evidence-based interventions for students' social, emotional, behavioral, mental health needs from a strengths-based perspective
- o Build staff and resource capacity to sustain implementation – recognizing the level of staff burden in the current climate
- o Engage community leaders and organizations and families
- o Ensuring student voice in the process – including planning and implementation

c.   Policy Guidance and Professional Learning
- o Provide a decision-tree guide for addressing behavioral challenges
- o Assist districts in understanding challenging behaviors and action steps to pro-actively reduce challenging behaviors and support students' emotional well-being
- o Assist districts in understanding the cycle of behavior and provide professional development on strategies that can de-escalate classroom situations
- o Collaborate with the Office of Early Childhood to coordinate resources for challenging behaviors in community Pre-K education programs and school-based programs in districts
- o Provide resources, training, and support to districts (pending additional appropriations)
- o Incorporate the high impact strategies to engage families and the family guidance on suspension and expulsion to ensure a through-line between home and school
- o Ensure districts with high suspension rates participate in Community of Practice
- o Review districts attendance to professional development offerings and use the districts use the CSDE's Cycle for Continuous Improvement

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		to highlight the cyclical nature of improvement (Evidence, Analyze, Implement, Monitor and Reflect)		

d. Evaluating the effectiveness of school discipline policies and practices in districts

- o The CSDE continues to update, post, and present to the State Board of Education and the subcommittee for suspension and expulsion the CSDE school discipline report
- o Unpacking disproportionality and examining the factors that impact behavior
- o Review districts' beliefs, policies, practices, data, and structures
- o Provide best practices regarding alternatives to exclusionary discipline
- o Assess current interventions for the fidelity of implementation and alignment to other initiatives
- o Provide best practices on progress monitoring
- o Ensure processes to assess performance, quantify improvement or responsiveness to intervention and instruction and evaluate effectiveness
- o Provide targeted supports and resource mapping-identifying and analyzing programs, people, services, and other resources that currently exist in schools to address gaps
- o Provide information on best practices for removals from class and re-entry into the classroom
  - ▪ Provide information on best practices for removal of a child from a classroom, including support during and after the 90 minutes
    - • Identify social support staff to work with the student
    - • Provide support and work with the student to

	improve the challenging behavior • The re-entry plan should include how to repair any relationships that have been harmed by the situation preceding the removal. • Two-way communication with families to engage families, so there is a through-line between home and school (Guiding Principles for Engaging Families) e. Costs per year $450,000-$500,000.		

SUSPENSION & EXPULSION SUB-COMMITTEE (FAMILY ENGAGEMENT RECOMMENDATION 6)	6. The comprehensive system of support shall include providing parents and or caregivers a brief description of the precipitating incidents, what supports were provided to their child while exhibiting challenging behavior, and the outcome of those implemented supports and strategies.
	
	6A) Link or refer the family and student as appropriate to the Community Based Diversion System, Children's Behavioral Health Services System, and or community-based services provider for access to social, emotional, and mental health supports.
	6B) CSDE shall work with districts and or schools in identifying community-based mentor programs to be implemented within districts/schools in Tier 4 or with high rates of suspension and expulsion. The mentoring program shall include:
	    a. training and recruitment strategies,
	    b. mentors expected to build relationships with students in need,
	    c. connect with families to increase family engagement and provide
		Legislation/ Funding	Approved

	resources but will not provide therapy. 6C) Implementation of "The SBDI Toolkit: A Community Resources for Reducing School-Based Arrests"		

SUSPENSION & EXPULSION SUB-COMMITTEE (SCREENING FOR HEALTH AND MENTAL HEALTH RECOMMENDATION 7)	7. The legislature and the Governor shall adequately fund the expansion of the school-based mental health workforce/support staff and behavioral support programs and services.
	   a. In addition to the funds for the expansion of the school-based mental health workforce/support staff and behavioral support programs and services, all available funding sources should be considered to address the current crisis, including, but not limited to, utilizing time-limited federal funds until longer-term federal opportunities in prevention and diversion can be put in place.
	   b. Reducing student to teacher classroom ratio to no more than 20 students and or propose plan that involves recruiting greater numbers of student aides from nearby colleges or partner with AmeriCorps and or other similar nonprofit to provide instructor support.
		Legislation/ Funding	Approved

SUSPENSION & EXPULSION SUB-COMMITTEE (SCREENING FOR HEALTH AND MENTAL HEALTH RECOMMENDATION 8)	8. Create a crisis prevention and response partnership in districts and municipalities.
	   a. The directive should be recrafted to create an obligation for municipalities to ensure a comprehensive crisis response system of care that does not place the onus on law enforcement to manage children's behavioral health.
	   b. Consideration should be made for co-located mental health interventions and or explore if portion of the Mobil Crisis Intervention Services (formerly EMPS) can be co-located in the schools that have higher rates of expulsions, suspension, police calls, and arrest.
		Legislation/ Funding	Approved

EDUCATION COMMITTEE RECOMMENDATION 2	JJPOC recommends that: A. A pilot program be designed to review 911 calls from the 10 Opportunity School Districts (Hartford, Bridgeport, Waterbury, New	Legislation	Approved

	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: the reason for the call, de-identified data related to the demographics of the 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. B. JJPOC should collaborate with CHDI to review similar data collected on 211 calls made by public schools. C. All data analyses should be submitted for review by the JJPOC Education Committee on a bi-annual basis.		
EDUCATION COMMITTEE RECOMMENDATION 3	JJPOC recommends that: A. Public Act 21-174 be amended to provide greater specificity regarding the way DCF will oversee educational services being provided to students housed in juvenile detention facilities operated by DOC and CSSD. Most of the edits clarify that DCF will be overseeing the education of these students and not directly delivering the education. It also makes several technical changes indicating that this is an administrative unit, not an education unit to distinguish it from USD #2. (Addendum C)	Legislation	Approved
RACIAL AND ETHNIC DISPARITIES WORKGROUP RECOMMENDATION 1	JJPOC recommends: 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.	Legislation	Approved
COMMUNITY EXPERTISE WORKGROUP	JJPOC recommends that:	Legislation	Approved

| RECOMMENDATION 1 | A. The General Statutes be amended to increase the membership of JJPOC by 4 Community Expertise Workgroup members, two of which must be under the age of 26, who have been impacted by the criminal legal system. Each appointed member will be funded through their sponsor organization for transportation, child care, and stipends to enable member participation. This funding would be provided through an expansion of current contracts. | | |

III. 2021-2024 JJPOC STRATEGIC PLAN

In 2014, The Juvenile Justice Policy and Oversight Committee (JJPOC) was created by Public Act 14-217 and charged with evaluating policies related to the juvenile justice system. The committee was tasked with recommending changes in state law regarding juvenile justice, crafting a standard definition of recidivism, setting goals for reform, assessing the impact of Raise the Age, assessing the quality of education within the juvenile justice system, planning for implementation of Results-Based Accountability (RBA) by agencies, analyzing the existence of disproportionate minority contact (DMC) across the juvenile justice system, reporting to the state on the quality and effectiveness of a variety of programs in community supervision, congregate care, diversion, behavioral health, and other areas. The Juvenile Justice Policy and Oversight Committee (JJPOC) has been successful every year since 2015 putting forth recommendations that are based on best practices in order to improve the State's juvenile justice system.

Workgroups and sub-workgroups were established across the state toward each of those goals as well as a Cross-Agency Data-Sharing Workgroup. Each year, the Cross-Agency Data Sharing Workgroup co-chairs present a progress report on the status of the established numerical targets for the goals. By Fall 2018, the state's juvenile justice system exceeded two of the three identified goals. Reduction in incarceration reached more than 50% far exceeding the goal; the increase in diversion reached 30%, also far exceeding the goal; the reduction in recidivism is not yet at the promised 10% level. It is stalled at 2%, but largely due to the changing nature of the juvenile populations.

To build on the progress achieved so far, the JJPOC, in partnership with the Tow Youth Justice Institute at the University of New Haven, worked over the course of the last six months on developing a new strategic plan for the next three years (2021 to 2024) that continues the four goals outlined in the 2019 – 2021 plan.

Goal 1: Limit youth entry into the justice system.
Goal 2: Reduce incarceration.
Goal 3: Reduce racial and ethnic disparities of youth in Connecticut's juvenile justice system.
Goal 4: Right-size the juvenile justice system by setting appropriate lower and upper age limits.

The strategic plan serves as a roadmap created to guide future work. First and foremost, this strategic plan is a statement for a shared vision: to achieve positive youth outcomes for safer and healthier communities. This requires a fair, effective and equitable youth justice system.

IV. 2022 RECOMMENDATIONS IN DETAIL FROM THE DIVERSION WORKGROUP

Goal: Limit youth entry into the justice system.

Connecticut is committed to preventing youth from entering the formal justice system by appropriately serving them by alternative means or systems (e.g., community-based diversion, restorative justice approaches, mental/behavioral health services, etc.) in order to achieve better outcomes for youth.

DIVERSION WORKGROUP RECOMMENDATION 1	JJPOC recommends:

	A. The following behaviors would be automatically diverted pre-arrest to the community-based diversion system for first and second-time offenses. This would still allow law enforcement, schools, and other systems to refer youth to a Youth Service Bureau (YSB) or other local agency in lieu of an arrest.
	  1. Beginning July 1, 2022
	    a. simple trespass under section 53a-110a of the general statutes
	    b. creating a public disturbance under section 53a-181a of the general statutes
	  2. Beginning January 1, 2023
	    c. disorderly conduct under section 53a-182 of the general statutes
	    d. larceny sixth degree under section 53a-125a or 53a-125b of the general statutes[2]
	B. An Implementation Plan (Addendum A) outlines further recommendations for implementation.
	  1. Capacity of YSBs and other local agencies to provide services for this population
	  2. Accountability mechanisms
	  3. Process for victim input and involvement
	  4. Data collection for tracking YSB referrals
	  5. Communication and outreach to stakeholders on accessing local services

BACKGROUND

The current juvenile justice system allows a child as young as ten years old to be arrested and incarcerated. This can have a profoundly significant impact upon the arrested individual's future. Starting with the arrest itself, such an event can be traumatic and harmful for youth and may additionally trigger a post-traumatic response in the youth. Even if they are ultimately issued a warning and released or diverted, the damage may already be done. Furthermore, once an arrest has been made, it is a documented event that can follow the youth for years. Organizations, such as employers and institutions of learning, may be able to access these records, resulting in the individual being denied job and/or education opportunities. The more limited the individual is in their access to opportunities to advance their development, the more likely they will experience negative health outcomes or even re-offend. Similarly, arrested youth are 25% less likely to complete high school, only further encroaching on their potential.

The best way to prevent future arrests is to stop the initial arrest from occurring in the first place. If that is not possible, diverting youth before the arrest can minimize recidivism. When a youth is placed into a pre-arrest diversion

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[2] The remaining Tier 2 offenses will be addressed in the report due on or before January 1, 2023.

program, they are 2.5 times less likely to re-offend. Additionally, research demonstrates that low-risk youth, with very minimal supervision and services, typically grow out of their adolescent behavior and that over supervising these youth can actually create more harm than good. The State of Connecticut partnered with the Council of State Governments to analyze its juvenile justice system from 2019-2020. The Improving Outcomes for Youth 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, including Breach of Peace, 2nd Degree; Larceny, 6th Degree; Disorderly Conduct; Interference with an Officer/Resisting Arrest; and Possession of a Controlled Substance or greater than 0.5 oz. of Cannabis. These 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 a minor. It is important to note that many of these offenses are already being diverted from court. The intent of these recommendations is to ensure diversion happens automatically prior to an arrest.

Developing alternatives to arrest will directly address disproportionate contact that youth of color may have with the juvenile justice system. It will also provide them with access to diversionary services more quickly than through the juvenile court. However, there are numerous points throughout the pre-booking process where law enforcement, diversion agencies, and other organizations may unintentionally contribute to racial inequity. For example, if the diversion organization is not situated where the youth can easily attain its support or its staff is not properly trained in cultural competency, it may make it more difficult for the youth to complete the diversion program. In many cases, if the youth is unable to accomplish this, the initial arrest will subsequently become recorded. Thusly, it is essential that all organizations involved in this process be aware of any potential racial, ethnic, socioeconomic, or other biases that may impact support for the youth.

In addition, implementation of such programs is a more fiscally responsible course of action. 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. For instance, Florida managed to save an estimated $13 million in 2014-2015 by issuing civil citations as opposed to making full arrests in 43% of qualifying incidents.

See Alternatives to Arrest Team Implementation Plan (Addendum A) for more information.

DIVERSION WORKGROUP RECOMMENDATION 2	JJPOC recommends that:
	A. Beginning July 1, 2022, the legislature and the Governor will begin funding a multi-year plan to strengthen and expand the community-based diversion system. 1. In addition to the funds for the community-based diversion system, all available funding sources should be considered to address the current crisis, including, but not limited to, utilizing time-limited federal funds until longer-term federal opportunities in prevention and diversion can be accessed.

	Efforts be coordinated between juvenile justice, behavioral health, education, and prevention services to ensure short-term and sustainable development of the child-serving system.

BACKGROUND

The Community-Based Diversion system addresses criminogenic, social/emotional, behavioral, mental health, and academic needs of at-risk pre-delinquent and delinquent youth within the context of their family, school, and community supports and services such that *no child is entered into the juvenile justice system without having exhausted appropriate community resources.*

The Community-Based Diversion System addresses minor criminal offenders, status offenders, and children and youth exhibiting status offense behavior, and those at risk of offending. The Community-Based Diversion System maximizes existing mechanisms, systems, and relationships to more efficiently connect children and their families with resources in their community and divert children from the care of state agencies. It essentially weaves a system of supports from existing programs and services and enhances an array of services that may currently be under-funded, structurally fragmented, not distributed to match the demand, have limited access due to agency contract restrictions, and in some communities, under-utilized.

The Community Based Diversion System promotes the integration of the YSB system with the behavioral health care coordination system, which are both critical components in serving at-risk youth. As the hub in the Diversion System, the YSBs coordinate services and referrals inclusive of both community-based supports and more intensive clinical programming. A collaborative process between the two groups is called for in order to best meet the needs of the diverted juvenile justice population.

DATA

The following data was presented at the July 19th, 2019 JJPOC meeting. This collection of data was compiled by the Judicial Branch's Court Support Services Division (CSSD) for the JJPOC Diversion workgroup and contains descriptive information about Family With Service Needs (FWSN) referrals to court during the period 2010 through May of 2019. FWSN referrals consist of defiance of school rules, truancy, being beyond control, runaway, and indecent/immoral conduct.

In 2019 there were 152 Families with Services Needs referrals to the court. Of the 152 court referrals, 149 of them were unique clients. 65.13% of the FWSN referrals were beyond control, 32.24% runaway, with very small percentages falling within indecent/immoral conduct. The treatment needs of these children varied from educational advocacy, basic needs, crisis intervention, pro-social activities, life skills, and cognitive behavior-based psychoeducational groups.

The Community Based Diversion System was created to support the needs of at-risk and delinquent youth, including status offenders and those exhibiting status offense behaviors. In July of 2017, Truancy and Defiance of School Rules were removed from Juvenile Court jurisdiction and in July of 2020, all remaining FWSN behaviors were removed from Juvenile Court jurisdiction. These cases all currently get referred to the Community based Diversion System.

During the Covid-19 pandemic, referrals were down across decision points including diversion and court referrals. This was a result of youth not being in school and not being in the community with their peers at the same rates as previous to the pandemic. Data during this time period is skewed for that reason and will look different than the years prior and likely going forward. The impact of the pandemic has been plentiful and we are beginning to see the results of our youth not being at schools, unable to socialize, and unable to participate in extracurricular activities. We know there is a mental health crisis as a result of the pandemic and this will impact our youth for the foreseeable future. The Community Based Diversion system and its partners will need to work together with schools and families to address the issues that are beginning to or have already surfaced.

POTENTIAL IMPACT

The Community-Based Diversion System maximizes existing mechanisms, systems, and relationships to more efficiently connect children and their families with resources in their community and divert children from the care of state agencies The benefits of a fully implemented Community-Based Diversion System include: 1) Decreased referrals to Juvenile Court; 2) Increased participation in appropriate services and programs, 3) Increased family engagement; 4) Decreased recidivism; 5) Reduction in the stigma/labeling associated with formal juvenile justice system involvement; and 6) Reduction in the costs associated with crime and incarceration.

"Every child's path to adulthood—reaching developmental and emotional milestones, learning healthy social skills, and dealing with problems—is different and difficult. Many face added challenges along the way, often beyond their control. There's no map, and the road is never straight. But the challenges today's generation of young people face are unprecedented and uniquely hard to navigate. And the effect these challenges have had on their mental health is devastating….. I believe that, coming out of the COVID-19 pandemic, we have an unprecedented opportunity as a country to rebuild in a way that refocuses our identity and common values, puts people first, and strengthens our connections to each other….If we seize this moment, step up for our children and their families in their moment of need, and lead with inclusion, kindness, and respect, we can lay the foundation for a healthier, more resilient, and more fulfilled nation."[3]

V. 2022 RECOMMENDATIONS IN DETAIL FROM THE EDUCATION COMMITTEE

Mission: Improve educational services for youth in an out-of-home placement.
Connecticut is committed to ensuring that youth in an out-of-home placement have access to the highest quality of educational programming available. This includes providing smooth transitions to and from the community, offering specialization and expertise, and holding the entire system accountable.

EDUCATION COMMITTEE RECOMMENDATION 1	JJPOC recommends that: A. Supports and resources be allocated in order to ban suspension and expulsion of children in preschool through grade two, as listed in Addendum B Suspension and Expulsion Committee Report and Recommendations, page 13.
SUSPENSION & EXPULSION SUB-COMMITTEE (1-2)	1. The legislature and the Governor shall adequately fund school needs, alternative in-school disciplinary practices, strategies, and

	intervention to support students and schools' personnel as outlined in this report for the purpose of implementing Public Act 15-96 "An Act Concerning Out-Off-School Suspension and Expulsions for Students in Preschool and Grades Kindergarten to Two effective July 2022. 2. This committee shall work towards recommending strategies to reduce to zero _all suspensions_ (in-school and out of school), expulsions, and out-of-school removals of students in Preschools and Grades Kindergarten to Two. Such strategies may include a recommendation to remove the current exceptions of "behavior of a violent or sexual nature" and replace with only those exceptions required by federal requirements under the Gun-Free Schools Act. Legislative recommendations shall be delivered to the JJPOC effective January 2023.

SUSPENSION & EXPULSION SUB-COMMITTEE (FUNDING RECOMMENDATION 3)	3. **Effective July 2022** provide funding to build on successful, existing models of reducing exclusionary discipline such as, but not limited to, the Connecticut School-Based Diversion Initiative (SBDI).
	  a. Expand the legislative appropriation to each of SBDI's current funding partners (CSDE, CSSD, and DMHAS) to support a 10% expansion of SBDI programming in each of the coming five fiscal years.
	  b. Pilot CHDI's School-Based Diversion Initiative (SBDI) Elementary school model. Funding should be identified to support the implementation of SBDI-E pilots for elementary schools with high utilization of law enforcement and exclusionary discipline.

SUSPENSION & EXPULSION SUB-COMMITTEE (TRAINING RECOMMENDATION 4)	4. CSDE shall, in conjunction with SBDI and other experts in the field, develop a program of training in effective methods of addressing within the school environment the underlying issues of students who present with disruptive or dangerous behavior as a means to reduce the incidence of exclusion of these students from school. Such training should focus initially on students in Grade Two and younger and should include: i. Trauma-informed and trauma sensitive classroom techniques j. De-escalation, redirection and managing trauma. k. Mental-health first aid. l. Social and emotional learning. m. Restorative practices. n. Interpersonal and environmental triggers. o. The function of inappropriate behavior. p. The identification, measurement, and tracking over time of behavior. Such training should be: c. Mandated for schools and or districts that are identified as Tier 4 for disproportionality and prevalence of exclusionary discipline in two or more subsequent years.

	d. Available to all schools and or districts at no cost to the school district. 4A) CSDE should identify and or develop guidelines for a supportive framework for support and peer-to-peer coaching for the purpose of properly disseminating this content throughout each school. Such a framework could include the designation of a formally identified, district-level staff to oversee the diffusion of training, technical assistance, and the peer-to-peer coaching model. The district-level staff will work with a school-based staff at each school site to implement the framework and to serve as the school lead in developing peer-to-peer coaching skills. Districts should review its existing staffing capacity (i.e., school climate coordinator, SBDI Leader in Residence) to determine if additional capacity resources are needed to fulfill this responsibility. All available funding sources should be considered (.i.e. Alliance funding, Recovery funding). If additional capacity resources are needed CSDE shall adequately fund district capacity need. CSDE should, primarily utilizing existing materials, promptly publish guidance on the implementation of alternative in-school disciplinary practices, strategies, and interventions to support students and school personnel.

SUSPENSION & EXPULSION SUB-COMMITTEE (INTERVENTION RECOMMENDATION 5)	5. By July 1, 2023, the CSDE will develop a comprehensive systems approach to identify and support districts with high suspension rates in Pre-K to Grade Two and to help districts address challenging behaviors. The Pre-K to Grade Two structure shall include:
	a. Methodology for identifying districts with high suspension rates in Pre-K to Grade Two
	   o Collecting, analyzing, and monitoring school discipline data
	b. A continuum of integrated tiered supports for identified districts.
	   o Provide an MTSS framework that integrates data and professional learning, instruction, coaching, and technical assistance on building equitable systems coherence
	   o Provide support on using research/evidence-based interventions for students' social, emotional, behavioral, mental health needs from a strengths-based perspective
	   o Build staff and resource capacity to sustain implementation – recognizing the level of staff burden in the current climate
	   o Engage community leaders and organizations and families
	   o Ensuring student voice in the process – including planning and implementation
	c. Policy Guidance and Professional Learning
	   o Provide a decision-tree guide for addressing behavioral challenges
	   o Assist districts in understanding challenging behaviors and action steps to pro-actively reduce challenging behaviors and support students' emotional well-being
	   o Assist districts in understanding the cycle of behavior and provide professional development on strategies that can de-escalate classroom situations

Tow Youth Justice Institute
JJPOC 2022 Recommendations

YOUTH
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- o Collaborate with the Office of Early Childhood to coordinate resources for challenging behaviors in community Pre-K education programs and school-based programs in districts
- o Provide resources, training, and support to districts (pending additional appropriations)
- o Incorporate the high impact strategies to engage families and the family guidance on suspension and expulsion to ensure a through-line between home and school
- o Ensure districts with high suspension rates participate in Community of Practice
- o Review districts attendance to professional development offerings and use the districts use the CSDE's Cycle for Continuous Improvement to highlight the cyclical nature of improvement (Evidence, Analyze, Implement, Monitor and Reflect)

d. Evaluating the effectiveness of school discipline policies and practices in districts
- o The CSDE continues to update, post, and present to the State Board of Education and the subcommittee for suspension and expulsion the CSDE school discipline report
- o Unpacking disproportionality and examining the factors that impact behavior
- o Review districts' beliefs, policies, practices, data, and structures
- o Provide best practices regarding alternatives to exclusionary discipline
- o Assess current interventions for the fidelity of implementation and alignment to other initiatives
- o Provide best practices on progress monitoring
- o Ensure processes to assess performance, quantify improvement or responsiveness to intervention and instruction and evaluate effectiveness
- o Provide targeted supports and resource mapping- identifying and analyzing programs, people, services, and other resources that currently exist in schools to address gaps
- o Provide information on best practices for removals from class and re-entry into the classroom
  - ▪ Provide information on best practices for removal of a child from a classroom, including support during and after the 90 minutes
    - Identify social support staff to work with the student
    - Provide support and work with the student to improve the challenging behavior
    - The re-entry plan should include how to repair any relationships that have

	been harmed by the situation preceding the removal. • Two-way communication with families to engage families, so there is a through-line between home and school (Guiding Principles for Engaging Families) e. Costs per year $450,000-$500,000.

SUSPENSION & EXPULSION SUB-COMMITTEE (FAMILY ENGAGEMENT RECOMMENDATION 6)	6. The comprehensive system of support shall include providing parents and or caregivers a brief description of the precipitating incidents, what supports were provided to their child while exhibiting challenging behavior, and the outcome of those implemented supports and strategies.
	
	6A) Link or refer the family and student as appropriate to the Community Based Diversion System, Children's Behavioral Health Services System, and or community-based services provider for access to social, emotional, and mental health supports.
	6B) CSDE shall work with districts and or schools in identifying community-based mentor programs to be implemented within districts/schools in Tier 4 or with high rates of suspension and expulsion. The mentoring program shall include:
	    a. training and recruitment strategies,
	    b. mentors expected to build relationships with students in need,
	    c. connect with families to increase family engagement and provide resources but will not provide therapy.
	6C) Implementation of "The SBDI Toolkit: A Community Resources for Reducing School-Based Arrests"

SUSPENSION & EXPULSION SUB-COMMITTEE (SCREENING FOR HEALTH AND MENTAL HEALTH RECOMMENDATION 7)	7. The legislature and the Governor shall adequately fund the expansion of the school-based mental health workforce/support staff and behavioral support programs and services. a. In addition to the funds for the expansion of the school-based mental health workforce/support staff and behavioral support programs and services, all available funding sources should be considered to address the current crisis, including, but not limited to, utilizing time-limited federal funds until longer-term federal opportunities in prevention and diversion can be put in place. b. Reducing student to teacher classroom ratio to no more than 20 students and or propose plan that involves recruiting greater numbers of student aides from nearby colleges or partner with AmeriCorps and or other similar nonprofit to provide instructor support.
SUSPENSION & EXPULSION SUB-COMMITTEE (SCREENING FOR HEALTH AND MENTAL HEALTH RECOMMENDATION 8)	8. Create a crisis prevention and response partnership in districts and municipalities. a. The directive should be recrafted to create an obligation for municipalities to ensure a comprehensive crisis response

	system of care that does not place the onus on law enforcement to manage children's behavioral health.
	b. Consideration should be made for co-located mental health interventions and or explore if portion of the Mobil Crisis Intervention Services (formerly EMPS) can be co-located in the schools that have higher rates of expulsions, suspension, police calls, and arrest.

EDUCATION COMMITTEE RECOMMENDATION 2	JJPOC recommends that: 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 the reason for the call, de-identified data related to the demographics of the 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. B. JJPOC should collaborate with CHDI to review similar data collected on 211 calls made by public schools. C. All data analyses should be submitted for review by the JJPOC Education Committee on a bi-annual basis.

BACKGROUND

During the 2018-2019 academic year, the Office of the Child Advocate (OCA) received numerous concerns about local law enforcement involvement with Waterbury Public Schools. Law enforcement's responsibility during these encounters was to address the behavior of young students, specifically young students who had disabilities. Due to these allegations, OCA decided to conduct a formal investigation and released a report in September 2020 (See Addendum G). OCA reviewed the calls made to Waterbury Police Department by Waterbury Elementary schools that dealt with students' behavioral issues. This investigation found that approximately 200 calls were made. One possible reason for this is that school administrators are concerned, overwhelmed, and under-resourced and rely on law enforcement to handle youth crises. The OCA report provides evidence to support the need to report and collect information on 911 calls in public schools.

Law enforcement's relationship with public schools poses concern as research has shown that trauma can alter the structure and functioning of a youth's brain, leaving them in a constant state of emergency. Early interaction with law enforcement can cause such trauma and irreversibly affect youths' mental abilities and chemistry permanently. Studies show that youth who have interactions with police at a young age are more likely to end up in the juvenile justice system. Moreover, youth who are placed in the juvenile justice system typically have witnessed and/or directly experienced traumatic events, experience deprivation, have mental health conditions or disabilities, or have been victimized. As a result, using law enforcement as a first responder can be extremely problematic. Law enforcement

officers are not sufficiently trained in dealing with children who have disabilities and have no direct connection to mental health providers or response teams. By virtue of their job description, police authority is generally limited to making a determination as to whether an offense has been committed then making an arrest if appropriate.

On a national level, many conversations are taking place about the role of police in schools. There is an over-reliance on police to provide security and behavioral management, and the use of police for these purposes has been prioritized over a child's mental health, mentorship, ability to develop strong relationships with teachers, and access to human services. This increased reliance disproportionately affects children of color and students with disabilities. This trend needs to stop in order to ensure youth's wellbeing and keep them away from the juvenile justice system.

DATA
The OCA investigation found that 18% of law enforcement interventions led to a student arrest associated with a child's act of aggression or verbal threat. These children were handcuffed and sent to the police station for processing. Nine of these children were eleven and under and comprised of misdemeanor charges. Furthermore, children as young as 4 and 5 were subjects of the 911 calls. OCA also found that more than 50% of schools called police instead of Emergency Mobile Crisis intervention teams. According to the OCA report, more than 40% of police reports noted that the youth were banging their heads, tying things around their neck, and expressing wanting to end their lives. These same youth were handcuffed, further traumatizing them. In addition, the schools that reported the most police calls also reported the highest number of school suspensions. Two schools that reported having special resources to address children with behavioral health needs also had 370 school suspensions and police calls in the 2018-2019 school year. This points to the ineffectiveness of a school's support structure to deal with these types of instances. As a way to retrieve a fuller statewide picture, a review of 911 calls should include the time of call, the reason for the call, and other de-escalation strategies and interventions used prior to the call. This information is not currently collected and it would be beneficial to establish this pilot program.

CHDI currently collects data on all 211 calls, including those from public schools. CHDI's method and framework of data collection can serve as a model to collect data on 911 calls. The JJPOC can collaborate with CHDI and DCF to review all 211 calls made by public schools. This data would be reviewed on a bi-annual basis by the JJPOC Education Committee and should be disaggregated by age, gender, race, disability status, and disability/educational classification.

POTENTIAL IMPACT
Data collection of 911 and all police calls can provide further insight into interactions between youth and law enforcement in school settings. Through the OCA report, it has been revealed that education systems in Connecticut might rely more on law enforcement than is optimal or necessary. There are currently existing data collection efforts regarding school-based arrests and restraint/seclusion of children.

A pilot program regarding 911 calls from the 10 Opportunity Districts (Hartford, Bridgeport, Waterbury, New Haven, East Haven, Derby, Norwich, New London, East Hartford, New Britain) to their local 911 jurisdictions would meet the needs of this recommendation. Given the individual school numbers, the documentation of 911 calls should not be an onerous requirement. Data—such as age, race, ethnicity, and disability status—would likely be in the individual Public Safety Access Points (PSAPs), or 911 centers, in computer- dispatch records. Data from the corresponding police jurisdictions could be provided directly to the JJPOC through the Tow Youth Justice Institute (TYJI) for review and analysis. An MOU between JJPOC/TYJI and each 911 jurisdiction would allow the data to be assembled and provided without personal identifiers (names, addresses, or specific dates of birth). TYJI researchers could then analyze the

data (compared with the 211-call data already under review) and present the analysis and information to the JJPOC. This information can be beneficial for individual school districts to review as well.

This recommendation is necessary to track given the impact on students and staff bias that may impact reliance on 911, and public cost of emergency interventions. Beginning to collect and analyze this data may also have a deterrent effect and encourage school officials to seek other avenues of help before contacting law enforcement. Overall, this recommendation serves as a stepping stone to understanding the relationship between youth and law enforcement as well as the relationship between schools and law enforcement. Data collection and subsequent data review will also be crucial in ensuring that schools have the internal and external/community resources to effectively provide for their students' needs and to preclude unnecessary involvement of, and reliance on, the police.

EDUCATION COMMITTEE RECOMMENDATION 3	JJPOC recommends that: A. Public Act 21-174 be amended to provide greater specificity regarding the way DCF will oversee educational services being provided to students housed in juvenile detention facilities operated by DOC and CSSD. Most of the edits clarify that DCF will be overseeing the education of these students and not directly delivering the education. It also makes several technical changes indicating that this is an administrative unit, not an education unit to distinguish it from USD #2.

BACKGROUND
DCF has been working with the JJPOC to implement an operational plan after agreeing to take on the responsibility of ensuring students in detention facilities are receiving the appropriate education and that credits and records are transferred seamlessly to assist the students in obtaining timely high school diplomas. DCF would like these edits so that the statutory language authorizing the administrative unit that is currently being stood up meets its intended function. There is concern that the current language goes too far and leaves the administrative unit's role in question when it comes to delivering education rather than overseeing the education services being delivered by other entities. As the bill was being drafted last year, DCF had requested these amendments that were never adopted. During a special session in June, DCF again asked for these changes to be adopted in the implementer bill but unfortunately, that also did not occur. These amendments have been vetted by the Governor's office, OPM, and the JJPOC and have been universally accepted as reasonable requests.

See the DCF Agency Legislative Proposal - Addendum C for details.

VII. 2022 RECOMMENDATIONS IN DETAIL FROM THE RACIAL AND ETHNIC DISPARITIES WORKGROUP

Goal: Reduce racial and ethnic disparities.

Connecticut is committed to eliminating racial and ethnic disparities of justice-involved youth to ensure fairness and equity for all youth. The Racial and Ethnic Disparity Workgroup, a legislatively-created committee of the JJPOC, promotes effective efforts to eliminate racial and ethnic disparities for youth in Connecticut's youth justice system and other youth-serving systems by recommending legislation, proposing policies and promoting transparency and accountability among state and local stakeholders.

RACIAL AND ETHNIC DISPARITIES WORKGROUP RECOMMENDATION 1	JJPOC recommends: 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

BACKGROUND

In Connecticut, there is an ongoing concern about racial profiling. Youth are consistently stopped by law enforcement, yet there is no data to determine if these stops were motivated by race or ethnicity. Furthermore, youth of color have complained about being harassed by law enforcement just for walking down the street or meeting with friends. This has led to youths' negative perceptions of law enforcement.

