

2023 Juvenile Justice Policy and Oversight Committee

Recommendations and Legislative Package

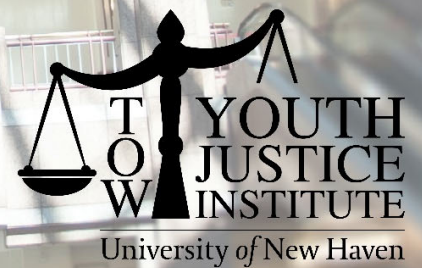


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Prepared for the JJPOC by the Tow Youth Justice Institute

December, 6 2022

Rev. 1-13-23

Executive Summary

The Recommendations for 2023 Legislation include some of the recommendations made in 2022. The recommendation language for those from 2022 has been updated. The workgroup and sub workgroups spent the year doing additional due diligence and research to fine tune the language and develop what they believe will be stronger, more feasible actions. Throughout each section, you will find links to the original reports published last year in support of the recommendations. The sections of this report provide a background, an overview of the 2022 additional study, best practices, and the recommendations for each section. A list of workgroup members can be found in Addendum A.

2023 Recommendations in Brief

Workgroup	JJPOC Recommends:	Implementation Strategies
<p>DIVERSION WORKGROUP RECOMMENDATION 1</p>	<p>Amend legislation for raising the minimum age of juvenile court jurisdiction from ten years to twelve years, effective July 1, 2023.</p> <ul style="list-style-type: none"> • Children diverted from the court jurisdiction shall be serviced through, including but not limited to, the Children’s Behavioral Health Services System, community-based diversion system/youth service bureaus, and or juvenile review boards, and other existing community resources. • July 1, 2024, JJPOC Diversion workgroup shall submit to the full JJPOC a report on implementation status of the alternative handling strategies 	<p>Legislation, Policy, Fiscal</p>
<p>DIVERSION WORKGROUP RECOMMENDATION 2</p>	<p>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)/Juvenile Review Board or other local agency in lieu of an arrest.</p> <ol style="list-style-type: none"> 1. Beginning July 1, 2023 	<p>Legislation, Policy, Fiscal</p>

	<ul style="list-style-type: none"> a. simple trespass under section 53a-110a of the general statutes b. creating a public disturbance under section 53a-181a of the general statutes c. disorderly conduct under section 53a-182 of the general statutes d. larceny in the fifth degree under section 53a-125a or 53a-125b of the general statutes e. larceny in the sixth degree under section 53a-125a or 53a-125b of the general statutes f. breach of peace in the second degree under section 53a-181 of the general statutes <p>The February 2022 Alternatives to Arrest Implementation Plan outlines further recommendations for implementation.</p> <ul style="list-style-type: none"> 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 	
<p>INCARCERATION WORKGROUP RECOMMENDATION 1</p>	<p>The Department of Correction shall develop in consultation with the JJPOC Incarceration Subcommittee a commissary implementation plan and shall submit the plan to the Juvenile Justice Policy and Oversight Committee, no later than July 1, 2023.</p>	<p>Legislation, Policy, Fiscal</p>

	<p>The Plan, which shall be implemented by DOC for youth 17 and under no later than October 1st, 2023, and funded by the legislature and Governor, shall include:</p> <ul style="list-style-type: none"> a. An integrated positive behavior motivation system to engage and reinforce positive youth behaviors and expectations that can be used as payment for commissary goods in place of a monetary system. b. Revision of commissary policies and procedures to include the development and implementation of positive behavior motivation policies and procedures. c. Increases in incentives in a way that promotes good health and recognizes the diverse range of ethnic groups, races, sexes, and cultural backgrounds. d. Identification of those youth within the institution that do not currently have equitable access to commissary, including indigent youth, youth without family supports and youth with disabilities for whom their disabilities are contributing to their lack of commissary, and implementing strategies for equitable access to commissary. e. Incorporation of practices as noted in P.A. 22-188 sec. 82-83 addressing access to menstrual products. f. Consideration for the transition of saved commissary allocations and how those funds can be transitioned and accessed when a youth is transferred to an adult unit facility. g. Consideration for on-going training and technical assistance (i.e., CREC PBIS) 	
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	<p>h. Continuous Quality Improvement system for on-going monitoring of the implementation of the plan.</p> <p>i. Twice yearly surveys or focus groups to obtain feedback from the youth within its facilities on the ways to improve its system.</p> <p>DOC, in the interim while awaiting implementation of the new Plan, shall, as noted in 1(d) above, address strategies for equitable commissary options for youth with vulnerabilities.</p>	
INCARCERATION WORKGROUP RECOMMENDATION 2	Effective Oct 1st, 2023, correctional facilities where children 17 and under are housed, shall include a Positive Behavioral Motivational framework which is a comprehensive universal facility approach to promote a positive environment.	Legislation, Policy
INCARCERATION WORKGROUP RECOMMENDATION 3	No later than January 1, 2024, an implementation plan for the Positive Behavioral Motivational framework to be used within correctional facilities where individuals 18-year-old to 24 years-old are housed, will be completed and shall include an implementation date.	
INCARCERATION WORKGROUP RECOMMENDATION 4	The Judicial Branch, the Department of Correction, and the Department of Children and Families shall, in consultation with the JJPOC's Incarceration Workgroup, the Community Expertise Workgroup, and the Education Workgroup develop a Reentry Success Plan for youth released from DOC and Judicial Branch facilities and contracted programs for the purpose of reintegrating these youth back into their communities successfully. Such plan shall be developed no later than October 1, 2023.	

	<p>Such plan shall be developed no later than October 1, 2023. In development of the Reentry Success Plan, the above-mentioned entities shall examine</p> <ul style="list-style-type: none"> a. reentry models and best practices around the country, including reentry hubs and community-based enhanced reentry wraparound services (New Jersey), and transitional housing (Long Creek in Maine). b. expansion of community Reentry Roundtables and Welcome Centers to include focus on youth c. any other considerations deemed necessary for successful implementation of the plan. <p>Such plan shall incorporate restorative and transformative justice principles, and shall include but not be limited to,</p> <ul style="list-style-type: none"> a. the provision of individualized academic support, and the role of school districts in ensuring the provision of academic, vocational and transition support services, b. connection of youth to vocational and workforce opportunities, c. connection to developmentally appropriate housing, d. delivery of trauma-informed mental health and substance use treatments, e. development of restorative justice re-entry circles, f. utilization of credible messengers as mentors and/or transition support providers. g. role of reentry coordinators 	
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	<p>The plan shall include a proposed quality assurance framework, including the collection of appropriate data, promulgation of a public dashboard, and the monitoring framework to ensure the successful discharge and re-entry of incarcerated youth.</p> <p>The plan shall include information regarding federal and state funding sources to support a comprehensive reentry model and identify priorities and appropriate timelines for implementation. Such Plan shall be presented to the JJPOC for its consideration no later than January 1, 2024.</p>	
<p>SUSPENSION & EXPULSION RECOMMENDATION 1</p>	<p>Effective July 1, 2024, the State Department of Education shall require:</p> <ul style="list-style-type: none"> a. Districts identified in two subsequent reporting school years as having high suspension and expulsion rates and/or high disproportionality, for all grades, including Pre-K, will submit a response and improvement plan to CSDE and the committee of cognizance. b. A phased in plan with the aim to reduce and cap classroom student-to-teacher ratio beginning July 1, 2024, through July 1, 2028; the recommendation shall be considered a ceiling, not a floor. 20 students in Pre-k-K to 2nd grades. 23 students for grades 4-8th. 25 students for high school classes The Commissioner of Education may exempt certain types of classes (physical education, athletics, performing arts, etc.) from these class size caps as deemed safe and appropriate. c. Encourage all schools throughout the state of 	

	<p>Connecticut to administer the Columbia Suicide Severity Scale when students are exhibiting mental health distress or suicide warning signs.</p>	
<p>SUSPENSION & EXPULSION RECOMMENDATION 2</p>	<p>Effective July 1, 2024, the legislature and the Governor shall fund the following, as noted in 1a-b above:</p> <ul style="list-style-type: none"> a. 4 additional positions to the State Department of Education for the purpose of providing support, technical assistance, on-site monitoring, and oversight of districts improvements plans. b. Funds to permit districts to implement improvement plans. c. Increase in workforce/support staff gap to support the efforts to reduce and cap classroom to teacher ratios as noted in 1b, starting with PreK to 2nd grades. 	
<p>SUSPENSION & EXPULSION RECOMMENDATION 3</p>	<p>Effective July 1, 2023, through July 1, 2026, for purpose of a case study of reporting on Alternative Educational Opportunities (AEOs) from the ten largest districts, districts shall report on a twice-yearly basis to Juvenile Justice Policy and Oversight Committee and to the CSDE,</p> <ul style="list-style-type: none"> a. Number of expulsions and use of alternative educational opportunities (AEOs) for expelled students for the time period. Reporting will include identification of AEO placements and listing of completed credits for expelled students during their AEO placement. b. A description of the alternative educational opportunities provided by the district and how it compares with the model program promulgated by the State Department of Education in “Standards for Educational 	

	Opportunities for Students Who Have Been Expelled.”	
SUSPENSION & EXPULSION RECOMMENDATION 4	Behavior perceived by adults as being of a “violent or sexual nature” that may trigger suspension or expulsion of a PreK-2 student within current state statute is evidence of a child’s need for intervention, not exclusion. Effective July 1, 2024, the Department of Education shall organize a team comprised of members of the subcommittee and others to develop guidance and strategies that aim to reduce out of school suspension and expulsions in pre-k -2. Guidance shall include precise, research based, developmentally appropriate definitions of the terms “violent or sexual nature” as they may apply to this age group, examples of behaviors which may trigger the need for intervention despite the ban, and developmentally appropriate interventions.	
CEW RECOMMENDATION 1	<p>Public Act 14-217, Section 79 be amended to increase the membership of the JJPOC to include:</p> <ul style="list-style-type: none"> a. Two children/youth/young adults between the ages of 18 and 26 with lived expertise in the juvenile justice system and nominated by the Community Expertise Workgroup, one of whom shall be appointed by one chairperson of the Juvenile Justice Policy and Oversight Committee, and one of whom shall be appointed by the other chairperson of the Juvenile Justice Policy and Oversight Committee; and b. One community member, which could include family members of youth impacted by the juvenile justice system or credible messengers with lived expertise in the justice system and currently working with youth in the juvenile justice 	Legislation

	<p>system, nominated by the Community Expertise Workgroup and appointed by the chairpersons of the Juvenile Justice Policy and Oversight Committee.</p>	
<p>CEW RECOMMENDATION 2</p>	<p>The state shall fund sponsor organizations to support members appointed by the Community Expertise Workgroup with transportation, childcare, and stipends to enable member participation.</p>	<p>Legislation, Fiscal</p>



**#Raise
The Age**

Raise the Minimum Age of Juvenile Court Jurisdiction in Connecticut

Background

The Diversion Workgroup of the Juvenile Justice Policy and Oversight Committee (JJPOC) has continued to review data and best practices to raise the minimum age of juvenile court jurisdiction. In 2021 Connecticut passed legislation which set the minimum age of juvenile court jurisdiction from seven to ten. [PA 21-174](#) sec. 1 diverts a child from involvement with the juvenile justice system and appropriately engages the child and family to services and interventions provided within the child's community.

