

**CONNECTICUT  
JUVENILE JURISDICTION  
PLANNING AND IMPLEMENTATION COMMITTEE**

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**FINAL REPORT**

**February 12, 2007**

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## EXECUTIVE SUMMARY

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Connecticut remains one of only three states—along with North Carolina and New York—that draw the line of adulthood for criminal justice purposes at 16. As a result, Connecticut is out of step with both the vast majority of states in its treatment of youth and the current scientific research demonstrating significant cognitive differences between adults and older adolescents.

In 2006, the Connecticut General Assembly established the Juvenile Jurisdiction Planning and Implementation Committee (the Committee) and charged it with creating a plan to align the state's policies with mainstream practice. State lawmakers took this action with the knowledge that incorporating 16- and 17-year-old youth into the juvenile justice system will not only promote public safety in Connecticut by fostering positive youth development, but it will also, in the long run, cost state taxpayers less than handling this distinct category of youth in the adult criminal justice system.

Since it first convened in August 2006, the Committee has gathered public testimony, considered analyses from studies commissioned by state agencies, and met regularly to weigh this information and evidence. As a result of these efforts, the Committee recommends that the General Assembly take the following actions:

- Pass legislation in the 2007 session to raise the age of juvenile jurisdiction from 16 to 18, effective July 1, 2009;
- Prepare the existing state juvenile justice system for this change by improving court diversion and pre-trial detention practices;
- Establish Regional Youth Courts to accommodate the expected influx of 16- and 17-year-olds;
- Phase in community and residential services and staffing to serve 16- and 17-year-olds effectively;
- Create a Policy and Operations Coordinating Council with a clear mandate to implement these recommendations and to resolve, prior to the effective date, key tasks and outstanding issues identified in this report; and
- Appropriate funds necessary to accomplish these changes prior to the effective date.

These recommendations, ratified and endorsed by the Committee, form the basis of a legislative plan to incorporate 16- and 17-year-olds into Connecticut's juvenile justice system. This plan will be introduced for consideration by the General Assembly during the 2007 legislative session.

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## INTRODUCTION

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This is the final report of the Juvenile Jurisdiction Planning and Implementation Committee (the Committee) established by the Connecticut General Assembly in 2006. While the official product of the Committee's work since its establishment last year, the report represents more broadly the culmination of over five years of reflection, collaboration, and compromise among Connecticut practitioners, legislators, and advocates united around a common purpose: to bring Connecticut justice policy in line with national best practice by incorporating all youth under 18 years of age under the jurisdiction of the Superior Court for Juvenile Matters ("juvenile court").

At the outset of this report, the Committee reaffirms that raising the age of juvenile jurisdiction makes sense from a policy perspective and will align Connecticut with both the vast majority of states in their treatment of youth and the current scientific research demonstrating the significant relevant differences between adults and older adolescents. Furthermore, the Committee is confident that incorporating 16- and 17-year-old youth into the juvenile justice system will not only promote public safety through positive youth development, but will also cost less than handling this distinct category of youth in the adult criminal justice system over the long term.

This report on the Committee's implementation plan and recommendations is presented in two sections, preceded by a background section on broader issues of juvenile justice practice, a summary of Connecticut's work on this topic over the past five years, and a description of the Committee's mandate and methodology. Section A details the Committee's implementation plan and recommendations. This section delineates a timeline and substantive methods to modify operational and system components critical to the successful expansion of juvenile jurisdiction. The recommendations described in Section B are intended to structure an ongoing process and a system of accountability for the transition period. Combined, the recommendations presented in Sections A and B ensure that the juvenile justice system will be ready to accommodate 16- and 17-year-olds by the effective date of July 1, 2009.

The recommendations and implementation plan set out in this report usher in a new era for Connecticut and its youth—one in which the state dedicates itself to focusing on the inherent potential of each of its children while also maintaining the safety of its families and communities. The Committee recognizes that the implementation of this initiative is a complex undertaking that affects a host of agencies, service providers, communities, and ultimately young people themselves. It also realizes that the goal is well within reach. With this plan, the Committee provides realistic and concrete steps to bring 16- and 17-year-olds into the juvenile justice system in a timely, effective, and fiscally prudent manner.