As of now, data is only provided for racial profiling that occurs at traffic stops, omitting racial profiling at pedestrian stops. Racial profiling at pedestrian stops must be reported as substantial evidence supports the finding that youth in Connecticut come in contact with law enforcement on the street rather than driving. National studies have reported the intense and damaging impact of repeated stops by police. Because of this, there is an urgent need to look closer at data that captures these experiences, which can lead to the emotional and mental trauma of youth.

In 2012, Connecticut passed the Alvin Penn Law, an anti-racial profiling law, mandating specific data collection, including the race, color, ethnicity, age, and gender of individuals stopped for traffic stops. This law was designed to uncover whether racial profiling was/ is occurring and to what extent. While this is a step in the right direction, there is a need to report all police encounters and to encompass youth stops. In order to address youths' needs and examine the racial disparities in the system, Connecticut needs to start reporting racial profiling during pedestrian stops to achieve a more comprehensive image of law enforcement's interaction with youth. As a result, the aforementioned anti-racial profiling law should be amended to accurately reflect all police encounters to see what the data yields.

The Center for Children's Advocacy, the Center for Children's Law and Policy, the Institute for Municipal and Regional Policy, and the Racial and Ethnic Disparities workgroup of the JJPOC have collaborated on ways to address disproportionate minority contact and improve data collection efforts. During the last session, the RED workgroup collaborated with the Racial Profiling Prohibition Project Advisory Board to create the legislative language submitted last year. Together, police, prosecutors and victim advocates found consensus language that incorporates the collection and analysis of pedestrian stop data as part of their current process.

DATA

Currently, in Connecticut, racial profiling data is collected on traffic stops made by law enforcement. This data is helpful; however, it is limited to only traffic stops. No data is collected on pedestrian stops. As a result, there is a huge gap in research and data collection that addresses racial profiling that takes place during pedestrian stops. Solely collecting data on traffic stops omits any information on the impact of youth under 16 or youth who do not drive.

There are a few other jurisdictions that collect data on pedestrian stops. For example, the Boston Police Department collects data on pedestrian stops through their report program called Field Interrogation and Observation Encounter. The New York City Police Department collects similar data on pedestrian stops through their database, "Stop, Question and Frisk". Additionally, the Metropolitan Police Department of the District of Columbia is required to document pedestrian stops, facilitated by their Stop Data program. In addition, two lawsuits were filed against the Milwaukee Police Department in Wisconsin, and the Madison County Sheriff's Department in Mississippi, and the outcome of both cases resulted in having to report pedestrian stop data. Specifically, the Milwaukee Police Department is required to report their pedestrian stops semi-annually due to their lawsuit.

On a broader scale, some key states have begun to track law enforcement's pedestrian stops. These states include California, Colorado, Illinois, Oregon, Wisconsin, and Mississippi. California mandates every law enforcement agency to collect and report pedestrian stops by 2023. The eight largest agencies in California were asked to submit their data in 2019. Colorado requires every law enforcement agency to annually report pedestrian stops. Illinois requires every department to report pedestrian stops through their IDOT data collection system. Oregon law requires every law enforcement agency to report pedestrian stops by 2021.

POTENTIAL IMPACT

Law enforcement in the United States conduct millions of vehicle and pedestrian stops each year. Despite the high occurrence of stops, there is little information about them, including their efficiency in ensuring public safety and their impact on the community. The data collection of pedestrian stops can benefit society and provide insight on the effectiveness of policing strategies, group disparities, the degree of group representation, and any outliers in officer behavior. This recommendation would extend the provisions of C.G.S. S 54-1m that would generate racial profiling data on all police stops, traffic, and pedestrian. This extension will provide a complete picture of racial profiling in the state of Connecticut.

Repeated stops of youth by law enforcement have been shown to cause anxiety, trauma, or lower educational performance in these youth. In 2014, a study displayed in the American Journal of Public Health found that young men who reported police contact, specifically more intrusive contact, experienced higher levels of anxiety and trauma. Another study was conducted in 2019 by Joscha Legewie and Jeffrey Fagan found that aggressive policing can cause a decrease in the educational performance of some minority children and can cause an impact on their educational trajectories. An intrusive stop, in general, can cause heightened anxiety and PTSD.

Data about pedestrian stops of young people should also help public officials and community members understand where there may be needs for additional services or supports to reduce unnecessary contact with law enforcement (e.g., diversion programs, crisis intervention services). Given the negative consequences associated with law enforcement contact for youth, as referenced in the research above, these data will also help ensure that jurisdictions

throughout the state are working to reduce unnecessary law enforcement interactions with youth through training, policies, and actual practices. Because the research documents the negative consequences of police contact, we expect that reduced contact will mean that fewer youth will experience those adverse outcomes.

VIII. 2022 RECOMMENDATIONS IN DETAIL FROM THE COMMUNITY EXPERTISE WORKGROUP

Goal: Solidify the commitment to partnership with young people and families that are or have been impacted by the juvenile justice system to inform the ongoing work of the JJPOC.

Connecticut is committed to engaging community voice into the work of the JJPOC. Youth with first-hand experience, parents, and community members are encouraged to provide feedback on policies and legislation.

COMMUNITY EXPERTISE WORKGROUP RECOMMENDATION 1	JJPOC recommends that: A. The General Statutes be amended to increase the membership of JJPOC by 4 Community Expertise Workgroup members, two of which must be under the age of 26, who have been impacted by the criminal legal system. Each appointed member will be funded through their sponsor organization for transportation, child care, and stipends to enable member participation. This funding would be provided through an expansion of current contracts.

BACKGROUND

The JJPOC's mandate is to create and evaluate policies and practices related to the juvenile legal system. The Community Expertise Workgroup's role is to identify and suggest ways to overcome barriers to equal, sustainable participation with JJPOC work by those who have first-hand experience with the system. In the most recent JJPOC strategic plan, the inclusion of directly impacted youth and family voices was highlighted as a goal. In an effort to meet this goal, the inclusion of youth and community membership can assist in not only examining the operation of the OPC and eliminating barriers to participation but also inform the ongoing work of the JJPOC and working groups.

DATA

Over the years, the JJPOC has recognized that the feedback and conversations with those who are currently, or have been, involved in the juvenile legal system has been an informative partnership; informing recommendations and practices in areas such as raising the minimum age of jurisdiction, identifying gaps in services, organizing larger groups of directly impact communities for feedback, commissary needs, population transfer implementation plans, and more.

POTENTIAL IMPACT

Solidifying appointed seats at the JJPOC for directly impacted youth and families will strengthen the work and productivity of the JJPOC. When discussing ways to improve juvenile legal policies, practices, and procedures, partnering with those who will be or have been impacted by such policies, practices and procedures will ensure that future recommendations are created with a direct perspective of the impact. Over the years, the JJPOC has recognized that the feedback and conversations with those who are currently, or have been, involved in the juvenile legal system has been an informative partnership; informing recommendations and practices in areas such as raising the minimum age of jurisdiction, identifying gaps in services, organizing larger groups of directly impact communities

for feedback, commissary needs, population transfer implementation plans, and more. Committing to appointed voting seats equalizes the partnership and gives young people and parents a reason and increase in interest to want to inform the ongoing work of the JJPOC. Compensating the appointed members for their time would align with the current practice of the JJPOC. Appointed members of the JJPOC are there as part of their professional responsibilities so they are compensated for their participation time. We also recognize that many families and young people are not fully employed by any of the appointed bodies so expanding contracts to accurately compensate appointed members would secure funding for their participation. If the JJPOC returns to meeting in person, we would like to ensure financial capacity and coverage for child care and transportation - two of the major barriers that impacted parent and youth participation in the past. Families and youth have expressed interest in authentically partnering with stakeholders to create tables where they have equal power in the decision-making process that affects their friends and families. Not including directly impacted families and youth leaves out a much-needed perspective and equality component which undermines the accuracy of the interest of JJPOC authentically partnering with youth and families.

XI. TECHNICAL ASSISTANCE BY CONSULTANTS

On behalf of JJPOC, Tow Youth Justice Institute seeks outside assistance with specific workgroup goals. Examples of technical assistance provided by national experts include the Council of State Governments, the Center for Children's Law and Policy, and Dr. Peter Leone. For example, the Center for Children's Law and Policy (CCLP) was contracted in June of 2019 to provide technical assistance to the Incarceration Workgroup in order to meet the requirements outlined in Public Act 19-187. Their expertise has helped identify options to improve conditions of confinement that correct dangerous and inhumane conditions as well as to implement best practices in the areas of room confinement, chemical agent, PREA, etc. Earlier, in May 2019, OJJDP approved a request for technical assistance to Connecticut's JJPOC Racial and Ethnic Disparities (RED) workgroup to advise and support the RED Workgroup with the development of mission, vision and consensus statements, a data-driven work plan with measurable objectives, assist with strategic analysis and use of data to advance racial and ethnic equity, identifying opportunities to leverage effective RED reduction strategies in existing youth justice improvement work. More recently, in October 2020, CCLP was contracted to provide further technical assistance to the RED Workgroup. By facilitating meetings and research on national best practices, CCLP has assisted the RED Workgroup in its three main areas of focus: pedestrian stop data collection, police use of force, and school resource officers.

XIII. 2020-2021 JJPOC WORKGROUP MEMBERSHIP

Diversion Workgroup Membership

Co-chairs: Erica Bromley and Dr. Linda Dixon

Name	Agency
Erica Bromley	Connecticut Youth Services Association (CYSA)
Linda Dixon	Department of Children and Families
Agata Raszczyk-Lawska	CT Legal Services
Allyson Nadeau	Beacon Health Options
Amy Evison	Community Health Resources
Anna Flamengo	CT Junior Republic (CJR)
Anthony Tony Hanson	Hartford Knights
Beresford Wilson	Favor CT
Bernard Thomas	Hartford Knights
Brian Casinghino	Chief State's Attorney's Office
Brittany Kaplan	Judicial Branch
Catherine Foley Geib	Judicial Branch Court Support Services Division
Chelsea Ross	Partnership for Strong Communities
Christina Quaranta	Connecticut Justice Alliance (CTJA)
Christopher McKee	Windsor Police Department
Dawn Crimmins	Office of the Chief Public Defender
Dana Forry	RYASAP
Danielle Cooper	Tow Youth Justice Institute (TYJI)
Dawn Hatchett	Lifebridge
Desi Nesmith	State Department of Education (SDE)
Devin Avshalom Smith	Connecticut General Assembly (CGA)
Devon McCormick	Tow Youth Justice Institute (TYJI)
Diane Thompson	NAFI CT
Doran Wright	Grace City Church
Elisabeth Cannata	Wheeler Clinic
Felder Jean Baptiste	New Haven Family Alliance
Frances Rabinowitz	CT Association of Public School Superintendents (CAPSS)
Hannah Granfield	Prevention Works
Iliana Pujols	Connecticut Justice Alliance (CTJA)
James Connolly	Judicial Branch
James Oniell	Judicial Branch
Janet Freimuth	Children in Placement
Jeana Bracey	Child Health and Development Institute of CT, Inc.
Jeffrey Vanderploeg	Child Health and Development Institute of CT, Inc.
Jill Ruggiero	Westport Police Department
John Frassinelli	State Department of Education (SDE)
John Torello	Judicial Branch - Court Support Services Division (CSSD)
Jordyn Wilson	Connecticut Justice Alliance (CTJA)
Joshonda Guerrier	Department of Children and Families
Justin Carbonella	Middletown Youth Service Bureau
Kari Sullivan	State Department of Education (SDE)
Kathryn Meyer	Center for Children's Advocacy (CCA)
Kristina Baldwin	Hartford Department of Families, Children, Youth and Recreation
Kristina Stevens	Department of Children and Families

Lanmeng Ma	University of New Haven
Lauren Ruth	Connecticut Voices for Children
LeAnn Neal	Center for Children's Advocacy (CCA)
Leslie Rojas	DFCYR
Louise Pyers	National Alliance on Mental Illness (NAMI)
Lynn Bishop	NAFI CT
Marisa Mascolo Halm	Center for Children's Advocacy (CCA)
Marissa Acampora	West Haven Schools
Melissa Garden	Department of Children and Families
Melanie Frank	Public Defender's Office
Michaelangelo Palmieri	Judicial Branch - Court Support Services Division (CSSD)
Nanee SAJEEV	Connecticut Alliance to End Sexual Violence
Niya Solomon	Journey Home CT
Patrice McCarthy	CABE
Ryan Matthews	Nutmeg Big Brothers Big Sisters (NBBBS)
Shirley West	Family Alliance
Susan Hamilton	Office of the Chief Public Defender
Yecenia Casiano	Child Health and Development Institute of CT, Inc.

Additional Subgroup Members

Name	Agency
Bonnie Daley	Middletown Youth Service Bureau
Carl Jiang	Yale University
Chantelle Williams	Yale University
Denise Marios	The Governor's Prevention Partnership
Destiny Tolliver	Yale University
Hannah Granfield	The Governor's Prevention Partnership
Jane Michaud	Project Youth Court
John Saccu	Connecticut Youth Services Association (CYSA)
Julie Revaz	Judicial Branch – Court Support Services Division (CSSD)
Katharine Cummings	CT State Trooper
Liz Langevin	South Windsor Youth and Family Services
Martha Stone	Center for Children's Advocacy (CCA)
Michael Williams	Department of Children and Families
Peter Kochol	Judicial Branch
Samuel Rivera	Center for Children's Advocacy (CCA)
Sarah Eagan	Office of the Child Advocacy (OCA)
Terry Nowakowski	Partnership for Strong Communities
William Bilyak	Vernon Public Schools
William Rosenbeck	DCF

Incarceration Workgroup Membership

Co-chairs: Judge Dawne Westbrook and Christine Rapillo

Name	Agency
Christine Rapillo	Office of the Chief Public Defender
Judge Dawn Westbrook	Judicial Branch
Asia Nhatavong	Connecticut Alliance to End Sexual Violence
Angel Quiros	Department of Corrections

Beresford Wilson	Favor CT
Bill Rosenbeck	Department of Children and Families
Brittany Kaplan	Judicial Branch
Bryan Viger	Department of Corrections (DOC)
Cathy Foley Geib	Judicial Branch - Court Support Services Division (CSSD)
Christina Quaranta	Connecticut Justice Alliance (CTJA)
Christine Rapillo	Judicial Branch
Christopher McKee	Windsor Police Department
Dan Rezende	Connecticut Junior Republic (CJR)
Deborah Fuller	Judicial Branch - Court Support Services Division (CSSD)
Derrick Molden	Department of Correction (DOC)
Erica Bromley	Connecticut Youth Services Association (CYSA)
Eulalia Garcia	Department of Correction (DOC)
Francis Carino	Office of the Chief State's Attorney
Gary Roberge	Judicial Branch - Court Support Services Division (CSSD)
Gregorio Robles	Department of Corrections
Heather Pancieri	Office of the Child Advocate (OCA)
Iliana Pujols	Connecticut Justice Alliance (CTJA)
James Connolly	Office of the Chief Public Defender
Janet Freimuth	Children in Placement
John Holland	Department of Mental Health and Addiction Services (DMHAS)
John Noonan	Central Connecticut State University
Julie Revaz	Judicial Branch - Court Support Services Division (CSSD)
Ken Mysogland	Department of Children and Families (DCF)
Kenneth Cabral	Department of Children and Families
Kim Selvaggi	Living in Safe Alternatives (LISA)
Kristina Stevens	Department of Children and Families
Lauren Ruth	CT Voices for Children
Lourdes Fonseca	Center for Children's Advocacy (CCA)
Martha Stone	Center for Children's Advocacy (CCA)
Mickey Kramer	Office of the Child Advocate (OCA)
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Neena Lucarelli	Department of Corrections
Nick Rodriguez	Department of Corrections
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Rafal Matuszcsak	Department of Corrections
Robert Francis	Youth Justice Consultant
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Sharonda Carlos	Department of Correction (DOC)
Susan Hamilton	Office of the Chief Public Defender
Tasha Hunt	Judicial Branch - Court Support Services Division (CSSD)
Tracy Duran	Judicial Branch - Court Support Services Division (CSSD)
Trina Sexton	Department of Corrections
William Murphy	Department of Correction (DOC)

Racial & Ethnic Disparity Workgroup Membership

Co-chairs: Derrick Gordon and Hector Glynn

Name	**Agency**
Hector Glynn	Village for Children and Families
Derrick Gordon	Yale University
Agata Raszczyk-Lawska	Connecticut Legal Services (CLS)
Brian Casinghino	Office of the Chief State's Attorney
Christina Quaranta	Connecticut Justice Alliance (CTJA)
Christopher McKee	Windsor Police Department
Deborah Fuller	Judicial Branch
Erica Bromley	CT Youth Services Association
Francis Carino	Office of Chief State's Attorney
Gwen Samuel	Connecticut Parents Union
Iliana Pujols	Connecticut Justice Alliance (CTJA)
Jill Ruggiero	Westport Police Department
Jodi Hill-Lilly	Department of Children and Families
Joshua Bernegger	Watertown Police Department
John Holland	Department of Mental Health Services
Keisha April	Yale University
Kia Levey-Burden	Center for Children's Advocacy
Kim Traverso	State Department of Education
Kristin Mabrouk	Naugatuck Youth Services
LeAnne Neal	Center for Children's Advocacy (CCA)
Latosha Johnson	Department of Children and Families
Lourdes Fonseca	Center for Children's Advocacy
Marisa Mascolo Halm	Center for Children's Advocacy (CCA)
Mark Irons	Judicial Branch - Court Support Services Division (CSSD)
Martha Stone	Center for Children's Advocacy (CCA)
Peter Kochol	Judicial Branch - Court Support Services Division (CSSD)
Rashanda McCollum	Students for Educational Justice
Robert Francis	Youth Justice Consultant
Ruben Atilano	Yale University
Shannon Schrader	Yale University
Stephanie Zanker-Rivera	Department of Mental Health & Addiction Services (DMHAS)
Talia Nunez	Judicial Branch - Court Support Services Division (CSSD)
Tiffany Minakhom	Center for Children's Advocacy
William Rosenbeck	Department of Children and Families (DCF)

Education Committee Membership

Co-chairs: Rep. Robyn Porter and Amy Vatner

Name	**Agency**
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Amy Vatner	Children's Community Programs (CCP)
Agata Raszczyk-Lawska	Connecticut Legal Services (CLS)
Amy D. Amaddio	Judicial Branch
Ann Smith	AFCAMP
Claire Coleman	Connecticut General Assembly
Craig Baker	DOMUS Kids

Dan Rezende	Connecticut Junior Republic (CJR)
Desi Nesmith	State Department of Education
Gabe Riccio	Department of Correction (DOC)
Gavin Craig	Torrington Public Schools
Glen Worthy	New Haven Public Schools
Gwen Samuel	Connecticut Parents Union
James Obst	Connecticut Junior Republic (CJR)
Jeffrey Wihbey	Connecticut State Dept. of Education
Joanne Jackson	Hartford Public Schools
John Frassinelli	State Department of Education
Karen Lawson	Hartford Public Schools
Kathryn Meyer	Center for Children's Advocacy
Ken Mysogland	Department of Children and Families
Kenneth Gradowski	Bridgeport Public Schools
Lauren Ruth	CT Voices for Children
Lilian Ijomah	DOMUS Kids
Lisa Ariola Simoles	Waterbury Public Schools
Lourdes Fonseca	Center for Children's Advocacy (CCA)
Marisa Mascolo Halm	Center for Children's Advocacy (CCA)
Marissa Acampora	West Haven Schools
Martin Folan	Department of Children and Families
Michael Williams	Department of Children and Families
Mike McGuire	DOMUS Kids
Patricia Nunez	Judicial Branch - Court Support Services Division (CSSD)
Rashanda McCollum	Students for Educational Justice
Veron Beaulieu	Department of Correction (DOC)
Vincent J. Russo	Department of Children and Families

Cross-Agency Data Sharing Workgroup Membership

Co-chairs: Brian Hill and Maurice Reaves (formerly Kyle Baudoin)

Name	Agency
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Maurice Reaves	Office of Policy and Management (OPM)
Kyle Baudoin	Office of Policy and Management (OPM)
Ajit Gopalakrishnan	State Department of Education (SDE)
Andy Condon	Department of Labor (DOL)
Bryan Sperry	Judicial Branch - Court Support Services Division (CSSD)
Brian Casinghino	Office of the Chief State's Attorney
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Dakibu Muley	Department of Children and Families
Dominic Falcone	Department of Mental Health and Addiction Services (DMHAS)
Erica Bromley	Connecticut Youth Services Association (CYSA)
James Connolly	Judicial Branch
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Co-chairs: Iliana Pujols and Janeen Reid

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Iliana Pujols	Connecticut Justice Alliance (CTJA)
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Standing Members of all Workgroups:
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Undersecretary Marc Pelka
Office of Policy and Management

Representative Robyn Porter and Senator Gary Winfield
Connecticut General Assembly

William H. Carbone, Dr. Danielle Cooper, Erika Nowakowski, Kelly Orts
Tow Youth Justice Institute, University of New Haven

XIV. Acknowledgments

In the creation of these recommendations, special thanks go out to the members of the Education Committee, Incarceration Workgroup, Diversion Workgroup, Racial and Ethnic Disparities Workgroup, and Community Expertise Workgroup who have spent significant time over the course of the past year in getting to this conclusion. This work would also have not been made possible without the expertise and assistance from the co-chairs of all workgroups and committees. The Office of the Child Advocate has provided critical guidance to the development of these recommendations. We are very appreciative of Ken Barone from the Institute of Municipal and Regional Policy, who assisted the Racial and Ethnic Disparities Workgroup in better understanding and improving state data collection efforts. We would also like to thank Dr. Danielle Cooper for facilitating multiple focus groups to integrate important voices into our education recommendations. Our law enforcement members have been vital in engaging officers and their experiences in our policy recommendations. We would like to acknowledge the dedication, partnership, and expertise brought forth by our consultants, Jason Szanyi, Tiana Davis, Nina Solomon, and Josh Weber in an effort to improve our state's systems and communities for youth. Lastly, we would like to thank all of the University of New Haven students who have assisted and provided administrative support.

Addendum A

Alternatives to Arrest

Team ImplementationPlan

February 13, 2022

Table of Contents

I.   Executive Summary

Background
Being arrested can have a profoundly negative impact upon the life of a child as young as ten years old. Once the event becomes documented, the youth may have a reduction in the types of educational and vocational opportunities available to them. When denied the ability to advance their development, these individuals are at a greater risk of reoffending. When a youth is placed in a pre-arrest diversion program, they are 2.5 times less likely to reoffend. Likewise, research has demonstrated that even with minimal supervision and services, low-risk youth grow out of their adolescent behaviors and that over-monitoring said youth can cause more harm in the long run. Developing alternatives to arrest will directly address disproportionate contact that youth of color may have with the juvenile justice system. It will also provide them with access to diversionary services more quickly than through the juvenile court. In addition, implementation of such programs is a more fiscally responsible course of action. 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.

The Implementation Team Work
Public Act 21-174 created An implementation team tasked with crafting a plan for the mandatory pre-arrest diversion of low-risk youth. This team met twice a month from September through December 2021. The focus of these meetings was to review outcome information for Youth Service Bureau (YSB), Juvenile Review Board (JRB), and court referrals. Other key actions taken by this group included gaining insight from a focus group consisting of YSB and JRB representatives, taking part in a training developed by a restorative justice expert, and creating/distributing a survey to law enforcement professionals that assessed their diversion and data collection practices. One of the best tools in ensuring the optimization of diversion programs is a robust and ethical data policy. Regularly examining arrest and diversion data will provide information concerning the optimal alternatives to arrest, spotlight areas that require additional attention and assist in policy development.

The Implementation Team created the plan with the intent of diverting low-risk youth away from the juvenile justice system. The recommendation to automatically divert first and second-time offenses for simple trespass, public disturbance, disorderly conduct, and larceny sixth degree as of July 1, 2022, will prioritize the appropriate resources for youth in the community and avoid the potential negative and traumatic impact of system involvement. Additionally, strengthening the relationship between law enforcement and their local YSBs/JRBs, increasing training, and standardizing the referral process will create a more unified system for our youth. The Alternatives to Arrest Implementation Team will create educational materials that can be distributed to law enforcement and schools to assist them in training on these new changes. The Alternatives to Arrest Implementation Team also discussed a variety of mechanisms to measure the effectiveness of programs and services, as well as youth accountability.

Recommendation:
Diversion Workgroup #1:

A. The following behaviors would be automatically diverted pre-arrest to the community-based diversion system for first and second-time offenses. This would still allow law enforcement, schools, and other systems to refer youth to a Youth Service Bureau (YSB) or other local agency in lieu of an arrest.
    1. Beginning July 1, 2022
        a. simple trespass under section 53a-110a of the general statutes
        b. creating a public disturbance under section 53a-181a of the general statutes
    2. Beginning January 1, 2023
        a. disorderly conduct under section 53a-182 of the general statutes
        b. larceny sixth degree under section 53a-125a or 53a-125b of the general statutes[1]
B. An Implementation Plan (Addendum A) outlines further recommendations for implementation.
    1. Capacity of YSBs and other local agencies to provide services for this population
    2. Accountability mechanisms
    3. Process for victim input and involvement
    4. Data collection for tracking YSB referrals
    5. Communication and outreach to stakeholders on accessing local services

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[1] The remaining Tier 2 offenses will be addressed in the report due on or before January 1, 2023.

II.   Purpose

Public Act 21-174 Sec. 12 established an implementation team to develop plans for mandatory pre-arrest diversion of low-risk children. This team was charged with reporting findings and recommendations on automatic pre-arrest diversion of children to youth service bureaus or other services in lieu of arrest for Tier 1 offenses. PA 21-175 identified the following Tier 1 offenses:

- simple trespass under section 53a-110a of the general statutes
- creating a public disturbance under section 53a-181a of the general statutes

PA 21-174 also identified "possession of less than one-half ounce of a cannabis-type substance under section 21a-279a of the general statutes and use, possession or delivery of drug paraphernalia related to less than one-half ounce of a cannabis-type substance under subsection (d) of section 21a-267 of the general statutes" as Tier 1 offenses. Given that pre-arrest diversion of these infractions is now being separately addressed in accordance with PA 21-1 (June Special Session), they will not be specifically included in the recommendations of this report.

In addition, as discussed more fully below, the implementation team is also recommending that the following Tier 2 offenses be included in Tier 1, given the low-risk level and small case numbers:

- disorderly conduct under section 53a-182 of the general statutes
- larceny sixth degree under section 53a-125a or 53a-125b of the general statutes[2]

III.   Recommendation

The implementation team recommends that first and second-time offenses for simple trespass, public disturbance, disorderly conduct, and larceny sixth degree be automatically diverted pre-arrest as of July 1, 2022. If this recommendation is approved, legislative language will need to be drafted. Many of these cases are already being diverted to community programs and services post-arrest. The recommendations outlined below would ensure that first and second-time low-level offenses are diverted pre-arrest without a formal juvenile justice system and process.

Offense	Definition
Simple trespass	Entering or remaining in or on any premise without the permission to do so
Creating a public disturbance	Causing inconvenience, annoyance, alarm, or recklessly creating a risk
Disorderly conduct	Public activity or behavior that's offensive or disruptive, violating noise ordinances, loitering,
Larceny sixth degree	Shoplifting with a value less than $500

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[2] The remaining Tier 2 offenses will be addressed in the report due on or before January 1, 2023.

IV.   Background

The current juvenile justice system allows a child as young as ten years old to be arrested and incarcerated. This can have a profoundly significant impact on the arrested individual's future. Starting with the arrest itself, such an event can be traumatic and harmful for youth and may additionally trigger a post-traumatic response in the youth. Even if they are ultimately issued a warning and released or diverted, the damage may already be done. Furthermore, once an arrest has been made, it is a documented event that can follow the youth for years. Organizations, such as employers and institutions of learning, may be able to access these records, resulting in the individual being denied job and/or education opportunities. The more limited the individual is in their access to opportunities to advance their development, the more likely they will experience negative health outcomes or even re-offend. Similarly, arrested youth are 25% less likely to complete high school, only further encroaching on their potential.

The best way to prevent future arrests is to stop the initial arrest from occurring in the first place. If that is not possible, diverting youth before the arrest can minimize recidivism. When a youth is placed into a pre-arrest diversion program, they are 2.5 times less likely to re-offend. Additionally, research demonstrates that low-risk youth, with very minimal supervision and services, typically grow out of their adolescent behavior and that over supervising these youth can actually create more harm than good. The State of Connecticut partnered with the Council of State Governments to analyze its juvenile justice system from 2019-2020. The Improving Outcomes for Youth 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, including Breach of Peace, 2nd Degree; Larceny, 6th Degree; Disorderly Conduct; Interference with an Officer/Resisting Arrest; and Possession of a Controlled Substance or greater than 0.5 oz. of Cannabis. These 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 a minor. It is important to note that many of these offenses are already being diverted from court. The intent of these recommendations is to ensure diversion happens automatically prior to an arrest.

Developing alternatives to arrest will directly address disproportionate contact that youth of color may have with the juvenile justice system. It will also provide them with access to diversionary services more quickly than through the juvenile court. However, there are numerous points throughout the pre-booking process where law enforcement, diversion agencies, and other organizations may unintentionally contribute to racial inequity. For example, if the diversion organization is not situated where the youth can easily attain its support or its staff is not properly trained in cultural competency, it may make it more difficult for the youth to complete the diversion program. In many cases, if the youth is unable to accomplish this, the initial arrest will subsequently become recorded. Thusly, it is essential that all organizations involved in this process be aware of any potential racial, ethnic, socioeconomic, or other biases that may impact support for the youth.

In addition, implementation of such programs is a more fiscally responsible course of action. 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. For instance, Florida managed to save an estimated $13 million in 2014-2015 by issuing civil citations as opposed to making full arrests in 43% of qualifying incidents.

V.   The Implementation Team's Work

The Implementation Team is tri-chaired by Erica Bromley, co-chair of the JJPOC Diversion Workgroup, Sue Hamilton, Director of Delinquency Defense and Child Protection at the Public Defender's Office, and Tasha Hunt, Deputy Director of Juvenile Probation Services at the Judicial Branch Court Support Services Division (JBCSSD). Additional members include representation from the Chief State's Attorney's office, the Connecticut State Department of Education, the Department of Corrections, the Department of Children and Families, public school administrators, law enforcement, and youth and community members. The Tow Youth Justice Institute (TYJI) at the University of New Haven provides administrative support to the team and its work.

The team met twice a month from September 2021 to December 2021. The initial meetings focused on establishing common outcomes and reviewing current data of YSB and JRB referrals, as well as court referrals. Representatives from YSBs and JRBs were invited to a focus group to understand their capacity and needs. Discussions were held on accountability mechanisms, measuring success, communication and outreach strategies, and involving victim input during the diversion process.

A restorative justice trainer presented ways to restoratively involve the victim's perspective in the handling of Tier 1 cases. A survey was created and distributed to law enforcement officials on their current diversion practices, data collection, relationship with YSBs, and areas where support is needed. The group also reviewed other state models, such as Massachusetts and Florida, to learn more about their data tracking system. The full membership of the Implementation Team is below.

VI.   Membership

- Diversion Co-Chair – Erica Bromley, Juvenile Justice Liaison of the Connecticut Youth Services Association
- Public Defender's Office - Sue Hamilton, Director of Delinquency Defense & Child Protection
- Judicial Branch Court Support Services Division - Tasha Hunt, Deputy Director of Juvenile Probation Services CT Commissioner and Maureen Flanagan, Juvenile Probation Supervisor II
- Connecticut State Department of Education - Desi Nesmith, Deputy Commissioner
- Department of Children and Families - Bill Rosenbeck, Transitional Support and Success
- Department of Corrections - Mark Bonaventura, Deputy Warden of Programs and Treatment
- Public Schools - Joanne Jackson, Hartford Public Schools
- Community Expertise Members- Sage Grady and Iliana Pujols (CTJA), Albert Dancy (Full Circle)
- Law Enforcement - TFC Charles Lavoie

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- Chief States Attorney's Office – Brian Casinghino, Supervisory Assistant State's Attorney and Marc Vallen, Senior Assistant State's Attorney

VII.   Overview of Tier 1 Offense Population

Most cases involving simple trespass, public disturbance, disorderly conduct, and larceny sixth degree are referred to a Juvenile Review Board (JRB) or a Youth Service Bureau (YSB).
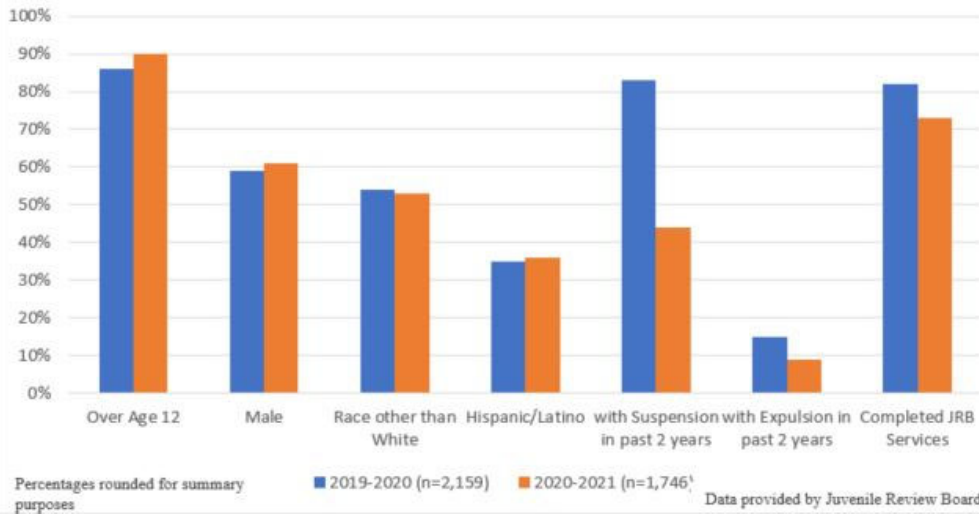
A JRB is a community-based collaborative diversion process for children and youth who might otherwise be referred to the Juvenile Court. JRBs are most often used for first or second-time non-felony juvenile offenders, as well as for status offenders. The JRB is designed to assist children, youth, and their families with a strength-based approach and uses a restorative model.