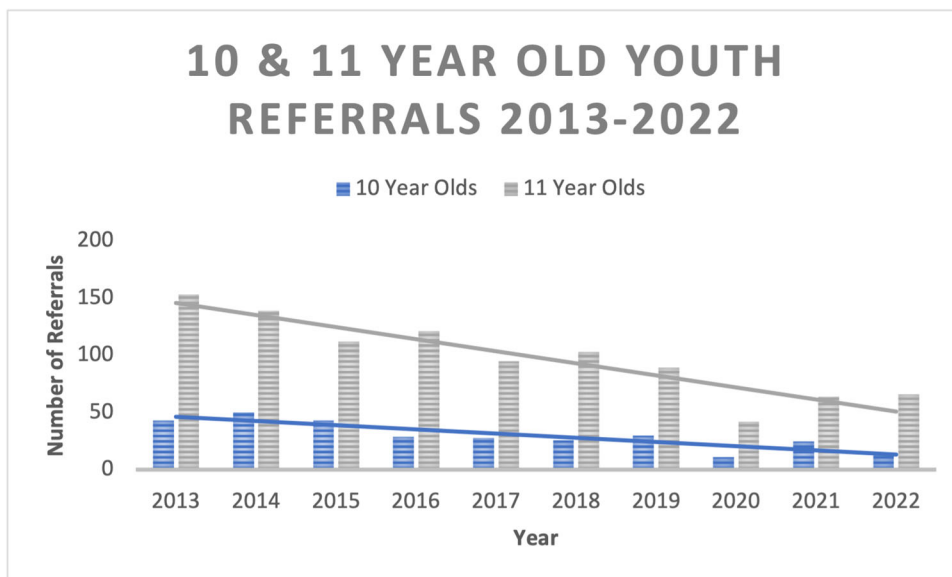
2023 Recommendation

Amend legislation for raising the minimum age of juvenile court jurisdiction from ten years to twelve years, effective July 1, 2023.

- Children diverted from the court jurisdiction shall be serviced through, including but not limited to, the Children's Behavioral Health Services System, community-based diversion system/youth service bureaus, and/or juvenile review boards, and other existing community resources.
- July 1, 2024, JJPOC Diversion workgroup shall submit to the full JJPOC a report on implementation status of the alternative handling strategies.

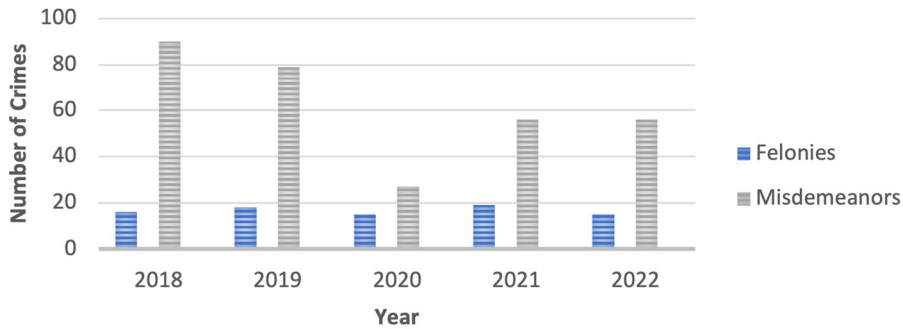
Connecticut Statistics for Youth Under 12

- *Referrals:* Court Referrals for 10 and 11 year old have been declining over the past decade. Of all young people being referred to court under the age of 17, less than 2% of youth being referred to court are ages 10 and 11. The bar chart below shows the decline in the number of 10 and 11 year olds being referred to court over the past decade.



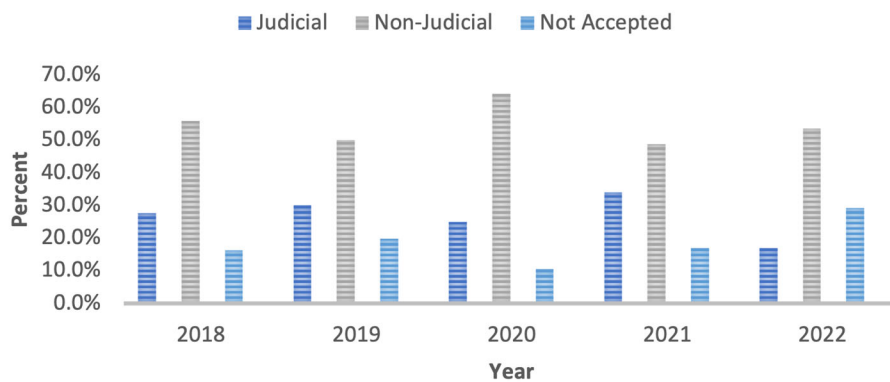
- *Misdemeanors:* Of the 79 youth aged 10 and 11 referred to court in 2022, 60 of those referrals were for misdemeanors. The bar chart below illustrates the number of misdemeanors and felonies committed by 10 and 11 year olds in the past five years.

10 & 11 YEAR OLD MISDEMEANORS AND FELONIES 2018-2022



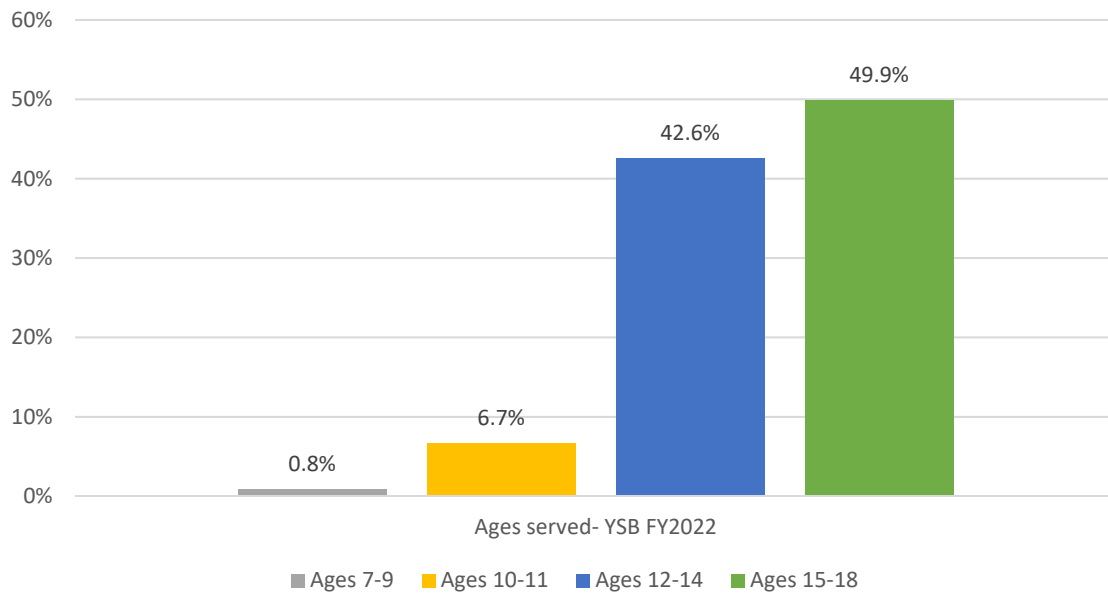
- Case Handling:** In the past 5 years, more cases have been handled non-judicially than judicially. The chart below illustrates that over the past three years an increasing number of cases are not being accepted for court intervention.

10 & 11 YEAR OLD CASE HANDLING 2018-2022

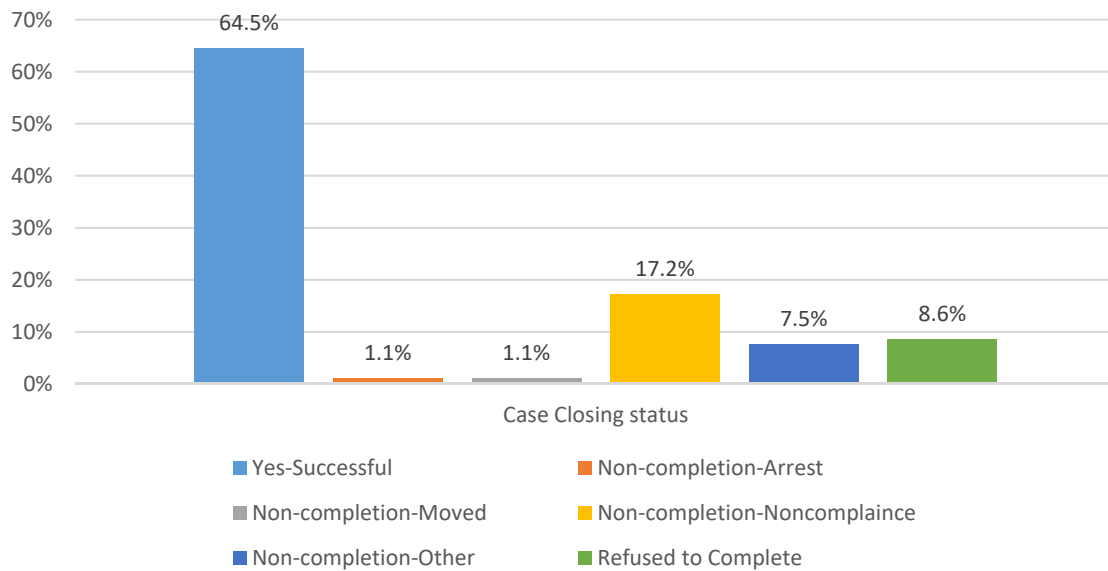


- Risk:** Of the 10 and 11 year olds who received formal dispositions in the past 5 years, the majority are low risk.

JRB - Age breakdown-youth served FY2022

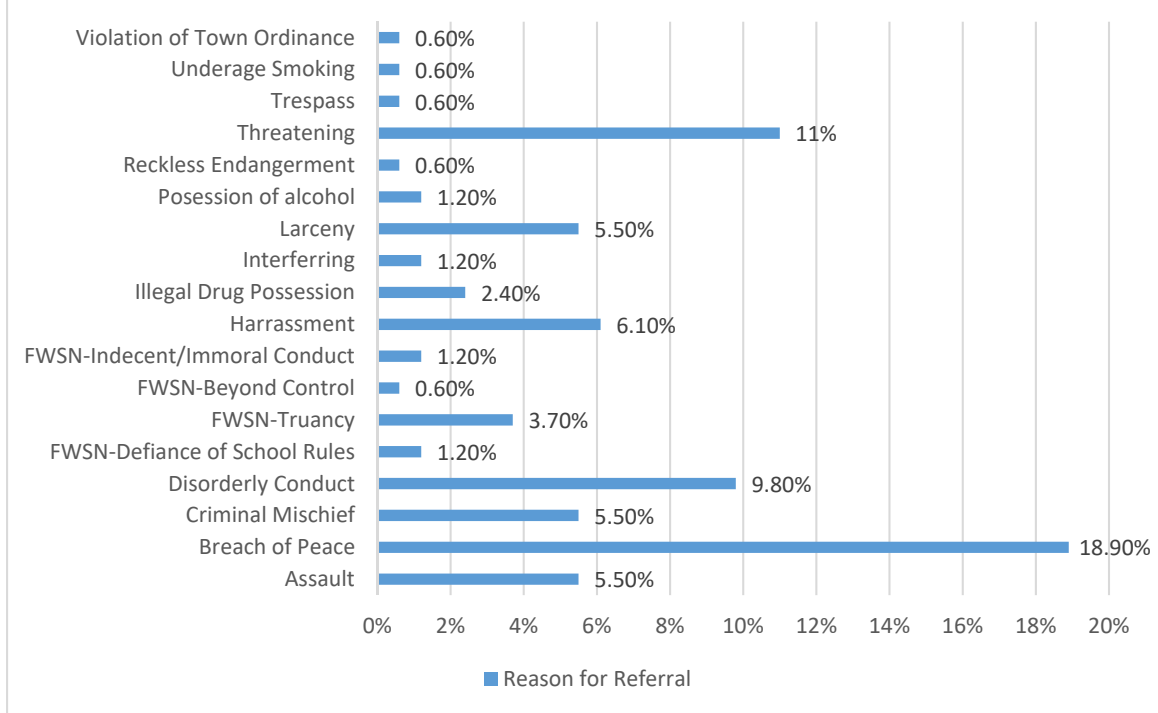


Case Closing status - JRB FY2022



Reason for Referral-UNDER AGE 12 - JRB FY2022

n=163 (charges, not individuals)