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## BACKGROUND

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A full appreciation of this report and its recommendations must be predicated upon an understanding of their context. Accordingly, this section provides a brief overview of some of the issues associated with raising the age of juvenile jurisdiction, a relevant history of juvenile and criminal justice practice in Connecticut, and a summary of the methodology used by the Juvenile Jurisdiction Planning and Implementation Committee.

### **Raising the Age: An Overview of the Issue**

More than 100 years ago, recognizing the inherent differences between youth and adults, reformers created a separate justice system for juveniles. At the time, youth were thought to lack moral and judgmental maturity and were therefore considered less culpable for deviant behavior than were adults. In more recent years, however, high rates of violence among youth inspired many lawmakers to become more “tough on crime.” In Connecticut, as elsewhere, laws were passed that increasingly brought young people—especially older teenagers—under the jurisdiction of the adult court. An improved understanding of youth development, supported by greater scientific knowledge about brain functioning, has caused lawmakers to reconsider this approach to administering justice to young people.

Many of the factors associated with this trend are reflected in the U.S. Supreme Court’s March 2005 decision outlawing the death penalty for anyone younger than age 18. In *Roper v. Simmons*, the Court noted:

Three general differences between juveniles under 18 and adults demonstrate that juvenile offenders cannot with reliability be classified among the worst offenders. First. . . [a] lack of maturity and an underdeveloped sense of responsibility are found in youth more often than in adults and are more understandable among the young. . . . The second area of difference is that juveniles are more vulnerable or susceptible to negative influences and outside pressures, including peer pressure . . . . The third broad difference is that the character of a juvenile is not as well formed as that of an adult. . . . These differences render suspect any conclusion that a juvenile falls among the worst offenders. . . . From a moral standpoint it would be misguided to equate the failings of a minor with those of an adult, for a greater possibility exists that a minor’s character deficiencies will be reformed. . . . For the reasons we have discussed . . . a line must be drawn. . . . The age of 18 is the point where society draws the line for many purposes between childhood and adulthood.<sup>1</sup>

In addition to these “general differences” noted by the Supreme Court to be associated with youth under age 18—a lack of maturity, heightened susceptibility to external influences, and insufficiently developed character—counting 16- and 17-year-olds as

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<sup>1</sup> 543 U.S. 551, 569-70, & 574 (2005).

adults in the criminal justice context is inconsistent with their treatment in almost every other legal context. By law, in most states 16- and 17-year-olds cannot vote, purchase or consume alcohol, gamble, or marry without the written consent of their parents. Neither can they serve on the juries that decide whether a 16- or 17-year-old will go to prison.

Critical both to the Supreme Court's reasoning and to evolving national best practices are recent developments in neuroscience suggesting that teenagers are neither competent to stand trial under the same circumstances as adults nor as blameworthy for their actions. Brain imaging studies comparing adults and adolescents confronted with difficult decisions show, for example, that adolescents, whose brains are not yet fully developed, take longer than adults to judge something to be a bad idea and are slower to respond appropriately. Adults have also been found to have more activity in the parts of the brain that create mental imagery and signal internal distress. This has led researchers to believe that adults who are confronted with a potentially dangerous scenario are more likely to create a mental image of possible outcomes than children are and to have an adverse, preemptive response to those images.<sup>2</sup> Other studies have confirmed significant age-related differences in cognitive processing affecting adolescents' ability to make sound judgments.<sup>3</sup>

Incorporating 16- and 17-year-old youth into the juvenile justice system also makes sense from a policy perspective. Studies comparing the recidivism rates of youth processed in the juvenile system with those handled in the adult system indicate that youth processed in the adult system are likely to re-offend more quickly and at higher rates.<sup>4</sup> The juvenile justice system is typically characterized by higher staff-to-youth ratios, staff who are philosophically oriented toward treatment and rehabilitation, and programming that facilitates the development of social competencies. Youth in adult facilities, meanwhile, are particularly vulnerable to depression, sexual exploitation and physical assault.<sup>5</sup>

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<sup>2</sup> A.A. Baird, J.A. Fugelsang, and C.M. Bennett, "What were you thinking?" available at <http://www.theteenbrain.com/research/projects/goodidea2.php> [last visited February 4, 2007].

<sup>3</sup> Studies conducted by the John D. and Catherine T. MacArthur Research Network on Adolescent Development and Juvenile Justice continue to support this conclusion. Analyses have indicated that there are significant age-related changes in individuals' likelihood of considering the future consequences of their actions and in their susceptibility to peer influence. Available at <http://www.mac-adoldev-juvjustice.org/page26.html> [last visited February 4, 2007].

