



JUVENILE JUSTICE REFORM IN CONNECTICUT:

How Collaboration and Commitment
Improved Outcomes for Youth

In 2007, Connecticut made national headlines when it passed a law ending its status as one of just three states that automatically tried and punished all 16 and 17 year-olds as adults. Yet, this historic “Raise the Age” legislation is just one of many reforms enacted by Connecticut’s juvenile justice system in recent years. Propelled by a determined coalition of advocates and public sector innovators, Connecticut has forged a new consensus for progressive change in juvenile justice, and it has transformed a previously wasteful, punitive, ineffective, and often abusive juvenile justice system into a national model – *at no additional cost to taxpayers*. This brief describes Connecticut’s progress on seven dimensions of juvenile justice reform, with details both about what was accomplished and how it was done. A full report on Connecticut’s reform story will be available in early 2013 at <http://www.justicepolicy.org/research/ctjj> and www.ctjja.org.

REDUCED OVERRELIANCE ON CONFINEMENT

What Was Accomplished?

- Reduced residential commitments from 680 in 2000 to 216 in 2011 (nearly 70%),¹ even though most 16 year-olds, who were previously treated as adults, are now handled in the juvenile system.
- Cut the average daily population in Connecticut’s juvenile corrections facility by more than half – from 229 in 1993² and 153 in 2001³ to 109 in 2011⁴ (including 16 year-olds).
- Reduced admissions to Connecticut’s locked pretrial juvenile detention centers from over 3,000 in 2005⁵ to under 1,700 in 2009 (before 16-year-olds became eligible for juvenile courts/detention) and 2,270 in 2011 (including 16 year-olds).⁶
- Cut the average daily population in Connecticut’s pretrial detention centers from 132 in 2006 to 71 in 2010. The average daily detention population rose to 94 in 2011⁷ – one year after 16-year-olds entered the juvenile system – but remains well below the 2006 figure.
- The drop in detention utilization enabled Connecticut to close one of its three state-operated detention centers in 2011.⁸
- Connecticut has seen no increase in juvenile offending as confinement declined: among youth 15 and under (the state’s traditional juvenile population), total arrests fell 37 percent from 2002 to 2010 and serious violent crime arrests fell 26 percent.⁹

How Was It Done?

- Embraced new evidence showing that well-designed community supervision/treatment is more effective (and far less costly) than incarceration for lower-risk youth.
- Adopted an objective screening process to guide decisions over whether to place youth on community supervision versus residential commitments based on each youth’s risk for reoffending.
- Prohibited detention of status offenders who violate a valid court order.
- Substantially enhanced mental health screening/assessment and expanded treatment options to reduce the number of youth languishing in detention due to serious mental health needs.
- Provided effective counseling and treatment to reduce reoffending.
- Required a meeting of the youth, family, probation staff, mental health providers, and others to explore alternatives before committing any youth to residential custody.
- Adopted new probation practices that sharply limit placements into detention for probation violations.

BUILT A CONTINUUM OF TARGETED, HIGH-QUALITY NON-RESIDENTIAL PROGRAMS AND SERVICES FOR YOUTH

What Was Accomplished?

- Expanded funding for community-based, family-focused treatment programs from \$300,000 in 2000 to \$39 million in 2009.¹⁰
- Became a national leader in implementing scientifically proven intervention models. In Fiscal Year 2012, 955 youths on probation supervision participated in intensive evidence-based family therapy programs, and 652 probation youths received evidence-based cognitive behavioral therapy. Evidence-based treatment is also provided to hundreds more youth, including delinquent young people committed to state custody, status offenders diverted from juvenile court, and behaviorally troubled youth served in the children's mental health system.¹¹
- Created 60 Juvenile Review Boards (JRB) made up of local police, school officials and community providers to handle cases of youth with low-level and first-time offenses outside the formal court system, with 11 more JRBs in the planning stage.
- Even with all of these new juvenile justice programs and reforms and the addition of 16 year-olds to the system caseload via Raise the Age, total annual state spending on juvenile justice actually decreased from Fiscal Year 2002 to Fiscal Year 2012 (after accounting for inflation), as the costs of new programs and services were fully offset by reduced spending for detention, incarceration, and other residential placements.¹²

How Was It Done?

- Undertook a comprehensive juvenile justice strategic planning process, led by the Department of Children and Families and the Judicial Branch's Court Support Services Division, which fostered consensus across the state to support practice changes and major investments in non-residential programming.
- Established an executive team of key state leaders and advocates to oversee implementation of this strategic plan and created 13 local interagency coalitions to address juvenile justice issues at the community level and to partner with state leaders on system improvements.
- Worked with national experts to develop a state-of-the-art behavioral health model to ensure that court-involved youth and their families receive high-quality mental health evaluations and treatment services.
- Created a Center for Best Practices within the Judicial Branch's Court Support Services Division to study, adapt, and monitor the implementation of evidence-based therapy programs and other best practices.
- Instituted a structured process for individualized assessment and placement into appropriate treatment and support services, and invested in new educational, recreational, vocational and other youth development opportunities.
- Developed state-of-the-art data capacity within the Judicial Branch's Court Support Services Division to measure results, ensure that programs are being implemented as designed, and identify problems that may interfere with success.