The JRB system is currently comprised of 91 JRBs serving approximately 138 communities across Connecticut. In FY 2090-20, there were 2,159 children and youth served by JRBs statewide. In 2020/21 there were 1,476 children and youth served by JRBs statewide. The decrease in numbers was a result of the pandemic with fewer crimes being committed overall by juveniles, fewer arrests, fewer court referrals, and fewer JRB referrals as children and youth largely remained at home for much of this time frame. The majority of JRBs are managed and staffed by YSBs through limited state, municipal, and private YSB funding.
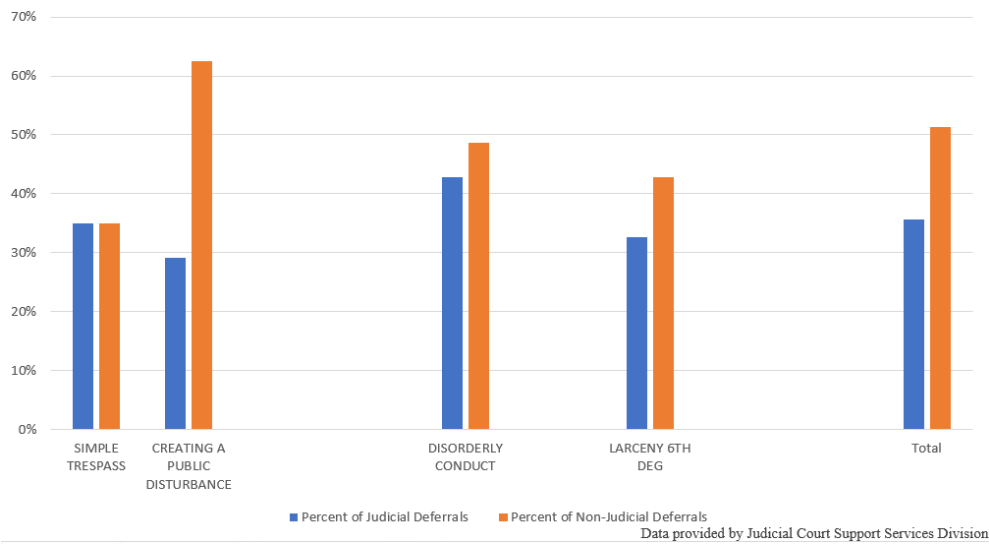
Youth Service Bureaus focus on serving youth across the state by implementing different youth services to schools and community resources. There are 103 YSBs receiving state funding and through each region or district, they collaborate with other agencies to find youth programs and different resources they need.

It is important to note that most youth who commit these Tier 1 offenses are already being referred to YSBs and JRBs. However, these youth are being referred to YSBs and JRBs post-arrest rather than pre-arrest and it would be beneficial to minimize law enforcement involvement in minor offenses, such as these. Juvenile court data provided by the Judicial Branch Court Support Services Division confirmed that many of these cases are diverted to a YSB. Over the past five years, trends have remained consistent with the demographics of this population. Boys make up 63% of these juvenile offenses. Generally, 83% of the JRB referrals are between the ages of 13 and 17, and 63% are males and 37% females.

Juvenile Arrest Demographics

Percentages rounded for summary purposes

■ 2019-2020 (n=2,159) ■ 2020-2021 (n=1,746)

Data provided by Juvenile Review Board

Types of Deferrals for Most Common Statute Violations

■ Percent of Judicial Deferrals ■ Percent of Non-Judicial Deferrals
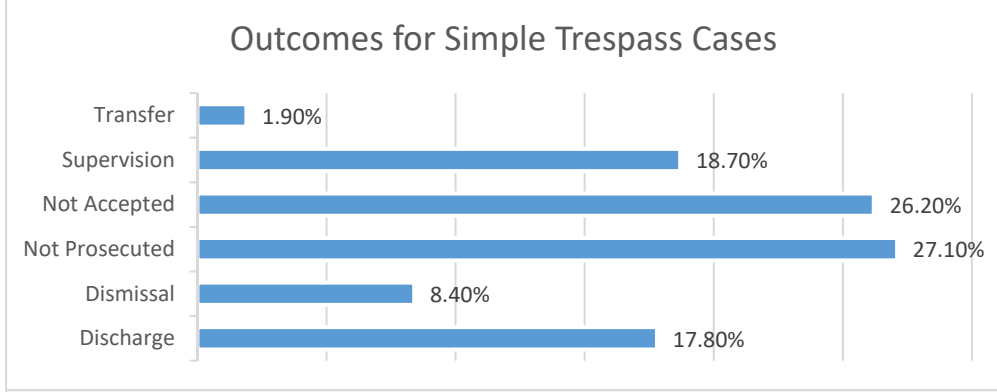
Data provided by Judicial Court Support Services Division

'Percent of Responses' by '2020-2021 Most Popular Services Provided (N=1099)'
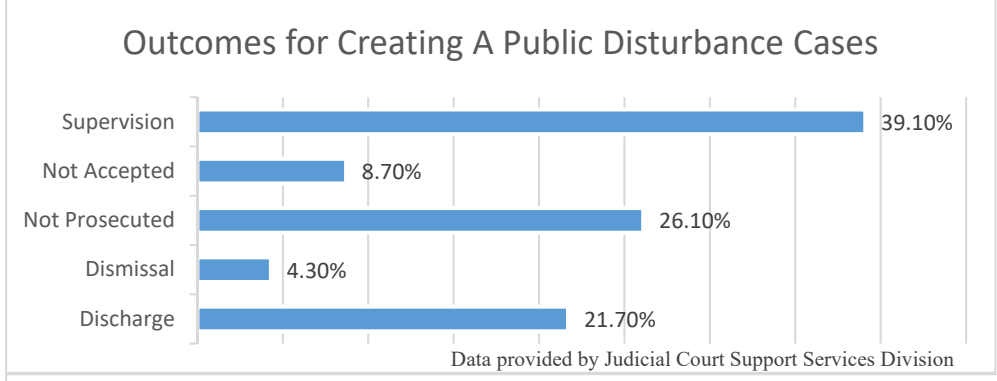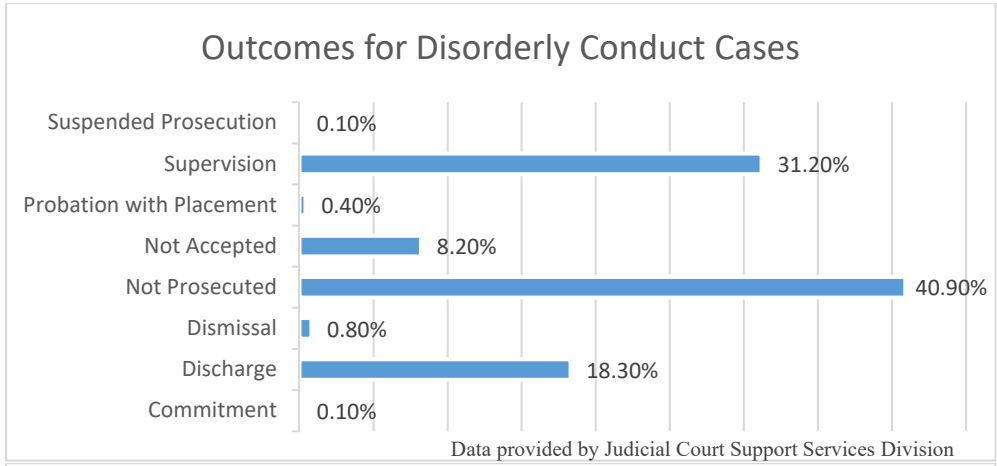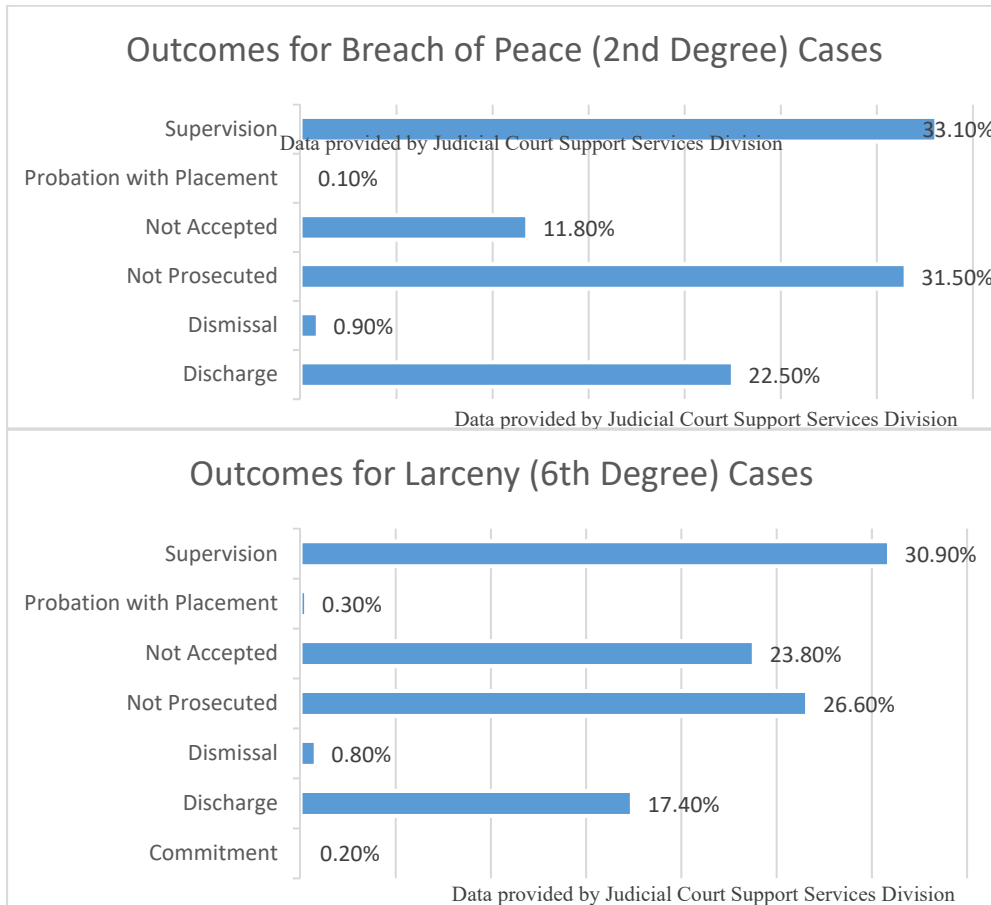

2020-2021 Most Popular Services Provided (N=1099)

Data provided by Juvenile Review Boards

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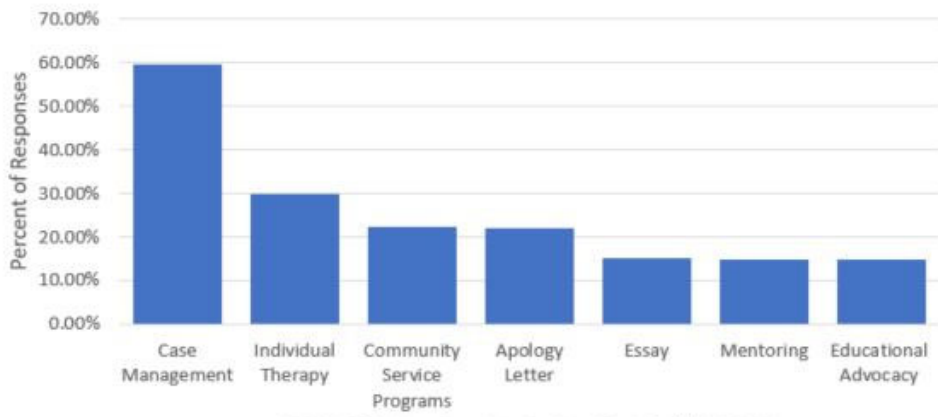
Please note that "supervision" also includes non-judicial supervision. Also, the following graphs will be updated with more details by January 3, 2021.

Outcomes for Disorderly Conduct Cases

Outcome	Percentage
Suspended Prosecution	0.10%
Supervision	31.20%
Probation with Placement	0.40%
Not Accepted	8.20%
Not Prosecuted	40.90%
Dismissal	0.80%
Discharge	18.30%
Commitment	0.10%

Data provided by Judicial Court Support Services Division

Outcomes for Creating A Public Disturbance Cases

Outcome	Percentage
Supervision	39.10%
Not Accepted	8.70%
Not Prosecuted	26.10%
Dismissal	4.30%
Discharge	21.70%

Data provided by Judicial Court Support Services Division

Outcomes for Simple Trespass Cases

Outcome	Percentage
Transfer	1.90%
Supervision	18.70%
Not Accepted	26.20%
Not Prosecuted	27.10%
Dismissal	8.40%
Discharge	17.80%

Outcomes for Simple Trespass Cases

Outcome	Percentage
Transfer	1.90%
Supervision	18.70%
Not Accepted	26.20%
Not Prosecuted	27.10%
Dismissal	8.40%
Discharge	17.80%

Data provided by Judicial Court Support Services Division

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Outcomes for Breach of Peace (2nd Degree) Cases

Data provided by Judicial Court Support Services Division

Outcome	Percentage
Supervision	33.10%
Probation with Placement	0.10%
Not Accepted	11.80%
Not Prosecuted	31.50%
Dismissal	0.90%
Discharge	22.50%

Data provided by Judicial Court Support Services Division

Outcomes for Larceny (6th Degree) Cases

Outcome	Percentage
Supervision	30.90%
Probation with Placement	0.30%
Not Accepted	23.80%
Not Prosecuted	26.60%
Dismissal	0.80%
Discharge	17.40%
Commitment	0.20%

Data provided by Judicial Court Support Services Division

VIII. Capacity of YSBs and the Community-Based Diversion System

Mandated by Connecticut General Statute section 10-19m, a Youth Service Bureau (YSB) *is an agency operated directly by one or more municipalities that is designed for planning, evaluation, coordination, and implementation of a network of resources and opportunities for children, youth, and their families. In addition, YSBs are responsible for the provision of services and programs for all youth to develop positively and to function as responsible members of their communities.*

YSBs have a broader scope of service than most other youth-serving agencies. In addition to providing direct services like other agencies, YSBs have a responsibility to assess the needs of youth, identify gaps in service, and coordinate services for youth to fill the gaps and avoid duplication of services. A town may operate its YSB directly or combine with one or more towns to jointly operate a YSB, or a town may designate a private agency to act as its agent for the purpose of providing these services.
The first community-based YSBs were established in the late 1960s in response to a growing concern regarding issues such as juvenile delinquency, family crisis, drug and alcohol abuse, and school truancy. Currently, there are 103 YSBs serving 142 towns across the state

Many municipalities began creating Youth Service Bureaus in the late 1960s and early 1970s to address growing youth problems including crime, family crisis, school truancy, and substance abuse. Often, a local

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tragedy would focus attention on the need for coordinated youth-focused services. By 1975, the Connecticut Justice Commission (now the Justice Planning Division of the Office of Policy and Management) used funds from the federal Law Enforcement Assistance Administration to support the creation of forty additional Youth Service Bureaus. It was during this time that Youth Service Bureau regulations were created and Public Act No. 75-487, An Act Concerning the Establishment and Operation of Youth Services Systems within the State, was passed. With the passage of the Public Act, YSBs became a permanent part of the service delivery system for youth and families within the Department of Children and Youth Services (now DCF). The YSBs are the only youth-serving agencies mandated by state statute and are governed by CGS 10-19m.

The Community-Based Diversion System addresses criminogenic, social/emotional, behavioral, mental health, and academic needs of at-risk pre-delinquent and delinquent youth within the context of their family, school, and community supports and services such that *no child is entered into the juvenile justice system without having exhausted appropriate community resources.*

The Community-Based Diversion System focuses on identifying and addressing the underlying needs/symptoms of the behavior and putting early intervention supports in place. Ensuring practices including screening, service matching to the needs that led to the behaviors, and a restorative process focusing on repairing harm and restoring relationships, have been proven to ensure long-term behavior change versus just imposing sanctions. By identifying and addressing the root cause of the behaviors and helping youth understand the impacts of their decisions, continued involvement in the juvenile justice system is likely to decrease. For the purposes of this plan, the diversion decision points range from the identification of the defiant or illegal behavior either at or prior to the point of police contact, to pre-and post-petition, and up to the time just prior to formal adjudication in Juvenile Court. By maximizing existing mechanisms to connect children, families, and schools with resources in their community, there can be a decrease in referrals to juvenile court, increased participation in programs and services, increased family engagement, decreased recidivism rates, decreased costs, and minimized stigma.

Many changes in diversion alternatives are already happening in practice through the current Community-Based Diversion System. Youth committing violations/infractions and first(and sometimes second)time low-level misdemeanor offenses are already being referred by law enforcement to Juvenile Review Boards (JRBs) 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.

The Implementation Team discussed the needs and capacity of multiple YSBs and JRBs from a sample of a variety of locations in Connecticut, including Bridgeport, New Haven, Waterbury, Guilford, Westport, South Windsor, Norwich, and Vernon. The Implementation Team recognizes that not all towns have local YSBs and JRBs, which will be addressed in the recommendations of the Diversion Workgroup around funding.

In terms of population, larger JRBs, such as Bridgeport, receive about 150 referrals with 125 youth who go through the JRB panel process. New Haven JRB serves up to 200 youth on average annually. Waterbury YSB serves 100 youth on average annually. Smaller towns, such as Norwich, have about 25 cases on average annually. These youth are referred to JRBs from schools, juvenile probation, and police departments. The JRBs who responded to these questions had an average success rate ranging between 67% -100%.

YSBs and JRBs either provide services directly through their YSB or make referrals to counseling, mental health programs, and pro-social activities if they don't provide the appropriate services. Most of the YSBs and JRBs agreed that more mental health services are needed. A lack of mental health support for youth and families is a common challenge for YSBs and JRBS. Parents are struggling to get the support they need to understand their child's behavior and engage with appropriate services to address their child's needs. YSBs and JRBs continue to be at or near-maximum capacity and would like to use additional funds for staffing and services for youth. Bridgeport JRB, for example, would use additional funds for hiring case managers with a specialized focus on high-need youth and cases that require more intensive services.

Currently, the Department of Children and Families and the Connecticut Youth Services Association are planning to launch a JRB pilot in early 2022. The JRB system has been working on improvements to the overall process in the past years, and this pilot project builds on these efforts by offering the state an opportunity to establish and test the adoption and implementation of research-based standards, policies, and protocols that could ultimately be adopted statewide, and to collect regular, ongoing data on the pilot JRB performance and youth outcomes to inform statewide legislative, appropriate, and administrative changes to either the existing diversion service system or to establish an alternative approach.

IX.   Accountability Mechanisms

The Alternatives to Arrest Implementation Team discussed a variety of mechanisms to measure the effectiveness of programs and services, as well as youth accountability. To measure the success of current programs and services, recidivism data for these Tier 1 offenses should be reviewed. The ultimate goal is to change behavior and reduce recidivism. If a youth is referred to a JRB by police or a school and does not engage in services at all or does not successfully complete the services, the child would be referred back to the original referring agency. That referring agency (police/school) would then have the discretion to decide the next steps to take in the referral process. The options available to the referring agency include, but are not limited to, sending the youth to court or making a DCF referral. Schools and police departments should be trained in these options to understand what actions can be taken if a case is referred back to them.

The team created and distributed a survey to law enforcement officers across Connecticut inquiring about alternatives to arrest for low-level offenses. Survey responses were gathered to determine public opinions of police officers and other law enforcement on what, if any, alternatives to arrest may be implemented to reduce reliance on the juvenile justice system. The full survey analysis can be reviewed in Addendum A. 59 responses were generated from police officers residing in rural, urban, and suburban areas. All had at least three years of law enforcement experience, with the majority having 10+ years of experience in the Department of Corrections, at city police departments, as detectives, and as school resource officers.
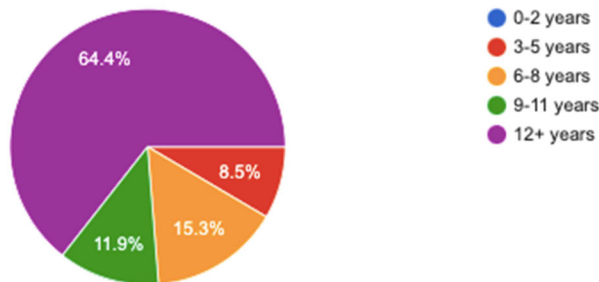
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Almost all respondents had juvenile-specific training, usually as an SRO, or CIT training. About two-thirds are current school resource officers (SROs) and, therefore, work with children on a regular basis.

Type of Area
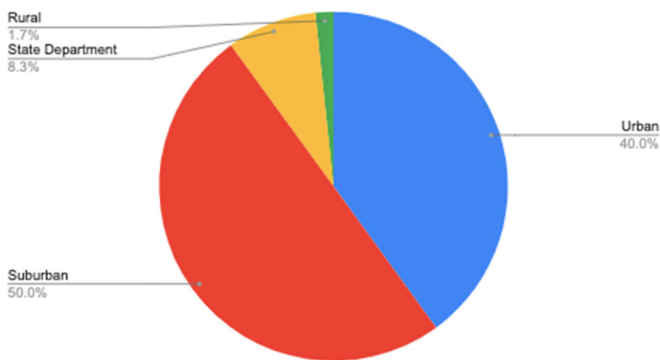
Years of experience in law enforcement

59 responses

Regarding these respondents' relationships with their local Juvenile Review Board and Youth Service Bureau, the findings were mixed. Approximately 50% of respondents indicated an excellent relationship, while about 25% indicated a very poor relationship. The people who had a poor relationship primarily came from the Connecticut State Police Department or from an urban city, such as Waterbury. Those who indicated an excellent relationship came from some urban areas (e.g. Bristol) but most often suburban areas, such as Watertown and South Windsor. The disparities in relationships between police departments and YSBs/JRBs are most likely due to the fact that YSBs and JRBs operate differently. The JRB Pilot and YSB Landscape Analysis will help address the lack of standardization amongst YSBs and JRBs. In addition, the Implementation Team recommends strengthening the relationship between law enforcement and YSB/JRBs. Strategies to strengthen these relationships may include:

- The local YSB and JRB representatives attending an annual training to present on their services and referral process
- Distribution of YSB/JRB flyers and promotional materials to local law enforcement
- Require an annual online training or Zoom meeting between YSBs/JRBs and law enforcement

Currently, officers are using some options other than arrest that they are utilizing, such as deferring to JRBs and YSBs, warning with mentoring, or simply returning the child to his/her guardian. Even though most

respondents (67.8%) think a greater emphasis on alternatives to arrest will be effective in preventing future offenses, more than half (59.3%) of respondents do not think there should be a standardized procedure for alternatives to arrest for juveniles. Those who do not think that standardized procedures are necessary usually had great relationships with their YSB. Almost half (41.2%) of respondents agree that juveniles should be diverted for first-time low-level offenses, and an additional 21.5% believe they should be diverted for second-time low-level offenses as well.

Do you think there should be a standardized procedure for alternatives to arrest for juveniles? Example: all minor breach of peace violation shall result in JRB referral instead of arrest
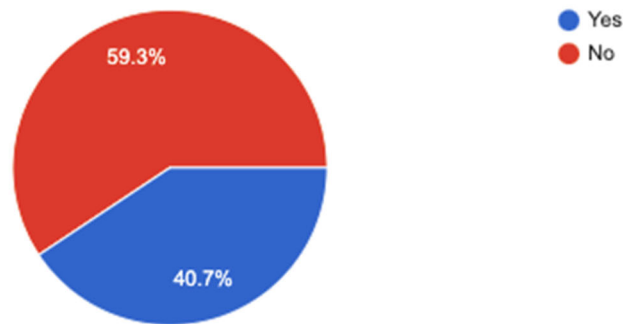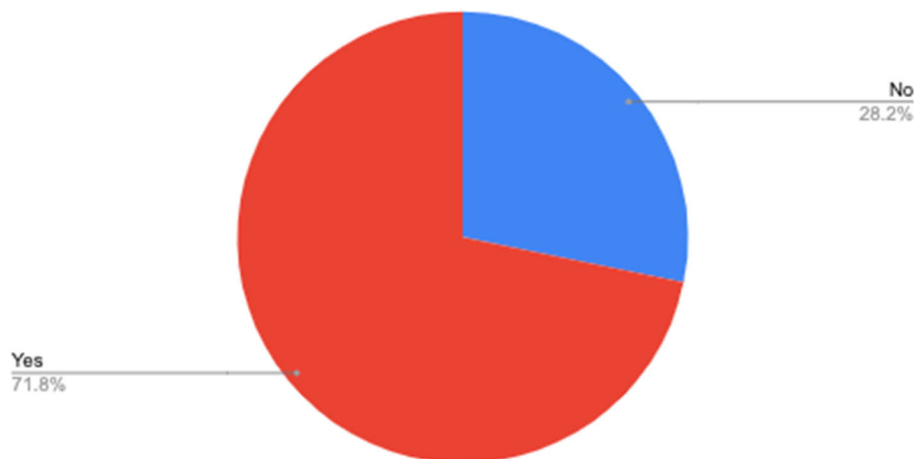
59 responses

Do you think alternatives to arrest will be effective in preventing future/reoccurring offenses?

59 responses
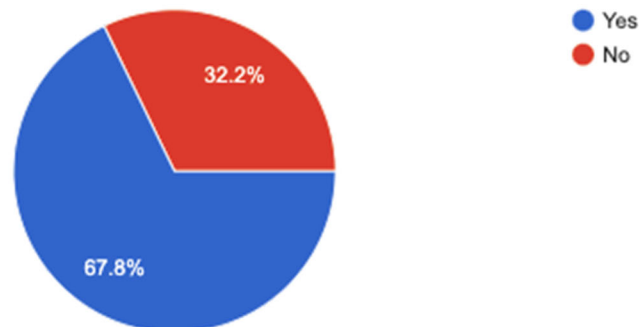
SROs: Do you think alternatives to arrest will be effective in preventing future/reoccurring offenses?

No
28.2%

Yes
71.8%

X.   Current Law Enforcement Juvenile Trainings

The State Police Academy provides training to their recruits for Juvenile Laws. These are the important aspects they are trained on, especially in relation to younger children. The topics that are discussed are mandated reporting, diversion, new/existing public acts, and special rights. Children are afforded special rights such as confidentiality and possible erase of records. Emancipated minors do not go to juvenile court, they are handled the same as an 18-year-old adult. For delinquency cases, jurisdiction is determined by three factors: the juvenile's age on the date of the offense, the offense, and the law in effect on the date of the offense. There are criteria to be eligible for the juvenile review board which includes the offense not being a felony and the juvenile admitting responsibility for the offense. Some factors that police consider for diversion include the seriousness of the offense, age, and prior police involvement. Some factors that should never be considered are race, sex, or appearance. Possible diversions include psychological evaluation, substance abuse assessment, counseling, or community service.

Troopers are advised that when dealing with juveniles between 7-11 years old, discretion is encouraged, and alternative interventions can be taken by troopers in lieu of arrest. Troopers may contact 211 for resources or to relate to emergency mobile psychiatric services. Juveniles can be released to parent/guardian/agency/themselves. Juveniles may be secured in an adult cell for no more than 6 hours. Juveniles cannot be referred to juvenile court for any of the behaviors that previously were under FWSN offenses. Troopers should consider utilizing 211, EMPS referrals, or DCF referrals.

Mandated reporters are required to make a verbal report to DCF Careline within 12 hours of reported abuse/neglect and submit a written report within 48 hours of the initial complaint. The police have six options for juvenile delinquency cases:
1. Warn the juvenile
2. Refer juvenile to JRB
3. Arrest juvenile by juvenile summons and refer to court
4. 19.05.03

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5. Arrest juvenile, obtain an order to detain signed by a superior court judge, and transport to juvenile detention center only after order to detain is signed
6. Obtain a juvenile arrest warrant only if a significant period has eclipsed from the time of the offense.

In the survey, respondents were asked what additional training would be helpful. Most responded that training on youth mental health, identifying/handling trauma in youth, and on what community resources are already available would be beneficial. About half also requested better training on adolescent development and how to make referrals to certain services. Requiring training specific to these topics will be helpful for law enforcement to effectively implement these diversionary changes.

Although the majority of respondents believe the current programs in their communities are at least somewhat helpful, the main resources said to be lacking are mental health resources, substance abuse resources, gang violence resources, after-school programs, family engagement resources, and mentoring. Family engagement resources are said to be particularly lacking. In terms of measuring the success of these community-based programs, data on recidivism rates, level of youth engagement, overall juvenile crime rate, and the number of community complaints would be helpful in determining the effectiveness of alternatives to arrest.

Given the results of this survey, the Implementation Team will conduct another survey on the Tier 2 offenses in order, as well as a thorough follow-up survey, to continue their involvement in this important work. Additionally, there should be a report presented to JJPOC 1 year following implementation that reviews the process and data, including, but not limited to, referral and program completion, use of ticket books, recidivism data. The annual strategic report presented to the JJPOC by the Cross-Agency Data Sharing Workgroup should also include an update on the YSB and JRB diversion data.

XI.   Data Collection for Tracking Referrals

One of the best tools in ensuring the optimization of diversion programs is a robust and ethical data policy. Regularly examining arrest and diversion data will provide information concerning the optimal alternatives to arrest, spotlight areas that require additional attention and assist in policy development. YSBs and JRBs are required to submit data[3] to DCF on an annual basis, which includes information on demographics, family, arrests, and results. Currently, schools use the YSB referral form[4] to refer a child to their local YSB. The YSB referral form collects demographic information, as well as information on the child's behavior, history, and system involvement.

According to the law enforcement survey, most officers collect juvenile data through a juvenile arrest log or computer-based system. With this plan, youth who commit Tier 1 offenses shall be referred to a YSB or JRB for their first and second time. It is important for this policy to be standardized across the state in order to minimize discretion, and therefore minimize racial bias. Currently, there is much variability in how respondents currently keep track of juvenile arrest data. Most respondents keep either a juvenile arrest log (62.7%), JRB log (39%), and LEAS or other report writing system (69.5%). However, some keep a YSB log,

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[3] https://www.ctyouthservices.org/Diversion/Important-Documents/
[4] https://www.ctyouthservices.org/Diversion/Important-Documents/FWSN-Referrals-to-YSBs/

have a records management database, or even maintain an independent log. The majority of respondents (69.5%) also collect and store data on juveniles who are not arrested, mainly through LEAS. However, this tracking data is also variable, from keeping a Google Doc or Excel sheet, to formally submitting it via a report to the records management system, to keeping an SRO mediation log. This data includes the type of charge and the officer's response/action, but rarely includes the recidivism rate. As a result, longitudinal data and the effectiveness of the officer's response is not currently being tracked. About 75% of respondents follow up on juvenile cases, yet 85% believe there is a need to follow up on juvenile cases to determine effectiveness of alternative programs other than arrest.
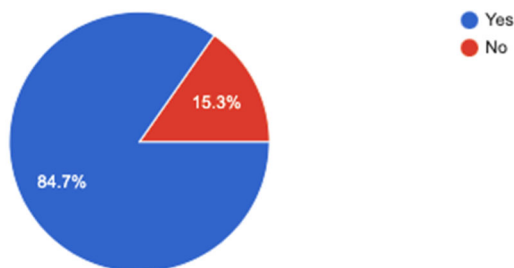
Do you follow up on juvenile cases?
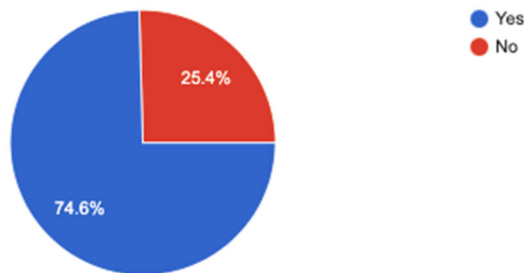
59 responses

Do you feel there is a need to follow up on juvenile cases?

59 responses

Many police departments use a JRB ticket book (Addendum B) to refer a child to their local JRB. Information collected on a JRB ticket includes the child's demographic information, as well as family information and reason for referral. There is space to document which law, ordinance, or school rule has been violated. There is also an agreement outlined and signed by the child and their guardian with the contact information of the local JRB. Once the ticket is filled out with the appropriate information, the child is given the ticket and the officer keeps the carbon copy for their records.