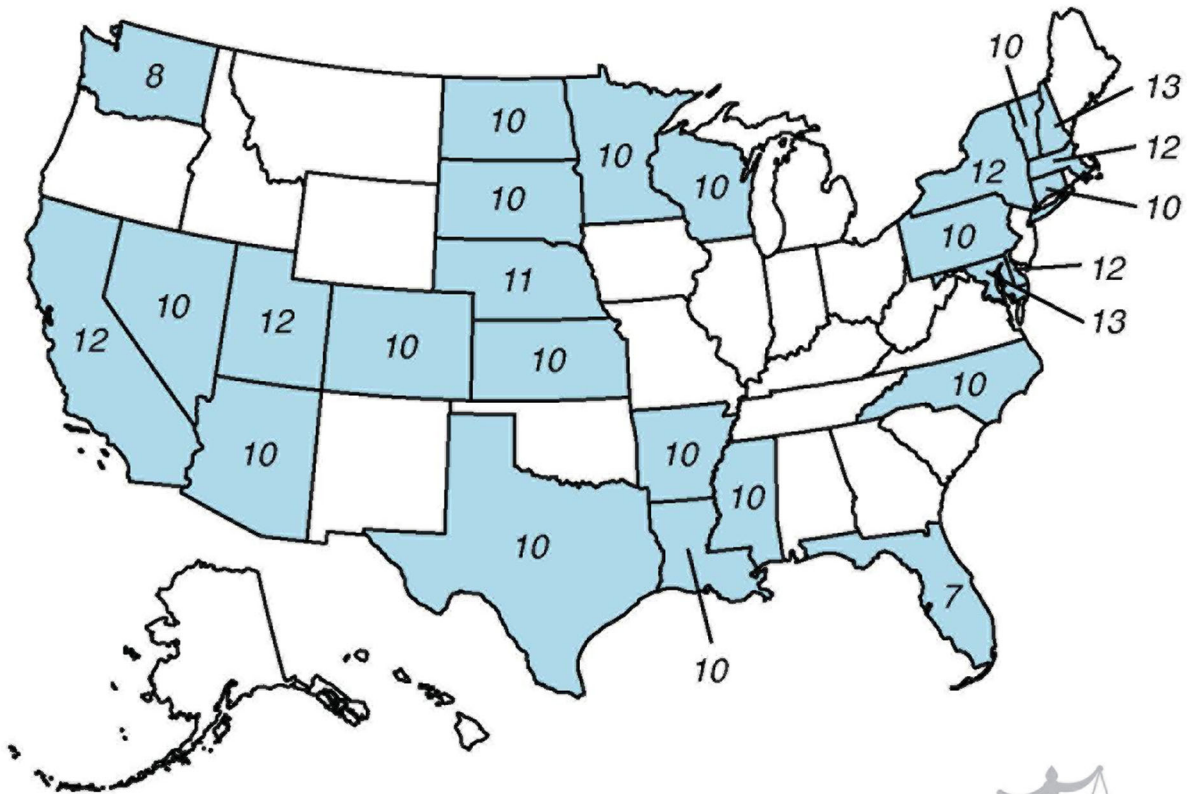


National and International Trends

The map below identifies the 26 states with a minimum age of criminal responsibility (MACR). Of the states that have established a MACR, MACR ages range from 7-13 years of age. Five (5) states set a minimum age of 12 and 2 additional states set a minimum age of 13. While an increasing number of states are adopting a MACR or raising their MACR, 24 states have yet to establish a MACR, allowing for young children to receive adult treatment in response to their behavior.

US States

This is a map of US States with a MACR



- In 2019, the Committee on the Rights of the Child established that a MACR of 12 is too low and encouraged nations to increase their MACR to 14.
- In addition to the recommendation provided by the Committee on the Rights of the Child in 2019, in 2019 the United Nations recommended that nations set the minimum age of prosecution to 14.
- California recently passed a bill that will implement a MACR of 12 in 2019.
- As of 2015, 21 states have competency laws for youth in juvenile justice proceedings.
- A 2020 study conducted by Abrams and Barnert posits that in comparison to white children, black children are overrepresented in every aspect of juvenile justice system.
- A health impact review conducted in the state of [Washington \(Bill S-6720.1\)](#) posits that raising the age of juvenile court jurisdiction from 8 to 13 years of age provides evidence that recidivism would effectively be reduced and in turn be associated with improved health outcomes.
- The United Nations Convention on the Rights of the Child, which serves as an international human rights instrument, declared the criminal prosecution of a child under the age of 12 as unacceptable.
- Currently, the most common MACR internationally is 14 but ranges to 18 per Luxembourg's MACR.
- No Federal MACR in the US has been adopted.

Additional Considerations

- Our Youth Service Bureaus and Juvenile Review Boards are already receiving the referrals for this age group. There is not expected to be an influx of additional referrals as a result of this recommendation. The landscape analysis of YSBs/JRBs completed this year can be found here [2022 YSB JRB Landscape Analysis](#).
- Connecticut's youth justice system has organically been referring these children and families to the community diversion system. Updated data sets from 2022 demonstrate that children through the age of 12 years old are already being handled non-judicially by the courts much of the time; schools or law enforcement are already connecting them to services.
- Connecticut's youth justice system has organically been diverting low level infractions and offenses. Updated data sets from 2022 demonstrate that these offenses are already being handled non-judicially by the courts much of the time. Additionally, these offenses have decreased by approximately 50% in the past five years. Juvenile probation plans to roll out their Risk Based Handling Pilot statewide at the beginning of the 2023, which creates systemic change for handling low level offenses, supporting the juvenile justice system in its aim to realize best practices and improve outcomes for children by limiting their interaction with the judicial system.
- An increased minimum age would acknowledge the scientific differences in the cognitive maturity of young children in comparison to older youth.



Alternatives to Arrest

Background

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. There are numerous points throughout the pre-booking process where law enforcement, diversion agencies, and other organizations may unintentionally contribute to racial inequity. 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.

The work below is a continuation of [Public Act 21-174](#) Sec. 12 which designated that an implementation team develop plans for mandatory prearrest diversion of low-risk children. The tasks of the implementation team are outlined below.

By January 1, 2022: The implementation team shall develop a plan for automatic prearrest diversion of children to youth service bureaus or other services in lieu of arrest for Tier 1 offenses that include infractions such as:

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

By January 1, 2023: The implementation team shall develop a plan for automatic prearrest diversion of children to youth service bureaus or other services in lieu of arrest for Tier 2 offenses that include offenses such as:

- breach of peace in the second degree under section 53a-181 of the general statutes
- larceny in the fifth or sixth degree under section 53a-125a or 53a-125b of the general statutes
- disorderly conduct under section 53a-182 of the general statutes

Infraction/Offense	Statute	Summary
Simple trespass	53a-110a	Entering or remaining in or on any premise without permission to do so.
Creating a public disturbance	53a-181a	Fighting/threatening; annoying a person; or making unreasonable noise.
Breach of peace in the 2 nd degree	53a-181	Fighting/threatening; posting offensive material; using abusive/obscene language; creating a public and hazardous condition.
Larceny in the 5 th degree	53a-125a	Larceny if property is valued at over \$500.
Larceny in the 6 th degree	53a-125b	Larceny if property is valued under \$500.
Disorderly conduct	53a-182	Same as public disturbance; also obstructing traffic or refusing to disburse.

On February 13, 2022, the Alternatives to Arrest Workgroup released its [Implementation Plan](#) and with the following recommendations:

- 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-125b of the general statutes
- B. The report outlines further considerations for implementation as required by PA 21-174.
 - 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

While the Recommendations of the 2022 implementation plan did not advance, the group moved forward in 2022 with the outlined legislative mandate to develop a plan for automatic pre-arrest diversion of children in lieu of arrest for Tier 2 offenses by January 1, 2023.

2023 Recommendations

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)/Juvenile Review Board or other local agency in lieu of an arrest.

- 1. Beginning July 1, 2023
 - a. simple trespass under section 53a-110a of the general statutes
 - b. creating a public disturbance under section 53a-181a of the general statutes
 - c. disorderly conduct under section 53a-182 of the general statutes
 - d. larceny in the fifth degree under section 53a-125a or 53a-125b of the general statutes
 - e. larceny in the sixth degree under section 53a-125a or 53a-125b of the general statutes
 - f. breach of peace in the second degree under section 53a-181 of the general statutes

The February [2022 Alternatives to Arrest Implementation Plan](#) outlines further recommendations for implementation.

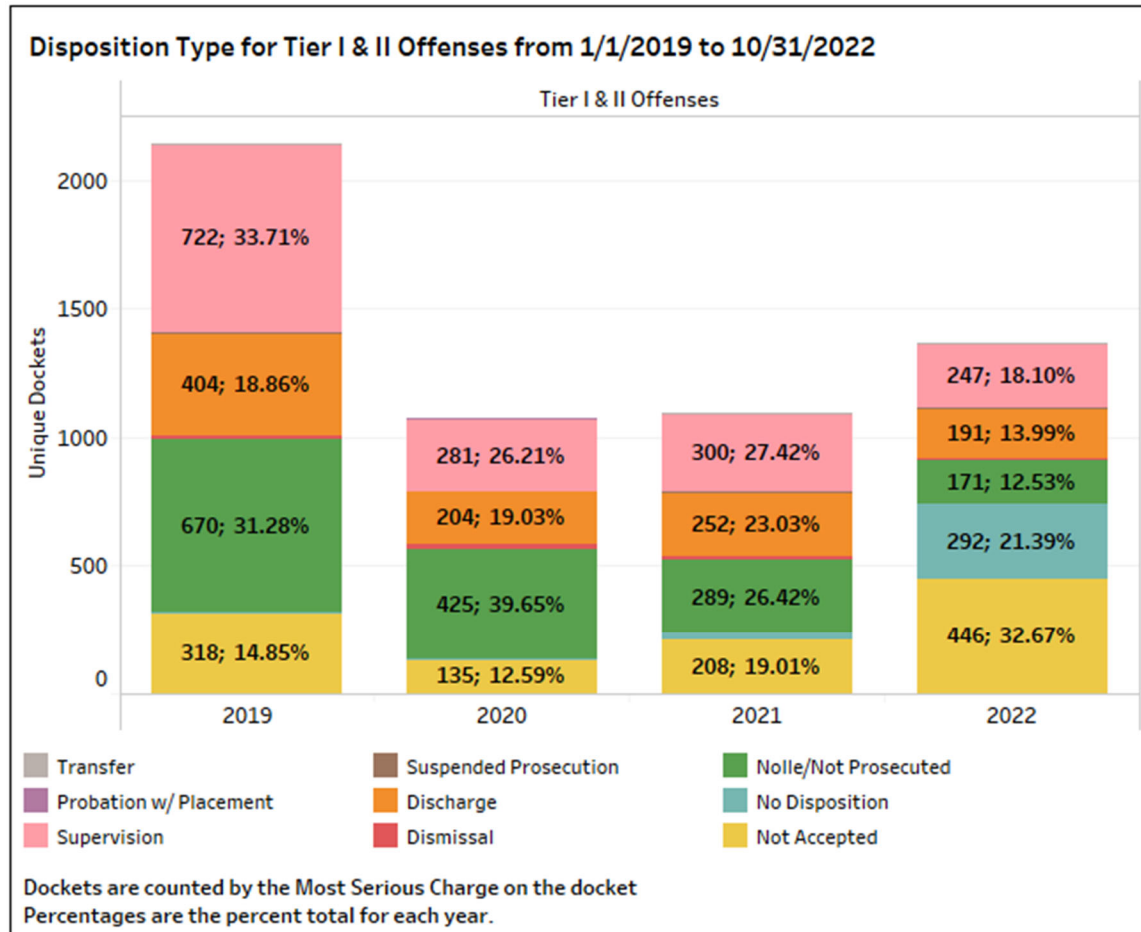
- 1. Capacity of YSBs and other local agencies to provide services for this population
- 2. Accountability mechanisms
- 3. Process for victim input and involvement
- 4. Data collection for tracking YSB referrals
- 5. Communication and outreach to stakeholders on accessing local services