IMPROVED CONDITIONS OF CONFINEMENT IN JUVENILE DETENTION AND CORRECTIONAL TRAINING SCHOOL

What Was Accomplished?

- After being sued in the early 1990s because of overcrowding and problematic treatment of youth in its juvenile detention facilities, the Judicial Branch's Court Support Services Division vastly improved detention programming, education and mental health services, recreational programs, and physical conditions in detention.
- Connecticut is now the only state in the nation whose detention facilities are dually accredited by the American Correctional Association and the National Commission on Correctional Health Care.
- After a series of investigations revealed severe deficiencies in the new \$57 million Connecticut Juvenile Training School from 2001-2004 (and in its predecessor facility), Connecticut permanently closed a high-security unit where violent incidents had been commonplace and vastly improved programming and treatment throughout the facility.

How Was It Done?

- Signed and then implemented comprehensive settlement agreements to resolve lawsuits over conditions of confinement in state detention facilities.
- Reduced overcrowding by requiring a court order for all detention admissions, instituting better screening instruments and a graduated sanctions policy for probation violations, and expanding non-residential, family-focused mental health alternatives.
- Took decisive action to correct problems at the training school. In addition to closing the most problematic unit, the state temporarily suspended new admissions, provided intensive retraining of staff on behavior management, reformed disciplinary practices, and added an array of new youth development programs.
- Implemented Performance-based Standards (Pbs), an accountability process overseen by the Council of Juvenile Correctional Administrators to help states and localities improve conditions in juvenile facilities.

DIVERTED STATUS OFFENDING YOUTH AWAY FROM THE COURT SYSTEM AND OUT OF LOCKED DETENTION CENTERS

What Was Accomplished?

- › Enacted legislation that dramatically improved Connecticut's approach to status offenders (youth who are referred to court for behaviors, such as truancy or running away, that are not criminal offenses for adults).
- › Eliminated admission of youth to detention centers for status offenses, reducing the number from 493 in 2006-07 to zero in 2008-09.¹³
- › Opened Family Support Centers (FSC) in four cities in 2007 offering community-based treatment and other services for status-offending youth and their families rather than supervision and treatment through probation. Since then, FSC services have been expanded to cover the rest of the state.
- › Reduced judicial processing (formal petition) of status offender referrals from 50% of those filed in 2006-07 to just 4.5 % of those filed in 2010 and 2011.¹⁴
- › Since 2006, reduced the number of youth with a status offense who were rearrested or convicted of crimes by more than 70 percent.¹⁵
- › According to surveys, status-offending youth served by the new programs have improved their behaviors at home and school.¹⁶

How Was It Done?

- › Legislatively prohibited confinement of youth for status offenses and banned placement in detention for violation of a court order if the youth has not committed any crimes.
- › Created a high-level committee in 2006, the Families With Service Needs Advisory Board, to study the challenge, forge consensus, develop a detailed plan for reforming the state's approach to status-offending youth, and then monitor implementation of a new process and service delivery system for status offenders.
- › Mobilized political support to enact the plan and secure funding needed for the new services.

KEPT YOUTH OUT OF THE ADULT JUSTICE SYSTEM

What Was Accomplished?

- › Enacted historic legislation in 2007 to raise the age of juvenile jurisdiction from 16 to 18, effective Jan. 1, 2010 for 16 year olds and July 1, 2012 for 17 year olds.
- › Through June 2012, enabled 8,325 16 year-olds to avoid prosecution and punishment in the adult criminal justice system. That figure was expected to grow rapidly after July 1, 2012 when 17 year-olds came under juvenile court jurisdiction.¹⁷
- › Extending juvenile jurisdiction to 16 year-olds has increased juvenile caseloads far less than expected (22 percent actual vs. 40 percent projected), reducing the state's expenditures to serve these youth by nearly \$12 million below the amount initially budgeted for the 2010 and 2011 fiscal years.¹⁸
- › 16 year-olds served by the juvenile system have had higher success rates in alternative programs and lower rearrest rates than youth 15 and younger, disproving concerns that they should be in the adult system.¹⁹
- › The population of Connecticut youth ages 17 and under in adult prisons has fallen from more than 400 in January 2007 to just 143 in January 2012.²⁰

How Was It Done?

- › A multi-year, education and advocacy campaign to "Raise the Age" was mobilized by the Connecticut Juvenile Justice Alliance, a statewide advocacy coalition working collectively with other advocates, youth and families, community partners, and influential leaders in the judiciary, legislature, and state government.
- › Advocates pushed back against opponents' inflated estimates regarding the costs and complexity of implementing the "Raise the Age" legislation by using data and support from national experts.
- › The legislature employed a two-stage process to enact the "Raise the Age" legislation – first creating an advisory commission to study the issue and build consensus around a detailed plan, then debating and passing legislation one year later.
- › Facing continued resistance from some legislators and law enforcement officials, reached a compromise in 2009 to phase in the law's implementation allowing 16 year-olds to enter the juvenile systems first (in January 2010) and then adding 17 year-olds later (in July 2012).
- › Even before the law took effect, the Judicial Branch's Court Support Services Division made substantial investments in staff training and program development to ensure that older youth would receive effective and age-appropriate services.