To standardize this process, it is recommended that all police officers use a JRB ticket book or "Diversion" ticket book to track their referrals to JRBs and YSBs. YSBs, JRBs, and police departments in the same town should track all referrals and work collaboratively to ensure only first-time and second-time offenders are being diverted to these services. This may require additional training in order to create a uniform system and process for diversion referrals. All stakeholder groups should receive training and information on any new policy and procedure changes. It may also be beneficial for departments to receive specific

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training on existing community resources available in their specific area. There are many other larger states, such as Massachusetts and Florida that have already standardized a diversion process. Connecticut is a small state and should work towards a similar process.

XII. Process for Victim Input

Although many of the Tier 1 offenses do not include a victim, it is important to ensure a process for victim input and involvement. Victims should also be given the opportunity to receive services and be included in the case processing. Currently, through the JRBs, there is a mediated process for the youth to understand how their behavior harmed the victim and community, acknowledge that their behavior harmed others, and take responsibility to repair the harm through direct or indirect action. In addition to promoting accountability and resolving the root issue, the JRB considers the needs of the victim involved. The victim can also be included as a member of the JRB. The victim can also be included as a member of the JRB in cases where it is appropriate and when there is agreement from the victim to participate. There are several ways a victim can be involved in the process including participation in the JRB process (when appropriate), a victim statement to be used during the process, or involvement in the repairing of harm or restoring of relationships as a part of the contract. Victims are able to request limited information from the JRB to include name, address, etc. in case there is a need for civil action, as well as the overall outcome of the case (successful, non-successful, etc.). Victims are not privy to specific case information or regarding recommendations outside of what may involve them as the victim.

About half (55.9%) of the law enforcement respondents believe victims should have some influence on the outcome of any juvenile offense. Such inclusion can be in the utilization of restorative justice processes or through victim impact statements. According to some respondents, victims should also be aware of alternatives to arrest that are possible outcomes for the juvenile, and victims' opinions should be considered. Victims could be included on the board for diversionary processes so that proper accountability is implemented. Conversely, victims should be able to ask for apology letters or some other personal reparation. In some cases, if the victim does not want the juvenile to be prosecuted, this should be noted during the decision-making process.

Using a restorative justice framework, the offender, victim, and community may come together through mediation programs. This framework should be trauma-informed, developmentally-informed, and racially informed in order to allow for meaningful victim input, while balancing the rights of the child. Training for law enforcement, as well as YSBs and JRBs representatives, should include trauma-informed practices and how to work with victims. Further details regarding victim input and process will be presented in the JRB Pilot program and YSB Landscape Analysis.

XIII. Resources

The Implementation Team understands the importance of highlighting available community resources for youth and families. Many important service topics include positive youth development, employment training, educational support, mentoring programs, family therapy, individual counseling, drug prevention programs, and more. There are many specific organizations and programs available to local regions of Connecticut

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that can be found by calling 2-1-1 or accessing the 2-1-1 website ([2-1-1 Connecticut (211ct.org)](#). Also, local Youth Service Bureaus will be able to refer clients to services and resources specific to the area. The following resources exemplify and highlight some of the vast array of service categories available to youth and their families. The Department of Children and Families has also put together a resource guide for local supports and services across the state ([Supports & Services | Wrap CT (connectingtocarect.org)](#)).

Positive Youth Development
Organizations that practice Positive Youth Development (PYD) intentionally engage youth in a prosocial manner in various surroundings like their school, family, and community groups. This approach emphasizes and enhances the individual strengths of each youth and improves their leadership capacity. This model was initially rooted in preventing specific, negative outcomes for youth, such as juvenile delinquency or substance abuse. However, it has since evolved to an overall strategy in strengthening youth resiliency. When proposing a potential PYD associated program, it is important to incorporate the following four aspects that, when taken as a whole, result in healthy and empowered youth. These domains are assets, agency, a supportive environment, and contribution. First off, there is asset development, which gives young people the means to accomplish their goals. Secondly, agency means that participants have the ability to act upon their own strengths and follow their own goals without fear of retribution. Next, an enabling environment will allow youth to feel safe and take advantage of their unique abilities. Lastly, encouraging contributions from youth members gives them ownership over their development.

Mental and Behavioral Health

Many youth who are at risk of or have been processed in the juvenile justice system experience some form of a mental health concern. Moreover, the more frequent the youth has contact with the juvenile justice system, the greater chance they have a mental health disorder. When these concerns are not properly treated, it is more likely that the youth will behave in a negative manner. Likewise, it is not uncommon for many of these youth to have experienced some form of trauma in the past (or are continuing to be abused), which can have a severe impact on their development. Fortunately, there is a multitude of types of services to help these individuals. Treatment plans that include individual/group therapy and/or proper medication can greatly assist these youth.

Mentoring

A mentor is an experienced individual who provides guidance to another. There are many young people who lack a supportive authority figure in their lives who can help keep them focused on achieving long-term goals and staying out of trouble. Thusly, there is a multitude of benefits for youth who have a trusted mentor in their life. Some of these demonstrated benefits include an increased chance of graduating high school and enrolling in a post-secondary education opportunity, the ability to make and maintain healthier lifestyle decisions, a heightened sense of self-worth, and developing strong relationships with friends, family, and other individuals. Studies have additionally observed decreases in alcohol/drug use, violence, and other negative behaviors in youth involved in a mentoring program. Furthermore, mentoring programs serve as great preventative and diversionary opportunities for at-risk youth.

Family Support

The family is the foundation of society, it is where we develop our first relationships and learn how to interact with others. However, there are numerous factors that can lead to an unstable family situation where members can neglect the needs of those who should be closest to them. Family support organizations seek to address these deficiencies. These organizations can offer a variety of useful services, including identification and intervention in instances of abuse, providing group therapy and conflict reconciliation, education involving the social and emotional skills to be a better parent/offspring, and building a strong support network consisting of contacts throughout the community that allow all members to feel safe. When problems at home are addressed, a strong foundation is created. Youth can then build upon this and improve other aspects of their lives.

XIV.   Conclusion

The Implementation Team created this plan with the intent of diverting low-risk youth away from the juvenile justice system. The recommendation to automatically divert first and second-time offenses for simple trespass, public disturbance, disorderly conduct, and larceny sixth degree as of July 1, 2022, will prioritize the appropriate resources for youth in the community and avoid the potential negative and traumatic impact of system involvement. Additionally, strengthening the relationship between law enforcement and their local YSBs/JRBs, increasing training, and standardizing the referral process will create a more unified system for our youth. To implement these changes, legislation will need to be drafted and approved. The Alternatives to Arrest Implementation Team will then create educational materials that can be distributed to law enforcement and schools to assist them in training on these new changes. Lastly, the team will continue their work in 2022 and focus on mandatory pre-arrest diversion efforts for Tier 2 offenses using a similar process for this plan. The team would like to thank the representatives from the local YSBs and JRBs, law enforcement, Office of the Early Childhood, Council of State Governments, and additional presenters for assisting in the creation of this implementation plan and dedicating their careers to supporting youth.

2021 Alternatives to Arrest – Law Enforcement Survey Form & Results

Public Act 21-174 established an Implementation Team to develop a plan for automatic pre-arrest diversion of children. These children would instead be referred to youth service bureaus or other services in lieu of arrest for first and second-time offenses for Tier 1, which includes infractions such as:

- simple trespass under section 53a-110a of the general statutes
- creating a public disturbance under section 53a-181a of the general statutes
- disorderly conduct under section 53a-182 of the general statutes
- larceny sixth degree under section 53a-125a or 53a-125b of the general statutes

This Implementation Team includes representatives from Judicial Branch Court Support Services Division (JBCSSD), Public Defenders Office, Chief State's Attorney's office, the Connecticut State Department of Education, Department of Children and Families, Department of Corrections, members of the JJPOC Diversion Workgroup, public school administrators, law enforcement, and children and community members.

As a representative of law enforcement, we need your feedback on our work. We would greatly appreciate your response to this survey by the end of November 21st, 2021.

Demographics

1. Current department _____
2. Previous law enforcement experience _____
3. How many years of law enforcement experience
   a. 0-3
   b. 4-7
   c. 8-11
   d. 12-15
   e. 16+
4. Do you have any juvenile-specific training?
   a. Yes, if so, what _____
   b. No
5. Are you a SRO?
   a. If so, was there an application or were you hand-selected
   b. No

Process

1. What other options are you using other than arrest?
   a. Juvenile Review Boards
   b. Youth Service Bureaus
   c. Warning with mentoring

       d. Return youth to guardian

       e. Other _____

2. Do you think there should be a standardized procedure for alternatives to arrest for juveniles? Example: all minor breach of peace violation shall result in JRB referral instead of arrest
       a. Yes
       b. No, if no, why not _____

3. Do you think that victims should have input in a juvenile's disciplinary outcome?
       a. Yes, provide an example
       b. No

4. Do you think alternatives to arrest will be effective in preventing future/reoccurring offenses?
       a. Yes
       b. No, if not, why not_____

Data Collection

1. How do you currently keep track of juvenile arrest data?
       a. Juvenile arrest log
       b. JRB log
       c. YSB log
       d. LEAS or other report writing system
       e. Other _____

2. Do you collect data on juveniles who are not arrested? I.e. warnings/referrals to review boards
       a. Yes, if yes, how_____
       b. No

3. Do you collect any juvenile data specific to:
       a. the types of charges Yes or No
       b. officer's actions/response Yes or No
       c. Recidivism rates Yes or No
       d. Other _____

4. Do you follow up on juvenile cases?
       a. Yes
       b. No

5. Do you feel there is a need to follow up on juvenile cases?
       a. Yes, why _____
       b. No, why not _____

Support

1. Is there an area that you feel is lacking in community resources?
       a. Mental health
       b. Substance abuse
       c. Gang violence
       d. After school programs
       e. Family engagement

      f.   Other _____
2. How effective do you think the programs are in your community?
      a.   1 (very ineffective) -10 (very effective)
3. Do you know the timeframe from initial contact to when services begin (waitlists)?
      a.   Yes, if so, what do you do if there is a waitlist?
      b.   No
4. How would you describe your relationship with your local JRB?
      a.   1 (not close at all) – 10 (very close)
5. How would you describe your relationship with your local YSB?
      a.   1 (not close at all) – 10 (very close)
6. What do you think would help measure the success of these community-based programs/services?
      a.   Level engagement with youth
      b.   Recidivism rates
      c.   Overall juvenile crime rate
      d.   Number of community complaints
      e.   Other _____
7. What additional trainings would be helpful for you?
      a.   Community resource trainings specific to your area
      b.   Mental health trainings for youth
      c.   Adolescent Development
      d.   Other _____

The JJPOC sent a survey inquiring about alternatives to arrest to law enforcement officers around the state of CT. Survey responses were gathered to determine public opinions of police officers and other law enforcement on what, if any, alternatives to arrest may be implemented to reduce reliance on the juvenile justice system. Officers were from the following areas: Waterbury, Simsbury, Wallingford, Watertown, Bristol, North Haven, Fairfield, Redding, Plainville, Bristol, Waterford, Glastonbury, Stamford, South Windsor, Berlin, Guilford, Weston, Farmington, and Connecticut State.

59 responses were generated from police officers residing in rural, urban, and suburban areas. All had at least three years of law enforcement experience, with the majority having 10+ years of experience in the Department of Corrections, at city police departments, as detectives, and as school resource officers. Almost all respondents had juvenile-specific training, usually as an SRO or CIT training. About two-thirds are current school resource officers (SROs) and, therefore, work with children on a regular basis. Those who work as SROs usually applied and were selected after a board interview. Regarding these respondents' relationships with their local Juvenile Review Board and Youth Service Bureau, findings were mixed. Approximately 50% of respondents indicated an excellent relationship, while about 25% indicated a very poor relationship. The people who had a poor relationship primarily came from the Connecticut State Police Department or from an urban city, such as Waterbury. Those who indicated an excellent relationship came from some urban areas (e.g. Bristol) but most suburban areas, such as Watertown and South Windsor.

Currently, these individuals do have some options other than arrest that they are utilizing, such as deferring to JRBs and YSBs, warning with mentoring, or simply returning the child to his/her guardian. Even though

most respondents (67.8%) think a greater emphasis on alternatives to arrest will be effective in preventing future offenses, more than half (59.3%) of respondents do not think there should be a standardized procedure for alternatives to arrest for juveniles. Those who do not think that standardized procedures are necessary usually had great relationships with their YSB. Almost half (41.2%) of respondents agree that juveniles should be diverted for first-time low-level offenses, and an additional 21.5% believe they should be diverted for second-time low-level offenses as well. However, many respondents do not agree with automatic diversion, citing the need for review on a case-by-case basis, since there is no universal definition of a 'low-level' offense and limits the discretion of law enforcement officials.
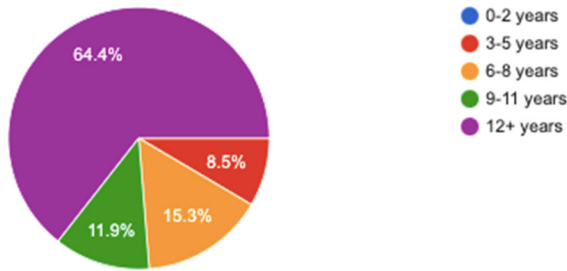
Regarding victim input, about half (55.9%) believe victims should have some influence on the outcome of any juvenile offense. Such inclusion can be in the utilization of restorative justice processes or through victim impact statements. According to some respondents, victims should also be aware of alternatives to arrest (JRB meetings, corrective programs, etc.) that are possible outcomes for the juvenile, and victims' opinions should be considered. Victims could be included on the board for diversionary processes so that proper accountability is implemented. Conversely, victims should also be able to speak directly with the victim, ask for apology letters or some other personal reparation. In some cases, if the victim does not want the juvenile to be prosecuted, this should be noted during the decision-making process.

There is much variability in how respondents currently keep track of juvenile arrest data. Most respondents keep either a juvenile arrest log (62.7%), JRB log (39%), and LEAS or other report writing system (69.5%). However, some keep a YSB log, have a records management database, or even maintain an independent log. The majority of respondents (69.5%) also collect and store data on juveniles who are not arrested, mainly through LEAS. However, the tracking of this data is also variable, from keeping it in Google Docs or Excel sheets, to formally submitting it via a report to the records management system, to keeping an SRO mediation log. This data includes the type of charge and the officer's response/action but rarely includes the recidivism rate. As a result, longitudinal data and the effectiveness of the officer's response are not currently being tracked. About 75% of respondents follow up on juvenile cases, yet 85% believe there is a need to follow up on juvenile cases to determine the effectiveness of alternative programs other than arrest. Although the majority of respondents believe the current programs in their communities are at least somewhat helpful, the main resources said to be lacking are mental health resources, substance abuse resources, gang violence resources, after-school programs, family engagement resources, and mentoring. Family engagement resources are particularly said to be lacking. In terms of measuring the success of these community-based programs, data on recidivism rates, level of youth engagement, overall juvenile crime rate, and number of community complaints would be helpful in determining the effectiveness of alternatives to arrest.

Finally, respondents were asked what additional training would be helpful. Most responded that training on youth mental health, identifying/handling trauma in youth, and on what community resources are already available would be beneficial. About half also requested better training on adolescent development and how to make referrals to certain services.
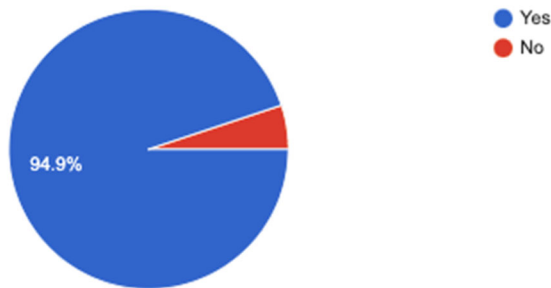
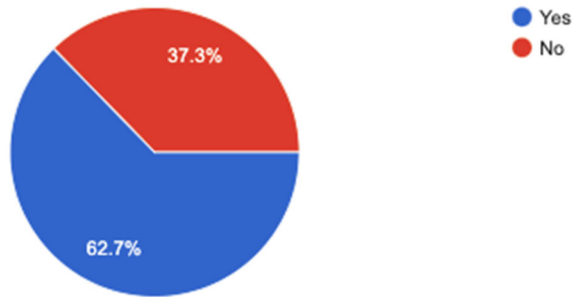## Years of experience in law enforcement

59 responses

Legend:
- 0-2 years (blue)
- 3-5 years (red): 8.5%
- 6-8 years (orange): 15.3%
- 9-11 years (green): 11.9%
- 12+ years (purple): 64.4%

Do you have any juvenile specific training?

59 responses

Legend:
- Yes (blue): 94.9%
- No (red)

Are you a School Resource Officer?

59 responses

Legend:
- Yes (blue): 62.7%
- No (red): 37.3%

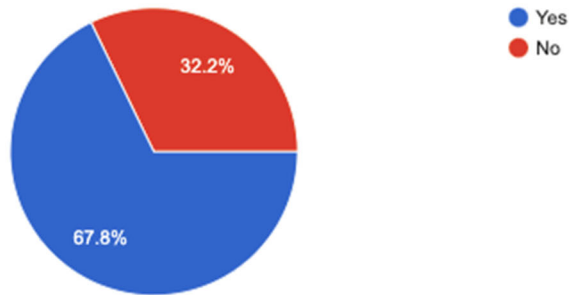## Do you think there should be a standardized procedure for alternatives to arrest for juveniles? Example: all minor breach of peace violation shall result in JRB referral instead of arrest
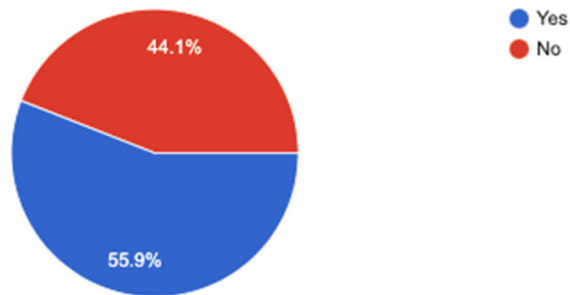
59 responses

Legend:
- Yes (blue): 40.7%
- No (red): 59.3%

Do you think alternatives to arrest will be effective in preventing future/reoccurring offenses?

59 responses

- Yes
- No

32.2%
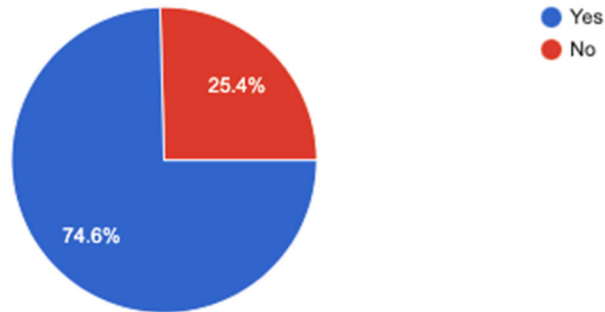
67.8%
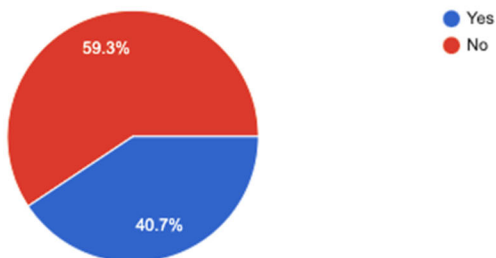
Do you think that victims should have input in the outcome of any juvenile offense?

59 responses

- Yes
- No

44.1%

55.9%

Do you follow up on juvenile cases?

59 responses

- Yes
- No

25.4%

74.6%

Do you feel there is a need to follow up on juvenile cases?

59 responses

- Yes
- No

15.3%

84.7%
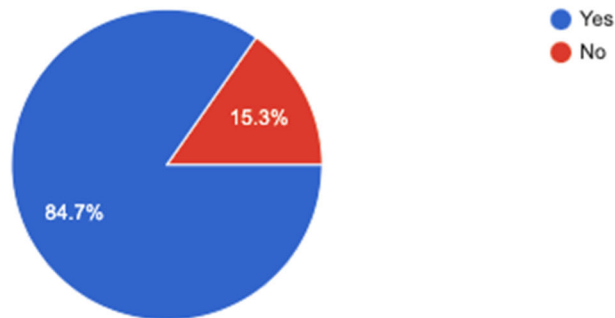
Current Law Enforcement Juvenile Trainings

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1. Warn the juvenile
2. Refer juvenile to JRB
3. Arrest juvenile by juvenile summons and refer to court
4. 19.05.03
5. Arrest juvenile, obtain an order to detain signed by a superior court judge, and transport to juvenile detention center only after order to detain is signed
6. 6. Obtain a juvenile arrest warrant only if a significant period has eclipsed from the time of the offense.

Troopers are advised that when dealing with juveniles between 7-11 years old, discretion is encouraged, and alternative interventions can be taken by troopers in lieu of arrest. Troopers may contact 211 for resources or to relate to emergency mobile psychiatric services. Juveniles can be released to parent/guardian/agency/themselves. Juveniles may be secured in an adult cell for no more than 6 hours. Automatic transfers to adult court are very limited. 15 years old is the minimum age that will be considered for transfer to the adult court, regardless of the charge. Juveniles cannot be referred to juvenile court for any of the behaviors that previously were under FWSN offenses. Troopers should consider utilizing 211, EMPS referrals, or DCF referrals.

Children are afforded special rights such as confidentiality and possible erase of records. Emancipated minors do not go to juvenile court, they are handled the same as an 18-year-old adult. For delinquency cases, jurisdiction is determined by three factors: the juvenile's age on the date of the offense, the offense, and the law in effect on the date of the offense. There are criteria to be eligible for the juvenile review board which includes the offense not being a felony and the juvenile admitting responsibility for the offense. Some factors that police consider for diversion include the seriousness of the offense, age, and prior police involvement. Some factors that should never be considered are race, sex, or appearance. Possible diversions include psychological evaluation, substance abuse assessment, counseling, or community service. For juvenile summons procedure, a juvenile charged with a crime should be serviced with a complaint and summons by the police upon the release of the juvenile to a responsible adult. There is a requirement to place a juvenile in detention if there is probable cause or no less restrictive alternatives. Detention should be considered when a juvenile is arrested for a serious juvenile offense involving violence, weapons, or gang. For arrest and booking, a juvenile may be required to take fingerprints and photographs. The police do not set bond or any other conditions of release in juvenile cases.

When taking a statement from a juvenile if under 16, having a parent or guardian present is a requirement. Any admission, confession, or statement by a child under 16, 16, or 17 is inadmissible in court. The presence of a parent is not required for statements taken from child witnesses and victims but is strongly recommended. Family violence crimes require mandatory arrest, next-day court appearance, certain reporting requirements, and conditions of release. For processing a juvenile case, non-judicial handling includes a warning or supervision. Judicial handling includes discharge with/without warning or probation. A child transferred from the juvenile court to the adult court loses all juvenile protections.

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Background

The past two years have been exceptionally difficult as a result of the pandemic. Children have been struggling with how to make sense of a new and challenging way of living. The same holds true for teachers who are working to provide the best education for their students in the most difficult of circumstances. Educators and teachers have been working tirelessly to accommodate students and families by switching to remote learning and back to the classroom. The stress that children and families have been experiencing has been felt by the teachers, while they work to manage the changes the pandemic has had on their own lives. This stress has, for some students, made itself manifest through disruptive and destructive behavior in school. In the past, one method of responding to such behavior was to exclude the child from school, through out-of-school suspension or expulsion. The work in this report is part of a longer-term strategy that began in 2015. To be clear, challenges have existed prior to the pandemic as well as the need to determine the best approach to problem behaviors in the classroom.

When a pre-k through second-grade student is suspended or expelled, they are being deprived of a proper intervention that addresses their behavior and the circumstances that may have influenced it. The most common examples are in-school suspension (ISS), out-of-school suspension (OSS), and expulsion. Children of Color, those with disabilities, and those living in economically distressed communities are at far greater risk of suffering exclusionary discipline, which results in an ever-widening opportunity gap based on the compounding obstacles these students must overcome. Removal from the school environment can result in feelings of low self-worth, alienation, and loneliness, compounding any challenging experiences they have at home.

Across the board, students who are, economically disadvantaged students, those with a disability, and English learners" were all suspended at rates greater than the overall average. There are persistent racial disparities in school discipline and a connection between school suspension and justice system involvement. State data shows that Black/Latinx students in all grades, including pre-k through 2nd grade, were not only suspended/expelled substantially more often than their White peers but would also receive harsher punishments for the same negative behaviors.

The most recent Connecticut State Department of Education's (CSDE) annual report showed a 10.6% rise in suspensions of children under 7 years of age from the 2012-2013 to the 2013-2014 academic year. Following the 2015 public act's passage[1], there was a substantial decline in the number of suspensions issued for pre-k through 2nd graders. From the 2014-2015 through the 2018-2019 academic years, in-school suspensions for this group fell by over 45% and out-of-school suspensions dropped by 72%. Though the legislation greatly restricted out-of-school suspensions, CSDE has continued to monitor both in-school and out-of-school suspensions and the greater decline has been evidenced with respect to out-of-school suspensions.

Based on the CSDE annual report there are currently 15 districts identified with high numbers of suspension and expulsion within pre-k through 2nd grade. To ensure consistency in the implementation of the law, it is vital that a system of accountability is established. The CSDE initiative (done in response to

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[1] https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-233

federal legislation, specifically, The Every Student Succeeds Act) is a major effort to target disproportionate discipline. Districts are placed into tiers according to the following criteria. Using this metric allows for the broadest inclusion of students who may experience any exclusionary discipline during the school year:
:

- Tier 4 - Consistently High Suspension Rates (may also have high disproportionality): Overall, black or Hispanic suspension rate >=15% in 2 recent years.
- Tier 3 - Consistently High Disproportionality: Not in Tier 4 AND either black or Hispanic Relative Risk Index (RRI) >=3 in 2 recent years.
- Tier 2 - Consistently Medium Disproportionality: Not in Tiers 4 or 3 AND either black or Hispanic RRI >=2 in 2 recent years.
- Tier 1 - Low Suspension Rate/Disproportionality: All other districts

Exclusionary discipline cannot be eliminated unless a continuum of emotional support, therapeutic services, and family support to help the dysregulated child is provided.   This committee acknowledges that the recommendations in this report are in no way a reflection of a lack of capability but are intended to provide resources to the professionals who are educating our children for their future success.

The Committee's Work
Section 8 of Public Act No. 21-174 established this committee "for the purpose of studying the effects of and possible alternatives to suspensions and expulsions of students in any grade," and tasked the committee with "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." The committee met bi-monthly from September 2021 to December 2021 and received presentations from:

- The Connecticut State Department of Education presented;
    - Updated data on exclusionary discipline for students in Pre-K through second grade to identify school district with high rates of exclusionary discipline.
    - The Office of Student Supports provided an overview of CSDE trainings and the work of the Connecticut School Discipline Collaborative
    - Reviewed the current training for school personnel and identified gaps.
- The Office of Early Childhood presented on a pilot of a suspension & expulsion policy in state-funded programs in districts with high rates of suspension and expulsion. The OEC has focused on the pyramid model, which is a national framework using a multi-tiered system of support.
- Miss Kendra Programs presented services and programming available to this age group in the community and in schools.

They also were provided significant insight through focus groups outcomes. And the committee also reviewed relevant reports by the Office of the Child Advocate, the Child Health Development Institute, the Center for Children's Advocacy, and other national studies specific to this topic area.

To combat the inconsistency in the implementation of disciplinary and exclusionary policies and to address disparities created, the committee looked to Connecticut-based and nationally endorsed recommended guidelines (beginning on page 11).

Recommendations

The members of the committee agree that excluding students from school, especially students in grade two and below, is not a good policy for the reasons stated in this report. We agree that there are times when students exhibiting challenging behavior need to be removed from the classroom and the regular school environment for their own safety and the safety of the whole school community. We also agree that a robust continuum of social-emotional supports, including a comprehensive system of support to help students exhibiting challenging behavior, needs to be established and supported in all schools. The committee did not come to a consensus on whether further legislation to limit or ban exclusionary discipline would be useful or counterproductive. The following recommendations, however, are ones the entire membership of the committee endorse.   Details begin on page 13.

II.   Legislation

Tow Youth Justice Institute at the University of New Haven staffs the Juvenile Justice Policy and Oversight Committee, which recommended legislation to study the effects of and possible alternatives to suspensions and expulsions of students in any grade. Public Act 21-174, *An Act Concerning the Recommendations of the Juvenile Justice Policy Oversight Committee* states

(e) (1) 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... (f) The committee shall include in reports written under subsection (e) of this section: (1) Funding recommendations for any proposed alternatives to suspension and expulsion.
(2) Timelines for potential implementation of any such alternatives.
(3) Individual school district needs based on data.
(4) Training recommendations for school personnel.
(5) Implementation procedures for alternative in-school disciplinary practice, strategies and intervention to support students and school personnel.
(6) Strategies for family engagement.
(7) Recommendations for screening for health and mental health concerns; and
(8) Recommendations for strengthening connections to community-based services and supports including trauma-informed mental health interventions.
(g) (1) Not later than January 1, 2022, the committee shall submit a report on its findings and recommendations, if any, pursuant to ***Substitute House Bill No. 6667 Public Act No. 21-174 11*** *of 16*

III.   Background

Exclusionary discipline is defined as a punitive response to a student's negative behavior/actions that remove them from their standard, educational environment, with the most common examples being in-school suspension (ISS), out-of-school suspension (OSS), and expulsion. When a pre-k through second-grade student is suspended or expelled, they are being deprived of a proper intervention that addresses their behavior and the circumstances that may have influenced it. There is a strong connection linking exclusionary discipline with the school-to-prison pipeline as students who receive an ISS, OSS, or expulsion are significantly more likely to become involved with the juvenile justice system.

The early education years of preschool through the second grade are quintessential in a child's development. This is true both in terms of a student learning how to build healthy relationships by socializing with their peers and establishing positive attitudes concerning the education system. Children of Color, those with disabilities, and those living in economically distressed communities are at far greater risk of suffering exclusionary discipline, which results in an ever-widening opportunity gap based on the compounding obstacles these students must overcome. Upon their removal from the classroom, they lose access to early intervention systems like mental health/trauma support that could set them up for future success. Schools provide these children with opportunities for nurturing, structure, support, and love regardless of their home environment. Removal from the school environment can result in feelings of low self-worth, alienation, and loneliness, compounding any challenging experiences they have at home.

Although Connecticut possesses one of the strongest public education systems in the country, it is also plagued by massive socioeconomic and racial/ethnic inequality. Across the board, students who are eligible for reduced or free lunch, have a disability, or are English language learners were all suspended at rates greater than the overall average. There are persistent racial disparities in school discipline and a connection between school suspension and justice system involvement. State data shows that Black/Latinx students in all grades, including pre-k through 2nd grade, were not only suspended/expelled substantially more often than their White peers but would also receive harsher punishments for the same negative behaviors.

In an effort to address the persistent racial disparities in school discipline CT statutes were amended in 2015 to prohibit expulsion for pre-k through grade 2 students, except for federally mandated areas. Expellable offenses for this age group are possession of a firearm or other deadly weapon on school grounds or at a school-sponsored event; possessing a firearm while off school premises that are in violation of C.G.S. § 29-35 or possession and use of a firearm, instrument, or weapon in the commission of a crime; and having/selling illicit substances on or off-campus. The term firearm is defined at 18 USC 921. In-school suspensions are still permitted under the 2015 law. Adversely, Out of school suspensions are prohibited for this age group except in cases of conduct on school grounds that is of a violent or sexual nature that endangers persons.

Key definitions for terms associated with exclusionary disciplinary practices are outlined in C.G.S. 10-233a. A "removal" occurs when a student experiences exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety minutes. An in-school suspension (ISS) expands upon this notion as it is an exclusion from regular classroom activity for no more than ten

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consecutive school days, but not exclusion from school. Similarly, an out-of-school suspension (OSS) is - an exclusion from school privileges or from transportation services only for no more than ten consecutive school days. Lastly, an expulsion is an exclusion from school privileges for more than ten consecutive school days. School administrators possess the authority to implement these measures in instances where a student has broken the publicized policies of the Board of Education, significantly disrupted the education process, and/or placed people or property in danger. If the offending incident occurred on school property, only one of the listed criteria must be met.

IV.   Committee Membership

The committee is comprised of the following members as identified through legislation:
1. **Co-Chair: Steven Hernandez** (A) One of whom shall be the chairperson of a collaborative group for social and emotional well-being.
2. **Co-Chair: Fran Rabinowitz** (B) One of whom shall be the executive director of a state-wide association of public-school superintendents.
3. **Desi Nesmith** (3) The Commissioner of Education, or the commissioner's designee.
4. **Donald F. Harris Jr.** (4) A representative of the State Board of Education Accountability and Support Committee appointed by the Commissioner of Education; and
5. **Tony Gasper** (C) One of whom shall be the president of a state-wide association of public-school superintendents.
6. **John Frasinelli** D) One of whom shall be a representative of a state-wide school discipline collaborative.
7. **Tammy Raccio** (E) One of whom shall be the chairperson of a state-wide advisory council for special education.
8. **Kayle Hill** (F) One of whom shall be a representative of a disability rights organization[2].
9. **Andrew A. Feinstein** (G) One of whom shall be a representative of a state-wide organization that advocates for special education equity.
10. **Tianna Hill, CHDI** (H) One of whom shall be a representative of an organization that is a catalyst for improvement of children's health and development; and
11. **Erica Bromley** (I) One of whom shall be a representative of an association of youth service bureaus.
12. **Rep. Robyn Porter**- Education Committee Co-Chair
13. **Amy Vatner**- Education Committee Co-Chair
14. **Kathryn Meyer**- Center for Children's Advocacy

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[2] *Disability Rights Connecticut, Inc. (DRCT) participated on this legislatively created committee by invitation. The Committee was required to have member(s) representing the disability community. As the protection and advocacy system in Connecticut, DRCT has expertise on issues that impact adults and youth with disabilities, including school suspension and other school discipline, among other disability rights issues. While DRCT provided education, insight, and perspective to the Committee on behalf of its constituents, it did not participate in drafting proposed legislative changes. DRCT wants to ensure its participation and role on this legislative committee is clear to all those reviewing the Committee's work.*

V.   The Committee's Workplan

The committee agreed to meet bi-monthly from September 2021 to December 2021 and to consult with a variety of experts to better understand the issue at hand.