<sup>4</sup> Most studies comparing the two systems have corroborated this claim. See, e.g., J.A. Fagan, "The comparative advantage of juvenile versus criminal court sanctions on recidivism among adolescent felony offenders," *Law and Policy* 18 (1 and 2): 77-113 (1996); D.M. Bishop, C.E. Frazier, L. Lanza-Kaduce, and L. Winner, "The transfer of juveniles to criminal court: Does it make a difference?" *Crime and Delinquency*, 42: 171-191 (1996); L. Winner, L. Lanza-Kaduce, D.M. Bishop, and C.E. Frazier, "The transfer of juveniles to criminal court: Reexamining recidivism over the long term." *Crime and Delinquency* 43(4): 548-563 (1997).

<sup>5</sup> See, e.g., Coalition for Juvenile Justice, *Childhood on Trial: The Failure of Trying & Sentencing Youth in Adult Criminal Court*, 2005, available at <http://www.appa-net.org/about%20appa/CJJ-report.pdf> [last visited February 4, 2007]; Jason Ziedenberg and Vincent Schiraldi, *The Risks Juveniles Face When They Are Incarcerated with Adults*, Justice Policy Institute, June 1997, available at <http://www.cjcj.org/jpi/risks.html> [last visited February 4, 2007]; Martin Forst et al., "Youth in prisons and training schools: perceptions and consequences of the treatment-custody dichotomy," *Juvenile and Family Court*, vol. 4 (1989) (finding that child offenders who enter adult prison when they are still below the age of 18 are five times more likely to be sexually assaulted, twice as likely to be beaten by staff, and 50 percent more likely to be attacked with a weapon than are minors in juvenile facilities).

Processing youth in the juvenile justice system, particularly when alternatives to custodial incarceration are utilized, may also cost less than processing youth as adult criminals.<sup>6</sup> In the 2006 legislative session, researchers from the Urban Institute testified to the Connecticut General Assembly that moving 16- and 17-year-old youth out of the adult system and into the juvenile system, while maintaining all other services for youth as they are, would return approximately \$3 in benefit for every \$1 in cost, assuming no new juvenile detention construction is required. If new construction is required, the transition of juveniles would result in slightly less than a \$1 in benefit for every \$1 in cost in the year the construction occurs, and \$3 in benefit for every \$1 in cost in subsequent years.<sup>7</sup> Evidence-based programs that have demonstrated positive pro-social outcomes among youth participants—such as Functional Family Therapy, Multidimensional Treatment Foster Care, and Multi-Systemic Therapy—yield dramatic cost savings immediately and, over the long term, each dollar spent on such programs can result in cost savings in the range of \$11, 988, \$27,202, and \$38,047 per youth respectively, based on significant reductions in recidivism and in averted incarceration and hospitalization costs.<sup>8</sup>

## Historical Context in Connecticut

Connecticut is one of only three states—along with North Carolina and New York—that draw the line of adulthood for criminal justice purposes at age 16.<sup>9</sup> In keeping with national trends and the evolving understanding of the fundamental differences between youth and adults, however, Connecticut has been considering extending the age of juvenile jurisdiction for some time.

In 2003, the General Assembly created a “Juvenile Justice Implementation Team” to “review all matters, including funding, necessary to implement an increase, by not more than two years, in the age limit for purposes of jurisdiction in juvenile matters.” Consistent with its legislated mandate, after an extensive review the Implementation

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<sup>6</sup> See the forthcoming National Center for State Courts report, “Potential benefits and public savings in changing juvenile jurisdiction in Connecticut Superior Court.” The report details considerable potential cost savings and cost avoidance that Connecticut can achieve through shorter pre-trial detention, lower potential re-arrest rates, and court caseload benefits.

<sup>7</sup> John Roman, *The Economic Impact of Raising the Age of Juvenile Jurisdiction in Connecticut: Remarks before the Judiciary and Appropriations Committee, Connecticut General Assembly, February 21, 2006*, Urban Institute, 2006; see also Aos, Steve, Robert Barnoski, Roxanne Lieb, and Polly Phipps, *The Comparative Costs and Benefits of Programs to Reduce Crime, v 4.0*. Olympia, WA: Washington State Institute for Public Policy, 2001.

