



JJPOC Meeting Minutes

January 19, 2023

2:00pm-4:00pm

Legislative Office Bldg., Rm 1E

Zoom Option Available

Attendance:

Rep. Toni Walker

Marc Pelka

Anthony Nolan

Jorge Cabrera

Gary Winfield

Christina Quaranta

Erica Bromley

Thea Montanez

Sean Cleary

Jillian Gilchrest

Robyn Porter

Hector Glynn

Macklin Roman

Martha Stone

Eric Berthel

Judge Dawne Westbrook

Judge Patrick Carroll

Gary Roberge

Tais Ericson

Susan Hamilton

Sharmese Walcott

Vanessa Dorantes

Angel Quiros

John Frassinelli

Warden Michael Pierce

Amy Marracino

Lisa Sementilli

Stacy Schulman

Joshua Bernegger

Derrick Gordon

Veron Beaulieu

Gwendolyn Samuel

Sarah Eagan

Brian Hill

Fran Rabinowitz

Steven Hernandez

Amy Vatner

Janeen Reed

TYJI Staff

Bill Carbone

Sue Cusano

Erika Nowakowski

Brittany LaMarr

Shauntaye Monroe

Donna Pfrommer

Hunter Clark

Sydney de Lannoy

Paul Klee

Welcome and Introductions

Representative Toni Walker and Undersecretary Marc Pelka welcomed everyone to the first committee meeting of 2023. They introduced the new appointed members. Roll call was collected by the Tow Youth Justice Institute (TYJI).

Acceptance of JJPOC Meeting Minutes

Representative Toni Walker asked for a motion to accept the December 6, 2022, meeting minutes. The motion was moved, seconded, and passed unanimously.

Presentation on Draft 2023 JJPOC Recommendations and Reports

Erika Nowakowski of the TYJI introduced the presenters of the 2023 recommendations from each work group. She also thanked all the workgroups for their collaboration and consensus-building that went into these recommendations.



Community Expertise 2023 Recommendations

The Community Expertise Workgroup Recommendations were presented by Janeen Reid. The first of the two recommendations was a revision to Public Act 14-217, Section 79, which would amend the membership of the JJPOC to include at least two youth between the ages of 18 to 26 that have lived expertise within the youth justice system and one community member, which could include family members of youth impacted by the youth justice system or credible messengers, to the committee. Many members of the JJPOC expressed their support for this recommendation, one noting that the people closest to the problem are closest to the solution. Other members expressed further support, agreeing that this was an important step forward. The second recommendation proposed by the Community Expertise Group had to do with the state sponsoring the cost to support these new members by way of transportation, childcare, or other stipends to enable member participation. Undersecretary Pelka made a motion to combine the two recommendations into one. A vote was called, which was seconded by Representative Toni Walker, and passed.

Suspension and Expulsion 2023 Recommendations

The four Suspension & Expulsion Workgroup recommendations were presented by Fran Rabinowitz, Amy Vatner, and Steven Hernandez. Representative Robyn Porter gave opening remarks, in which she expressed how important this topic was to her. She thanked the committee for their work despite its difficulty. In the State of CT, suspension and expulsion disproportionately impact students of color. Small gradual changes can be essential. Things like class size, reducing stress on teachers, will help reduce this issue and the pandemic has brought about mental health issues, exacerbating pre-pandemic issues.

Fran Rabinowitz presented the first recommendation which required that districts identified, in two subsequent reporting years, as having high suspension and expulsion rates and/or high disproportionality, to submit a response and improvement plan to CSDE. This recommendation also included a phased in plan to reduce and cap classroom student to teacher ratios and also encouraged schools throughout Connecticut to administer the Columbia Suicide Severity Scale when students exhibit mental health distress or suicide warning signs. There were requests for clarification on the ability for the government to define class sizes over the power of the local boards of education and this may be a possible statutory issue.

There were also questions about the Columbia Suicide Severity Scale. Steven Hernandez clarified that this is used across the country and world-wide. Connecticut had been one of the early adopters of the scale, although it is not universally implemented across districts. The Columbia Suicide Severity Scale is the only validated screening tool appropriate for school-based settings. There are other tools in existence, but they are not designed for school-based settings. There was discussion about how this would align and build upon what is currently in practice withing schools and CSDE. John Frassinelli, who works at the CSDE, clarified that there is a number of mechanisms, including the alliance district plans, and tiering system in regard to disproportionality within suspension and expulsion and other exclusionary practices. It is important to note, that due to the pandemic, the most recent numbers are not exactly true, or are skewed,



but he was appreciative that this recommendation would not begin until 2024, because by then there will be two years of data since the pandemic.

There was a question about recommendation 1C, and the word 'encourage.' CSDE had appreciated this wording because there are many districts using different tools, and they would like this tool to build on existing systems of support. There was also a question if there were any caps currently in the statute, which clarified that there is not. It was asked if there was a plan on how to fund the new teachers that are needed or even find the teachers. There are many classrooms staffed by long term subs right now. There is currently not, but this is an aspirational recommendation in that there is hope that the staff shortage can be overcome. CSDE is in favor of this recommendation.

The second recommendation of the Suspension and Expulsion Workgroup was also presented by Fran Rabinowitz and builds on recommendation one. The recommendation calls for additional positions be added to CSDE and funds to implement the improvement plans. There was discussion over why the work group specifically elected to establish four positions in the CSDE. In answer, the workgroup reported that this was just an initial number to start with and more staff could be added later. It was commented that the issue of suspension and expulsion and disparities between racial, ethnic, and disability is actually a legal matter of discrimination. Suspension and Expulsion has been used as an excuse to avoid dealing with the underlying issue. The legal context of this issue is important in understanding and thinking on this issue. It was mentioned that recommendation 4 from this work group may touch more on this issue. CSDE mentioned that they will be abstaining from voting, as it has directly to do with their agency and the governor's budget is not yet out which may have budget implications on the recommendation.