The Implementation Team's Work

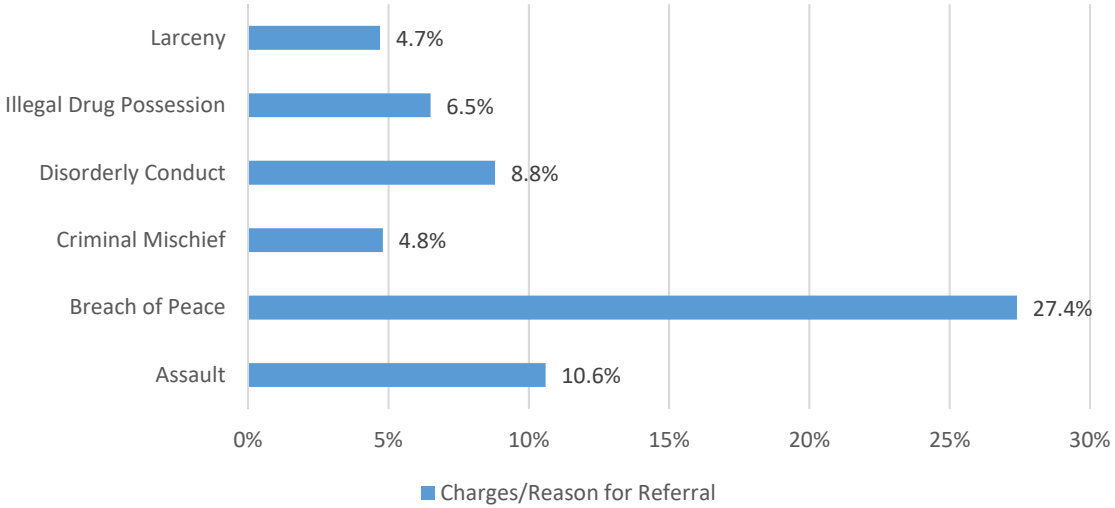
Following the submission of the implementation team's first plan, the group met monthly in 2022 to refine the plan for automatic pre-arrest diversion of children to Youth Service Bureaus/Juvenile Review Board or other services in lieu of arrest for Tier 2 offenses. The groups work over the course of 2022 consisted of reviewing updated data of Tier 1 and Tier 2 offenses from Judicial Branch Court Support Services Division, reviewing updated data from JRB's and YSB's, examining related pilot programs in Juvenile Probation and the JRBs, reviewing best practices in diversion, and drafting a uniform pre-arrest diversion referral form.

Overview of Tier 1 and Tier 2 Offense Population: Judicial Branch CSSD

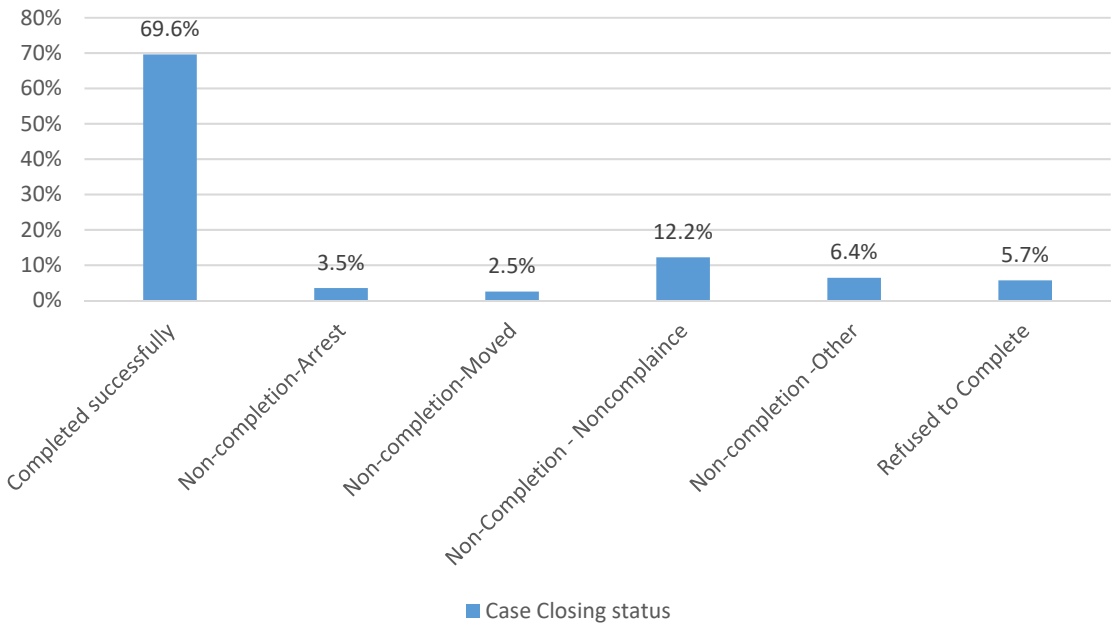
- In 2022, only 18% of cases required any type of court supervision. The remainder did not.

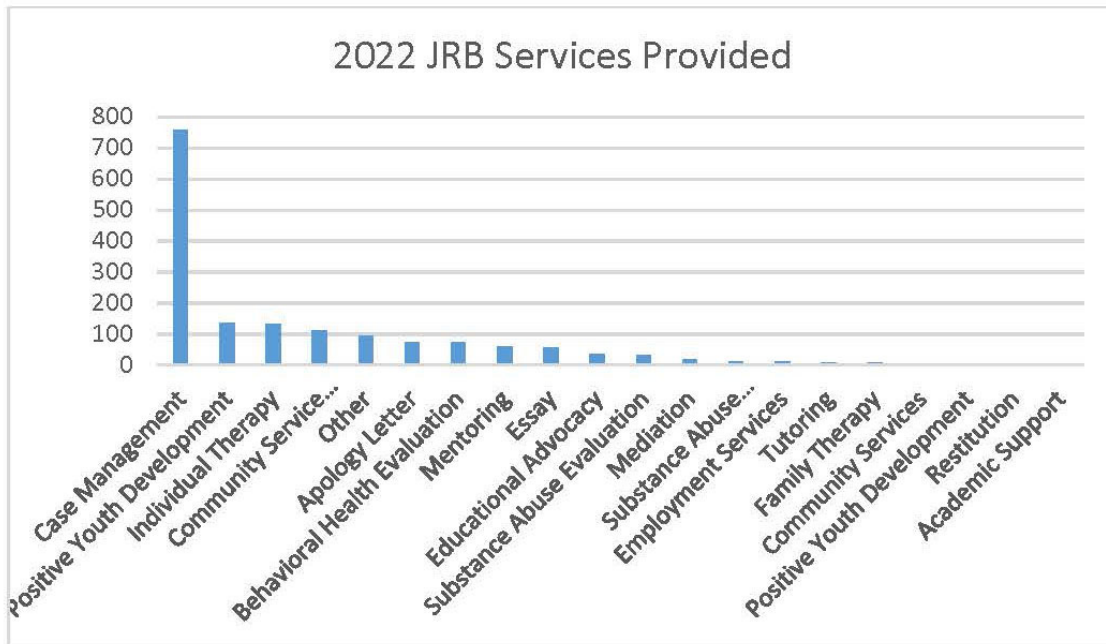


Incident Type/Reason for Referral to JRB- Top 6 Charges FY2022



Case Closing Status-JRB FY2022





Overview of Juvenile Probation Risk Based Handling Pilot

Following the year-long IOYouth assessment of Connecticut’s juvenile justice system from referral to re-entry, the Judicial Branch Court Support Services Division (JBCSSD) Juvenile Probation Services Unit identified key business areas for improvement that had the potential to contribute to racial and ethnic disparities and inequities. This work led to revisions to the Connecticut Practice Book to ensure a more strategic approach to court diversion and the handling of juvenile delinquency referrals.

Effective January 1, 2023, changes to the Connecticut Practice Book will take effect, enabling Juvenile Probation to screen and base delinquency handling decisions on the child’s risk of recidivating and behavioral health needs instead of the child’s charges and prior court history. There is ample research-based evidence that a risk-based, rather than an offense-based, approach is more effective at preventing future reoffending.

Risk Based Case Handling (RBCH) involves the Juvenile Probation Officer administering a validated, scripted risk tool called the Prospective Risk Evaluation for Delinquency in Connecticut Screener (PrediCT-S) to identify cases for community diversion, non-judicial handling by a Juvenile Probation Officer, or judicial handling before a Juvenile Court Judge. This new approach is intended to preserve formal court intervention and resources for the highest-risk youth and divert lower-risk youth away from formal system involvement to community-based diversionary alternatives and treatment services. Objective, data-informed risk screening procedures have been shown to reduce the likelihood of implicit bias and disparate treatment of youth of color at key decision points.

In anticipation of the Practice Book changes, JBCSSD began piloting this approach in four court locations in January 2022. The pilot design, implementation, and final rollout of RBCH was a successful collaborative effort involving the Juvenile Court Judges, State's Attorney's, Public Defenders, community stakeholders, and court staff.

Overview of Capacity of YSB/JRB's

The YSB and JRB/Diversion systems have been in the spotlight and many changes have either taken place or are in progress through new projects, reforms, and research. As more and more youth are (rightfully) diverted from Juvenile Court, the focus has been on those community agencies serving our youth in the community. There has been much effort by the YSBs and JRBs to accommodate all the changes that have been rolling out. The focus continues to be on making the system the best it can be to adequately and successfully serve youth who are diverted or need support and services.

Earlier this year, a landscape analysis on both the YSBs and JRBs was completed, and a full report was released. The analysis evaluated general focus areas using a refined scoring mechanism and from that evaluation, recommendations for system-wide improvements were created. 98% of YSBs and 94% of JRBs in Connecticut took part in a comprehensive survey designed by DillingerRAD in collaboration with the Connecticut Youth Service Association (CYSA) and DCF. The surveys consisted of over 150 questions across 7 benchmarks to evaluate capacity, funding, and service accessibility, along with additional areas of practice for each YSB and JRB. The full report details the complete analysis as well as the statewide scores and recommendations. The goal is to re-survey and evaluate the progress of the YSBs and JRBs once training and recommendations have been implemented to assess the outcomes.

Below you will find links to the full Landscape Analysis report as well as the Executive Summary of the Landscape Analysis.

[2022 YSB JRB Landscape Analysis.pdf \(ctyouthservices.org\)](https://ctyouthservices.org/2022_YSB_JRB_Landscape_Analysis.pdf)

[22LAExecSummary.pdf \(ctyouthservices.org\)](https://ctyouthservices.org/22LAExecSummary.pdf)

The YSB system is also beginning a new process related to data collection to improve the way data is collected and shared. Each YSB will be transitioned to a web-based process (if they do not already have one) this fiscal year which will allow for better data collection as well as better aggregation of statewide data for the required data elements. On the horizon there are also additional phases of the data project that would allow for a better use of data and for the potential of data sharing. Additional funds are being released to DCF that will have a focus on strengthening YSBs and JRBs based on the recommendations from the Landscape Analysis as well as addressing other legislative directives. This will include training of staff and volunteers, future stages of the data project, service gap analysis, a focus on collaborative efforts to get youth served appropriately in their communities and other identified areas.