<sup>8</sup> See Hornby Zeller Associates, “Connecticut service needs study: 16 and 17-year-old court-involved youth: preliminary findings,” Presentation to the Juvenile Jurisdiction Planning and Implementation Committee, January 4, 2007.

<sup>9</sup> Thirty-seven states and the District of Columbia maintain an upper age limit of 18, while 10 states use an upper age limit of 17. A number of states that draw the line at ages younger than 18 have recently considered raising the age of juvenile jurisdiction. Illinois and Wisconsin introduced legislation in 2006 that would have raised the upper age limit of each state’s juvenile court from 17 to 18. New Hampshire took steps to raise the age to 18 during its 2002 legislative session. Although this effort ultimately did not prevail, the compromise legislation that passed allows youth in the care and custody of the Division for Juvenile Justice Services to remain so until their 18th birthday, if so deemed by the juvenile court. The movement to raise the age of juvenile jurisdiction to 18 is also gaining momentum in North Carolina, where the North Carolina Sentencing and Policy Advisory Study Commission recently recommended that the state should raise the age to 18.

Team presented a report detailing its findings and recommendations in February 2004. The report recommended several changes to the juvenile justice system that would be necessary to incorporate 16- and 17-year-olds without diminishing the services provided to the children already under its purview. While many of the Team’s participants favored increasing the age if provided with the appropriate funding, the report estimated that the age change would cost more than \$160 million. This price tag—which assumed the construction of two 150-bed facilities for pre- and post-adjudicatory custody—proved overwhelming and stymied further consideration of the issue during that legislative session.

Approximately two years later, at the close of its 2006 legislative session, Connecticut’s General Assembly revisited the issue and established the Juvenile Jurisdiction Planning and Implementation Committee. The Assembly charged the Committee with the following mandate:

“ . . . to plan for the implementation of any changes in the juvenile justice system that would be required in order to extend jurisdiction in delinquency matters and proceedings to include sixteen-year-old and seventeen-year-old children within the Superior Court for Juvenile Matters.”<sup>10</sup>

The enabling legislation for the Committee further mandated that on or before February 1, 2007, it should submit a report on its findings, together with any recommendations for appropriate legislation, to the joint standing committees of the General Assembly. This report is the fulfillment of that mandate.

### **The Juvenile Jurisdiction Planning and Implementation Committee**

Consistent with its legislated mandate, the Juvenile Jurisdiction Planning and Implementation Committee convened for biweekly sessions beginning in August 2006.<sup>11</sup> Over 14 meetings between August 2006 and January 2007, the Committee received presentations by relevant practitioners and other stakeholders regarding the current juvenile justice system and the changes that would be required to raise the age of juvenile jurisdiction.<sup>12</sup>

In September 2006, to further inform its process, the Committee issued requests for proposals for project oversight and management and a service needs study. In October, the Committee selected the Vera Institute of Justice (Vera) and Hornby Zeller Associates, Inc., respectively, as vendors to complete these tasks, with work commencing November 1, 2006.<sup>13</sup> The Judicial Branch commissioned the National Center for State Courts

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<sup>10</sup> Public Act 06-187, section 16. See Appendix A for the enabling legislation.

<sup>11</sup> See Appendix B for a list of Committee members.

<sup>12</sup> See Appendix C for a list of presenters and schedule of presentations given to the Committee.

<sup>13</sup> Specifically, Hornby Zeller was tasked with completing a study of service needs for court-involved youth ages 16 and 17, and with providing recommendations based on that study for the services, programs, and interventions most likely to be effective with prevalent specific profiles of this population. The Vera Institute was hired to oversee and manage all project related activities, including meeting timelines and facilitating successful and timely project completion. The Requests for Proposals issued by the Committee are available at <http://www.cga.ct.gov/hdo/jjpic/>.

(NCSC) to conduct a courts study. Hornby Zeller and NCSC gathered and synthesized data and conducted interviews with system officials and personnel, delivering periodic progress reports to the Committee. Vera managed the biweekly discussions of the Committee in an effort to distill its findings and recommendations for the final report.

As project manager, Vera worked with the co-chairs to identify the principal areas that most required the Committee's attention. The co-chairs then divided the Committee into three workgroups to develop discrete findings and recommendations in each of these areas. The remaining sections of this report present the Committee's findings and recommendations.