1. Presentations were made by the following:
   - The Connecticut State Department of Education presented;
     - o Updated data on exclusionary discipline for students in Pre-K through second grade to identify school district with high rates of exclusionary discipline.
     - o The Office of Student Supports provided an overview of CSDE trainings and the work of the Connecticut School Discipline Collaborative
     - o Reviewed the current training for school personnel and identified gaps.
   - The Office of Early Childhood presented on a pilot of a suspension & expulsion policy in state-funded programs in districts with high rates of suspension and expulsion. The OEC has focused on the pyramid model, which is a national framework using a multi-tiered system of support.
   - Miss Kendra Programs presented services and programming available to this age group in the community and in schools.

2. Significant insight was elicited through focus groups conducted by the Tow Youth Justice Institute's Director of Research, Dr. Danielle Cooper and the Tow Youth Justice Institute research team. The focus groups were held with a variety of school personnel, including Board of Education members, Superintendents, Principals, Teachers, and Support Staff from across the state of Connecticut.

   To ensure that recommendations from this committee were not only based on best practices but also included the experiences of those impacted, Dr. Cooper and her research team developed interview questions in partnership with this committee and facilitated the focus groups. **"The primary goal of the focus groups was the collection of current perceptions of educators, administrators, school professionals, and community members regarding the use of exclusionary discipline in their school district and throughout Connecticut with an emphasis on students in kindergarten through 2nd grades. In pursuit of this goal, eight focus groups were held in November and December 2021. Members of the Research team facilitated groups ranging from three to twelve participants. A sample, presented to his committee, consisted of over 60 adult participants who live and/or work in the state of Connecticut."**

   The Preliminary Finding from Focus Groups Examining Connecticut Suspension and Expulsion Practices can be found in Addendum A. Youth and parents were also invited to participate in a focus group and were provided an online survey to share their experience and provide their feedback on this work. A description and results of the focus group are attached as Addendum B.

3. The committee also reviewed relevant reports by the Office of the Child Advocate, the Child Health Development Institute, the Center for Children's Advocacy, and other national studies specific to this topic area.

VI.   CT Data

In 2015, Connecticut was the first state in the nation to pass legislation concerning the banning of suspension and expulsion of preschool through 2nd-grade students in most cases, as the law stated "an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of violent or sexual nature that endangers persons".

As stated in 20 USC 7961, "Each State receiving Federal funds under any subchapter of this chapter shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, under the jurisdiction of local educational agencies in that State, except that such State law shall allow the chief administering officer of a local educational agency to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing."

Section (b)(2) of §7961 says, "Nothing in this subpart shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting."

Two Special Notes about 2019-20 Data:
- In the 2019-20 school year due to the COVID-19 pandemic, in-person classes were canceled in mid-March and all districts switched to fully remote instruction for the remainder of the school year. Therefore, any inferences relative to changes in rates over years are based on 2018-2019 data; the 2019-20 data are presented for informational purposes. Unlike trend data across years, disproportionality analyses that evaluate differences in rates between groups within a single year are based on data from the 2019-20 school year. Microsoft Word - School Discipline Final_BoardReport_2021.1.24.docx (ct.gov)"

- "The total number of sanctions is a count of all sanctions (ISS, OSS, and Expulsions) given to all students. It is not a count of students, so if one student received more than one sanction, then all the sanctions are included below."

Connecticut State Department of Education's (CSDE) report showed a 10.6% rise in suspensions of children under 7 years of age from the 2012-2013 to the 2013-2014 academic year. Following the 2015 public act's passage, there was a drastic decline in the number of suspensions issued for pre-k through 2nd graders. From the 2014-2015 through the 2018-2019 academic years, in-school suspensions for this group fell by over 45% and out-of-school suspensions dropped by 72%. Though the legislation greatly restricted out-of-school suspensions, CSDE has continued to monitor both in-school and out-of-school suspensions and the greater decline has been evidenced with respect to out-of-school suspensions. CSDE released in February 2021 the 2019-2020 Report on Student Discipline in Connecticut Public Schools.

In the 2018-19 academic year there were more than 1,021 suspensions/expulsions issued to students within pre-k through 2nd grade. For the 2019-20 academic year there were a total of 670 young students who were suspended/expelled. The total number of students (unduplicated count) in grades kindergarten through two who receive at least one suspension or expulsion has also declined significantly from 2,363 in 2014-15 to 1,047 in 2018-19 – a decline of over 50 percent. It should also be noted that there have been no expulsions for this student population since 2015-2016 academic year.

Table: Total Number of Sanctions:

	2015-2016			2016-2017			2017-2018			2018-2019			2019-2020		
Grade	EXP	OSS	ISS	EXP	OSS	ISS	EXP	OSS	ISS	EXP	OSS	ISS	EXP	OSS	ISS
PK	0	11	<6	0	<6	<6	0	8	<6	0	10	0	0	<6	<6
K	<6	278	315	0	157	263	0	194	229	0	203	162	0	132	129
01	<6	441	609	0	348	433	0	263	329	0	325	342	0	182	208
02	<6	597	985	0	473	770	0	326	592	0	356	528	0	261	323

This data is further broken down by expulsion, out-of-school suspension, and in-school suspension for each grade and school year. Suppressing numbers lower than 6 is in line with the CSDE data suppression policy to protect the identity of children. It should be noted that the "zero" noted on the table is a true "zero". It is also important to highlight the impact of COVID-19 on schools as of March 2020 and the remote learning environment.

When disaggregated by race/ethnicity, the number of students in Grades PreK through two receiving at least one suspension or expulsion has declined within all student race/ethnic groups in 2019-20 (Table 10).

Table 10: Number of Students Suspended/Expelled (Pre-K-2) by Race/Ethnicity

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
American Indian or Alaska Native	*	*	*	*	*	*
Asian	24	15	10	12	10	*
Black or African American	907	622	481	354	345	228
Hispanic/Latino of any race	863	576	446	349	330	221
Native Hawaiian or Other Pacific Islander	*	*	*	*	*	0
Two or More Races	100	73	64	48	57	37
White	465	373	292	291	302	182

At the elementary school level the **Percentage of Students Receiving at least 1 ISS/OSS/EXP in 2018-19 academic year was highest for black children (6.0%) within Pre-K through 5th grade.**

It should be noted that there are racial and ethnic disparities across the state, including in affluent, urban, and Alliance districts. Two analyses of the District Tiers Based on Suspension/Expulsion Data show that high suspension rates and disproportionalities are not solely concentrated by a factor of district demographics. Further review and data collection should be examined.

Based on the CSDE annual report there are currently 15 districts identified with high numbers of suspension and expulsion within pre-k through 2nd grade. To ensure consistency in the implementation of the law, it is vital that a system of accountability is established. The CSDE initiative (done in response to federal legislation, specifically, The Every Student Succeeds Act) is a major effort to target disproportionate discipline. The initiative consists of the department clearly defining data-based indicators of disproportionate discipline, grouping districts into one of four tiers based on those indicators, and then providing guidance, training, and technical support to districts to reduce disproportionality. The CSDE has developed a system of support model that focuses on the continuum of integrated tiered supports for districts. This committee supports these CSDE's recently announced efforts: "Effective in the 2020-21 school year, the CSDE is grouping districts into four tiers based on racial/ethnic disparities in suspension/expulsion data to provide targeted interventions and supports. The primary metric used for placing districts into tiers is the "Suspension/Expulsion Rate." This is the percentage of students receiving at least one in-school suspension, out-of-school suspension, or expulsion during the school year. Using this metric allows for the broadest inclusion of students who may experience any exclusionary discipline during the school year.

Districts are placed into tiers according to the following criteria:
- Tier 4 - Consistently High Suspension Rates (may also have high disproportionality): Overall, black or Hispanic suspension rate >=15% in 2 recent years.
- Tier 3 - Consistently High Disproportionality: Not in Tier 4 AND either black or Hispanic Relative Risk Index (RRI) >=3 in 2 recent years.
- Tier 2 - Consistently Medium Disproportionality: Not in Tiers 4 or 3 AND either black or Hispanic RRI >=2 in 2 recent years.
- Tier 1 - Low Suspension Rate/Disproportionality: All other districts

This committee recommends that CSDE amplify these existing guidelines and strengthen its role in helping districts to make better decisions regarding policy, practices, and data through targeted technical assistance and coaching. A review of other states' Department of Education enforcement practices and accountability measures and a plan for how the Department's role can be strengthened is recommended. To combat the inconsistency in the implementation of disciplinary and exclusionary policies and to address disparities created, looking to Connecticut-based and nationally endorsed recommended guidelines is recommended.

Examples of guidelines, models, interventions, and strategies consistent of:

- The U.S. Department of Education released *Guiding Principles: A Resource Guide for Improving School Climate and Discipline* noted Guiding Principle 1: Climate and Prevention. ACTION STEPS (August 2021)
    - Engage in deliberate efforts to create positive school climates.
    - Prioritize the use of evidence-based prevention strategies, such as tiered supports, to promote positive student behavior.
    - Promote social and emotional learning to complement academic skills and encourage positive behavior.

- o Provide regular training and support to all school personnel – including teachers, principals, support staff, and school-based law enforcement officers – on how to engage students and support positive behavior.
  - o Collaborate with local mental health, child welfare, law enforcement, and juvenile justice agencies and other stakeholders to align resources, prevention strategies, and intervention services.
  - o Ensure that any school-based law enforcement officers' roles focus on improving school safety and reducing inappropriate referrals to law enforcement.

- Connecticut Association of Public Schools Superintendents released their *Blueprint to Transform Connecticut's Public Schools* which "articulates a comprehensive set of 30 recommendations that CAPSS believes will move CT closer to assuring that every child receive the high-quality teaching and learning which they are owed" (2021)

- The US Surgeon General Advisory released *Protecting Youth Mental Health* which is supported by the American Academy of Child & Adolescent Psychiatry, the American Academy of Pediatrics, and the Children's Hospital Association, a set of recommendations at all system levels which also includes a set of recommendations for what educators, schools' staff, and school district can do. An example is expanding the school-based mental health workforce- this includes using federal, state, and local resources to hire and train additional staff, such as school counselors, nurses, social workers, and school psychologists, including dedicated staff to support students with disabilities. The American School Counselor Association (ASCA) recommends 1 counselor for every 250 students, compared to a national average of 1 counselor for every 424 students (with significant variation by state).The American Rescue Plan's Elementary and Secondary School Emergency Relief funds can be used for this purpose and for other strategies outlined in this document.(2021)

- The CT School Discipline Collaborative who "advises the Commissioner of Education and State Board of Education on strategies for transforming school discipline to reduce the overall disproportionate use of exclusionary discipline" released its "Position Statement on Reducing Disproportionality in Suspension and Expulsions (Exclusionary Discipline) which provides recommendations/guidelines at all levels of the educational system. (2019)

- The Connecticut Office of Early Childhood (OEC) launched a pilot of a suspension and expulsion policy in state-funded programs in districts with high rates of suspension and expulsion. The OEC has focused on the pyramid model, which is a national framework using a multi-tiered system of support. The pyramid model uses trauma-informed and evidence-based classroom practices on how to address the environment to make sure a child has support at every level of the school administration. Early childhood mental health consultation is available to early childhood programs statewide, which is funded by DCF and OEC. Since this pilot, OEC has been working collaboratively with SDE on revising the definitions and terminology used around suspension and expulsions. They are also working to increase the capacity for support to programs, children, and families. (2018)

- Center for Children's Advocacy, Child Health and Development Institute of Connecticut, Inc, and the Office of the Child Advocate released a policy brief entitled, "*Setting Young Children Up for Success: Decreasing Suspensions by Investing in Social and Emotional Development"*. It identified 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. (2018)

- The Juvenile Justice Policy Oversight Committees Diversion Workgroup released the Development of a School-Based Diversion Framework in CT which was then codified in legislation. The plan supports the work and framework for a tiered system of support using Connecticut's Response to Intervention (RTI)/ Scientific Research-Based Intervention, implementation of the School-Based Diversion Initiative (SBDI) and the Community-Based Diversion System. (2018)

The above guidelines, models, and interventions are examples that speak to creating a culture and system for addressing the needs of our students and our educators. This committee recognizes that students exhibiting challenging behaviors particularly young students, require social and emotional support and mental health services, not punishment.

VII.   **Recommendations**

Special note: The members of the committee agree that excluding students from school, especially students in grade two and below, is not a good policy for the reasons stated in this report. We agree that there are times when students exhibiting challenging behavior need to be removed from the classroom and the regular school environment for their own safety and the safety of the whole school community. We also agree that a robust continuum of social-emotional supports, including a comprehensive system of support to help students exhibiting challenging behavior, needs to be established and supported in all schools. The committee did not come to a consensus on whether further legislation to limit or ban exclusionary discipline would be useful or counterproductive. The committee agreed more time is needed to continue this work. The following recommendations are where the committee reached consensus.

SUSPENSION & EXPULSION SUB-COMMITTEE (1-2)	Alternative language	Implementation Strategies (Legislation, Funding, Policy,)
	1) The legislature and the Governor shall adequately fund school needs, alternative in-school disciplinary practices, strategies, and intervention to support students and schools' personnel as outlined in this report for the purpose of implementing Public Act 15-96 "An Act Concerning Out-Off-School Suspension and Expulsions for Students in Preschool and Grades Kindergarten to Two effective July 2022.	Legislation/ Funding
	2) This committee shall work towards recommending strategies to reduce to zero _all suspensions_ (in-school and out of school), expulsions, and out-of-school removals of students in Preschools and Grades Kindergarten to Two. Such strategies may include a recommendation to remove the current exceptions of "behavior of a violent or sexual nature" and replace with only those exceptions required by federal requirements under the Gun-Free Schools	

		Act. Legislative recommendations shall be delivered to the JJPOC effective January 2023.	

SUSPENSION & EXPULSION SUB-COMMITTEE (FUNDING RECOMMENDATION 3)	3)	Effective July 2022 provide funding to build on successful, existing models of reducing exclusionary discipline such as, but not limited to, the Connecticut School-Based Diversion Initiative (SBDI).
		   a. Expand the legislative appropriation to each of SBDI's current funding partners (CSDE, CSSD, and DMHAS) to support a 10% expansion of SBDI programming in each of the coming five fiscal years.
		   b. Pilot CHDI's School-Based Diversion Initiative (SBDI) Elementary school model. Funding should be identified to support the implementation of SBDI-E pilots for elementary schools with high utilization of law enforcement and exclusionary discipline.
			Funding/ Legislation

SUSPENSION & EXPULSION SUB-COMMITTEE (TRAINING RECOMMENDATION4)	4)	CSDE shall, in conjunction with CHDI and other experts in the field, develop a program of training in effective methods of addressing within the school environment the underlying issues of students who present with disruptive or dangerous behavior as a means to reduce the incidence of exclusion of these students from school. For example, if students cannot read, they cannot be successful academically and disruptive behavior may follow. Such training should focus initially on students in Grade Two and younger and should include:
		   a. Trauma-informed and trauma-sensitive classroom techniques
		   b. De-escalation, redirection and managing trauma.
		   c. Mental-health first aid.
		   d. Social and emotional learning.
		   e. Restorative practices.
		   f. Interpersonal and environmental triggers.
		   g. The function of inappropriate behavior.
		   h. The identification, measurement, and tracking over time of behavior.
		   i. Training in effective reading instruction
		
		Such training should be:
		   a. Mandated for schools and or districts that are identified as Tier 4 for disproportionality and prevalence of exclusionary discipline in two or more subsequent years.
		   b. Available to all schools and or districts at no cost to the school district.
		
		4A) CSDE should identify and or develop guidelines for a supportive framework for support and peer-to-peer coaching for the purpose of properly disseminating this content throughout each school. Such a framework could include the designation of a formally identified,
			Legislation/ Funding

	district-level staff to oversee the diffusion of training, technical assistance, and the peer-to-peer coaching model. The district-level staff will work with a school-based staff at each school site to implement the framework and to serve as the school lead in developing peer-to-peer coaching skills. Districts should review its existing staffing capacity (i.e., school climate coordinator, SBDI Leader in Residence) to determine if additional capacity resources are needed to fulfill this responsibility. All available funding sources should be considered (.i.e. Alliance funding, Recovery funding). If additional capacity resources are needed CSDE shall adequately fund district capacity need. CSDE should, primarily utilizing existing materials, promptly publish guidance on the implementation of alternative in-school disciplinary practices, strategies, and interventions to support students and school personnel.	

SUSPENSION & EXPULSION SUB-COMMITTEE (INTERVENTION RECOMMENDATION 5)	5) By July 1, 2023, the CSDE will develop a comprehensive systems approach to identify and support districts with high suspension rates in Pre-K to Grade Two and to help districts address challenging behaviors. The Pre-K to Grade Two structure shall include:
	a. Methodology for identifying districts with high suspension rates in Pre-K to Grade Two
	   o Collecting, analyzing, and monitoring school discipline data
	b. A continuum of integrated tiered supports for identified districts.
	   o Provide an MTSS framework that integrates data and professional learning, instruction, coaching, and technical assistance on building equitable systems coherence
	   o Provide support on using research/evidence-based interventions for students' social, emotional, behavioral, mental health needs from a strengths-based perspective
	   o Build staff and resource capacity to sustain implementation – recognizing the level of staff burden in the current climate
	   o Engage community leaders and organizations and families
	   o Ensuring student voice in the process – including planning and implementation
	
	c. Policy Guidance and Professional Learning
	   o Provide a decision-tree guide for addressing behavioral challenges
		Legislation/ Funding

- o Assist districts in understanding challenging behaviors and action steps to pro-actively reduce challenging behaviors and support students' emotional well-being
- o Assist districts in understanding the cycle of behavior and provide professional development on strategies that can de-escalate classroom situations
- o Collaborate with the Office of Early Childhood to coordinate resources for challenging behaviors in community Pre-K education programs and school-based programs in districts
- o Provide resources, training, and support to districts (pending additional appropriations)
- o Incorporate the high impact strategies to engage families and the family guidance on suspension and expulsion to ensure a through-line between home and school
- o Ensure districts with high suspension rates participate in Community of Practice
- o Review districts attendance to professional development offerings and use the districts use the CSDE's Cycle for Continuous Improvement to highlight the cyclical nature of improvement (Evidence, Analyze, Implement, Monitor and Reflect)

d. Evaluating the effectiveness of school discipline policies and practices in districts
- o The CSDE continues to update, post, and present to the State Board of Education and the committee for suspension and expulsion the CSDE school discipline report
- o Unpacking disproportionality and examining the factors that impact behavior
- o Review districts' beliefs, policies, practices, data, and structures
- o Provide best practices regarding alternatives to exclusionary discipline
- o Assess current interventions for the fidelity of implementation and alignment to other initiatives
- o Provide best practices on progress monitoring
- o Ensure processes to assess performance, quantify improvement or responsiveness to intervention and instruction and evaluate effectiveness
- o Provide targeted supports and resource mapping-identifying and analyzing programs, people, services, and other resources that currently exist in schools to address gaps

	o Provide information on best practices for removals from class and re-entry into the classroom
	    ▪ Provide information on best practices for removal of a child from a classroom, including support during and after the 90 minutes
	           • Identify social support staff to work with the student
	           • Provide support and work with the student to improve the challenging behavior
	           • The re-entry plan should include how to repair any relationships that have been harmed by the situation preceding the removal.
	           • Two-way communication with families to engage families, so there is a through-line between home and school (Guiding Principles for Engaging Families)
	e. Costs per year $450,000 - $500,000	

SUSPENSION & EXPULSION SUB-COMMITTEE (FAMILY ENGAGEMENT RECOMMENDATION 6)	6) The comprehensive system of support shall include providing parents and or caregivers a brief description of the precipitating incidents, what supports were provided to their child while exhibiting challenging behavior, and the outcome of those implemented supports and strategies.
	
	6A) Link or refer the family and student as appropriate to the Community Based Diversion System, Children's Behavioral Health Services System, and or community-based services provider for access to social, emotional, and mental health supports.
	6B) CSDE shall work with districts and or schools in identifying community-based mentor programs to be implemented within districts/schools in Tier 4 or with high rates of suspension and expulsion. The mentoring program shall include:
	    a. training and recruitment strategies,
	    b. mentors expected to build relationships with students in need,
	    c. connect with families to increase family engagement and provide resources but will not provide therapy.
	6C) Implementation of "The SBDI Toolkit: A Community Resources for Reducing School-Based Arrests"
		Legislation/ Funding

SUSPENSION & EXPULSION SUB-COMMITTEE	7) The legislature and the Governor shall adequately fund the expansion of the school-based mental health workforce/support staff and behavioral support programs and services.	

(SCREENING FOR HEALTH AND MENTAL HEALTH RECOMMENDATION 7)	a. In addition to the funds for the expansion of the school-based mental health workforce/support staff and behavioral support programs and services, all available funding sources should be considered to address the current crisis, including, but not limited to, utilizing time-limited federal funds until longer-term federal opportunities in prevention and diversion can be put in place. b. Reducing student to teacher classroom ratio to no more than 20 students and or propose plan that involves recruiting greater numbers of student aides from nearby colleges or partner with AmeriCorps and or other similar nonprofit to provide instructor support.	
SUSPENSION & EXPULSION SUB-COMMITTEE (SCREENING FOR HEALTH AND MENTAL HEALTH RECOMMENDATION 8)	8) Create a crisis prevention and response partnership in districts and municipalities. a. The directive should be recrafted to create an obligation for municipalities to ensure a comprehensive crisis response system of care that does not place the onus on law enforcement to manage children's behavioral health. b. Consideration should be made for co-located mental health interventions and or explore if portion of the Mobil Crisis Intervention Services (formerly EMPS) can be co-located in the schools that have higher rates of expulsions, suspension, police calls, and arrest.	Legislature/ Funding

VIII.   Conclusion

When a pre-k through second-grade student is suspended or expelled, they are deprived of a proper intervention that addresses their behavior and the circumstances that may have influenced it. Once a young student has been suspended, they are more likely to continue to exhibit challenging behaviors and are at a greater risk of being suspended again. As this trend continues, the student will contend with the same academic difficulties akin to chronic absenteeism as they grow more resentful towards the education system. Based on the data, if a student misses more than 15% of the school days in a single year, they will only have a 50% chance of graduating high school on time. Ultimately, when a young student is suspended/expelled, they are up to 10 times more likely to experience academic failure, drop out of high school, and/or become incarcerated. However, if the proper policies and practices are put into place, that prohibit the initial experience of exclusionary discipline and provides the necessary support for the student, this tragic chain of events can be prevented.

Investing more resources into our educational system, better supporting our educators, and ensuring a comprehensive system of care for students are all strategies we believe will result in our educational system no longer relying on exclusionary discipline to provide our children with the education they deserve.

These efforts serve as a major step in the right direction and truly have the potential to reshape what school means for our most at-risk children in Connecticut.

Preliminary Findings from Focus Groups Examining Connecticut Suspension and Expulsion Practices

Narrative Adapted from 12/6/21 Presentation to the Suspension and Expulsion Task Force of the Juvenile Justice and Policy Oversight Committee

Legislative Background and Call to Action
With the passage of Public Act 21-174, the Suspension and Expulsion Task Force was mandated to create a report regarding the effects of, and alternatives to, suspension and expulsion in Connecticut public schools. This report was also required to have a particular emphasis on the role of exclusionary discipline for students in pre-Kindergarten through the second grade. This initial report is due to the Connecticut State Legislature on January 1st, 2022. In preparation for this work, additional relevant reports and policies related to the issue of exclusionary discipline were reviewed—such as Public Act 15-196 (the 2015 legislation that partially banned exclusionary discipline in grades K through 2), the Community-Based Diversion Plan (passed in 2017), the School-Based Diversion Framework (passed in 2018), the JJPOC 2018-2021 Strategic Plan, the 2019/2020 Report on Student Discipline, and CT Compilation of School Discipline Laws and Regulations (updated March 2021). After January 2022, this legislative work will continue to examine the influence of exclusionary discipline on the behavior of students in higher grades and will be reported out in 2023.

Methodology
The primary goal of the focus groups was the collection of current perceptions of educators, administrators, school professionals, and community members regarding the use of exclusionary discipline in their school district and throughout Connecticut with an emphasis on students in Kindergarten through 2nd grades. In pursuit of this goal, eight focus groups were held by UNH/TYJI Researchers (referred to throughout as Facilitator) throughout November and December 2021. The size of the groups ranged from three to twelve participants. The sample, at the time of presentation, consisted of over 60 adult participants who live and/or work in the state of Connecticut.

Target populations included students, parents, community members, educators, principals, superintendents, school support staff, and Board of Education members. However, due to lack of access to certain populations (students and their parents) during the time of collection and the truncated timeline to report in January 2022, only educators, principals, superintendents, and Board of Educator members were interviewed by the time of the preliminary presentation of these findings to the JJPOC Task Force. The participants represented a wide array of gender identities, races, ethnicities, and ages/time in educational service. Additionally, they discussed significant variability in their current proximity to the classroom and

students, knowledge of current policies and laws around exclusionary discipline, and parental status. All participants were recruited through contacts at the Tow Youth Justice Institute and JJPOC Task Force members. Future focus groups with parents, paraprofessionals, police officers, and other school-based support staff are already being planned to assist with the more broadly focused 2023 Task Force report.

For each focus group, the interview schedules were designed to be nearly identical for all participants with questions being slightly varied dependent on the logistical role of and relevance of questions to participants. All questions were answered in an open forum where people were free to speak and build on each other comments, as well as some questions of particular relevance were conducted in a circle format with all respondents being encouraged to provide an answer. These questions were formulated around six themes of inquiry including:

- General perspectives on exclusionary discipline

- Coordinated responses to children in crisis/with high-level needs

- Alternatives to exclusionary discipline

- Current classroom setting and work environment

- Agency and administrative accountability

- Contrasting perspectives on exclusionary discipline for younger versus older youth

Findings

When discussing general perspectives on exclusionary discipline, participants had very clear understandings of the definition of exclusionary discipline and stated in their own words some variation that it is the removal of a child from the regular classroom setting. This starter question was followed by a direct restatement of the definition by the Facilitator so that each group had a shared a starting point regardless of familiarity with the definition. Across all groups, participants also acknowledged the use of exclusionary discipline as a "last resort". The reported reasons for having to use this last resort primary centered around safety concerns with the child in crisis (against self or others) or some other violent or criminal act that already, legislatively, requires the use of exclusionary discipline (sexual violence, possession of a weapon, etc.). When asked about the use of exclusionary discipline specifically with students in grades K through 2, the legislative ban that already exists was rarely spoken about by participants, making it unclear whether they were aware of the existing ban. Most responses focused on the unique needs and struggles of this young age group, especially in light of COVID-19. The participants reported that youths are struggling with learning appropriate classroom behavior since they have little to no previous exposure to the classroom and school settings due to statewide lockdowns and virtual education earlier in the pandemic.

Participants broadly acknowledged that exclusionary discipline directly harms the affected child in various long-term and short-term ways. Furthermore, they addressed having to find a balance between that harm to

the child and the harm to the entire educational process that occurs in the classroom when the child in crisis remains and creates continued disturbances. Participants, particularly among educators, also reported feeling that harm to the teacher (emotional, psychological, and physical) is not adequately addressed in these situations. There was a large consensus among participants that exclusion is often the result of a need for a moment to "reset" both for the child in crisis and for the classroom. Respondents acknowledged this gives the child the opportunity to regulate their emotions and allows the teacher time to both reset the rest of the classroom and take the time to understand the student's needs and get them more specific care.

In terms of the coordinated response systems available when a child is in crisis, participants largely acknowledged the role of school support staff. Particularly among principals and superintendents, respondents emphasized the need for a greater number of support staff in schools to be readily available. Several others addressed the use of circling as a means of starting the day with students to better understand their current emotional needs. Participants also discussed the utilization of community partners such as Youth Service Bureaus (YSBs). However, access to and usage of these services varied significantly depending on the size and location of the district the participants came from (e.g., close proximity to a YSB). Additional concerns in rural communities also were raised around 211 and the timing of response that takes place. Generally among all participants, there was also a robust discussion regarding the current capacity of support staff and hiring of adequate numbers of staff during, even when funding for positions is available.

More specifically, during incidents with students in crisis, teachers reported fear of harm and consequences of having to make physical contact with a child. Many participants argued the inaccuracy of the narrative that young children can do less physical harm to faculty and other students, in comparison to older students. Teachers reported feeling uncertain about how to avoid physical harm with dysregulated youth. Overall, there was also a consensus among participants that supports—inside and outside of school—exist for youth in need, but that individualized plans are not always followed through adequately. Teachers in particular emphasized that when this occurs, it still falls on the educator to provide these services that they are not adequately trained to provide.

When asked about alternatives to exclusion, respondents acknowledged a wide variety of ways for identifying and addressing the needs of youth, including regularly reviewing available supports within the school. Nearly every participants reported some level of training around restorative practices, but varied across the hierarchy of leadership. Additionally, knowledge of what restorative practices entail and how implementation leads to specific outcomes was mixed. Administration primarily discussed long-term strategic plans to incorporate restorative practices in their schools; whereas, the Board of Education members discussed their opportunities to receive the same training as the faculty in their district. Participants discussed key elements of restorative practices, such as circling and conferencing, but often reported feeling that there was a difference between having a "restorative practices champion" at their school versus actually feeling that they themselves could adequately use it. Especially among educators, there seemed to be a significant buy-in issue around restorative practices and a mislabeling of actions as restorative that do not actually resolve harm.

In order to explore alternative to exclusion more, participants were asked to provide more information about their experiences with restorative practices, as well as how COVID-19 had impacted them. First, the

expected outcomes of restorative practices reported by participants included decreasing exclusion, addressing the needs of youth prior to crisis, and making necessary consequences more easily understood for the child. Continuity and fidelity of restorative practices were discussed as some participants reported feeling that the State of Connecticut, as well as districts, should continue to deliver more training and make people more comfortable with restorative practices as truly intended to be implemented. Second, participants reported significant pre- and post-COVID differences in the school behavior among students and in the participation of community members. Participants emphasized the need to readdress and reevaluate the policies and practices that were in place prior to COVID-19 to better fit the current unique needs of youth, families, and educators. Altogether, there was also resounding feedback that changes in leadership often result in significant changes to school climate and that plans are need to ensure the continuity of restorative practices and discipline even when changes in administration occur.

When asked about their experiences within or perceptions about the classroom setting, participants focused largely on the current expectations of teachers to be so much more than just an "educator". They emphasized the need for skill staff trained in the psychiatric and social needs of children in crisis. Participants also reported their desire to know that when a child is removed from the classroom that they are immediately engaged by other skilled staff. Again, the in-class behaviors of students post-COVID was addressed, particularly among K-2 students who have no prior school experiences. Participants across all levels of classroom involvement reported a visible change in student behavior since the start of COVID-19 in 2020 to present day. It should be noted that concerns about short staffing and inadequate numbers of qualified personnel in schools were raised among all groups. Several educators reported concern that teachers often do not take sick time—even when feeling unwell—for fear of leaving students without a substitute or any trained personnel. Through this discussion, educators also emphasized the harm done to teachers and adults throughout the process of trying to help students in need. These respondents emphasized the need to also engage teachers restoratively and repair the harms against them so that they can adequately serve youth and amplify the voices of children in need.

In response to the request to envision a form of exclusion where students still have access to educational opportunities, most respondents reported this was already their form of in-school suspension, but the services provided varied greatly across the responses. When challenged to dream big, participants dreamt up a variety of services that students will need not to be fully excluded. As students move towards exclusionary discipline, participants stated the need for a stepped or graduated sanction process in which the child may be removed but still has complete access to education resources and supports. Overall, the general consensus from participants was that in-school suspension still needs to 1) require full educational exposure, and 2) be a transitionary step toward getting the students back into the classroom.

As the final question to all focus groups, participants were asked how they thought of exclusionary discipline similarly or different for middle and high school students, in contrast to the youngest students. As mentioned earlier, it was again unclear if respondents were aware of the current ban on suspension and expulsions for grades K through 2 due to the fact that is was not provided as a context to most answers. More commonly, respondents expressed a concern about a lack of alternative supports in place to replace exclusion. They reported needing to know what other opportunities for "reset" would be available if exclusion is already considered a last resort option.

As the focus groups came to a close, key differences were reiterated regarding exclusion of younger versus older youth. First, participants acknowledged that young children, particularly K-2 have not yet had exposure to skills required for classroom readiness; whereas, older middle school and high school aged youth are expected to understand what appropriate in-school behavior is. Second, participants emphasized the effects of the maturity on the types of conflict that students experience. It was explained that often young children experience internal crises; whereas, older children experience interpersonal conflict with others, which may lead to more direct harm of others. Despite these differences in age and types of conflict, participants also explained that exclusion may be beneficial at younger ages as a form of prevention against larger behavioral problems in future years when they are an older student. Lastly, they reported that involving parents of older children is slightly more difficult, and therefore, schools need to make it more accessible for and clear to parents of all children that they have an important role in advocating for the needs of their children throughout their K-12 school experience.