JRB Pilot Project

In addition to all this work, the JRB Pilot Project ([derived from the IOYouth recommendations](#)) is underway. The project is operating out of 7 pilot sites along with a central advisory group of members representing different sectors to help lead the pilot. The purpose of the Pilot is to update the JRB Protocols and Procedures Guide and to discuss key areas of the diversion process such as embedding a restorative foundation into the process, making sure families are fully engaged in the process, looking at how screening is done and how services are recommended, how to best involve the victim, and more. This Pilot will allow for a small number of JRBs to implement and pilot any changes the group makes to the Guide in hopes that an updated Guide will be created for use statewide after the pilot process is complete. This pilot also looks at capacity, accountability, and data collection. The updated process will fall in line with the other changes happening at the state level as described above in this document and with the recommendations being made.

Uniform Youth Pre-Arrest Diversion Referral Form

To track the number of diversionary referrals that a young person has been given in a respective town or city, a uniform Diversion Referral Form was created, which may be used by law enforcement for diversion referrals. The carbon copy triplicate form will allow the police, parent/guardian, and diversion agency to retain a copy of the referral. Utilization of a universal form will also allow for a more standardized process with common information in each community collected. It has been created to mirror the standardized summons referral form and will be familiar to officers and easy to use. A version of this form is already being used in several jurisdictions. Please see, [Pre-Arrest Diversion Referral Form](#).

Conclusion

In summary, Connecticut's youth justice system has organically been diverting Tier 1 and Tier 2 offenses. Updated data sets from 2022 demonstrate that these offenses are already being diverted prior to referral to court or being handled non-judicially by the courts much of the time. Tier 1 and Tier 2 offenses have decreased by approximately 50% since 2017. However, there has been significant disparity across jurisdictions regarding whether these children are diverted to community programs or arrested and referred directly to court for these behaviors.

Pursuant to Connecticut Practice Book sections 27-1a and 27-4a, JBCSSD Juvenile Probation Services will rollout Risk Based Handling statewide on January 1, 2023. The new approach will create systemic change for the handling of low-level offenses, support the juvenile justice system in its aim to realize best practices, promote public safety, and improve outcomes for children by limiting their interaction with the judicial system. Additionally, the JRB Pilot Project will take into consideration legislative recommendations and any changes that come from the upcoming legislative session in order to ensure alignment with the juvenile justice system.

The Alternatives to Arrest Implementation Plan and recommendations will standardize diversion and the referral process for all children without requiring an unnecessary arrest and address disparities in how youth are referred.

Building
Positive
Behaviors



Commissary

Background

[Public Act 21-174](#) established a committee to study commissary needs and telephone services of incarcerated individuals aged 18-21. Due to the passing of [PA 21-54](#), all incarcerated individuals were granted access to free phone calls. Therefore, the Commissary Subgroup of the Incarceration Workgroup focused its efforts on studying and making recommendations on the commissary needs of the 15 – 17 year old population.

The subgroup heard presentations by the Department of Correction regarding their current commissary offerings, services, and costs, the Judicial Branch Court Support Services Division on their current commissary services in the juvenile detention facilities and the Department of Children and Families on their commissary support of dual status youth, as well as previous commissary services at the Connecticut Juvenile Training School. The group also received a profile of other states and their commissary policies. In addition, a survey was given to young individuals at DOC facilities, including the Manson Youth Institute and the York Correctional Institute on a variety of questions concerning their attitudes towards and how they interact with the commissary system.

The [Commissary Needs and Recommendations Report](#) was delivered to the Juvenile Justice Policy and Oversight Committee on February 14th, 2022. The report highlighted the unique, varying needs of the population based on hygienic, dietary, cultural, racial/ethnic, religious, gender, and overall lifestyle needs. The recommendations outlined in the report were meant to provide an equitable, fair and inclusive system of commissary. They addressed high mark-ups of commissary goods, lack of variety of commissary goods, expansion of feminine product options, enhanced quality of products, and an incentivization of educational attainment, programming, and employment through commissary options. The group acknowledged when commissary provides a variety of options that promote healthy eating, proper hygiene, and impactful self-care, it elevates the dignity standards for incarcerated individuals.

The report concluded that society's favorability of a punitive justice system is shifting towards acceptance of a restorative model that emphasizes human dignity and an individual's capability to be successfully rehabilitated. All aspects of the incarceration process must reflect this ideal, including policies and procedures concerning a correctional facility's commissary operation and offerings. Given their conclusions and a number of remaining questions unanswered, the subgroup decided they needed more time to review additional information and they did not move forward with the recommendations.

Overview of 2022 Work

The Commissary Subgroup met monthly from March 2022 to review national models, research best practices, explore options being utilized in other areas in Connecticut. The DOC worked on conducting a fiscal analysis on costs associated with proposed changes.

During this period, it was discovered that several of the previous recommendations were already being addressed.

- Through [P.A 22-188](#) sec. 82-83 improved and expanded access to feminine products has been accomplished and in consultation with the Warden of the York Correctional Institution, all items are available at all times for the female population upon request. There are multiple access points where all that is required is for the individual to verbalize their needs.
- The Director of Commissary confirmed that they review items with the vendor, KEEFE Group, regarding the addition of other health and cultural needs. Current offerings include Kosher, Halal, and Gluten Free items as well as Sensible Alternative items.

- Enhanced quality control for commissary will be satisfied if all youth are receiving the same allotment of goods and are enrolled in the same PBIS (explained below) for the opportunity to use points at the store.
- To address increased opportunities and incentives for education, employment, and programming, the DOC is exploring a few options as to the fiscal note of continuing to pay youth, utilizing a sort of savings account measure, and providing points without the pay.
- The Department of Correction will initiate a point-based system for 15-17 year olds utilizing an allotment of goods and a PBIS framework through policy change at MYI. DOC is in process of developing an implementation plan and seeking technical support and training.

Best Practices

Academic literature indicates that expanded commissary have positively impacted inmate populations and reduced critical incidents. In addition to national trends, CSSD began implementing a PBIS model at the detention center in Bridgeport over 6 years ago. Details of their model can be found in the PBIS section below.

California, Colorado, Florida, Ohio, and Rhode Island have invested in using point-based incentive systems as an equitable way to provide positive reinforcement of good behavior for youth housed in detention centers. It is important to note that these point-based incentive systems are separate from already provided meals, snacks and personal care items. Some of the above states provide two snacks a day in addition to three primary meals a day, while others provide one snack a day in addition to three primary meals. States have moved to using incentive-based point systems to provide positive reinforcement for youth who are in pre-trial or long-term detention.

2023 Recommendations

The group was able to come to consensus on a set of recommendations with greater specificity that reflects an equitable model to meet the needs of the population. An overview of the PBIS model can be found below.

1. The Department of Correction shall develop in consultation with the JJPOC Incarceration Subcommittee a commissary implementation plan and shall submit the plan to the Juvenile Justice Policy and Oversight Committee, no later than July 1, 2023.

The Plan, which shall be implemented by DOC for youth 17 and under no later than October 1st, 2023, and funded by the legislature and Governor, shall include:

- a. An integrated positive behavior motivation system to engage and reinforce positive youth behaviors and expectations that can be used as payment for commissary goods in place of a monetary system.
- b. Revision of commissary policies and procedures to include the development and implementation of positive behavior motivation policies and procedures.
- c. Increases in incentives in a way that promotes good health and recognizes the diverse range of ethnic groups, races, sexes, and cultural backgrounds.
- d. Identification of those youth within the institution that do not currently have equitable access to commissary, including indigent youth, youth without family supports and youth with disabilities for whom their disabilities are contributing to their lack of commissary, and implementing strategies for equitable access to commissary.
- e. Incorporation of practices as noted in [P.A. 22-188](#) sec. 82-83 addressing access to menstrual products.
- f. Consideration for the transition of saved commissary allocations and how those funds can be transitioned and accessed when a youth is transferred to an adult unit facility.
- g. Consideration for on-going training and technical assistance (i.e., CREC PBIS)
- h. Continuous Quality Improvement system for on-going monitoring of the implementation of the plan.

- i. Twice yearly surveys or focus groups to obtain feedback from the youth within its facilities on the ways to improve its system.

DOC, in the interim while awaiting implementation of the new Plan, shall, as noted in 1(d) above, address strategies for equitable commissary options for youth with vulnerabilities.

2. Effective Oct 1st, 2023, correctional facilities where children 17 and under are housed, shall include a Positive Behavioral Motivational framework which is a comprehensive universal facility approach to promote a positive environment.
3. No later than January 1, 2024, an implementation plan for the Positive Behavioral Motivational framework to be used within correctional facilities where individuals 18-year-old to 24 years-old are housed, will be completed and shall include an implementation date.

Positive Behavior Intervention and Support (PBIS)

Background

The juvenile justice system has historically been a punitive system that focuses on a problem behavior or a perceived deficiency in a youth and/or family's situation. Research has demonstrated that more can be accomplished through a rehabilitative approach, moving away from punishment, over-surveillance, and deterrence as a means to affect recidivism or behavior change in youth. While punishment may lead to the reduction of a particular conduct, it does not replace them with a positive behavior, it merely constrains them. In addition, punishment that is overly punitive may lead to new negative behaviors.

PBIS, in general terms refers to a multi-tiered behavioral framework utilized to enhance behavioral practices that reinforces a pro-social environment. It needs thoughtful structuring of situations in a manner that helps facilitate success and avoids premature placement in circumstances that are prone to precipitate recurrent failure.

Benefits of a Strength-Based Atmosphere

Verbal encouragement that persuades individuals to believe that they have the capacity to master certain activities are more apt to deploy increased and sustained effort versus if they instead think about personal shortcomings and self-doubts when difficulties occur. A strength-based approach is a more effective way to view and work with youth and their families that acknowledges that youth have internal and external strengths that should be recognized and supported. It encourages professionals to seek out clients' abilities, resources, and gifts and apply them to current life challenges. This approach can sometimes be difficult to measure, but it is important for the team to take a data-driven approach by setting goals and implementing action steps. Without fidelity to the model, youth may experience feelings of demoralization, eroded self-confidence, reduced motivation, and a heightened focus on failures, stigmatization, and alienation.

Done correctly, PBIS can promote a positive learning environment that emphasizes pro-social core values and behaviors and teaches youth how to reduce certain behaviors and see the benefits of positive behaviors. It establishes a point-based reward system to incentivize wanted behavior and to transform compliant behavior into something tangible. A point-based reward system is appropriate for promoting positive change through reward seeking behavior which is a normal part of adolescent brain development.

Procedure and Process Considerations

The structure of a reward system should be easy to comprehend for youth and families and should be straightforward with a structure that is easy to implement. If the process is too confusing or not easy to navigate, youth won't be motivated to participate in the process. There are several core components of developing a successful PBIS system.

- Establish goals and benchmarks
- Determine the behaviors that will be incentivized
- Assign values to the desired behaviors
- Create a written policy for how the incentive program will operate and be implemented
- Define a progress scale and what behaviors become non-compliant
- Determine what are the trigger points and what are the sanctions for non-compliance
- Establish expectation and communicate with the families
- Identify who will track progress and communicate progress with youth

How PBIS is being used successfully in the juvenile detention center

The Court Support Services Division of the Judicial Branch implemented a PBIS model in 2016 in the Bridgeport Detention Center. They viewed a PBIS model as:

- An opportunity to collaborate with our school system to reduce behavior incidents across majority of juveniles;
- A method of establishing clear, facility-wide expectations;
- An opportunity to revise current policies and practices in place;
- An appropriate recognition for all;
- A way to create an improved climate for juveniles and staff.