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## **THE IMPLEMENTATION PLAN**

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The Juvenile Jurisdiction Planning and Implementation Committee's work comes to a close on February 8, 2007. In keeping with its mandate, the Committee has articulated a plan, structure, and process for implementing the change in juvenile court jurisdiction effective July 1, 2009. Five recommendations form the core of the Committee's implementation plan. These are:

1. Pass legislation in the 2007 session to raise the age of juvenile jurisdiction from 16 to 18 with an effective date of July 1, 2009;
2. Improve court diversion and pre-trial detention practices;
3. Establish Regional Youth Courts;
4. Phase in services and staffing; and
5. Establish a Policy and Operations Coordinating Council.

These proposals are presented sequentially, beginning with the passage of legislation in the 2007 session to raise the age of juvenile jurisdiction from 16 to 18 effective July 1, 2009. The Committee sees recommendations two, three, and four as necessary steps for preparing the existing state juvenile justice system for the change scheduled for 2009. The rationale and implementation procedures for these steps are described in greater detail in Section A, below.

Recognizing that raising the age of juvenile jurisdiction will require the resolution of various ancillary or unresolved issues and concerns—some immediate, others more long term—the Committee further recommends that legislators establish a Policy and Operations Coordinating Council with a clear mandate to resolve the issues delineated below prior to the effective date. A detailed account of the Committee's rationale and plan for the Policy and Operations Coordinating Council is presented in Section B.

### **A. Implementation Plan: Central Components**

In carrying out its mandate, the Committee formed three workgroups, each focusing on a different aspect of the overall task.<sup>14</sup> The Front-End Workgroup was responsible for developing recommendations to ensure that established systems and stakeholders are

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<sup>14</sup> See Appendix D for a list of designated workgroup members.

adequately prepared for a change in jurisdictional age. The Court-Related Issues Workgroup focused on articulating recommendations to ensure that juvenile courts (i.e., dockets, courthouses, attorneys, and staff) will be prepared to manage an influx in population following the change. Finally, the Services Workgroup was charged with developing recommendations to ensure that appropriate services will be available to support the unique needs of an expanded juvenile justice population.

The workgroups used this planning opportunity to think about how to improve the state's juvenile justice system following the age change. All three workgroups rejected the assumption that the state would simply maintain the status quo following the reform. Instead, they sought to incorporate the best parts of the state's existing processes, learn from national best practices, and envision a system that better serves the juvenile justice population in Connecticut at minimal cost.

Recommendations one through four form the central components of the Committee's implementation plan. Recommendation one specifies a reasonable and practicable timeframe for agencies and other stakeholders to prepare for the change in juvenile jurisdiction. Recommendations two, three, and four outline substantive methods to modify, within this timeframe—operational and system components critical to the reform's success.

***Recommendation 1: Pass legislation in the 2007 session to raise the age of juvenile jurisdiction from 16 to 18 with an effective date of July 1, 2009.*** The Committee's first recommendation is that legislation to raise the age of juvenile jurisdiction in Connecticut from 16 to 18 be passed in the 2007 legislative session with an effective date of July 1, 2009. The Committee recommends that the jurisdictional change not be retroactive: only those 16- and 17-year-olds who are arrested on or after July 1, 2009, should be handled in the juvenile court system. Committee members are confident that the 2009 effective date provides agencies with ample time and opportunity for planning, budgeting, and transitioning.

***Recommendation 2: Improve court diversion and pre-trial detention practices.*** The Front-End Workgroup was tasked with developing discrete recommendations to ensure that existing pre-trial systems and stakeholders are adequately prepared for a change in jurisdictional age. Given this mandate, the workgroup endorsed, as a general matter, *the development of programs and policies geared toward prevention and diverting more youth from the juvenile justice system at the point of arrest.* By enhancing existing community-based programs for youth of all ages— such as Juvenile Review Boards and Youth Service Bureaus—the Committee expects that more children and families will be served outside of the juvenile court process and with better outcomes. Further discussion of prevention and diversion follows in Section B.