Solidifying Existing Guidelines
In order to emphasize the messaging from the qualitative findings and combine it with existing work in this area, several of the Guidelines from the Connecticut State Board of Education's 2019 "Position Statement on Reducing Disproportionality in the Suspension and Expulsions (Exclusionary Discipline)" were included in the presentation. This is to highlight the importance of addressing the racial and ethnic disparities in the students which are most affected by exclusionary discipline. Below are the guidelines referenced from the 2019 Position Statement:

- Responsibilities of the State Department of Education include promoting a more systemic approach to implementing restorative discipline in schools and establishing procedures for addressing the effectiveness and fidelity of trainings when district leadership changes.
- Responsibilities of Board of Education members and Superintendents included continuing to inform ongoing training for district staff and ensuring continuity of systems of support for children with high needs.
- Responsibilities of school leadership included creating a welcoming environment for all students, educators, and support staff, as well as engaging stakeholders to emphasize the allocation of resources to these issues.
- Responsibilities of teachers should include engaging challenging behaviors with instructionally-relevant support, addressing one's own emotional and behavior responses, and greater participation in informing one's school's policies and practices.
- Responsibilities of families include seeking out community resources and advocating for student supports within the school setting.
- Responsibilities of students include continuing to acknowledge the responsibility of following school rules, accepting responsibility for one's actions, and participating in efforts to understand and inform a positive school environment.

Global Themes
In addition to the themes identified within areas of inquiry, the following global themes were observed in multiple areas and stand out for discussion. First, focus groups emphasized knowing the difference between laws that require exclusion versus policies in schools that inform the implementation of discipline. Second, the findings suggest very different perspectives on reported comfort with, and exposure to,

restorative practices, depending on level of classroom exposure and role in the educational system. Findings make it apparent for the need to have higher level administration receive more first-hand, classroom exposure. Third, the findings suggest that an evaluation is needed of the level of harm required (as well as to who harm must be done) in various settings to trigger exclusionary discipline. Teachers resoundingly reported feeling that harm done to them was not adequately addressed in the restorative process. Fourth, current findings also indicate discrepancies in the accuracy and understanding of what restorative practices entail. Districts are in greater need of leadership support as it pertains to restorative practices. Fifth, community partners also need to be more acutely identified and utilized, particularly in rural communities where access to a Youth Services Bureau may not be a readily available. Lastly, it is evident that there are long-term concerns around funding and availability of in-school services for youth in crisis, as well as with finding staff willing to stay committing during this time.

Next Steps
The researchers at the Tow Youth Justice Institute plan continued support to assist with preparing for the 2023 Task Force report to the JJPOC, which addresses suspension and expulsion of older students.

Youth and Parents Focus Group Summary

Preliminary Findings from Youth Focus Groups Examining Connecticut Suspension and Expulsion

Practices

Legislative Background and Call to Action
In 2021, JJPOC made the following recommendation: Establish a committee for the purpose of studying the effects of and possible alternatives to suspensions and expulsions of students in any grade. The committee is co-chaired by Steven Hernandez, Executive Director of The Commission on Women, Children, Seniors, Equity & Opportunity and Fran Rabinowitz , Executive Director of CAPSS. The committee was tasked with the following:

- due January 1, 2022: Establish a committee and complete a report concerning the effects of and alternatives to suspension and expulsion of students in preschool through second grade, including findings and recommendations, to the JJPOC.

- due January 1, 2023: Establish a committee and complete a report concerning the effects of and alternatives to suspension and expulsion of students in grades 3-8 and 9-12, including findings and recommendations, to the JJPOC.

The suspension and expulsion committee is primarily focused on the report due in 2022 focused on preschool through second grade and engaged parents and students on their experience and opinions.

Methodology
An online survey for parents and an online survey for youth were created by the Suspension and Expulsion Committee. The questions included information on demographics, feelings of safety, relationship with school personnel, and experience with exclusionary discipline. The full list of survey questions can be found below.

Findings
The online survey for parents elicited 6 responses from moms in suburban school districts with students in grades ranging from PreK through high school. Most moms feel very safe with the current exclusionary discipline rules at their school. They also believed young children in PreK-2nd grade in this age range shouldn't be suspended or expelled. However, most moms also believe a child who disrupts the classroom should be removed and put into another room, in addition to receiving counseling services. All of the moms believed the role of the parent is vital to student success and that parents should be included in every step of any student discipline. All moms believed that teachers, counselors, nurses, and principals all help a child be successful in school. One mom shared that, "My preschool child was suspended for hitting another child with a water bottle-when questioned about why he hit him, he said he was sleeping and tried to wake

him. As a 4 year old, he didn't understand why he was home and essentially thought it was a reward."
Additional feedback focused on the need to value parents as partners in their child's education, increasing communication, creating a sense of community, and increasing opportunity for families to be involved in school activities. In terms of resources, parents believed more social and emotional supports, social workers, and counseling resources can be useful.

There was one focus group held with youth in middle school and high school, as well as an online survey that elicited 17 responses from students in grades ranging from 6th grade to 12th grade. The respondents were mainly from urban school districts with 60% identifying as female. Most students were not familiar with the suspension and expulsions procedures and is not explained what is happening.

How familiar are you with your school's suspension and expulsion rules?

13 responses
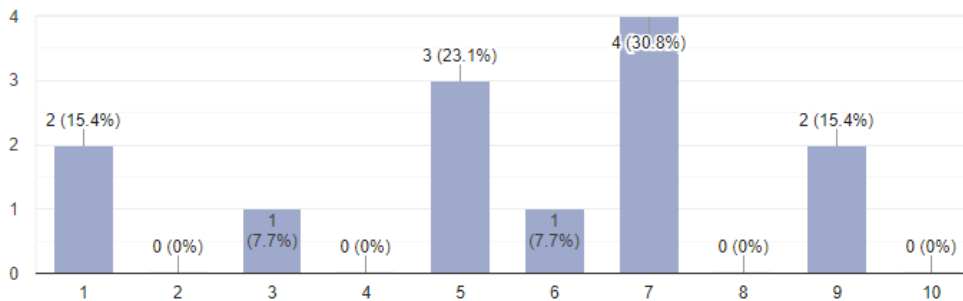
When asked about their experience with suspension and expulsion in PreK-2nd grade, one student shared that their friend to suspended for flashing a teacher. A student shared that she got into a fight with a peer who was bullying her and ended up getting suspended for pushing her to the ground. She described the incident as being "blind with anger" and felt as if the staff took too long to intervene before it escalated to that point. Other students shared that they were given a puzzle to do for in-school suspension and given homework to do during out-of-school suspension. A few students think that suspension and expulsion should be used if the child committed a very violent act. Most students think that a student who disrupts the classroom should be removed from the classroom and put in another room, as well as receive counseling services.
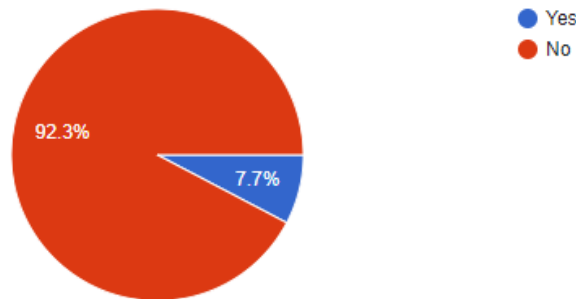
Do you think students in 2nd grade or younger should be suspended?

13 responses
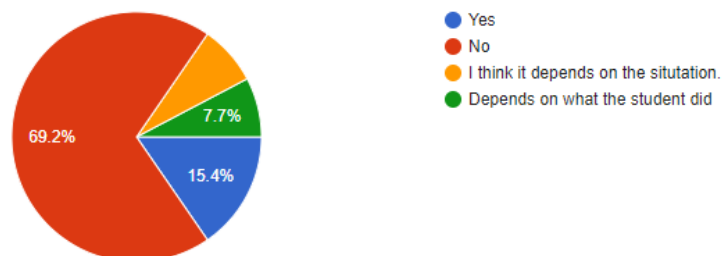
Do you think students in 2nd grade or younger should be expelled?

13 responses

- Yes
- No

92.3%

7.7%

Some respondents mentioned fear of teachers or racial bias in exclusionary discipline decision-making. 46% of students reported feeling afraid of a classmate due to stalking, violence, racist remarks, and verbal threats. If a student is removed from the classroom, respondents mentioned the classroom is less disruptive and the student can reflect on their behavior and engage in mediation. Mediation between peers should include active listening, empathy, and engaging their families. Another student shared positive experiences with SHAPE, which is an open program that teaches students about anger and stress management. One student said, "individuals who do bad things aren't necessarily bad people and always should have the opportunity to change and grow".

Have you ever felt afraid of a classmate?

13 responses

- Yes
- No

53.8%

46.2%
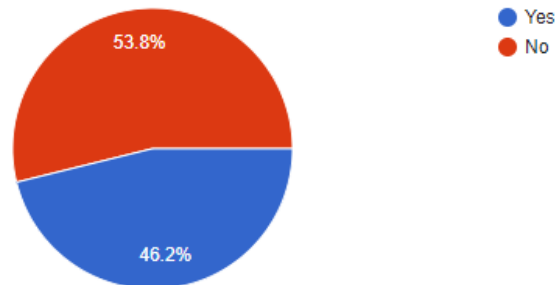
When asked about student success, youth emphasized the importance of supportive, friendly, and trustworthy school personnel. A positive classroom environment is productive, respectful, comfortable, inclusive, interactive, safe, and have teachers who are happy to be there. Feedback from youth also emphasized the importance of bringing more positive energy to in-school suspension and engaging with students. Recommendation on how to implement this included increasing light in classrooms, opportunities for tutoring, school personnel who are trustworthy and active listeners, and spaces where you can reflect. Given the interest and feedback from parents and students, the Suspension and Expulsion Committee will be engaging more surveys and focus groups when drafting their next report on 3rd grade-12th grade.

PARENT Questions

General Perspective

- What is your description of exclusionary discipline?

- When should exclusionary discipline be used in school settings?
- What do you think of suspending and expelling students in second grade or younger?
  - Who is helped? Who is harmed?
- Has your child ever been subjected to exclusionary discipline?
  - If so, was it an effective in changing your child's behavior?

Coordinated Response

- What role should parents play in the process for identifying students in crisis or in need of support?
- What would your district need to have in place to serve the needs of their youngest students?

Alternatives to Exclusionary Discipline

- What does your child need in order to be successful in school?
  - Do they get that need met by anyone at school? Why or why not?
- What information have you been provided about restorative practices used at your child's school?
- What would it look like to have a place in school where students excluded from the classroom could continue to attend school?

Classroom Setting/Working Conditions

- Describe a classroom where you believe students would be less likely to receive exclusionary discipline?
- What resources do you imagine are available to the teachers? Students? Others?

Administrative/Agency Accountability

- How have school policies related to the use of exclusionary discipline been shared with you by the school?
- Who do you believe sets these policies?

Contrasting Outcomes for Younger vs. Older Youth

- How is your perspective similar or different when considering the use of exclusionary discipline for middle school aged youth in contrast to younger youth?
  - High school aged youth in contrast to younger youth?

YOUTH Questions

Demographics

- Gender: Male or Female
- How do you Identify? Male or Female or Non-binary
- Race
  - American Indian or Alaska Native

- o Asian
- o Black or African American
- o Native Hawaiian or Other Pacific Islander
- o White
- What town is your school located?
- What grade are you in?

General Perspective

- What is your description of exclusionary discipline?
    - o How would you describe in-school/out-of-school suspension or expulsion?
- When do you think out-of-school suspension or expulsion should be used at school?
- When do you think in-school suspension should be used at school?
- What do you think of suspending and expelling students who are in second grade or younger?
- Have you ever been suspended? If yes, why were you suspended
- Have you ever been expelled? If yes, why were you expelled
- Do you know someone else who has been suspended or expelled?

Alternatives to Exclusionary Discipline

- What do you, as a student, need so you can be successful in school?
- Who helps you be successful in school? Teacher, principal, guidance counselor, nurse,
- What do you think should happen if a student disrupts your class?

Classroom Setting/Working Conditions

- o Describe a positive classroom environment
- o How do you feel when a student is taken out of the classroom?
- o How do you feel when the student that was taken out of the classroom comes back?
- o Have there been times where school staff has taken out a student that you thought was not being disruptive? If so, how often?
- o Have you ever felt afraid of a classmate?
- o Have you ever felt afraid of a teacher?

Administrative/Agency Accountability

- How have you been told about your school's in-school/out-of-school suspension or expulsion rules? Who do you think makes these rules?
- How safe do you feel with your school's suspension and expulsion rules?

X.   Addendum C

CSDE Training List
- Positive Behavior Interventions and Support (PBIS) - 38 sessions offered in two years
- Charter School intensive training on school discipline - 23 sessions offered in year one, 26 sessions offered in year two
- Universal Classroom Management - 5-day series
- Restorative Practices within a Multi-tiered Behavioral Framework (MTBF) - 2-day session
- Aligning and Selecting Practices for MTBF - 2-day session
- Team Initiated Problem Solving (TIPS) - 2-day session
- School Climate and Equity Student Walkthroughs - 7 sessions
- Reducing Office Discipline Referrals for Students with Disabilities - 1-day session
- CSDE has developed focused trainings for districts related to Special Education State Performance Plan Indicators under the Individuals with Disabilities Education Act to address disproportionate use of discipline among special education students
- CSDE has designed professional learning focused on adult actions, including addressing equity and disproportionality to implement coherent systems to support diffusion and de-escalation strategies

XI.   Addendum D

Resource List

2019-2020 Report on Student Discipline in Connecticut Public Schools. Microsoft Word - School Discipline Final_BoardReport_2021.1.24.docx (ct.gov)

Public Act No. 15-96 An Act Concerning Out-of-School suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two C G A (ct.gov)

Addendum C

Agency Legislative Proposal - 2022 Session

Document Name: 10.01.2021_DCF_JJPOC Fix

State Agency: Department of Children and Families
Liaison: Vincent Russo   **Phone:**   (860) 461-6689   **E-mail:**   vincent.russo@ct.gov
Lead agency division requesting this proposal: Commissioner's Office
Agency Analyst/Drafter of Proposal: Vincent Russo

Title of Proposal: AAC the Education of Youth in Juvenile Justice Facilities
Statutory Reference: Public Act 21-174 (sections being amended are new)
Proposal Summary: The proposed bill amends parts of Public Act 21-174. It provides greater specificity regarding the way DCF will oversee educational services being provided to students housed in juvenile detention facilities operated by DOC and CSSD. Most of the edits clarify that DCF will be overseeing the education of these students and not directly delivering the education. It also makes several technical changes indicating that this is an administrative unit not an education unit to distinguish it from USD #2. There may be additional language that DCF is currently working on with SDE and the federal Department of Education to allow DCF to receive student records under FERPA.

PROPOSAL BACKGROUND

◊   **Reason for Proposal**

DCF has been working with the JJPOC to implement an operational plan after agreeing to take on the responsibility of ensuring student in detention facilities are receiving the appropriate education and that credits and records are transferred seamlessly to assist the students in obtaining timely high school diplomas. DCF would like these edits so that the statutory language authorizing the administrative unit that is currently being stood up meets its intended function. There is concern that the current language goes too far and leaves the administrative unit's role in question when it comes to delivering educating rather than overseeing the education services being delivered by other entities. As the bill was being drafted last year, DCF had requested these amendments that were never adopted. During special session in June, DCF again asked for these changes to be adopted in the implementer bill but unfortunately that also did not occur. These amendments have been vetted by the

Governor's office, OPM, and the JJPOC and have been universally accepted as reasonable requests.

Please consider the following, if applicable:
(1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
(2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?
(3) Have certain constituencies called for this action?
(4) What would happen if this was not enacted in law this session?

This proposal in on the heels of Public Act 21-174 being passed last session.

◊ **Origin of Proposal**   ☐ **New Proposal**   ☒ **Resubmission**

If this is a resubmission, please share:
(1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
(2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
(3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
(4) What was the last action taken during the past legislative session?

DCF is told the reason the amendment did not pass last year was due to lack of time and the complexity of the final budget negotiations. Rep. Walker had assured me this would be adopted in a special session, but it appears there will not be a special session other than the one just help to extend the Governor's executive orders. DCF has shared this language in the past and receive d support for its passage. The Department is not aware of any objection to this language and view it as a technical fix to assure the administrative unit overseeing the education of youth in juvenile justice facilities comports with law.

PROPOSAL IMPACT

◊ **AGENCIES AFFECTED** (*please list for each affected agency*)

Agency Name: SDE
Agency Contact (*name, title, phone*): Ajit Gopalakrishnan, Laura Anastasio
Date Contacted: Currently

Approve of Proposal   ☐ **YES**   ☐ **NO**   ☒ **Talks Ongoing**

Summary of Affected Agency's Comments
SDE is helping us navigate the FERPA issues with the federal Department of Education. Recent meeting have been promising but we're not quite there yet.

Will there need to be further negotiation? ☒ **YES**   ☐**NO**

◊   **FISCAL IMPACT** (*please include the proposal section that causes the fiscal impact and the anticipated impact*)

Municipal *(please include any municipal mandate that can be found within legislation)*
None
State
None
Federal
None
Additional notes on fiscal impact
Click here to enter text.

◊   **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Click here to enter text.

◊   **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First evidence definitions can help you to establish the evidence-base for your program and their Clearinghouse allows for easy access to information about the evidence base for a variety of programs.
Click here to enter text.

Insert fully drafted bill here

Section 1. Section 3 of Public Act 21-174 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The Commissioner of Children and Families shall [implement the operational plan developed pursuant to section 1 of this act to] establish an **[education] administrative** unit within the Department

of Children and Families **to provide oversight** for the education of any child who resides in any juvenile justice facility and any incarcerated child. The Commissioner of Children and Families shall administer, coordinate and control the operations of the unit and be responsible for the overall supervision and direction of all [courses and] activities of the unit.

(b) The commissioner, or his or her designee, shall:

(1) Have the power to employ and dismiss staff <u>for the administrative unit</u> [and, as a board of education would **in accordance with the applicable provisions of section 10-151 of the general statutes, such teachers**]as [are] necessary to carry out the intent of this section and to pay their salaries[, or to contract with local or regional boards of education or educational service providers for the purpose of providing educational services to children being served by the unit];

(2) Develop and review quarterly reports, which shall be available to the Juvenile Justice Policy and Oversight Committee established pursuant to section 46b-121n of the general statutes, on academic performance, school discipline, attendance and other similar issues concerning students educated **<u>under the oversight of</u>** [by] the unit;

(3) Have the power to contract with providers of educational services for compilation, at least semiannually, of performance data to ensure that reporting measures are tailored to experiences of students in short and long-term placements in juvenile justice facilities;

(4) Require providers of educational services to develop partnerships and programs with local educational agencies, private educational providers and local industries and businesses;

(5) Report student performance data, attendance and rates of participation for all education programs and document transition activities and outcomes and collaborations with community service providers and parents to the Juvenile Justice Policy and Oversight Committee established pursuant to section 46b-121n of the general statutes;

(6) (A) Ensure that students have access to earn credits toward high school graduation and have access to arts and career and technical education courses, state-wide and college preparatory testing, and (B) provide alternative options for high school equivalency certificates for students who are twenty years of age or older with insufficient credits to meet graduation requirements pursuant to section 10-221a of the general statutes, as amended by this act; and

(7) Enable students to have access to web-based content including credit recovery programs to allow

students to earn a credit for a course he or she did not satisfactorily complete.

(c) The commissioner may employ within the unit transition specialists whose primary responsibility is to facilitate the successful transition of children from their communities to secure facilities and then back to their local educational program upon release. Transition specialists shall:

(1) Collaborate with local and regional boards of education, governing councils of a state or local charter school, interdistrict magnet school operators and agencies that serve the needs of children, employers and other community supports for reentry to plan and manage successful transitions between the unit, the student's previous school and the school the student will enroll in upon leaving **oversight of** the unit;

(2) Manage and track the educational credits of a student who is in an out-of-home placement and document the success of a placement following a student's reentry into his or her community; and

(3) Be responsible for communicating with the reentry coordinators whose primary responsibility is to support educational success in students returning to the community from juvenile justice system custody and who shall ensure all information regarding the education of a child under the oversight of the unit is communicated to the school the student will enroll in upon leaving juvenile justice system custody.

(d) The **[education] administrative** unit shall ensure that the school the student will enroll in, after the unit's obligation to provide services to the student ends, provides services and supports that maximize the student's success.

(e) The **[education] administrative** unit shall employ a uniform system of state-wide electronic record transfers for maintaining and sharing educational records for any child who resides in a juvenile justice facility and any incarcerated child in an educational program to be overseen by a directory manager as designated by the commissioner. Such system shall be aligned with recommendations by the Individualized Education Program Advisory Council established pursuant to section 10-76nn of the general statutes.

Sec. 2. Section 10-220h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1,* 2022):

(a) When a student enrolls in a school in a new school district or in a new state charter school, the new school district or new state charter school shall provide written notification of such enrollment to

the school district in which the student previously attended school or the state charter school the student previously attended not later than two business days after the student enrolls. The school district in which the student previously attended school or the state charter school that the student previously attended (1) shall transfer the student's education records to the new school district or new state charter school no later than ten days after receipt of such notification, and (2) if the student's parent or guardian did not give written authorization for the transfer of such records, shall send notification of the transfer to the parent or guardian at the same time that it transfers the records.

(b) In the case of a student placed in any juvenile justice facility and any incarcerated student being educated under the oversight of the **[education]** <u>**administrative**</u> unit established pursuant to [section 3] <u>section 1</u> of this act, the Commissioner of Children and Families shall immediately upon placement of such student in such facility or under incarceration, inform the student's previous school of such placement. 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 notification of such placement or incarceration, transfer the student's education records to the **[education]** <u>**administrative**</u> unit.

(c) In the case of a student who transfers from Unified School District #1, Unified School District #2 or the **[education]** <u>**administrative**</u> unit established pursuant to [section 3] <u>section 1</u> of this act, the new school district or new state charter school shall provide written notification of such enrollment to Unified School District #1, Unified School District #2 or the **[education]** <u>**administrative**</u> unit established pursuant to [section 3] <u>section 1</u> of this act, immediately upon the date of enrollment. The unified school district or the **[education]** <u>**administrative**</u> unit established pursuant to [section 3] <u>section 1</u> of this act shall, not later than five days after receipt of notification of enrollment from the new school district or new state charter school, transfer the records of the student to the new school district or new state charter school.

(d) The new school district or new state charter school shall, not later than thirty days after receiving the student's education records, credit the student for all instruction received in Unified School District #1, Unified School District #2 or the **[education]** <u>**administrative**</u> unit established pursuant to [section 3] <u>section 1</u> of this act.

OCA Investigation: Calls Made By Waterbury Public Schools to Local Police Regarding Students Attending Elementary and PreK through Grade 8 Schools During the 2018-19 School Year

September 1, 2020

BACKGROUND

During the 2018-19 school year, the Office of the Child Advocate (OCA) received multiple concerns related to Waterbury Public Schools' (WPS) delivery of services and supports to vulnerable students. Specific concerns were (1) the treatment of a very young student with disabilities who was receiving special education services, including the district's involvement of local law enforcement to address the student's behavioral issues: (2) suspension of young students and (3) arrests of young students. Due to the serious nature of the allegations, OCA determined that conducting a broader investigation of the WPS's practices as they pertain to seeking local police involvement for student behavioral concerns was warranted. OCA requested corresponding documentation from the Waterbury Police Department (WPD).

OCA is an independent state oversight agency tasked by state statute to investigate and publicly report on the efficacy of child-serving systems, review complaints of persons or entities concerning the actions of any state or municipal agency providing services to children, and issue reports and recommendations to the public.

METHODOLOGY

In March 2019, OCA requested the following records from the WPD and WPS for the time period: September, 2018- March, 2019:

1. Records of all calls made to the Waterbury Police Department by Waterbury Elementary Schools regarding student behavioral concerns.
2. Records of Waterbury Police Department responses to calls made by Waterbury Elementary Schools to address student behavioral concerns.
3. Records regarding all arrests at Waterbury Elementary Schools that resulted from student behavioral concerns.

OCA also reviewed the following:

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1. Records maintained by the Department of Children and Families (DCF) and Child Health and Development Institute of Connecticut (CHDI)[1] regarding the state's Mobile Crisis Intervention Services, formerly known as Emergency Mobile Psychiatric Services (EMPS) program.
2. Juvenile court referrals for children age 12 and under, disaggregated by municipality, gender and race.
3. State discipline data maintained by the State Department of Education.

OCA discussed data and information related to this review with Waterbury Public Schools', the Waterbury Chief of Police, CHDI, DCF, the State Department of Education, community-based mental health treatment providers serving children and families in Waterbury and other high-need urban communities in Connecticut, multiple members of the Racial and Ethnic Disparities[2] Waterbury team, and experts regarding positive school climate work.

The OCA shared a draft of this Report with of the state and local agencies identified herein. All agencies were given the opportunity to share with OCA any comments or concerns regarding the draft findings and recommendations. Efforts have been made to incorporate relevant feedback in the final Report. The OCA thanks all state and local agencies for their cooperation and responsiveness to this review.

INTRODUCTION

OCA's investigation found that in the six month period of September 2018 through March 2019, there were approximately 200 calls to police made by Waterbury elementary and Pre-K through Grade 8 schools as a result of a child's behavior, typically either a behavioral health crisis or an act of physical aggression by a child or multiple children, with children as young as 4 and 5 the subject of calls to police. OCA found that more than half of the schools called police to respond to children more often than they called community mobile crisis intervention teams.

A review of police records revealed that 18 percent (n= 36) of police calls resulted in a student arrest, typically associated with a child's act of physical aggression or threats, including nine (9) children age

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[1] CHDI, under contract with DCF, operates the Mobile Crisis Performance Improvement Center, and coordinates all data analysis, quality improvement, and training activities for the statewide network of Mobile Crisis providers.

[2] The RED model, spear-headed by the Center for Children's Advocacy, a nonprofit legal advocacy organization for vulnerable children, creates a diverse roundtable of individuals who are key decision makers in the lives of youth in Bridgeport, Hartford, New Haven and Waterbury. Members of the RED team include juvenile probation supervisors, DCF regional administrators, Juvenile Review Board directors, judges, police, school officials, city and municipal staff, and key community-based program representatives, among others. Each committee engages in the effective examination of data at each decision point, disaggregated by race/ethnicity, gender and age, identifies areas of disparity and plans strategic interventions, including local and national best practices, to implement change. The committees have been in place in Hartford and Bridgeport since 2011, New Haven since 2013 and Waterbury since 2015 and have noted decreases in school based arrest, referrals to court and secure detention admissions in each of these cities.

11 and under.[3] The median age of a child subject to arrest was 12. All 36 arrests were for misdemeanor charges. When children are arrested, they are typically handcuffed and brought to the police station to process the arrest.

In Connecticut, where children as young as seven can be subject to arrest and detention, 141 Connecticut children under age twelve were referred to juvenile delinquency court in 2018. According to a recent data analysis from CT Voices for Children, "Since 2010 Waterbury has referred more children to the juvenile justice system than any other court in seven out of ten years [and] in 2018, 22.7 percent of all young children referred to court came from Waterbury."[4] More than two-thirds of children referred to court statewide were children of color.[5]

Research has long shown that the vast majority of youth referred to the juvenile justice system have witnessed traumatic events, experienced significant deprivation, have mental health treatment needs or suffered individual victimization.[6] OCA found that the majority of students who were the subject of a police report (with or without an ensuing arrest) lived in a family with a history of having been reported to the Department of Children and Families (DCF) due to concerns of child abuse or neglect.

Children who have traumatic life experiences are the most likely children to act out in school and be subjected to school suspension or arrest. Trauma has been shown to actually change the structure and functioning of a young child's brain through activation of the "flight or fight" response,[7] leaving a child to live in a constant state of emergency. Very young children, whose brains are still rapidly developing are understood to be "at particular risk" of harm as [trauma affects] memory, attention, thinking, language and consciousness… the ability to regulate emotions…. Unlike older children,

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[3] Students attended the Waterbury PreK-8 and K-5 schools who were arrested ranged in age from 9 to 16 years old and the median age of arrested students was 12.

[4] CT Voices for Children *No Place for a Child*, pg. 12. https://ctvoices.org/wp-content/uploads/2020/02/No-Place-for-a-Child_Final-Report.pdf. For comparison purposes, according to CT Voices for Children's recent report *No Place for a Child,* the United States is an "outlier" compared to many other countries with regard to the arrest and prosecution of young children, with only 24/193 countries surveyed permitting criminal responsibility age 7, and the most common minimum age of criminal responsibility internationally is 14. In the United States, Voices found, more than half of states do not have any minimum age for criminal responsibility. Of those states that do set a minimum age, the majority (19) set that age higher than Connecticut. Two states, California and Massachusetts have raised the minimum of age of juvenile court jurisdiction to 12, thereby more closely aligning justice practices with those of other countries.

[5] According to Connecticut Judicial Branch data and a recent report from CT Voices for Children, 80% of charges for children statewide under age 12 were for misdemeanor offenses and "almost all of the children were not prosecuted, were discharged, or had their cases not accepted/dismissed during that time."

[6] Julian D. Ford, John F. Chapman, Josephine Hawke, and David Albert, *Trauma Among Youth in the Juvenile Justice System*, The National Center for Mental Health and Juvenile Justice Program Brief (June 2007). Found on the web at: https://www.ncmhjj.com/wp-content/uploads/2013/07/2007_Trauma-Among-Youth-in-the-Juvenile-Justice-System.pdf

[7] Bellis, M., Zisk, A., *The Biological Effects of Childhood Trauma*, Child Adolesc. Psychiatr. Clin. N. Am., Apr. 23 2014.

young children cannot express in words whether they feel afraid, overwhelmed, or helpless. However their behaviors provide us with important clues."[8]

The symptoms of trauma are often the very behaviors adults may aptly describe as "out-of-control." According to the National Child Traumatic Stress Network:

> Traumatic reactions can include a variety of responses, such as intense and ongoing emotional upset, depressive symptoms or anxiety, behavioral changes, difficulties with self-regulation, problems relating to others or forming attachments, regression or loss of previously acquired skills, attention and academic difficulties, nightmares, difficulty sleeping and eating, and physical symptoms, such as aches and pains. Older children may use drugs or alcohol, behave in risky ways, or engage in unhealthy sexual activity.[9]

More than forty of the incident reports reviewed by OCA documented children, many as young as 7, 8 and 9 years old, banging their heads, tying things around their neck and expressing that they wanted to die. When police were called by the schools to respond, some of these children were handcuffed, per the police reports, for their own safety and the safety of others. Other police reports documented children threatening to harm others, hitting, punching and kicking students or school staff. Several incidents involved children fighting.

Often police reports described children as having disabilities or "special needs." A few children were the subject of several reports, and these children were all described as students with disabilities. The children with the most reports were identified in police records as children with Autism.

Concerned, overwhelmed and under-resourced school administrators may rely on police to respond to children's crises, seeing police intervention as a rapid way to address a child's spiraling behaviors, ensure a safe school environment, or as an effective strategy to access hospitalization and crisis support. Mobile crisis response times, which averaged just over 20 minutes in the Waterbury region (one of the lowest response times in the state)[10] may seem too long for school staff and administrators, and too few schools, and no Waterbury elementary schools, had dedicated school-based clinical staff[11] to help support children and educators.

Unfortunately, use of law enforcement as a behavioral health first response system is problematic and does not increase the likelihood of a child and their caregiver becoming well connected to community

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[8] Source: The National Child Traumatic Stress Network, *About Child Trauma*, found on the web: https://www.nctsn.org/what-is-child-trauma/about-child-trauma.
[9] Id.
[10] Mobile Crisis Intervention Services Performance Improvement Center (PIC) Annual Report Fiscal Year 2019. Found on the web at: https://www.empsct.org/wp-content/uploads/2019/09/Mobile-Crisis-Annual-FY2019-Report_FINAL.pdf.
[11] Dedicated solely to one school.

supports.[12] Ample research shows that early involvement with the justice system, always a heightened risk when law enforcement is involved, is strongly correlated to student arrest, student discipline, student disengagement and dropping out. A 2019 report from CT Voices for Children, *Policing Connecticut's Hallways: The Prevalence and Impact of School Resource Officers in Connecticut* (April 2019),[13] found that the presence of police officers in Connecticut schools did not lead to improved public safety outcomes, but did lead to greater risk of student suspension and arrest for Latino students. In fact, CT Voices found that "the average arrest rate of Latino students at schools with a [School Resource Officer (SRO)] was six times greater than the average arrest rate of Latino students without an SRO," while schools with SROS also reported "higher levels of school policy violations, such as skipping class, insubordination, or using profanity."[14]

Of course, police are obligated to respond to crises when called, and Waterbury police reports reviewed by OCA were typically thorough, describing the circumstances leading to the police being called, detailing efforts the police made to engage with a child, connect with a parent/guardian, arrange for ambulance transport, or ensure that local authorities such as DCF were contacted as needed. OCA met with a representative from the Waterbury Police Department during the course of this review and reviewed the report's findings with the Waterbury Police Chief, both of whom expressed the Police Department's commitment to engaging with youth, establishing more relationships in the elementary schools and moving more children into community diversion programs.