ADDRESSED RACIAL DISPARITIES IN THE JUVENILE JUSTICE SYSTEM'S TREATMENT OF YOUTH

Work in Progress

Connecticut cannot claim significant statewide progress toward reducing racial and ethnic disparities in its juvenile justice system, but the state has intensified its focus in recent years and launched promising new initiatives to address this pervasive and troubling problem.

What Was Accomplished?

- ▶ Conducted 76 training sessions since 2007 for nearly 1,400 police officers on Disproportionate Minority Contact (DMC).²¹ A 2008 evaluation showed that this training had a lasting positive impact on officers' knowledge and attitudes about youth development and issues related to racial disparities.²²
- ▶ Mobilized pilot projects in two Connecticut localities, Bridgeport and Hartford, to identify practices that result in disparate treatment and test new strategies for reducing disparities. The sites have reduced juvenile court referrals of Black and Hispanic students for misconduct at school by 40 percent (Bridgeport) and 78 percent (Hartford), and the overall number of Black and Hispanic youth referred to juvenile court has fallen in both sites.²³
- ▶ Enacted a new law in 2011 requiring state juvenile justice agencies to prepare biennial reports on their DMC goals and accomplishments. Also, based on data showing that a previous rule change requiring a court order before youth could be detained for serious offenses had reduced racial disparities, the new law now requires authorities to secure a court order before detaining youth for any crime.

How Was It Done?

- ▶ Connecticut's Juvenile Justice Advisory Committee (JJAC) has maintained a DMC committee since 1992 that involves public and private leaders in reviewing DMC data, making recommendations, and helping advocate and implement changes in policy and practice aimed at reducing DMC problems.
- ▶ The JJAC commissioned three in-depth studies analyzing racial disparities at 18 decision points in the state's law enforcement and juvenile court processes – in 1991-92, 1998-99, and 2005-07. Recommendations from the reports have led to significant legislative and policy reforms.
- ▶ In 2011, the Judicial Branch's Court Support Services Division (CSSD) began providing quarterly data reports to local jurisdictions involved in DMC pilot projects – an important new tool for local teams working to combat disparities in the juvenile system. CSSD will begin making similar reports available to all local jurisdictions by the end of 2012.

REDUCED ARRESTS AT SCHOOL FOR ROUTINE AND NON-SERIOUS ADOLESCENT BEHAVIOR

Work in Progress

Here too, though Connecticut has not yet demonstrated significant statewide progress, it is making important strides.

What Was Accomplished?

- ▶ Nine Connecticut school districts have signed agreements with police limiting the circumstances under which students can be arrested at school. Each partnership has received grant support from Connecticut's Juvenile Justice Advisory Committee for their efforts to reduce school-based arrests.²⁴
- ▶ Two of these districts partnered with the Connecticut Juvenile Justice Alliance to launch particularly ambitious pilot programs in 2010; a third district is initiating major changes in 2012. In one pilot district (Manchester), by the spring of 2012, arrests and expulsions both fell by more than 60 percent compared to the prior school year.²⁵
- ▶ Launched the School-Based Diversion Initiative (SBDI) in 2009 to promote mental health treatment rather than disciplinary or justice responses to misbehavior by emotionally disturbed students. The project, which began in two pilot sites, has since expanded to nine sites. An independent evaluation found that SBDI decreased the number of students arrested and/or suspended, and reduced subsequent misbehavior.²⁶
- ▶ In 2011, juvenile courts began rejecting referrals involving youth arrested for minor misbehavior. Of the first 221 cases the courts refused to prosecute, more than half involved school arrests.²⁷
- ▶ Enacted a new law in 2007 prohibiting out-of-school suspensions except in extreme cases. In 2008-09, 10,353 fewer Connecticut students were suspended out of school than in 2006-07²⁸ – and the total number of suspensions fell 30 percent over that period.²⁹

How Was It Done?

- ▶ The state's Juvenile Justice Advisory Committee (JJAC) developed a model school-police memorandum of agreement (MOA) and provided seed money for reform efforts. The Connecticut Juvenile Justice Alliance partnered with the JJAC to bring in national experts and encourage use of the model MOA around the state.
- ▶ With support from the Judicial Branch and the Department of Children and Families, new local interagency coalitions have begun to play a key role in studying and addressing school arrests and other school discipline policies at the community level.
- ▶ The Judicial Branch committed to collect and analyze data on school arrests and to share and regularly update the data for local interagency coalitions striving to address school-to-prison pipeline issues.

ENDNOTES

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- 13 Data from Connecticut Juvenile Justice Alliance's *Safe and Sound* report, p.5, supra note 3.
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- 16 Ibid.
- 17 Data provided by Connecticut Judicial Branch, Court Support Services Division, September 2012. The 8,325 figure includes 6,981 youth charged with delinquent offenses and 1,344 youth referred to court on status offenses (Family With Service Needs).
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