As one important component of this recommendation, the workgroup considered pre-trial detention practices with an eye toward assessing potential capacity concerns and ensuring the most appropriate use of pre-trial detention for youth of all ages. The workgroup was particularly concerned about the large social and economic costs associated with juvenile detention. The average annual detention bed cost in Connecticut is approximately

\$119,000.<sup>15</sup> Last fiscal year, the costs of managing the state's 206-bed system exceeded \$20 million. Moreover, national literature confirms that detention leads to negative outcomes for youth.<sup>16</sup> Research conducted by the Vera Institute of Justice, for example, has demonstrated that a stay in detention is, by far, the greatest predictor of dispositional placement at sentencing. Of the New York City youth studied who were placed with the New York State Office of Children and Family Services at sentencing, nine out of ten spent some of the previous 30 days in detention. Conversely, of those youth studied who received a community-based disposition at sentencing, nine out of ten were in the community the entire month prior to disposition. And in Connecticut, as in most jurisdictions nationally, the vast majority of juveniles detained are youth of color. A recent study found that youth of color represent 65 percent of the state's juvenile detention population while comprising only 29 percent of the state's total population of youth between ages 10 and 15.<sup>17</sup>

In light of this framework, the Front-End Workgroup recognized that some of the youth detained under the current system might be better served in the community. A preliminary examination of detention data provided by the Court Support Services Division (CSSD) confirmed this premise. The workgroup learned that, on any typical day, approximately 30 percent of the juvenile detention population in Connecticut is being held for non-violent, non-Serious Juvenile Offenses (*e.g.*, violations of probation, breach of peace, or violations of Families with Service Needs orders).<sup>18</sup> The workgroup agreed that detention may not be the most appropriate option for this population, and, with the appropriate interventions, juvenile detention use might be reduced to yield significant capacity and cost savings.

In an effort to project pre-trial detention needs for 16- and 17-year-olds after the jurisdictional change, the workgroup determined that the number of pre-adjudicated and committed 16- and 17-year-old youth who will require secure housing after the venue change should be smaller than the number currently housed with the Department of Correction (DOC).<sup>19</sup> On November 1, 2005, DOC held 339 inmates aged 16 or 17, excluding A & B felony offenders. Of those, 101 were sentenced and, under the jurisdictional change, would likely be under the custody of the Department of Children and Families (DCF). Of the 238 remaining, data indicates that at least 23 percent (55)

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<sup>15</sup> Annual costs in some jurisdictions well exceed that; in Bridgeport, it costs \$145,000 per year to hold a juvenile in detention.

<sup>16</sup> See, *e.g.*, James Austin, Kelly Dedel Johnson, and Ronald Weitzer, *Alternatives to Secure Detention and Confinement of Juvenile Offenders*, Office of Juvenile Justice and Delinquency Prevention Bulletin, September 2005; Barry Holman and Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*, Justice Policy Institute, 2006; David L. Marcus "Communities helping kids," *The American Prospect Online*, September 2005, available at <http://www.prospect.org/web/page.wv?section=root&name=ViewPrint&articleId=10122> [last visited February 5, 2007].

<sup>17</sup> Connecticut Juvenile Justice Alliance, *Out of Balance: Failures in Addressing Disproportionate Minority Contact within Connecticut's Juvenile Justice System*, available at [http://www.ctjja.org/resource\\_category\\_9.html](http://www.ctjja.org/resource_category_9.html) [last visited February 4, 2007].

<sup>18</sup> While the average daily population varies, overall capacity in Connecticut's juvenile detention system is approximately 206 beds.

<sup>19</sup> A statutory grant of juvenile status to 16- and 17-year-olds will allow for their detention for reasons other than the pending charge.

were held for non-violent offenses such as misdemeanors and probation violations. Moreover, the comparative frequency of court appearances in the juvenile court expedites case movement, reducing the average length of stay in pre-adjudication status from 40 days in the adult correctional system to 14 days in the juvenile system. The potential incorporation, discussed in Section B, of a bond or bond-like system into the juvenile processing of 16- and 17-year-olds may be explored as an option for reducing any associated increase in pre-trial detention.

With this in mind, the Committee *recommends the introduction of a statewide validated risk assessment instrument to inform juvenile detention admission decisions*. Many jurisdictions across the country use risk assessment instruments to reserve detention beds for kids who pose the greatest risks to public safety—and have saved significant costs by doing so.<sup>20</sup> Risk assessment instruments use objective factors to evaluate the risks of re-arrest and failure to appear and to classify arrested youth into three categories: high (appropriate for detention), low (released), and moderate (released with structured supervision). Detention risk assessment instruments typically weigh factors such as a juvenile’s present offense, prior history, and propensity toward risk of flight to determine whether detention is the most appropriate response. In addition, by minimizing the impact of subjective racial biases, risk assessment instruments serve as an important strategy for addressing disproportionate minority confinement. Once established, the Committee recommends that the detention risk assessment instrument be reviewed on an annual basis and revised to meet evolving system needs and trends.