They found that successful implementation needed involvement of all areas of their detention system including:

Education program	Recreation programs
Housing unit	Food Services
Operations	Mental health programs
Medical programs	Transportation
	Other programming

They developed expectations around behaviors for youth in all areas in the detention center.

Processing	Visitation
Housing Unit	Hallway
Dining	School
Gym	Outdoor Recreation
Medical	Staff Offices
In-Room	Universal

To prepare for the implementation of the PBIS model, the Leadership Team:

- Received initial training and on-going technical assistance from CREC PBIS facilitators.
- Developed facility-wide expectations,
- Assisted in the development of lesson plans to teach these expectations,
- Developed ways to recognize juveniles for demonstration of positive behaviors,
- Provided input regarding response to negative behavior,
- Reviewed data regarding behavioral infractions to identify trends and systemically remediate issues in our facility.



Reentry

Background

Supporting reentry for youth is of utmost importance when considering young people's outlook and contribution to society upon returning to their communities from safe and secure placement facilities. Programs supported by the Second Chance Act in accordance with OJJDP guidelines provide that effective reentry is established long before release from a facility. In fact, the planning process for reentry begins the day that an individual is formally placed in a facility. Successful reentry programs have staged reentry into phases, a planning and release phase, and monitoring and follow-up, each of which provide different challenges. Reentry programs that provide support and services in this staged approach have demonstrated lower rates of recidivism and greater positive outcomes.

2023 Recommendations

The Judicial Branch, the Department of Correction, and the Department of Children and Families shall, in consultation with the JJPOC's Incarceration Workgroup, the Community Expertise Workgroup, and the Education Workgroup develop a Reentry Success Plan for youth released from DOC and Judicial Branch facilities and contracted programs for the purpose of reintegrating these youth back into their communities successfully. Such plan shall be developed no later than October 1, 2023.

In development of the Reentry Success Plan, the above-mentioned entities shall examine

- a. reentry models and best practices around the country, including reentry hubs and community-based enhanced reentry wraparound services (New Jersey), and transitional housing (Long Creek in Maine);
- b. expansion of community Reentry Roundtables and Welcome Centers to include focus on youth; and
- c. any other considerations deemed necessary for successful implementation of the plan.

Such plan shall incorporate restorative and transformative justice principles, and shall include but not be limited to,

- a. provision of individualized academic support, and the role of school districts in ensuring the provision of academic, vocational and transition support services,
- b. connection of youth to vocational and workforce opportunities,
- c. connection to developmentally appropriate housing,
- d. delivery of trauma-informed mental health and substance use treatments,
- e. development of restorative justice re-entry circles,
- f. utilization of credible messengers as mentors and/or transition support providers,
- g. role of reentry coordinators

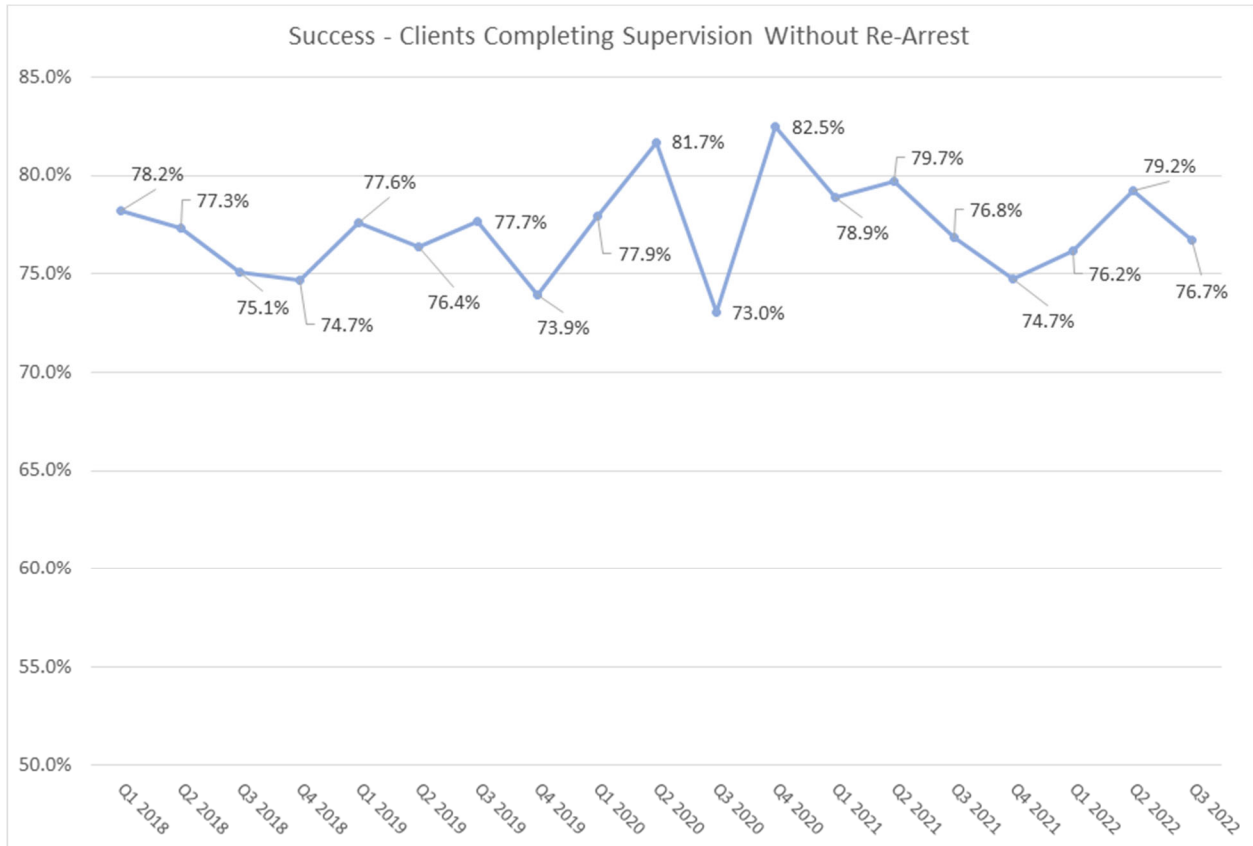
The plan shall include a proposed quality assurance framework, including the collection of appropriate data, promulgation of a public dashboard, and the monitoring framework to ensure the successful discharge and re-entry of incarcerated youth.

The plan shall include information regarding federal and state funding sources to support a comprehensive reentry model and identify priorities and appropriate timelines for implementation. Such Plan shall be presented to the JJPOC for its consideration no later than January 1, 2024.

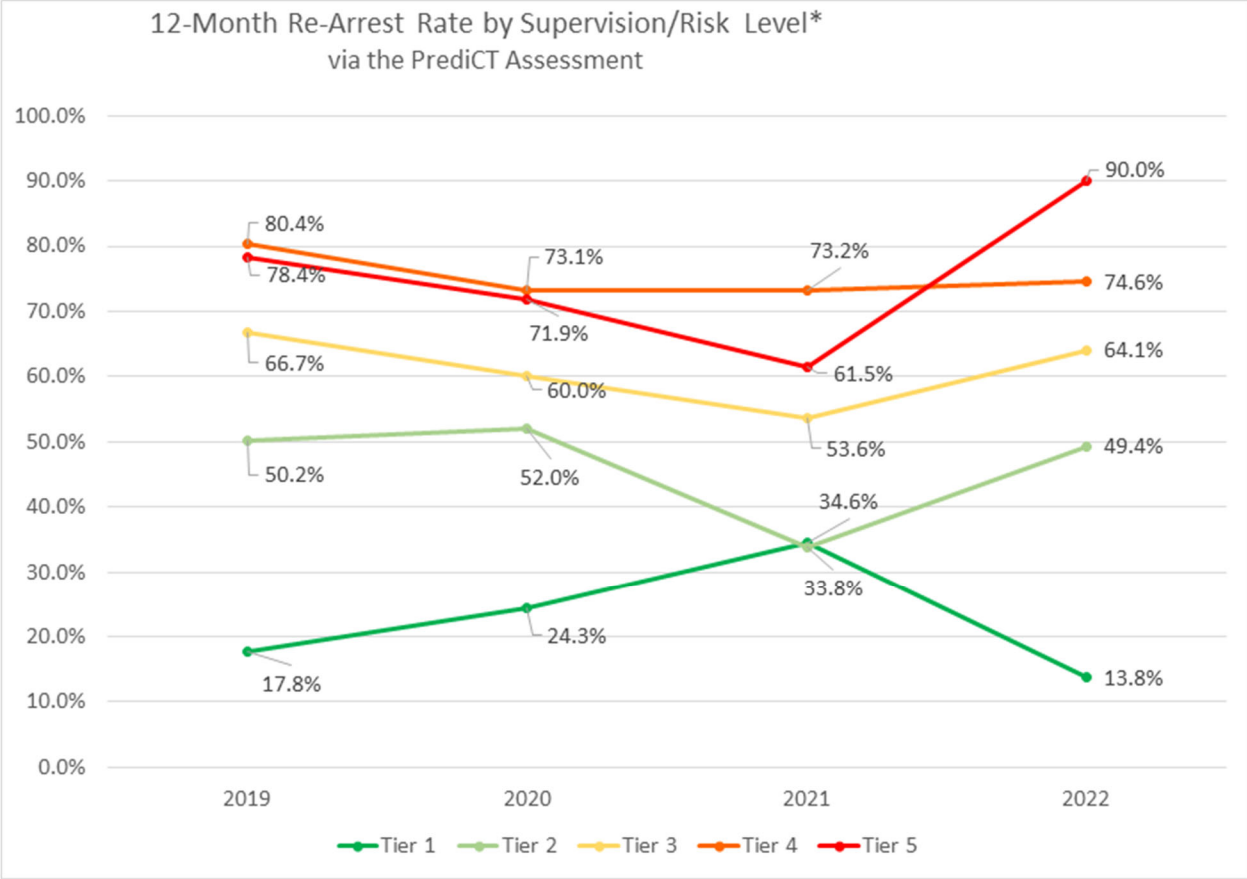
Connecticut Data

The following data provides support for these recommendations.

- a. The percentage of children who remain arrest-free throughout probation supervision has remained relatively stable.



- b. This visual below shows the 12-month re-arrest rate annually broken out by supervision/risk level per the PrediCT assessment.



Best Practices

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) reports that, on any given day, there are approximately 48,000 youth in safe and secure placement facilities. Elements surrounding mass incarceration in the United States have created a revolving door for young people entering, exiting, and then returning to detention facilities at alarming rates. Bazemore and Maruna (2009) provide that a majority of formerly incarcerated persons recidivate within the first three years of being released. Recidivism rates indicate that efforts within our criminal justice system to rehabilitate young people in detention is failing and that innovative approaches to reducing recidivism must receive investment. Support from the Second Chance Act (2007) and the [Reauthorization of the Second Chance Act \(2018\)](#) indicates that many of the reentry models being funded demonstrate promising and effective outcomes in reducing recidivism and providing those who were in detention with appropriate services and supports as they return to their communities. The Guide for Youth in Long-Term Juvenile Corrections and Treatment Programs stages reentry in two steps, planning for reentry and returning to one’s community. This staged approach to reentry has been shown to be the most effective way in guiding an incarcerated person through the reentry process.

When a young person plans to reenter, s/he needs the support of those who have their best interest at heart (OJJDP, 2018). The OJJDP provides that upon entry into a detention facility one should begin to think about and prepare for their release and begins the creation of a reentry plan. Reentry starts the day a young person begins his or her sentence and enlists a team of stakeholders in that young person’s life to help develop a plan for when they return to their community. In conjunction with their reentry plan, action steps are identified that the young person can take

while incarcerated to best prepare them for a seamless and successful return to their community. The reentry process does not end with a plan; it must carry over into release and the care received after release.