Yet, as the Waterbury Police Department acknowledged, law enforcement officers generally are not trained in children's behavioral health or how to work with children who have disabilities, and they are not responding to schools with support from or as part of a coordinated community mental health response. According to the U.S. Substance Abuse and Mental Health Services Division (SAMHSA), a Division of the U.S. Department of Health and Human Services, *National Guidelines for Behavioral Health Crisis*:

> In many communities across the United States, the absence of sufficient and well-integrated mental health crisis care has made local law enforcement the de facto mental health mobile crisis system. This is unacceptable and unsafe… [While] the role of local law enforcement in addressing emergent public safety risk is essential and important. … unfortunately, well-intentioned law enforcement responders to a crisis call often escalate the situation solely based on the presence of police vehicles and armed officers that generate anxiety for far too many individuals in a crisis.[15]

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[12] United States Substance Abuse and Mental Health Services Administration, *National guidelines for Behavioral Health Crisis Care: Best Practice Toolkit*, pg. 33. Found on the web at: https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf

[13] Connecticut Voices for Children, *Policing Connecticut's Hallways: The Prevalence and Impact of School Resource Officers in Connecticut*, (April 2019), found on the web at: https://ctvoices.org/publication/policing-connecticuts-hallways-the-prevalence-and-impact-of-school-resource-officers-in-connecticut/.

[14] Id. at 16.

[15] United States Substance Abuse and Mental Health Services Administration, *National guidelines for Behavioral Health Crisis Care: Best Practice Toolkit*, pg. 33 (emphasis added).

SAMHSA noted that good mental health crisis services and teams must be in place, and where public safety requires, the crisis team should collaborate with law enforcement.[16] SAMHSA referenced research showing that strategic alliances between law enforcement and mental health professionals can be effectively implemented to reduce unnecessary hospitalization, arrest and incarceration.[17]

OCA's investigation found that the elementary and Pre-K through Grade 8 schools in Waterbury that had the highest number of police calls also had the highest number of student suspensions.[18] Two schools that purport to have specialized resources for children with behavioral health treatment needs[19] accounted for a combined 370 school suspensions and police calls in the 2018-19 school year alone, persuasive evidence of a lack of effective support structure, including adequate special education services, in place for students and educators.[20]

Today a national conversation is taking place regarding the role of police in schools and how reliance on law enforcement in our schools to provide security and behavior management has overtaken investment in children's mental health, mentorship, support for teachers and other educators, and investment in human services, a lack of investment that most harshly impacts children and communities of color, often children with disabilities. It will be essential to reverse this trend to further the public health goals of supporting children's wellbeing and combatting the impact of systemic racism on vulnerable children.

REPORT FINDINGS AND DISCUSSION

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[16] Id. at 33-34.

[17] Id. at 34.

[18] State Department of Education discipline data, broken down by district and school, maintained on Ed Site. Available on the web at: http://edsight.ct.gov/SASPortal/main.do. National studies have demonstrated that children who are subjected to exclusionary discipline (suspension; expulsion) at some point in his/her academic carrier are less likely to graduate from high school. Students who are expelled are at a higher risk of ending up in the school-to-prison pipeline. National Conference of State Legislatures, *School Discipline,* Colleen Brooks and Benjamin Erwin (6/24/2019), available on the internet at: https://www.ncsl.org/research/education/school-discipline.aspx; see also EdJustice, National Education Association, *Ending the School-to Prison Pipeline*, available on the internet at: https://neaedjustice.org/ending-the-school-to-prison-pipeline.

[19] Two of the schools that were part of OCA's review have embedded Behavioral Disorder Learning Centers (BDLC). According to the WPS website, "within each middle school there are two BLDC classrooms and one BDLC classroom at each high school. A set of guidelines has been established that should be considered prior to referral of a student into the BDLC program. The average number of students per class is approximately 10. Each classroom is assigned a Special Education teacher and a paraprofessional. Students in the BDLC classrooms participate in a weekly group counseling session with the school psychologist or school social worker. Issues addressed may include anger management, self-esteem, and socialization. Individual counseling is also provided depending on a student's IEP." https://www.waterbury.k12.ct.us/Content2/248.

[20] In one school, police reports noted that the complainant was often the special education staff.

1. **From August 2018 through March 2019, there were 198 police reports provided by the WPD corresponding to calls from WPS elementary schools and PreK - Grade 8 schools regarding student behavioral concerns.**

OCA sought data from both the District and the police department regarding the number of calls by District personnel to local police about young students exhibiting behavioral concerns in District schools.

"Behavioral concerns" as defined by OCA for purposes of this review were instances where police responded to a request for intervention at a school serving children Pre-Kindergarten through 8th Grade due to a student attempting to harm themselves or others or otherwise described as out-of-control.

The WPD provided OCA with incident reports and call logs.[21] Per police data, there were a total of 198 incidents in Pre-K through Grade 8 schools involving a "behavioral concern" that resulted in a district call to police. The total number of individual students involved in the incidents, without duplication was 162.[22] The most frequent Call Types as documented in the police reports were:

➢ Mental Illness/Psych, Medical Assist or Suicide Attempt (Medical Assist Calls included here corresponded to calls about children's mental health): 81
➢ Disturbance: 43
➢ Assault or Fighting: 17

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[21] Not all reports forwarded by WPD to OCA involved a student with a "behavioral concern." WPD reported to OCA that they erred on the side of providing more information and allow the OCA to determine what calls to the police would constitute "behavioral concerns." Of the 297 reports provided by WPD, OCA determined that one hundred and ninety-eight (198) of the police reports met the OCA's criteria of relating to student "behavioral concerns."

[22] There were 34 students who had two or more reports throughout the school year.

Police incident reports typically, though not always, identified a "complainant." The complainants varied and included, among others, teachers, often special education staff, other school staff and administrators. A few complainants were identified as parents or guardians.

<u>Data provided to OCA by the school district regarding calls to police was inaccurate when compared to police data</u>

The school district reported that during the six month period under review (September 2018 – March 2019) there were 61 calls to the police by WPS elementary and Pre-K through Grade 8 schools, of which 48 were determined by OCA to meet the OCA criteria of a behavioral incident. The data provided by the district reflected about 150 fewer calls to the police than is seen in the data provided to OCA by the police department. School district administration later acknowledged the data discrepancy. The Superintendent told OCA that the District was looking to improve the reliability of its police-call and school-based arrest data going forward.

2. **The Median Age of Children Who Were the Subject of a Police Call was 9 Years Old, and the Youngest Child was 4 Years Old.[23]**
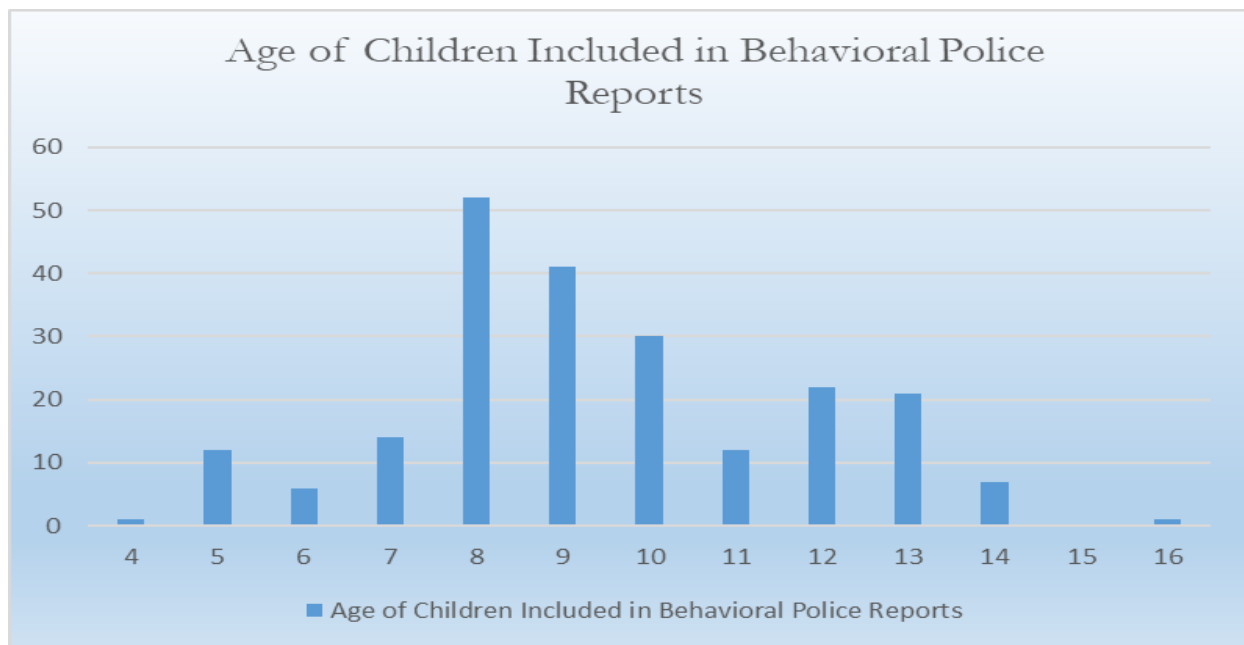
The age range for children who were the subject of a police call in a Pre-K through 8th Grade was 4 years old to 16 years old.

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[23] Four years old=1; Five years old=12; Six years old=6; Seven years old=14; Eight years old=52; Nine years old=41; Ten years old=30; Eleven years old=12; Twelve years old=22; Thirteen years old=21; Fourteen years old=7; Fifteen years old=0; Sixteen years old=1.

3. **There were 85 children age 8 and under who were the subject of a police report**

Forty-three percent of the reports reviewed by OCA involved children age 8 and under, and the behaviors documented in police reports included tantrums, running out of the school, hitting and scratching themselves or staff, head banging, and making threats to harm themselves or others.

> Police were dispatched to Waterbury elementary school for what was coded in the police narrative as a "mentally disturbed child." The student, 8 year old Brandon (pseudonym), was standing in the hallway with "his shirt off. Brandon was calm but breathing heavy." The school social worker and the boy's mother were present and said that the student was "kicking and screaming and then began to undress himself" as he entered the school. The student was not identified as having an official diagnosis and does not take any medications. The student was transported to St Mary's Hospital for "behavioral health treatment." Two school days later, the police responded again to the school about Brandon. He was "aggressive to his mother and [the school social worker] because he did not want to go to school." Brandon was "pulling away from them and pushing them." The mother wanted Brandon to go for evaluation at St Mary's Hospital and the student was eventually transported there by ambulance.

4. **Many reports documented that the subject child had a disability or was known to have "special needs" or mental illness.**

The majority of police reports reviewed by OCA included documentation that a child was known to school staff as a child with a disability. Indeed, at one school, the police reports frequently identified the "complainant" as a special education teacher.

> Officer was dispatched to SCHOOL in regards to a suicidal attempt complaint. Upon arrival, I met with the complainants, the school principal and the special education teacher. TEACHER stated one of her students was being uncooperative in class and he was not following directions. TEACHER told child many times to stop acting this way, and he became agitated, by yelling and waving his arms around aggressively. CHILD stated he was going to go home and write a suicide note, and he was not going to come back to school because he was going to kill himself. TEACHER stated CHILD began slapping himself in the face repeatedly when police were called for assistance. I then spoke with CHILD. CHILD was crying in the corner of the classroom and he would not answer any questions. AMR Ambulance EMTs were on scene and placed CHILD into an ambulance without incident. I spoke with CHILD'S mother and made her aware of the incident. MOTHER stated she was leaving work and would respond to HOSPITAL.

> Officer dispatched to SCHOOL on a medical assist for an out of control student. Upon arrival, I met school staff outside of the school on the side of the building. They were restraining a student, CHILD, age 8. CHILD did not want to go back inside the school after recess. CHILD was trying to run away and had to be restrained. CHILD was aggressive and

swinging his arms. I placed handcuffs on CHILD and placed his arms in front of him, just to deter him from swinging at staff and myself. CHILD was able to calm down a bit and we were able to place him on a stretcher and eventually the ambulance. CHILD was not talkative, he did not want to explain what was bothering him to myself or school staff. He was transported to Waterbury Hospital by AMR without incident. … Staff stated that nothing happened during the day for CHILD to react this way, but that he was just more quiet than normal during the school day. CHILD is on medications but he takes his medications at home and not at school."

Officer dispatched to SCHOOL on a mentally ill person complaint. Upon arrival to the school, this Officer was able to hear a student screaming all the way outside. … As I entered the classroom, I saw a female student, 8 years old CHILD, being restrained by school staff because they were stopping her from hurting herself and others. As soon as they let CHILD loose, she began to scratch her wrist with a [sic] nails. When her teacher attempted to stop CHILD from scratching herself, CHILD attempted to scratch TEACHER with her nails. Due to CHILD'S assaulting and self-injury behavior, I immediately placed her in handcuffs, in an attempt to stop her from injuring herself or others. As soon as I placed CHILD in cuffs, she immediately calmed herself down. As soon as Ambulance arrived, CHILD sat on the stretcher and I removed the cuffs. I spoke to teacher, who stated that during class, CHILD was misbehaving, so she decided to take away the recess time. When CHILD found out that she had lost recess, she became very agitated and combative. She then began to slam her head on a table and then grabbed a pencil to stab herself. When CHILD heard TEACHER telling me about the pencil incident, CHILD stated "because I lose my recess, so I don't want to live anymore." Based on the statements and from what I observed, I believe CHILD to be a danger to herself and others and in immediate need of medical evaluation. … at HOSPITAL I met with CHILD's MOTHER. … MOTHER stated that CHILD is Autistic.

OFFICER was dispatched to SCHOOL regarding a complaint of a 9 year old student who was acting out and hitting teachers. Upon my arrival, I spoke with the complainant who is a special education teacher employed here. TEACHER said that one of her students suffers from autism. She said that CHILD was not listening to directions and she was in a crisis. That CHILD was throwing things around the classroom and said that she can be violent. She said that this was the third time that CHILD has become irate in school and that on two previous occasions she has threatened suicide so she removed the shoelaces from CHILD'S shoes. She said that CHILD had banged her head on the wall, causing a bruise on her forehead and that she had also bit herself on the arms. TEACHER said that she had called CHILD'S mother numerous times, but she did not answer and did not call back as of yet. She said that she feels that the mother is not answering because she is tired of coming here to the school to pick up her daughter. This Officer observed a small bruise in the center of CHILD'S forehead and numerous old bruises all over both of her arms. CHILD was yelling and screaming at times while I was here and she refused to speak to this Officer. CHILD finally calmed down and AMR ambulance placed her on a stretcher without violence, and CHILD was later transported to HOSPITAL for evaluation. The Vice Principal also rode in

the ambulance to the hospital with CHILD, and she would stay at the hospital until the mother could notified and also respond there.

Officer DISPATCHED to school regarding a complaint of a student with mental illness issues. Upon my arrival, I spoke with the complainant who is the principal. PRINCIPAL said that an 8 year old student was out of control, refusing to listen to staff and that he had been kicking and hitting, refusing to calm down. She said that he suffers from ADHD and takes medication. She said that he was disrupting his entire class and he was taken to her office. She said that she had notified CHILD'S father, but that FATHER was not at home … this officer attempted to speak with CHILD, but he was whimpering, crying, moaning and sobbing, curled up in a ball and would not calm down. There were no injuries to anyone. Ambulance personnel responded here to the scene and later transported CHILD to HOSPITAL for evaluation.

Officer responded to SCHOOL to see Principal regarding an incident with third grade student. CHILD is severely mentally handicapped. She is in therapy and counseling in the school as well as outside the school and she sees a neurologist on a regular basis for her condition. Upon arrival at the school I also met her parents. Earlier today in class CHILD had an episode which included a loud verbal outburst where she said she would kill everyone in class. She also took a pencil and made stabbing motions towards her classmates and staff. This is not the first time CHILD had done something like this. After the episode she actually passed out briefly and her parents were called. They responded immediately. Both parents reiterated what principal said regarding CHILD'S mental condition and treatment. During my visit CHILD was crying and appeared to not understand the results of her actions and was being consoled by her mother. She was scheduled for a doctor's appointment today after school. Based on the aforementioned information no police action would be taken other than documentation of the incident.

5. **Outcomes of Police Calls Varied.**

Eighty-four (84) of the police reports indicated that the student was sent from school to the hospital for evaluation. Sixteen (16) reports indicated parents refused a hospital visit for the student. Six (6) of the reports indicated the DCF Careline was contacted by the WPD as a result of the incident. Thirteen (13) of the reports indicated that the responding officer searched the student's home or belongings at school for weapons, as a result of a threat made at school, though in twelve (12) of those cases no weapon was found and in one search police noted that the home had a weapon, but it was properly secured by adult/s. A couple of incident reports referenced police referring a child to a community diversion program in lieu of arrest. Thirty-six (36) children were arrested.

6. **Incidents involved a range of children's behaviors, including physical aggression, threats, and statements of intent to self-harm.**

Incidents that led to police calls frequently included fighting, other incidents of physical aggression, verbal threats to students and staff, some made by very young children, and suicidal statements and self-harming behaviors.

More than 40 police reports reviewed by OCA documented children engaging in suicidal or self-harming gestures such as tying a shoelace around their neck, tying an extension cord around their neck, writing a suicide note, or telling a teacher or police officer that they wanted to die. Most of these children were age 10 or younger.

> 8-year-old restrained outside of school building by staff after running away at the end of recess. Officer handcuffed student's arms in front of his body to avoid swinging at staff members.
>
> 8-year-old stated he wanted to kill himself and attempted to take his shoelace off and tie it around his neck. Teacher confiscated sneakers and student told officer that he did not want to live anymore. Student said he wanted to be "with his dad," who had passed away.
>
> 9 year-old lost a point in class, swung headphones around room and almost hit staff. Brought to another room designed for escalated children. Began biting his arm and was being restrained by staff when officer arrived. Kicking and screaming in restraint.
>
> 9 year old hit another student, two began fighting. Police called. 9 year old handcuffed by police. Brought to hospital for evaluation. Suspended from school.
>
> 9 year old. Asked classmates for knife, saying he wanted to stab the lunch lady. Arrested and charged with Breach of peace and Threatening.
>
> 8 year old. Overheard by teacher threatening to kill a classmate. Student said he didn't mean to say kill, said he was talking about a Spiderman villain.
>
> 10 year old. A classmate told teacher that child had threatened to kill her. Child then told teacher he wanted to kill himself when he was asked about the incident. Student was angry that classmate had turned off his computer.

7. **Documentary Data Regarding the Race/Ethnicity of Children Who Were the Subject of Policy Reports was Not Reliable**

Police reports often listed a subject student's Race, noting that the child was either Black or White. There was no differentiation in police reports between White and Hispanic students. Forty incident reports listed Race as "Unknown."

ARRESTS AND SCHOOL SUSPENSIONS ARISING OUT OF REPORTED INCIDENTS

Just under 20% of police responses resulted in a student arrest.

Out of the 198 incidents resulting in a call to police and a police report, there were thirty-six arrests of students.
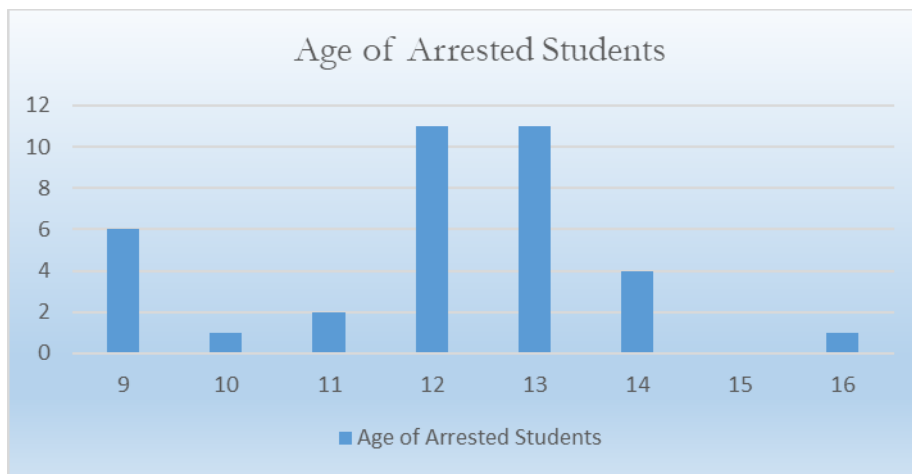
- Police reports documented that of the 36 arrests, 14 students were identified as Black and 17 were identified as White. Five of the students arrested did not have their race identified in the report. Again, race/ethnicity data was listed as either Black or White, and did not include information about whether a child was Hispanic. The majority of students in Waterbury, per SDE data, are identified as Hispanic.

- Students who were arrested ranged in age from 9 to 16 years old, and the median age of arrested students was 12.

Four of the incidents leading to a student arrest involved a child hitting, punching, pushing or threatening school staff. Two of these children were 9 years old, one was 12 and the other 13. The remaining thirty-two arrests involved physical fights or attacks between children, verbal threats of harm made by children, and one trespass charge for a student who came to school despite being

suspended. All thirty-six arrests were for Misdemeanor charges.[24] Incident reports that detailed assaultive behavior by a student age 12 and older more often resulted in an arrest. Nine (9) children age 11 and under were also arrested. Younger children were more likely to also express a wish to self-harm and were more likely to be transported by ambulance to a local hospital.

According to 2018 data from the Connecticut Judicial Branch Court Support Services Division regarding the arrest of children age 12 and under throughout the state, the City of Waterbury led all municipalities with 61 delinquency referrals. By comparison, there were 20 delinquency referrals for young children in Bridgeport and 9 in Hartford during the same time period.

> **13% of incidents resulted in a documented student suspension.**

Of the 198 incidents leading to a police report, 25 resulted in a documented student suspension.

Age of Suspended Students
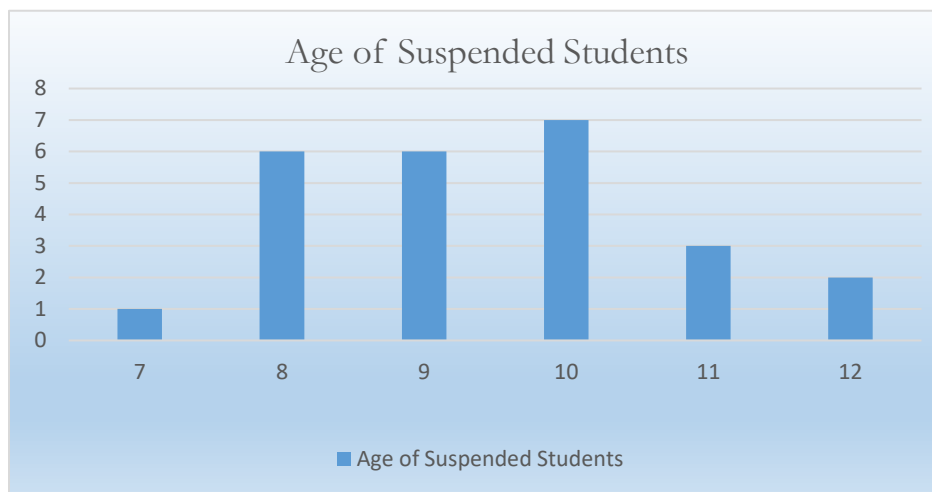
Students ranged in age from 7 to 12 years old and the median age of suspended students was 9 years old. Students were reportedly suspended for physical violence and threats of physical violence.

Connecticut law does not permit the out-of-school suspension of a student in Pre-K through second grade unless an informal hearing "determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons."[25] Most students who were suspended appeared to be in third grade or above.

District Data Regarding School-Based Arrests was Inaccurate

Similar to the data disparity OCA found between data provided by the police department and school district with regard to police calls, the list of arrests provided by the district for these schools

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[24] Charges included Third Degree Assault, Breach of Peace, Disorderly Conduct, Threatening, Harassment, Trespass, Criminal Mischief, Reckless Endangerment, and Sexual Assault 4th.
[25] Conn. Gen. Stat. Section 10-233c(g).

significantly understated the number of arrests arising out of the district's request for police intervention.

MOBILE CRISIS INTERVENTION SERVICES UNDER-UTILIZED BY THE DISTRICT DURING THE PERIOD UNDER REVIEW, THOUGH UTILIZATION VARIED BY SCHOOL

OCA reviewed the number of police reports as well as the number of calls to 211 Mobile Crisis between August 2018 and March 2019. According to the program website, Mobile Crisis services are funded by DCF and "are for children and adolescents experiencing a behavioral or mental health crisis."[26]

> [I]n partnership with the United Way of Connecticut and the Child Health and Development Institute (CHDI), [Mobile Crisis Services] comprises a team of nearly 150 trained mental health professionals across the state that can respond immediately by phone or face to face within 45 minutes when a child is experiencing an emotional or behavioral crisis. The purpose of the program is to serve children in their homes and communities, reduce the number of visits to hospital Emergency Rooms, and divert them from hospitalization if a lower level of care is a safe, effective alternative.[27]

The program is accessed by calling the state's 2-1-1 information line and is available 24 hours per day, seven days per week to all children, up to age 18., regardless of health insurance status.[28]

In 2013, the Connecticut General Assembly passed Public Act 13-178, *An Act Concerning the Mental, Emotional and Behavioral Health of Youth*, which Act included the requirement that Mobile Crisis providers collaborate with, among others, local boards of education to strengthen the referral process from school districts to community providers regarding children with mental, emotional or behavioral health needs.[29]

OCA reviewed the Memorandum of Understanding between the City of Waterbury, Waterbury Public Schools and Wellmore, Inc., regarding the provision of Mobile Crisis Services, which Memorandum was signed in summer of 2016. The Memorandum provides that Wellmore, a non-profit community-

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[26] https://www.empsct.org/about/

[27] Id.

[28] https://www.cga.ct.gov/2013/rpt/2013-R-0082.htm

[29] Public Act 13-178, Section 1(b): "Emergency mobile psychiatric service providers shall collaborate with community-based mental health care agencies, school-based health centers and the contracting authority for each local or regional board of education throughout the state, utilizing a variety of methods, including, but not limited to, memoranda of understanding, policy and protocols regarding referrals and outreach and liaison between the respective entities. These methods shall be designed to (1) improve coordination and communication in order to enable such entities to promptly identify and refer children with mental, emotional or behavioral health issues to the appropriate treatment program, and (2) plan for any appropriate follow-up with the child and family."

based provider of mental health services will deliver Mobile Crisis Services as needed, and that the district will contact Mobile Crisis "when a student is determined to be experiencing a psychiatric or behavioral health crisis and can benefit from in-person psychiatric stabilization services."

Many of the Police Call Types reviewed by OCA were coded as Mental Health Psych/Medical Assist or Suicide Attempt. Only a few reports mentioned calls to Mobile Crisis or use of a Mobile Crisis social worker. OCA compared the number of calls per school that resulted in a police response versus the number of calls by the same school to Mobile Crisis for the same period. The number of police reports in the chart below is the number of reports that were considered by OCA to be related to a child's behavior. The 211 Mobile Crisis calls reflect the number of times that a school contacted the 211 crisis line about a child's behavior. OCA also listed the reported number of in-school and out-of-school suspensions for each school for the 18-19 school year.[30] **While most schools used Mobile Crisis, half of schools made more calls to police than to Mobile Crisis/211.**

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SCHOOLS WITH HIGHER NUMBER OF POLICE CALLS ALSO HAD HIGHER NUMBER OF SCHOOL SUSPENSIONS

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OCA examined data regarding student suspensions in all of the Waterbury Elementary and PreK through Grade 8 Schools during the 2018-19 school year. Four out of five schools with the highest number of police reports during the period under review also had the highest number of school suspension for the academic year. Two of these schools (Bunker Hill and Woodrow Wilson) have embedded Behavioral Disorder Learning Centers (BDLC),[31] separate classrooms created to provide more structured intervention and support to high need children. Notably, these two schools had some of the highest numbers of police calls and suspensions combined, totaling more than 370 police responses and suspensions for the school year.

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[30] Source: Connecticut State Department of Education Ed-Site, found on the web at: http://edsight.ct.gov/SASPortal/main.do.

[31] BDLC is an abbreviation for a separate classroom called the Behavioral Disorder Learning Center. There are 17 such classrooms at the elementary school level, three primary BDLC classrooms which encompass grades K-2, and four Intermediate classrooms which encompass grades 3-5. According to the WPS website, "within each middle school there are two BLDC classrooms and one BDLC classroom at each high school. A set of guidelines has been established that should be considered prior to referral of a student into the BDLC program. The average number of students per class is approximately 10. Each classroom is assigned a Special Education teacher and a paraprofessional. Students in the BDLC classrooms participate in a weekly group counseling session with the school psychologist or school social worker. Issues addressed may include anger management, self-esteem, and socialization. Individual counseling is also provided depending on a student's IEP." https://www.waterbury.k12.ct.us/Content2/248

School	Police Reports 8/25/18 to 3/26/19	Calls to 211 Mobile Crisis 8/15/18 to 3/29/19	Suspensions ISS[32]/0SS[33] 18-19 school year
B.W. Tinker School	22	13	16/41 total: 57
Bunker Hill School	33	37	64/69 + 47 (BDLC) total: 180
Carrington School	6	2	*/31 total: 31
Chase School	8	0	33/45 total: 78
Driggs School	13	9	59/87 total: 146
Duggan School	4	1	*/48 total: 48
F.J. Kingsbury School	1	12	*/23 total: 23
Gilmartin School	18	6	141/119 total: 260
Hopeville School	9	9	*/18 total: 18
Maloney Interdistrict Magnet School	1	3	0/*
Margaret M. Generali Elementary School	6	11	19/42 total: 61
Reed School	14	10	66/57 total: 123
Regan School	6	9	39/19 total: 58
Rotella Interdistrict Magnet School	2	2	8/0 total: 8
Sprague School	9	15	14/8 total: 22
Walsh School	13	4	13/23 total: 36
Washington School	5	3	6/* total: 6
Woodrow Wilson School	28	81	*/48 + 84 (BDLC) total: 132
Bucks Hill	0	0	6/19 total: 25
Wendell Cross	0	0	0/*
Total	**198**	**227**	

For Bucks Hill (Pre-K through 5) and Wendell Cross Elementary School (Pre-K through 5), there were zero police reports that were flagged as due to "behavioral" incidents by the OCA and zero calls to Mobile Crisis.

* Data suppressed by SDE to ensure confidentiality.

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[32] In School Suspensions.

[33] Out of School Suspension

MEETING WITH WATERBURY SCHOOL OFFICIALS AND WATERBURY POLICE, AND DISTRICT REPONSE TO OCA REPORT

In November 2019, OCA met with WPS Superintendent, Dr. Verna Ruffin, and senior District administrators along with a representative from the Waterbury Police Department. District officials acknowledged that historically the district's data management of the issues addressed by OCA's review were unreliable. The district strongly affirmed its commitment to improving school-based behavioral support for young children, and pledged to reduce reliance on law enforcement and school-based arrests and suspensions of young children.

Superintendent Ruffin noted that her administration and leadership were still relatively new but that she strongly believes in the need to improve supports for young children and emphasize social-emotional learning and engagement with families. The Superintendent stated that her team is addressing the issue of out-of-school suspensions with individual schools and that school officials were meeting weekly to monitor data and implement improvements, as needed. The Superintendent's team spoke to OCA about the district's efforts to improve positive behavioral supports district-wide and its endorsement of restorative practices. They pointed to strengthened partnerships with community-based mental health providers such as Wellmore Behavioral Health and Family & Children's Aid as part of the district's effort to create linkages for children and families in need. The district spoke to the often "overwhelming needs of children and families," and noted that they lacked the optimal resources truly required to help staff meet those needs while children are in school.

The Waterbury police representative discussed the need to improve relations between police and the children in the elementary schools and noted that there is now a roving School Resource Officer who goes to different elementary schools establishing relationships with staff and students. The police officer also spoke to the need for more tools to assist children having a significant behavioral health crisis.

District officials pointed to a recent reduction in school-based arrests, noting an improvement, but acknowledged that they are still not "where they'd like to be." OCA's review of 2019 data regarding school-based delinquency referrals for young children statewide did show a drop in school-based arrests in the City, though referrals remained higher in Waterbury than in other major cities in Connecticut.

Waterbury School officials spoke of their participation in local Racial and Ethnic Disparities (RED) meetings, attended by various community stakeholders and advocates and intended to reduce the over-representation of youth of color at key decision-making points throughout the juvenile justice and educational systems.[34] These RED meetings historically have not examined police intervention with younger children.

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[34] The RED model, spear-headed by the Center for Children's Advocacy, a nonprofit legal advocacy organization for vulnerable children, creates a diverse roundtable of individuals who are key decision makers in the lives of youth in Bridgeport, Hartford, New Haven and Waterbury. Members include juvenile probation supervisors, DCF regional administrators, Juvenile Review Board directors, judges, police, school officials, city and municipal staff, and key community-based program representatives, among others. Each committee

After reviewing OCA's final report, the District provided additional information regarding its efforts to improve supports for children and educators. WPS administrators are in discussions with DCF to increase preventative and collaborative support for students who are in DCF care. The District is working with the Waterbury Police Chief, Fernando Spagnolo, to host a series of local forums to discuss these issues using a community roundtable format. The District continues to talk with community partners to identify protocols for offering supports to the most at-risk students. The District reported to OCA that "Since the time frame of this report, the district has adopted an Equity Policy and began a professional development rollout on the topic of race and education with all staff in the comprehensive middle schools, central office staff and all building administrators." The District is also working to begin a roll out of CBITS for certain students and is "partnering with Community Mental Health Affiliates (CMHA) to work with students in person and/or virtually. The partnership will begin with a pilot serving 5-10 students in 2 schools to support students with trauma and behaviorally related issues. "

The District also reported that "To better address de-escalation techniques and provide appropriate professional development, Waterbury is shifting its crisis prevention model from SUPPORT to Safety Care intervention with 300 staff members being trained on September 1 and 2, 2020. The Safety Care Crisis Prevention model is nationally recognized and is grounded in PBIS and Applied Behavioral Analysis. By making this shift, Waterbury is placing a strong preventive focus designed to be an active part of restraint prevention and elimination initiative. Because Safety Care is based on positive reinforcement principles, it can be readily adaptable to the communication abilities of any individual. Waterbury previously had one SUPPORT training provider and it will now have 3 full time contracted trainers in district with long term goal of training district staff to become trainers. Through the efforts of the Safety Care initiative Waterbury will have more focus on the disengaged student to re-engage them in the educational process."