The introduction of a statewide detention risk assessment instrument in Connecticut will require the concurrent expansion of pre-trial supervision programs to serve youth who score in the moderate range. The Committee *recommends the establishment of a*

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<sup>20</sup> See e.g., Annie E. Casey Foundation, “Results: impact of JDAI,” available at <http://www.aecf.org/initiatives/jdai/results.htm> [last visited February 5, 2007].

Throughout its deliberations, the Front-End Workgroup considered the experiences of other jurisdictions that have implemented detention risk assessment instruments. In 1997, for example, officials in Santa Cruz, California, developed screening criteria to ensure that the county’s detention beds were reserved for the more serious and violent offenders. With the implementation of the new screening instrument, some non-violent offenders (e.g., misdemeanants, property offenders) were screened out of the county’s detention facility and placed in alternative programs. As a consequence, the detention population in Santa Cruz decreased by 43 percent between 1996 and 2001 and the percentage of minority youth in detention was reduced from 64 percent in 1997 to 54 percent in 2001. Placing a juvenile in an alternative program costs the county \$64 a day, compared to \$184 a day for detention, and the county avoided spending millions of dollars to staff and build bigger detention facilities. (See Peggy Townsend, “Detention redemption,” *The American Prospect Online*, September 2005, available at <http://www.prospect.org/web/page.wv?section=root&name=ViewPrint&articleId=10125> [last visited February 5, 2007]).

Likewise, by implementing detention risk assessment and a continuum of community-based alternatives, Cook County, Illinois (Chicago), has halved its detention population without seeing any increases in failure to appear or re-offense rates. Importantly, as a result of its detention reform efforts, Cook County realized a corresponding decline in the number of youth committed to the Illinois Department of Corrections (DOC). In 1996, 902 youth were committed to DOC; in 2005, that number dropped to 420, for an average annual savings of \$23,000 per bed. (See Barry Holman and Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*, Justice Policy Institute, 2006). New Mexico is an example of a state where detention risk assessment has been legislatively mandated statewide. Copies of the risk assessment instruments employed in Cook County, Santa Cruz, and New Mexico are included in Appendix E.

*spectrum of appropriate services and supervision* to ensure that youth who score in the mid-risk category on the risk assessment instrument appear at all court hearings and do not re-offend during the pendency of their petition. In accord with national best practices, the Committee recommends that youth be appropriately matched to pre-trial services and supervision programs that are the least restrictive, while still ensuring public safety.

Taken together, recommendation two promotes the objective, rational and cost-effective use of juvenile detention resources. By introducing a statewide risk-assessment instrument and appropriate pre-trial services, the Committee believes the State of Connecticut can take important steps toward providing sufficient pre-trial detention capacity for an expanded juvenile court population, without requiring the investment of significant financial resources or sacrificing public safety. Based on the experiences of other jurisdictions, the Committee also projects that these types of interventions will yield cost savings over the long term.

***Recommendation 3: Establish Regional Youth Courts.*** The Court-Related Issues Workgroup was tasked with articulating findings regarding how court processes will be affected by raising the age of juvenile jurisdiction to 18 and developing discrete recommendations to ensure that the juvenile courts are prepared for this change.

Working closely with the National Center for State Courts (NCSC), the Court-Related Issues Workgroup focused on how juvenile court facilities and staff could be reorganized and adapted to process the influx of approximately 10,000 16- and 17-year-olds (representing more than 12,000 cases) at the lowest cost to the state while attending to the unique needs of these youth. Members of the group also underlined their concern, shared by the 2004 Implementation Team, that agency resources currently utilized in service of juveniles under age 16 not be diluted by the introduction of older youth to the juvenile system. The group considered courtroom space needs, as well as office space that would be required for new staff. The group was particularly concerned about the need for staff increases across agencies—including, but not limited to, additional probation officers, judges, public defenders, state’s attorneys, social workers, parole social workers, and court clerical staff.