While there is a great deal of planning that must be done for successful reentry, a young person can also take several action steps while in detention to smooth the transition from placement back into the community. Some of these action steps include attending educational classes provided within a detention facility, preparing a resume, finding job listings, completing applications and interviewing (OJJDP, 2018). Some facilities even offer career and technical certificate programs. These services are an integral part of the reentry process, which must receive investment.

The second stage of reentry occurs upon release and reentry into the community. This stage of reentry presents a different host of challenges due to lack of structure and reduction in security that are provided in detention facilities. Some of the challenges after release include access to housing, health care, education, employment opportunities and financial literacy and stability (OJJDP, 2018).

The Second Chance Act of 2007 has allowed for youth who have been previously convicted or sentenced to receive services that they may otherwise have not been entitled too. Furthermore, the reauthorization of the Second Chance Act in 2018 has further allowed progress to take place regarding the reduction of recidivism and curation of positive outcomes for young people who have – at some point – been placed within our criminal justice system.

Programs

The subcommittee will review best practices/promising practices, intervention, and programs to help guide the development of the Reentry Plan. Examples include:

The [Youth Build Offender Program](#) is one of many “promising” reentry programs. This program addresses sections 2a, 2b, and 2c of our recommendation targeting low-income youth with offenses by providing them with an amenable environment and opportunity for building education and life skills. The training received through this program lasts anywhere from 9 to 24 months in which participants alternate weekly between education courses and vocational skills courses. In addition to education and vocational course, this program also offers opportunities for housing supports, transportation, and childcare. Outcomes of the Youth Build Offender Program indicate significantly lower recidivism rates compared to those who did not participate in this program.

Similar to the Youth Build Offender Program, the [Skill-Building Interventions for Delinquent Behaviors of Youth Practice](#) also address sections 2a and 2b of our recommendation and is rated as being promising, however, the Skill-Building Interventions for Delinquent Behaviors of Youth Practice caters to 12-21 year olds, whereas the Youth Build Offender Program caters to 16-24 year olds. This is particularly relevant to the State of Connecticut, as the recommendation of the Raise the Minimum Age Subgroup of the JJPOC is to raise the minimum age of criminal responsibility (MACR) to 12. This particular practice focuses on providing instruction and activities that help youth develop and enhance skills to control their behavior and increase participation. It is shown that youth who participate in skill building interventions have lower recidivism rates.

Another promising program is the [Equipping Youth to Help One Another Program](#), addressing sections 2a and 2f in our recommendation, showing significant improvement of youth social skills and fewer instances of self- or staff-reported misconduct. The program combines two established programs: Positive Peer Culture (PPC) training and Aggression Replacement Training (ART) for youth that have conduct disorders. The purpose of the peer training environments is to teach the youth social skills and developmentally appropriate moral-reasoning skills. These sessions are focused on providing positive role-models, feedback, and practice situations to further develop these

skills. EQUIP has been tested on male youth between the ages of 15 to 18 that have been convicted of less serious felonies and violations of parole and showed significant lower rates of recidivism.

While there are many promising reentry programs, [Project BUILD](#) is one of the reentry programs that is shown to be effective. Project BUILD, now called Project BUILD Violence Intervention curriculum, addresses section 2a of the recommendation. Project BUILD was launched in 1993 as a violence prevention curriculum to assist youth in detention. The program focuses on four themes including self-esteem enhancement, communication skills, problem solving, and decision making and has been expanded in recent years to include life skill training, academic tutoring, and recreational activities. The outcomes for young people who participate in Project BUILD indicate lower rates of recidivism and longer times to reoffending compared to control the group youth at a one year follow up.

Lastly, the [Wayne County \(Michigan\) Second Chance Reentry Program](#) addresses sections 2d and 2f of the recommendation and is rated as promising. This program aims to reduce recidivism among young men between the ages of 13-18 through increased reentry services in residential treatment facilities. The program utilizes six practices including identifying and addressing the youth's criminogenic needs, enhancing the youth's intrinsic motivation, targeting youth at high risk for offending, using CBT based intervention and determining the appropriate treatment for youth. Each youth is assigned a reentry specialist that meets monthly with them, their residential team, and their caregivers. The program has shown significant decreases in recidivism.

Conclusion

While the Judicial Branch, the Department of Correction and the Department of Children and Families have existing policies and practices in place for reentry planning, it is imperative that a fully developed, coordinated approach be taken to plan for successful reentry of youth that provide them the best chance for positive outcomes when reentering the community. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) provides a vast amount of guidance in this area. In addition, several successful programs have demonstrated that effective reentry planning and strategies can reduce recidivism and increase public safety.



Suspensions and Expulsions

Background

[PA 21-174](#) Sec. 8 designated a committee “for the purpose of studying the effects of and possible alternatives to suspensions and expulsions of students in any grade”. The legislation required two separate reports be submitted to the JJPOC. The initial [Suspension and Expulsion Committee Report and Recommendations](#) was submitted in February 2022 regarding “effects of and alternatives to suspension and expulsion of students in preschool through second grade.” While the approved JJPOC recommendations did not advance in the 2022 legislative session, the suspension and expulsion committee moved forward in 2022 with the next mandated report in the PA 21-174. Their report due January 1, 2023, addresses “effects of and alternatives to suspension and expulsion of students in grades (A) three to eight, inclusive; and (B) nine to twelve, inclusive.”

2023 Recommendations

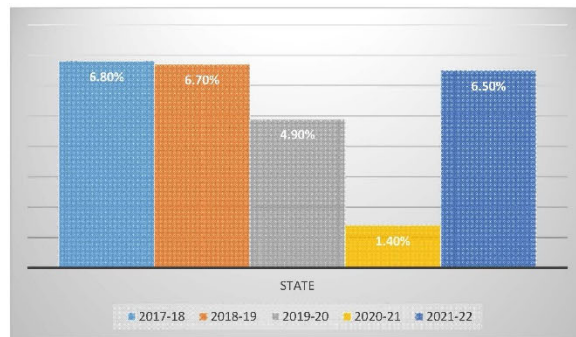
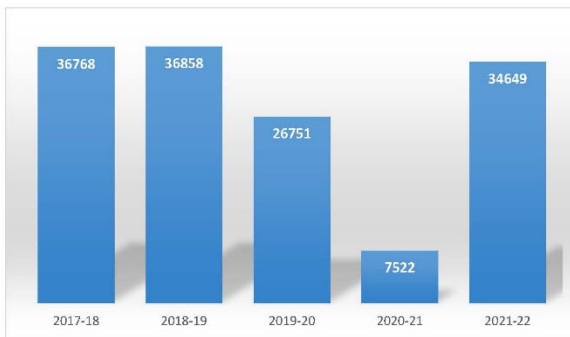
1. Effective July 1, 2024, the State Department of Education shall require:
 - a. Districts identified in two subsequent reporting school years as having high suspension and expulsion rates and/or high disproportionality, for all grades, including Pre-K, will submit a response and improvement plan to CSDE and the committee of cognizance.
 - b. A phased in plan with the aim to reduce and cap classroom student-to-teacher ratio beginning July 1, 2024, through July 1, 2028; the recommendation shall be considered a ceiling, not a floor. 20 students in Pre-k-K to 2nd grades. 23 students for grades 4-8th. 25 students for high school classes The Commissioner of Education may exempt certain types of classes (physical education, athletics, performing arts, etc.) from these class size caps as deemed safe and appropriate.
 - c. Encourage all schools throughout the state of Connecticut to administer the Columbia Suicide Severity Scale when students are exhibiting mental health distress or suicide warning signs.
2. Effective July 1, 2024, the legislature and the Governor shall fund the following, as noted in 1a-b above:
 - a. 4 additional positions to the State Department of Education for the purpose of providing support, technical assistance, on-site monitoring, and oversight of districts improvements plans.
 - b. Funds to permit districts to implement improvement plans.
 - c. Increase in workforce /support staff gap to support the efforts to reduce and cap classroom to teacher ratios as noted in 1b, starting with PreK to 2nd grades.
3. Effective July 1, 2023, through July 1, 2026, for purpose of a case study of reporting on Alternative Educational Opportunities (AEOs) from the ten largest districts, districts shall report on a twice-yearly basis to Juvenile Justice Policy and Oversight Committee and to the CSDE,
 - a. Number of expulsions and use of alternative educational opportunities (AEOs) for expelled students for the time period. Reporting will include identification of AEO placements and listing of completed credits for expelled students during their AEO placement.
 - b. A description of the alternative educational opportunities provided by the district and how it compares with the model program promulgated by the State Department of Education in “Standards for Educational Opportunities for Students Who Have Been Expelled.”
4. Behavior perceived by adults as being of a “violent or sexual nature” that may trigger suspension or expulsion of a PreK-2 student within current state statute is evidence of a child’s need for intervention, not exclusion. Effective July 1, 2024, the Department of Education shall organize a team comprised of members of

the subcommittee and others to develop guidance and strategies that aim to reduce out of school suspension and expulsions in pre-k -2. Guidance shall include precise, research based, developmentally appropriate definitions of the terms “violent or sexual nature” as they may apply to this age group, examples of behaviors which may trigger the need for intervention despite the ban, and developmentally appropriate interventions.

Connecticut Data on Suspensions and Expulsions

Edsight, Connecticut’s official source for education data, provides data on school discipline. The following are the most recent data (2021-22) for Suspensions and Expulsions, incidents and sanctions school year.

Suspension Rates, Trend
State of Connecticut



Notes regarding the COVID-19 pandemic:

In the 2019-20 school year, in-person classes were cancelled in mid-March; all districts switched to fully remote instruction for the remainder of the school year.
In the 2020-21 school year, students attended school in-person to varying degrees; some learned fully/mostly remotely for the entire school year.

https://public-edsight.ct.gov/students/suspension-rates?language=en_US

Incident Counts, Trend
State of Connecticut

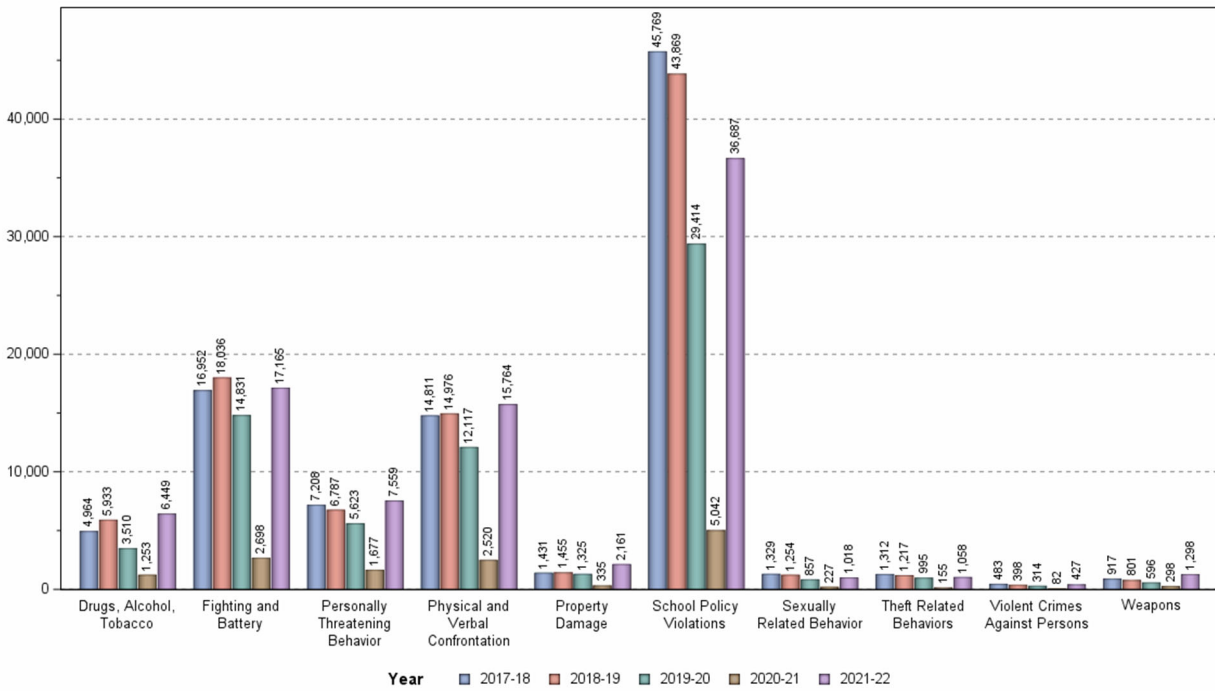
State	Incident Type	Year				
		2017-18	2018-19	2019-20	2020-21	2021-22
State of Connecticut	Violent Crimes Against Persons	483	398	314	82	427
	Sexually Related Behavior	1329	1254	857	227	1018
	Personally Threatening Behavior	7208	6787	5623	1677	7559
	Theft Related Behaviors	1312	1217	995	155	1058
	Physical and Verbal Confrontation	14811	14976	12117	2520	15764
	Fighting and Battery	16952	18036	14831	2698	17165
	Property Damage	1431	1455	1325	335	2161
	Weapons	917	801	596	298	1298
	Drugs, Alcohol, Tobacco	4964	5933	3510	1253	6449
	School Policy Violations	45769	43869	29414	5042	36687