There was a vote called for recommendation one and two. The recommendation passed with a simple majority for recommendation one. The vote for recommendation two was paused for a friendly amendment proposed by Amy Vatner to change the number of staff from four to just "additional staffing as needed" to assuage some of the concerns expressed. This was then supported by Rep. Porter and there were no objections to the amendment. The friendly amendment passed with a simple majority.

Recommendation three was presented by Amy Vatner, who is a co-chair of the Suspension and Expulsion Workgroup. The recommendation proposed a case study to report on the use Alternative Educational Opportunities (AEOs) from the ten largest districts reported to the JJPOC and CSDE. The purpose is to examine and understand if districts are making use of AEOs. There was a question on if the AEOs are currently being used and it was clarified that AEOs are currently available, but it is unclear if they are actually being used by students. There are many different types, some run by state, others by districts. Also, it was clarified that AEOs are not only used by those who have been expelled.

John Frassinelli mentioned that the data will need to be collected by CSDE and while they are not opposed, the specificity of the language of the recommendations may be so small that even in the aggregate, they are concerned that it may violate data suppression rules and students may be identified from data. Therefore, CSDE will be voting no on the recommendation. It was asked why the case study was limited to the ten



largest districts and why not include all of the districts. A concern was raised that this data may skew the results as it is not representative of the state, only the largest districts and suggested that perhaps the districts selected be randomized. A different member of the JJPOC asked again why all the districts could not be used instead. CSDE mentioned that they do not have capacity to analyze that volume of data by themselves. Rep. Nolan suggested a friendly amendment that all districts would report to CSDE. Rep Porter asked to expand on the amendment that these results be analyzed as well. There were questions about who would be doing the analysis; if there is no one to do the analysis, then why collect the data. It was asked if this is something that TYJI can do. The response was if CSDE could collect that data, the University of New Haven's Center for Analytics in conjunction with TYJI could do the analysis. It was also asked if this would help if it was annual versus two times a year. It was expressed that annually would satisfy the recommendation. It was asked if data is currently collected on AEOs. CSDE replied that there is some data collection regarding this issue but unsure of the quantity at the moment. A vote was called based on the friendly amendments made to the recommendation and it passed with a simple majority "yes."

The final recommendation proposed by the suspension and expulsion workgroup was presented by Steven Hernandez. The recommendation proposes that behavior perceived by adults as being of a "violent or sexual nature" that may trigger suspension or expulsion of a PreK-2 students within current state statute, is evidence of a child's need for intervention, not exclusion. It is a call to change the response to behavior defined as these terms in this age group to trigger intervention that is developmentally appropriate. There were comments around support for this recommendation and its thoughtfulness in terms of behavioral health and trauma response. There was a question if the recommendation proposed taking behaviors of "violent or sexual nature" out of the statute. However, it was clarified that this recommendation was about adding clarity to the law by defining what is meant by these words in application to the youngest students in schools. It was expressed that it still may be problematic to have young children's behavior referred to in "quasi-criminal terms", particularly given to the ethnic and racial disproportionality in children expelled and suspended in this age group. It speaks to the oversexualization of black and brown bodies and the fact that children are seen as miniature adults. This is a step forward but there is more work to be done in this space. A vote was called and the recommendation passed with a simple majority "yes."

Diversion 2023 Recommendations

The Diversion Workgroup Recommendations were presented by Erica Bromley. The first recommendation is regarding pre-arrest diversion and lists behaviors that would automatically be diverted to community-based diversion systems for first- and second-time offenses. This recommendation would still allow law enforcement, schools, and other systems to refer youth a to Youth Service Bureaus (YSB) or Juvenile Review Boards (JRBs). This was a legislative mandate referred to this subgroup through the Diversion Workgroup. Data shows that for Tier 1 and Tier 2 offenses in 2022, only 18% of cases required any type of supervision and the youth justice system has already been organically diverting these offenses according to data. There is also a 50% decrease of these types of offenses since 2017 and a disparity across jurisdictions about whether or not these youths are diverted to community-based programs versus courts. This



recommendation would make referral to court not an option and standardize diversion and referral process without requiring an unnecessary arrest.

Some concerns were expressed by multiple members of the JJPOC. It was mentioned that there were still some questions about what community-based diversion is and questions of the effectiveness of YSBs and JRBs, that more research may be needed and if enough programming was available to take on additional children. Another member expressed concerns that YSBs and JRBs vary across the state. Also, there was concern around the voluntary participation by the family and that the youth may not comply with the referral. Another concern was just making a recommendation with great intention but falls hollow in enactment. The committee was reminded that this diversion was already happening organically, and this recommendation would just be standardizing the response across districts. If necessary, due to family or youth not complying with services, the case can be referred back to court. Another member also raised that the new Risk Based Handling process in courts recently went into effect that diverts these children back to community-based intervention. This means, the past data that said 18% of cases required supervision, was a result of past procedure that is now changed due to this new process, and these cases would as well be diverted back to community-based interventions. The purpose of this recommendation is just to divert children pre-arrest.

Due to the constraints on time it was decided to postpone voting on the Diversion and Incarceration Workgroup Recommendations until February.

Rep. Walker thanked everyone for all the work that went into these recommendations. The rest of the recommendations will be voted on at next meeting.

Next Meeting: Thursday, February 16th, 2023, 2:00 pm-4:00 pm