Waterbury also directly addressed concerns in OCA's report about the need to strengthen supports for students with disabilities. The District reported that "Waterbury recognizes the need to provide a robust and preventative model for its BDLC program. Under the new administrative structure, the Waterbury Pupil Services department is actively redesigning the BDLC program to better meet the needs of students. In the Summer 2020, a Professional Learning Community (PLC) composed of SPED Supervisors and Principals began re-writing the entrance protocols for the BDLC program. In the redesign of the BDLC, programs will be rebranded to focus on more positive aspects of supporting students. The programmatic and curricular redesign work will begin in fall 2020 with teachers joining the PLC."

Finally, Waterbury stated it is committed to a districtwide approach to SEL for ALL students, not specific to only special education students. The District reported that in March, 2020, trauma training

engages in the effective examination of data at each decision point, disaggregated by race/ethnicity, gender and age, identifies areas of disparity and plans strategic interventions, including local and national best practices, to implement change. The committees have been in place in Hartford and Bridgeport since 2011, New Haven since 2013 and Waterbury since 2015 and have seen significant decreases in school based arrest, referrals to court and secure detention admissions in each of these cities.

was provided to paraprofessionals and training is being provided to behavior technicians, prevention specialists, school psychologists, Social Workers, and Speech/Language Pathologists on August 25, 2020. In addition, WPS reported that the districtwide BCBA will be stationed at Wilson School in close proximity to BDLC classrooms to have more direct contact with students and classroom staff.

MEETING WITH DCF

In January 2020, OCA met with Waterbury DCF officials to discuss the issues and data regarding school district reliance on law enforcement to respond to children's behavioral crises and unmet needs. DCF is both the state's lead mental health agency for children and a funder of Mobile Crisis Services and other targeted therapeutic supports for young children and their caregivers.

Of the 162 individual students who were the subject of a police report, 88 of these students lived in a household previously reported to DCF for suspected child abuse or neglect and 46 of these families had open cases with DCF in the 12 months prior to OCA's records examination.

During OCA's meeting with DCF regional administrators, officials affirmed their commitment to assisting with positive outcomes for high need children in the Waterbury area. DCF participates in local RED meetings along with public school officials but DCF regional staff observed that the RED meetings have not historically addressed issues related to younger children in school. DCF agreed that getting these issues on the RED meeting agendas would be an important step for improving outcomes for these children.

DCF's Regional Advisory Council for Waterbury had recently hosted an official from Waterbury Public Schools who met with advisory council members, including local mental health providers, to discuss the needs of students and families and strategies for strengthening linkages between community organizations and local schools. DCF expressed its commitment to continuing this dialogue and emphasized the importance of bringing data regarding the needs and experiences of young children in school to the table with providers and school officials.

DCF officials recommended the development of a school-based or community-based process for engaging with high-need children and their families to discuss their access to care and supports. DCF emphasized the need to increase positive engagement between police, schools and families as mistrust and misperceptions haunt and undermine what should be productive alliances between community stakeholders. Concerns about race-based assumptions and implicit bias were openly discussed by DCF and OCA and both agencies agreed that strategies to address these concerns must continue to take center-stage in community conversations.

DCF staff recommended that it work to ensure out-posting of social workers in high need schools where data shows more frequent utilization of law enforcement and school suspensions.

MEETING WITH COMMUNITY MENTAL HEALTH PROVIDERS

OCA staff met with mental health providers who work with families and children who attend school in Waterbury. Providers noted that Mobile Crisis is a free service for schools and children, and that the program successfully diverts most children from local emergency departments, while 911 calls typically lead to more hospitalization and often, more trauma and less effective support for children.

Providers discussed the need for greater integration of therapeutic and trauma-informed supports in the academic structure of schools. Waterbury had previously considered one promising therapeutic tool for schools, the CBITS program (Cognitive Behavioral Intervention for Trauma in Schools), which according to the model's website is "a school-based, group and individual intervention designed to reduce symptoms of Post-Traumatic Stress Disorder, depression and behavioral problems, and to improve functioning, grades and attendance, peer and parent support, and coping skills."[35] Per providers, WPS struggled to implement CBITS throughout the district. School social workers are often moving between two and three schools, and dedicated resources to support implementation of the CBITS model were hard to come by. Meanwhile the academic pressures on teachers and administrators are intense, as Waterbury works to make and sustain performance gains. WPS reported to OCA that is recently began conversations with local providers regarding bringing CBITS to buildings with the highest needs.

Providers also spoke to the increasingly acute needs of young students and how rising housing insecurity and instability in the City exacerbate children's needs and complicate service delivery for the children who often do not finish the academic year in the same school they began.

Discussing available services, providers noted that resources are thin even for the therapeutic programs with proven records of success. For example, evidence-based programs that work with very young children like the ECCP (the State's Early Childhood Consultation Partnership Program) and Child First, a two-generational model that works with higher need young children and families, providing intensive, home-based services,[36] are small and, in the case of Child First, typically waitlisted.[37] At the time of OCA's discussion with providers in February of 2020, the Child First program in the Waterbury region had 46 families on the waitlist.

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[35] https://cbitsprogram.org/. CBITS is used with students from 5th to 12 grade who have witnessed or experienced traumatic life events such as community and school violence, accidents and injuries, physical abuse and domestic violence, and natural and man-made disasters. CBITS used cognitive-behavioral techniques (e.g., psychoeducation, relaxation, social problem solving, cognitive restructuring, and exposure).

[36] https://www.childfirst.org/.

[37] ECCP is a statewide, evidence-based, mental health consultation program designed to meet the social and emotional needs of children birth to five in early care or education settings. The program builds the capacity of caregivers at an individual, family, classroom, or center-wide level. It provides support, education, and consultation to caregivers and educators in order to promote positive outcomes for young children. ECCP is evidence-based and has undergone three random control trial evaluations with demonstrated effectiveness—after one month of participating in the ECCP service, 99% of young children at risk of suspension or expulsion in early childhood education settings were not suspended or expelled. The state should fund expansion of this model to elementary school age children.

Providers strongly recommended that the school district have robust partnerships with community agencies that can help support school staff, students and families, and that the district adopt and stick with a Social Emotional Learning (SEL) curriculum and program. Providers described the District as having "just scratching the surface" with SEL work, and not yet able to embed trauma-informed work in its practices and school communities. Providers recommended that state and local leaders elevate the social emotional wellbeing of children to a critical public health priority, the same as has been done for childhood asthma or obesity. Such prioritization could bring not only resources but targeted training, pre-certification and evaluation criteria for teachers and administrators to empower and support their developmental work with children.

MEETING WITH WATERBURY POLICE DEPARTMENT

The OCA reviewed the findings of this report with the Waterbury Chief of Police, Fernando Spagnolo, whose tenure as Chief began in May 2018 only a few months prior to the period under review for this Report. The Police Department was very responsive to OCA's review, providing complete data and records promptly upon request and meeting with OCA staff during and at the conclusion of this review.

Chief Spagnolo stated that police recognize that the developmental and mental health needs of children necessitate a unique response from officers. He stated that when police are responding to a 911 call from an elementary or PreK though 8 school in Waterbury that they try to "use the right officer," one more familiar with the school and with children, and whenever a situation appears likely to result in an arrest, a supervisor responds to the school to ensure appropriate protocols are followed and that school district personnel and families are aware of what is taking place.

OCA and Chief Spagnolo discussed the types of behaviors that children, particularly young children, were described as having in police reports reviewed by OCA: self-injury and threats of harm to self and others, expressions of anger and despair. Chief Spagnolo discussed the Crisis Intervention Team (CIT) training that officers receive, noting that some officers receive longer doses of training than others and maintain a CIT certification. But the Chief acknowledged that the CIT curriculum is not geared towards working with children, and there is no specific training for community officers regarding childhood behavioral health or children and trauma.[38] The Waterbury Police Department does have a partnership with licensed mental health care providers that works with police and comes onto a secured scene to assist, but the Chief acknowledged that this partnership has focused on adults, not children.

The Chief also lamented the loss of what he felt was a "great program"-- a pilot designed to bring a supportive response to children outside of school who may have been exposed to a traumatic arrest or family violence that resulted in an arrest. While the Chief said that this program, available a few years ago in the City, was helpful, the funding did not continue.

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[38] The District reported to OCA that school-based officers previously participated in CIT-Youth under the School Based Diversion Initiative, which addressed child and adolescent development and mental health.

With regard to the elementary and PreK-Grade 8 schools' utilization of police to respond to children's behavioral incidents, the Chief stated that the Department assumes that by the time the schools are calling the police that someone has assessed the child's mental health and gone through graduated steps of crisis management and de-escalation. He was supportive of the idea that dedicated clinical staff within the school environment would help to reduce reliance on police by school staff and ensure appropriate assessments of children in crisis.

Chief Spagnolo discussed the various diversion efforts the Department has been implementing in recent months, including the KIDS (Keeping Individuals Driven for Success) program, and mentor and workforce development programs, often coordinated with the local Police Activity League. The Chief acknowledged that Waterbury had suffered without adequate youth programming and diversion models in recent years. He referenced meeting with the non-profit law firm The Center for Children's Advocacy and Gary Roberge, Director of the Judicial Branch's Court Support Services Division, to discuss Waterbury's high rate of school-based arrests, and that after doing his own research, recognized that a lot of work needed to be done to correct this trend and offer more support to young people. The Chief noted that the City had lost a Juvenile Review Board and that the Department had lost touch with some of the available programs in recent years. The Chief stated that the Department really wanted to outreach and support youth who he described as having "one foot on the ledge," and help connect those youth to job opportunities, violence prevention and mentoring. But the Chief also noted that these are programs geared towards teenagers, typically age 14 to 18, and that the Waterbury RED meetings are also typically looking at data about older youth, not students in elementary schools. OCA and the Chief agreed that bringing more school and community-based supports for younger children and their families, and a focused data review regarding utilization of police in the elementary schools would be important to address children's needs and reduce police involvement in the schools.

Chief Spagnolo described the Department's practice of having a roaming school resource officer for the Waterbury elementary schools with the intent being to develop relationships between the police and school communities, particularly middle school students. The Chief did state that while he understands the push to remove police from schools altogether, he does feel that embedding or even having roaming SROs in schools provides a valuable opportunity for relationship building and mentorship between the police department and students, particularly critical in communities of color where families and children have distrust of police generally and bridges need to be built. The OCA referenced research showing that contrary to having a positive impact, embedded police in schools often lead to increased suspensions, expulsions and school-based arrests, disproportionately and negatively impacting children of color. The OCA raised the possibility of alternative strategies to build relationships and positive encounters between children and families and police that would not require embedding officers in schools.

MEETING WITH THE STATE DEPARTMENT OF EDUCATION

OCA met with representatives from the State Department of Education regarding the findings from this review. The group collectively discussed historical concerns regarding racial disparities in school

discipline and school-based arrests in Waterbury. SDE indicated that improving school-based climate and SEL supports for students and teachers is an agency priority and that they have been working directly with the Waterbury District regarding a number of related systems issues, including reducing reliance on exclusionary discipline and improving school climate.

An SDE administrator noted that while the children's needs may be complex, that the number of 911 calls seen in the Waterbury schools' data raises concerns of a problem in certain schools' culture, an acceptance or belief that it's okay to routinely call 911, and that building leadership has to turn that culture around and support crisis prevention and de-escalation work in the school.

SDE administrators stated that there has been a positive shift in the District's culture and commitment to addressing concerns under the tenure of new Superintendent, Verna Ruffin. SDE administrators described Superintendent Ruffin as a leader who is committed to positive changes and who "gives no excuses" and does not "shy away from tackling the big issues." SDE noted that Superintendent Ruffin had also made numerous administrative and leadership changes within the District over the last year.

SDE acknowledged that work remains to be done in Waterbury and that additional decreases in exclusionary discipline numbers and student school removals are still needed. SDE emphasized the importance of focusing on equity in all aspects of the District's positive school climate work, including any work done to implement a Social Emotional Learning curriculum. SDE stated that they would explore how to use allocated Alliance district funding to support the changes needed to address equity challenges and school removals for children of color and children with disabilities. SDE also indicated it would follow up with the OCA regarding relevant data trends in the Waterbury schools.

DISCUSSION AND STRATEGIES TO REDUCE RELIANCE ON LAW ENFORCEMENT IN SCHOOLS

It's important to understand the issues driving utilization of police as a response to young children in crisis. Districts sometimes report to providers and to the OCA that they feel police can respond more quickly when a child is in crisis. Schools may be concerned about their capacity to support a child in extreme distress safely. Teachers worry about children's escalating and acute behaviors. Administrator worry about liability in case the child is harmed. Some building administrators are looking for someone outside the school to come and remove the child from that setting and believe that connecting the child with the hospital system is the quickest way to get mental health care for the child and family. Conversely, Mobile Crisis's goal is to stabilize the child, *divert them* from the hospital and send them back to class whenever possible. Waterbury elementary schools usually do not have dedicated clinical staff on site and lack the multi-tiered systems needed (training, therapeutic and special education resources, mental health services) to adequately support students and teachers.

Training school staff regarding what works when preventing and responding to children's behavioral health crises is imperative. According to a state mental health systems administrator OCA interviewed as part of this review, "when you dial 911, you know you are getting police. If the intent is to get the child to the Emergency Department, educators need to know that this is not helpful to the child, and is often traumatizing. These children are very young, they need to stay in school and get support."

Police records at times reflected that law enforcement personnel and school staff made efforts to address concerns about safety in myriad ways, moving a child out of the classroom, talking to a child, or bringing the child to a time-out room, though these rooms had varying names in police reports. Incident reports did not typically reference the presence of therapeutic or clinical support staff, and police did not arrive at schools with support staff or as part of a mobile mental health response team. Police reports document officers resorting to handcuffing young children in distress as part of their effort to ensure everyone's safety, a traumatizing experience for any child, much less one in acute distress and who has already been exposed to trauma.

While school district administrators that OCA spoke with pledged greater efforts to reduce reliance on law enforcement and exclusionary discipline for young children, multiple mental health professionals emphasized to OCA that reforms must start with supporting teachers. As one professional stated:

> We must recognize the secondary trauma that educators are experiencing. Start there and help them. From there, you introduce the concepts of trauma and children, and then you can give the strategies to the school. School climate, [Social Emotional Learning] curriculum and student mental health-- these areas are always secondary but they need to be primary, particularly now, particularly post COVID. We need to be much better with all of this, and schools need direct linkages to mental health systems. Otherwise we are dead in the water. The only way is leadership, both at the building level and the district.[39]

An examination of special education resources available to programs that serve high need children or who have higher rates of exclusionary discipline and 911 calls is a necessity. The fact that so many police reports referenced children who the district identified as having disabilities speaks to a likely dearth of adequate special education services to support children and teachers. Multiple children with Autism, for example, were the subject of repeated calls to police, a convincing sign that the children's needs were either poorly understood or poorly addressed in the school environment. Strengthening special education supports for children with more complex disabilities, be they psychiatric or neurodevelopmental in nature is critical. Special education overseers at the State Department of Education and local leadership may need to secure outside technical assistance for schools that struggle to meet the needs of children with trauma-based behavioral or neurodevelopmental disorders.

Multiple stakeholders OCA interviewed acknowledged the importance of district and principal leadership in supporting reforms for children and their teachers. Implementing a multi-tiered system of support for a school community takes a durable commitment and often several years of work. And yet stakeholders noted that school leadership positions have high turnover rates, and when things change, as one professional noted, "You are back to square one." Everyone interviewed by OCA acknowledged that a social emotional learning curriculum is now fundamental to being an educator.

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[39] State mental health systems administrator, Department of Children and Families, discussion with OCA.

Schools must have the resources, training and evaluation frameworks in place to support implementation of a school-wide behavioral support system. Teachers need their own supports, trauma-informed and compassionate. Teachers who are working daily with many high-need, often trauma-exposed children cannot continue to be pressure-cooked by current evaluation criteria, unduly weighted exclusively towards student academics rather than children's healthy development.

As seen in the dozens of police reports reviewed by OCA, mental health professionals strongly cautioned that suicidality in young people must be on everyone's minds. Suicide is now the second leading cause of preventable death in children age 10 and older.[40] Untreated behavioral health needs is a leading cause of suicidal risk and ideation. In Connecticut, the age of children engaging in suicidal behavior and even dying by suicide has trended younger and younger, with four (4) children age 12 and younger (one 11 year old) dying by suicide between 2017 and 2020.[41]

As children's needs go and up and resources stay static, the implications for children's mental health and special education are alarming. As the State moves through the COVID-19 pandemic and the simultaneous social and racial justice protest movement, the support needs for children, families and educators is higher than ever. State and local government must make a meaningful and sustained commitment to health care supports (including mental health care) and equitable education for children and families. Teachers and other educators must be supported with training and self-care. Families must be engaged and heard.

Schools are now a frequent setting for delivering health care, including mental health care, to children. Connecticut is home to multiple evidence-based models of intervention for young and school-age children with greater support needs, including models of intervention described earlier in this report such as ECCP and Child First, and school-based models such as CBITS and BounceBack (an adaptation of the CBITS model for elementary school age children.) Like CBITS, BounceBack is provided to elementary school-aged children at no cost to districts,[42] and is designed to assist younger students experiencing traumatic stress by helping them develop coping skills and relaxation strategies and enhance social problem solving skills.[43]

> **Data shows a 93% completion rate among children who begin BounceBack, a significantly higher rate of completion than exists for families attending community-based outpatient care and who grapple with workplace, family and transportation challenges.[44] Children who received Bounce-Back showed a 75% reduction in symptoms of PTSD following program participation.[45]**

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[40] U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Centers for Disease Control and Prevention National Center for Health Statistics, Death Rates Due to Suicide and Homicide Among Persons Aged 10–24: United States, 2000–2017, available at: https://www.cdc.gov/nchs/data/databriefs/db352-h.pdf.
[41] OCA co-chairs the state's Child Fatality Review Panel and issues annual public reports containing child fatality review data.
[42] DCF funds BounceBack.
[43] Bounce Back includes ten group sessions, one to three parent sessions, and up to three individual child sessions. Bounce Back helps children to understand, cope with, and recover from trauma exposure.
[44] https://www.chdi.org/publications/issue-briefs/helping-students-recover-trauma-bounce-back/
[45] Id.

Connecticut has also seen promising results from another program geared towards middle school and high school students: the School Based Diversion Initiative (SBDI). Recognizing that schools are one of the primary referral sources to the mental health and juvenile justice systems and that many children in the justice system have unmet mental health needs, SBDI was developed to provide training to school personnel, revise school discipline policies where needed, and help build connections between schools and community-based mental health services, thereby diverting students from arrest and reducing rates of exclusionary discipline.[46] SBDI has worked in 48 schools, effectively reducing court referrals for students by 34%.[47] The program is now jointly funded by the Judicial Branch Court Support Services Division, SDE and the Department of Mental Health and Addiction Services.[48] A new version of SBDI, adapted for elementary school-age children was developed in recent years but has never been piloted.

Connecticut also has multiple innovative public-private partnerships between community-based providers and local school districts, designed to identify and provide consultation to schools, as well as intensive services or case management to high need students, and where appropriate, their families. One such program, run by Clifford Beers in New Haven, has demonstrated success in reducing student absenteeism and suspension rates as well as improving children's clinical symptoms and academic test scores. Clifford Beers' program is grant funded by DCF and the Dalio Foundation. In Hartford, through a partnership with the school district, the Village for Children & Families also provides a constellation of services at the student, family, classroom, and school levels. An evaluation of The Village's work at one school demonstrated a significant decrease in absences and reduction of trauma symptoms among students.

Like ECCP and Child First, CBITS and BounceBack, the SBDI diversion models and the public-private partnership models, are not funded to scale in Connecticut, leaving many children and school districts without needed services.

In addition to school and community-based diversion and intervention models already discussed, effective crisis management programs are essential to support educators and students. As recommended by the U.S. Substance Abuse and Mental Health Services Administration, a strategic plan and well-developed infrastructure for crisis prevention and response, inclusive of "strong partnerships between crisis care systems and law enforcement," are essential "for public safety, suicide prevention, connections to care, justice system diversion, and the elimination of psychiatric boarding in emergency departments. The *absence of comprehensive crisis systems has been a major 'front line' cause of the criminalization of mental illness.[49]*"

While providing resources is essential, districts must also be accountable for their utilization of law enforcement and exclusionary discipline practices, practices that are often shown to have harsher

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[46] https://www.chdi.org/our-work/mental-health/school-based-mental-health/sbdi/

[47] Id.

[48] See also https://www.chdi.org/publications/reports/impact-reports/improving-outcomes-children-schools-expanded-school-mental-health/.

[49] SAMHSA Guidelines, supra n. 16 at 34 (emphasis added).

impact for children of color,[50] and the State should require reporting not only on suspensions and expulsions by school, but on calls to police, and what resources each school has dedicated to SEL and teacher supports. As most of the incidents that led to arrest of a child involved youth-on-youth aggression and fights, incorporation of restorative justice practices into the school community will be essential in driving down police calls and school-based arrests.

Finally, though an examination of the specific root causes and circumstances leading to children's behaviors in Waterbury elementary schools is beyond the scope of this investigation, policymakers' attention must be focused on addressing the unmet needs of children and families in communities struggling with chronic deprivation: housing and food insecurity, lack of employment opportunity, and lack of access to community mental health supports.

RECOMMENDATIONS

- **Increase Transparency And Accountability For School Districts' Utilization Of Police**

  - ➢ **The legislature should prohibit the use of embedded police officers in schools**. While certain communities may and do value the role of local police in their schools, the disproportionate and harsher impact on students of color from schools' reliance on or utilization of police resources cannot be ignored. Police should have no role in maintaining school climate or school discipline.

  - ➢ **The state should track schools' utilization of 911 and reliance on police**. The State should require school districts to report to the State Department of Education (SDE) and the Connecticut Legislature regarding districts' utilization of 911, 211/Mobile Crisis, in addition to exclusionary discipline and student arrests. Given the racial justice issues implicated by the school-to-prison pipeline, the data must be disaggregated by age, grade, race, and *disability status* (this should include some information about disability classification as well) and include information regarding where students were arrested and the type of officer conducting the arrest. The data measures should be built into state measures of districts' annual progress and performance.

  - ➢ **The state should require reporting regarding implementation of SEL supports for teachers and students.** Reports from schools must also include a description of SEL curriculum, associated resources utilized by the school, utilization of restorative justice practices, and dates of applicable in-service trainings for staff and students, along with other school climate and crisis prevention resources available to school staff.

  - ➢ **The state should review data regarding disability classification and exclusionary discipline and police reports to understand how to support districts' special**

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[50] Riddle, T., and Sinclair, S., *Research Disparities in school-based discipline actions are associated with county-level rates of racial bias*. Proceedings of the National Academy of Sciences of the United States of America (April 23, 2019), on the web at: https://www.pnas.org/content/116/17/8255.

education programming needs. Some of the children in Waterbury subject to the highest number of police responses were students with Autism, raising concerns that the particular schools had an inadequate educational program to support those students and their teachers.

- **Address the School to Prison Pipeline For Young Children**

  - ➤ **The legislature should prohibit the arrest and detention of young children.** Consistent with the recommendations of the state's Juvenile Justice Policy and Oversight Committee, the Legislature should raise the minimum age of arrest to 12.

  - ➤ **The legislature should prohibit suspension of young children.** Given the sharp and persistent racial disparities in school discipline, the connection between school suspension and justice system involvement, and the civil rights concerns these disparities give rise to, the legislature should amend state law, Conn. Gen. Stat. §10-233c, to ban of out-of-school suspensions for elementary school age children and instead provide resources to implement therapeutic classroom interventions that take place in the school building.

- **Create Crisis Prevention And Response Partnerships In Districts And Municipalities.**

  - ➤ **State statute should require municipalities, local districts and local police departments have agreements with community mental health service providers** that include specific protocols for managing school-based behavioral health crises, utilization of 911, and which require regular meetings and collective review of data regarding mobile crisis calls, police calls, percentage of youth stabilized and returned to the community, connections to ongoing care, and school based arrests. Current state law only directs *mobile crisis providers* to engage with school districts. The directive should be recrafted to create an obligation for municipalities to ensure a comprehensive crisis response system of care that does not place the onus on law enforcement to manage children's behavioral health.

  - ➤ **State statute should require that law enforcement and emergency medical services have specific crisis prevention teams trained in how to respond to emergencies involving children**, whether in school or the community, which includes specific training regarding child development, childhood trauma, childhood mental illness, engagement with children who have disabilities, and strategies for identifying and responding to a mental health crisis, including partnership with local mental health providers. Training should include specific curriculum around implicit bias and children. Local mental health providers should actively participate in law enforcement and EMS training. Clear protocols regarding limitations on the use of mechanical restraint with young children must be developed.

  - ➤ **The Racial and Ethnic Disparities Groups should review data regarding younger children relevant to understanding and preventing the school to prison pipeline**. Data and information reviews could include, exclusionary discipline, police calls, mobile

crisis calls, in-service trainings for first responders, school staff and administrators, and resource allocation for SEL and positive school climate supports.

- **Address Unmet Special Education Needs For Children With Disabilities**

  ➢ **The SDE must strengthen its IDEA oversight activities** with regard to districts that are heavy users of exclusionary discipline and law enforcement.

  ➢ **The SDE must insist on special education turnaround plans where districts have high rates of school removal for children with disabilities**. Turnaround plans must include incorporating outside technical assistance, where needed, to improve service delivery and supports for students with disabilities and their teachers and related service providers.

  ➢ **The SDE should pay special attention to the utilization of police and school removal practices for children with neurodevelopmental disorders**, in addition to trauma-based disorders, and corrective action plans should address related programmatic needs for these students and their educators.

- **Require Behavioral Health Reinvestment to Support Children and Educators**

  ➢ **State and local leaders must elevate the social emotional wellbeing of children to a critical public health priority**, the same as has been done for childhood asthma or obesity. Such prioritization must bring not only resources but targeted training, pre-certification and evaluation criteria for teachers and administrators to empower and support their developmental work with children.

  ➢ **Sustainable funding streams and incentives must be created to support embedding crisis prevention and clinical personnel in local schools**. Mental health intervention needs to be co-located where children are. An entirely community-based mobile crisis model may be too stretched to accomplish the sought after diversion and engagement goals for which it was created. Schools need professionals on-site that can develop relationships with school staff, children and families, and through consultation, direct service provision and connection to community supports and care coordination, prevent crisis and improve developmental outcomes for children. A portion of Mobile Crisis resources should be co-located in schools that have higher rates of police calls, arrests, expulsions and suspensions.

  ➢ **The legislature should require all school districts/local Boards of Education to create and submit to the SDE a Behavioral Health Reinvestment Plan** that will outline how resources will be allocated away from law enforcement contracts and personnel and towards professional and therapeutic supports for students, teachers and classrooms, inclusive of restorative justice practices and special education supports. This mandate cannot be unfunded.

➢ **The legislature must expressly require and fund adequate support staffing**: counselors, social workers, behaviorists, and mentors, and create minimum staffing requirements based on national best practices and informed by student population, including the percentage of children in a district who are low-income and the percentage of children with special education needs. Funding should also support districts' capacity to consult with community-based providers regarding disciplinary policies, instructional strategies, restorative practices, and self-care for educators.

➢ **The legislature should require and fund districts' utilization of specific evidence behavioral health and SEL interventions**, such as

- Mental health consultation and support for teachers, school staff, and administrators.
- Cognitive Behavioral Intervention for Trauma in Schools (CBITS).
- BounceBack (an elementary school version of CBITS).
- Restorative justice practices.

➢ **The state should pilot CHDI's School-Based Diversion Initiative (SBDI) Elementary school model.** SBDI has been serving primarily middle and high schools since 2009, impacting over 32,000 students in CT, demonstrating increased connection to behavioral health services and decreases in juvenile court referrals ranging from 17-78%. An adaptation of this model, SBDI-Elementary (SBDI-E) was developed, but has not yet been piloted. Funding should be identified to support implementation of SBDI-E pilots for elementary schools with high utilization of law enforcement and exclusionary discipline.

Clifford Beers Clinic, New Haven

Clifford Beers runs a comprehensive, whole-school "system of care" funded by DCF and the Dalio Foundation, that connects students to mental health services and creates an interdisciplinary collaboration between mental health providers and educators. The Clifford Beers partnership consists of identifying high-need students through screenings and assessments, providing personalized treatment, linking students and their families to community services, coordinating care management, and professional development for school and community around impact of trauma, and offering early intervention and prevention services.

The outcomes of this intervention have included significant reduction of students' chronic absenteeism, suspensions, and clinical symptoms of Post-Traumatic Stress Disorder, as well as an increase in student grades and test scores. The cost of a 12 month child/family intervention is $9.00 per day.

The state should support expansion of successful public-private partnerships such as the DCF and Dalio Foundation-funded program run by Clifford Beers in New Haven (see out-take). The State's Medical Assistance Policy and Oversight Committee, the Behavioral Health Policy and Oversight Committee or the Juvenile Justice Policy and Oversight Committee should review current public-private partnerships between school districts and community-based providers, examine the cost-benefit data regarding such partnerships, and make recommendations to the legislature that will help bring successful innovations to scale with sustainable funding and reimbursement strategies.

| Cost Effective Programs for Children | The State should fund an expansion of the State's Early Childhood Consultation Partnership Program (ECCP) into Elementary Schools and Increase Funding for the Child First Program and other Home Visiting Services. |

Cost Effective Programs for Children

Community providers like the Village for Children and Families in Hartford and Wellmore Inc in Waterbury, and Wheeler Clinic (among others) run early intervention and clinical programs like the Early Childhood Consultation Partnership Program and Child First, that are evidence-based for improving outcomes for young children and increasing parental capacity. These economical programs need to be brought to scale across the state.

ECCP works with early childhood classrooms and provides up to 12 weeks classroom-based consultation, direct support with social/emotional interventions, staff training on managing disruptive behaviors, and support visits to help implement a plan of action in the classroom and at home.

Child First provides services to pregnant women or families with a child from birth through five years of age, Children who have behavioral problems or delays in their development or learning (such as anger, sadness, risk of being expelled from childcare, or language delays), Families with multiple challenges or stresses (such as not enough income, feeling alone or hopeless, not able to meet your needs or the needs of your child, fighting in the home, drug use, homelessness, or involvement with the child welfare agency).

The State should fund an expansion of the State's Early Childhood Consultation Partnership Program (ECCP) into Elementary Schools and Increase Funding for the Child First Program and other Home Visiting Services.
ECCP is a statewide, evidence-based, mental health consultation program designed to meet the social and emotional needs of children birth to five in early care or education settings. The program builds the capacity of caregivers at an individual, family, classroom, or center-wide level.[51]

According to a 2019 report, the ECCP provided assistance to 438 children, and their parents, and teachers in the previous year and successfully reduced the use of school exclusion for young children.[52] This program, is currently funded by DCF ($ 2.2 million) and the state's Office of Early Childhood ($ 750 thousand). ECCP requires strategic support so that more children, including those in early elementary school, and their teachers can reap the benefits.

Child First is one of the only clinical and evidence-based two-generational programs for parents and young children in the state. Child First is now a national model being replicated by other states, and is shown to reduce the effects of trauma in adults and children, resulting in an improvement in children's social skills and language development and reducing maternal depression.[53] Child First is not available statewide and has lengthy wait lists. Child First is relatively low cost (particularly compared to the costs associated with police intervention, hospital transport and Emergency Department services) but is not available at the scale needed in Connecticut, even for children and families affected by significant trauma.

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[51] ECCP is evidence-based and has undergone three random control trial evaluations with demonstrated effectiveness—after one month of participating in the ECCP service, 99% of young children at risk of suspension or expulsion in early childhood education settings were not suspended or expelled. The state should fund expansion of this model to elementary school age children. A pilot is already underway in Hartford.

[52] https://ctmirror.org/2019/07/26/program-aims-to-reduce-the-suspension-of-connecticuts-youngest-students/

[53] Child First, 2018 Outcome Report, on the web at: https://www.childfirst.org/our-impact/evaluation.

Home visiting programs are cost-effective *non-clinical* supports that work with parents and young children and are evidence-based for reducing risks associated with child maltreatment, improving developmental outcomes for children and increasing parental capacity.[54] Despite their cost-effectiveness and evidence-base, home visiting services are still not available at the scale needed in Connecticut.

> **That state should examine strategies under the federal Family First Act to draw down additional dollars** to support school-based mental health and care coordination programs and home visiting programs.

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[54] Connecticut Office of Early Childhood, *Connecticut Home Visiting Plan for Families with Young Children* https://www.ct.gov/oec/lib/oec/familysupport/homevisiting/workgroup/home_visiting_plan_2014.pdf