Notes:

In the 2019-20 school year, due to the COVID-19 pandemic, in-person classes were cancelled in mid-March; all districts switched to fully remote instruction for the remainder of the school year.
In the 2020-21 school year, due to the COVID-19 pandemic, students attended school in-person to varying degrees; some learned fully/mostly remotely for the entire school year.

https://public-edsight.ct.gov/Students/Suspension-Rates/Incidents?language=en_US

Incident Trend: State of Connecticut



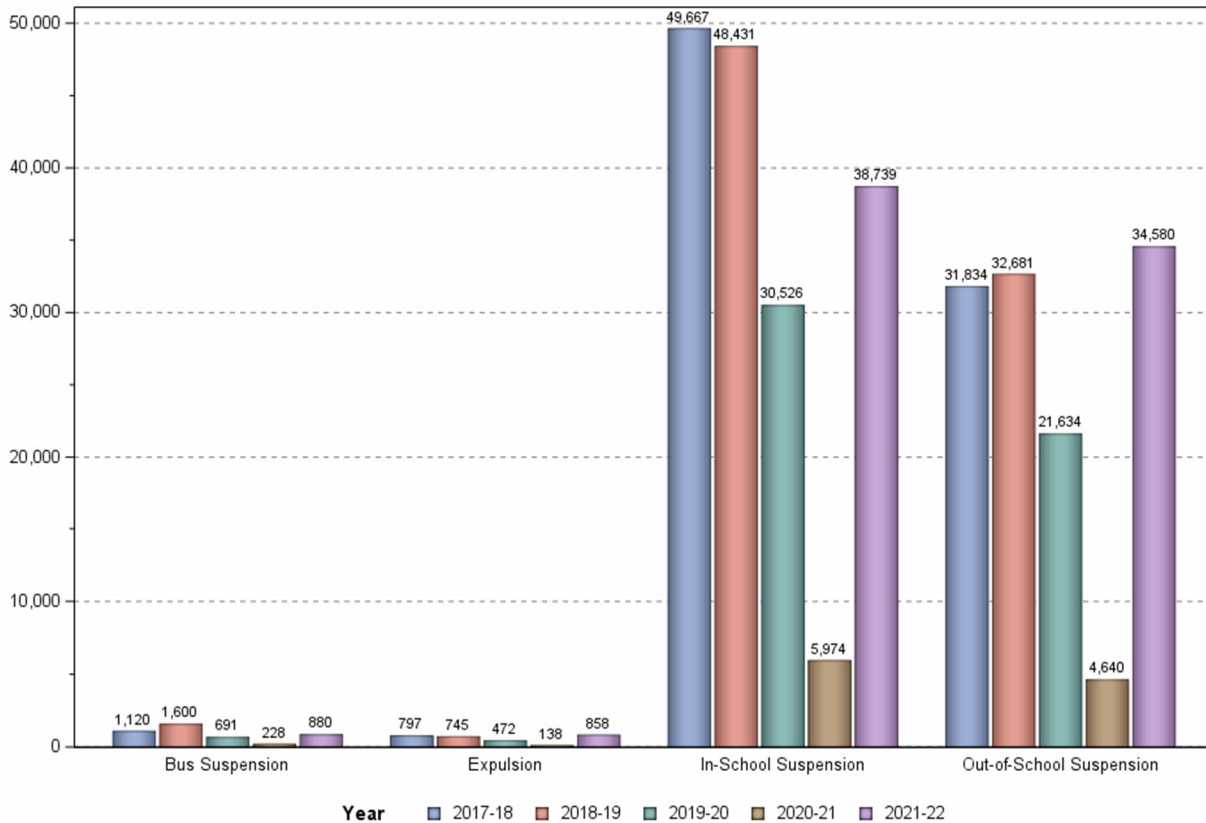
Sanction Counts, Trend State of Connecticut

State	Sanction Type	Year				
		2017-18	2018-19	2019-20	2020-21	2021-22
State of Connecticut	In-School Suspension	49667	48431	30526	5974	38739
	Out-of-School Suspension	31834	32681	21634	4640	34580
	Expulsion	797	745	472	138	858
	Bus Suspension	1120	1600	691	228	880

Notes:

In the 2019-20 school year, due to the COVID-19 pandemic, in-person classes were cancelled in mid-March; all districts switched to fully remote instruction for the remainder of the school year.
 In the 2020-21 school year, due to the COVID-19 pandemic, students attended school in-person to varying degrees; some learned fully/mostly remotely for the entire school year.

Sanction Trend: State of Connecticut



The Committee's 2022 Work

Following the submission of the suspension and expulsion committee's February, 2022 report and recommendations, the committee established a workplan consisting of monthly meetings. In addition to the monthly meetings, November 3rd an all-day in person session to refine and narrow the set of recommendations was held. Bellwether a national nonprofit whose mission is to "work across the sector to build equitable educational opportunities that lead to robust outcomes for all" was contracted to produce a report for the suspension and expulsion committee. The committee also gained qualitative insight from educator focus groups conducted and analyzed by Dr. Cooper.

"Exclusionary Discipline Research Brief" Bellwether

Bellwether provided academic literature, reports, and government data that focused on the impact of exclusionary discipline policies at the state and district levels, alternatives to exclusionary discipline practices, impact of exclusionary discipline practices for all grades (PreK-12). [Bellwether delivered to the committee in November 2022 an "Exclusionary Discipline Research Brief" for the committee consideration.](#) Bellwethers provided an overview of the literature and practices surrounding exclusionary discipline and the impact that exclusionary practices have on different demographics of young people. Additionally, they provide evidence-based alternatives to exclusionary discipline practices which include restorative justice practices, positive behavioral interventions and supports, and social emotional learning. This report also identifies other states engagement in exclusionary discipline practices and

how they are applied to youth differentially. The report also focused on the three priority areas identified by the committee, Data and Accountability, Family and Community Engagement, and Professional Learning.

The Bellwether report posits that exclusionary discipline is associated with youth disengagement, academic turmoil, and an increased risk of entrance into the juvenile justice system. The report further elaborates that exclusionary discipline extends beyond the young person(s) who is/are subject to exclusionary discipline, and that students who are witness to this type of discipline are also adversely affected. Lastly, successful implementation of policy and legislation is integral, and that successful implementation is a process that takes time.

Qualitative Findings from the 2022 Focus Groups Examining Connecticut Suspension and Expulsion Practices”. Dr Danielle Cooper and Research team

In a presentation to the Suspension and Expulsion Committee on November 3rd, 2022, Dr. Cooper presented her [Qualitative Findings from the 2022 Focus Groups Examining Connecticut Suspension and Expulsion Practices](#) from educators and administrators in the State of Connecticut in three topic areas, data and accountability, family and community engagement, and professional learning. Her findings provide rich contextual evidence for the current state of education system in these areas. After reaching saturation, Dr. Cooper identified ten patterns in the topic area of data and accountability, seven patterns in the topic area of family and community engagement, and nine patterns in the area of professional learning (Small, 2009).



Community Expertise

Background

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

2023 Recommendations

The goal is to solidify the commitment to partner with young people and families that currently are or have been impacted by the juvenile justice system to inform the ongoing work of the Juvenile Justice Policy and Oversight Committee (JJPOC).

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

1. [Public Act 14-217, Section 79](#) be amended to increase the membership of the JJPOC to include:
 - a. Two children/youth/young adults between the ages of 18 and 26 with lived expertise in the juvenile justice system and nominated by the Community Expertise Workgroup, one of whom shall be appointed by one chairperson of the Juvenile Justice Policy and Oversight Committee, and one of whom shall be appointed by the other chairperson of the Juvenile Justice Policy and Oversight Committee; and
 - b. One community member, which could include family members of youth impacted by the juvenile justice system or credible messengers with lived expertise in the justice system and currently working with youth in the juvenile justice system, nominated by the Community Expertise Workgroup and appointed by the chairpersons of the Juvenile Justice Policy and Oversight Committee.
2. The state shall fund sponsor organizations to support members appointed by the Community Expertise Workgroup with transportation, childcare, and stipends to enable member participation.

Importance

Solidifying appointed seats at the JJPOC for 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 direct perspective of the impact. Committing to appointed voting seats moves toward equalizing the partnership and gives young people and parents a reason and increase in interest to want to inform the ongoing work of the JJPOC.

The Juvenile Justice Reform Act led to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) creating a requirement for youth membership in state juvenile justice advisory groups, "At least one-fifth of the members shall be under the age of 28 at the time of initial appointment; and At least three members have been or currently are under the jurisdiction of the juvenile justice system, or if not feasible and in appropriate circumstances, the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system." The OJJDP has released a sample template of what a membership roster should look like: [Template State Juvenile Justice](#)

[Advisory Group Roster](#). The Coalition for Juvenile Justice recently released a report with guidelines to effectively partner with young people and communities. The full report can be found here, [Youth Partnership: A Call to Action for State Advisory Groups](#).

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. As the JJPOC has moved back to meeting in person, we would like to ensure financial capacity and coverage for childcare and transportation – two of the major barriers that impacted parent and youth ability to participate 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 you and families.

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. Members of the Community Expertise Workgroup have consistently informed the recommendations and practices of the JJPOC for several years on areas such as raising the minimum age of jurisdiction, identifying gaps in services, organizing larger groups of directly impacted communities for feedback, commissary needs, population transfer implementation plans, and more. To maintain and further integrate youth and community voice into the work of the JJPOC, it is imperative that we follow through on our commitment to affirming the value of community input by asserting their roles as voting members and pay them for their time and efforts.

Addendum A

Workgroup and Sub Workgroup Membership Lists

Diversion Workgroup

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Desi Nesmith	State Department of Education
Devin Avshalom Smith	Connecticut General Assembly
Diane Thompson	NAFI CT
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Elisabeth Cannata	Wheeler Clinic
Erica Bromley	Connecticut Youth Services Association
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Frances Rabinowitz	CT Association of Public School Superintendents
Hannah Granfield	Prevention Works
Iliana Pujols	Connecticut Justice Alliance
James Connolly	Judicial Branch
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LeAnn Neal	Center for Children's Advocacy

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Patrice McCarthy	CT Association of Boards of Education
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Shirley West	Family Alliance
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Eulalia Garcia	Department of Correction
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Raise the Minimum Age

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