The group considered four potential models for organizing the courts: adapting existing juvenile court space to incorporate 16- and 17-year-old youth, constructing new juvenile court facilities, utilizing existing Geographical Area (GA) courthouse space, and developing regional youth courts. After weighing the options, the workgroup ascertained that existing juvenile court space would be physically insufficient to accommodate the number of cases projected by adding 16- and 17-year-olds to the docket. Building new juvenile court facilities would involve heavy costs in terms of bricks and mortar and significant delays due to siting and construction. Processing 16- and 17-year-olds in the GA, the group determined, would be ideologically inconsistent with affording them the full protection of juvenile status. In contrast, establishing Regional Youth Courts would bring 16- and 17-year-olds fully into the juvenile court, significantly reduce the costs and delays associated with constructing new facilities by realigning existing resources, and protect younger juveniles by creating a separate processing sphere for older youth. As a result, the workgroup concluded that the establishment of Regional Youth Courts represents the most efficient, workable, and attractive option.

The Regional Youth Courts Plan, as detailed by the Judicial Branch, makes use of existing and currently unoccupied or underutilized juvenile courthouse facilities to establish a unique court processing sphere for 16- and 17-year-olds in the juvenile court. The Judicial Branch has identified 11 potential regional court locations. Eight of these—Bridgeport, Bristol, Hartford, Rockville, Stamford, Waterbury, Waterford, and Willimantic—will utilize existing space.<sup>21</sup> Two—Middletown and Torrington—will utilize space available in planned but yet-to-be constructed juvenile courthouses set to be operational in 2010 and 2011, respectively. The site for a New Haven regional youth court is yet to be determined.

The Regional Youth Courts Plan now proposed is expected to cost approximately \$3 to 5 million for space modifications in fiscal year 2008; \$1.5 million for leasing beginning in fiscal year 2009; and \$5.9 million for Judicial Branch staffing costs beginning in fiscal year 2009. The Judicial Branch has estimated that five Superior Court judges along with approximately 100 probation officers, as well as additional judicial marshals, support staff, court interpreters, and victim advocates will be required to administer the Regional Youth Courts.<sup>22</sup> The Office of the Chief Public Defender anticipates needing 17 to 20 new staff, including attorneys, investigators, and social workers.<sup>23</sup>

The Committee with this report *endorses and recommends the establishment of Regional Youth Courts for 16- and 17-year-olds in accordance with the plan set out by the Judicial Branch*. Legislative authorization of this plan is required to ensure its legitimacy and operational readiness by the effective date of the change in age of jurisdiction of the juvenile court.

***Recommendation 4: Phase in an effective system of services and supports for 16- and 17-year-olds.*** The Services Workgroup was charged with developing recommendations to ensure that appropriate services are available to support the unique needs of 16- and 17-year-olds, a group that cannot be treated simply as either younger adults or older children. The workgroup also had specific instructions to ensure that services for children currently being served in the juvenile justice system not be diluted by the expanded jurisdiction.<sup>24</sup>

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<sup>21</sup> The Bristol site will incorporate cases from New Britain and Torrington, until the juvenile court in Torrington is completed in 2011. The Stamford site will incorporate cases from Norwalk, and the Waterbury site will incorporate cases from Danbury.

<sup>22</sup> See Appendix F for the NCSC study “Implications of changing juvenile jurisdiction for adjudication and case-processing personnel needs in Connecticut Superior Court.” See also the forthcoming NCSC report, “Assessing the Judicial Branch’s proposed Regional ‘Youth Sessions’ to implement juvenile jurisdiction change in Connecticut.” Committee members recognize that some court staffing enhancements will be necessary irrespective of the jurisdictional change.

<sup>23</sup> The projected impact on staffing in the Chief State’s Attorney’s Office is forthcoming. Comprehensive fiscal analyses will accompany the legislation introduced to advance the Regional Youth Courts Plan.

<sup>24</sup> Approximately 2,256 16- and 17-year-olds are placed on adult probation statewide annually. See the State of Connecticut Judicial Branch Court Support Services Division, “JJPIC: proposed court and service system for 16 & 17 year olds,” Presentation to the Juvenile Jurisdiction Planning and Implementation Committee, January 4, 2007, available at <http://www.cga.ct.gov/hdo/jpic/> [last visited February 4, 2007].

At the outset, the workgroup defined the following set of principles or conditions for a system of services for older adolescents:

- Services need to be age and developmentally appropriate;
- A continuum of services, including preventive and lower-end or diversionary services, should be available;
- Services must be tailored to the needs of the individual and provided in the least restrictive manner possible while maintaining the safety of the community;
- Services need to be accessible (i.e., timely, community-based, culturally competent, gender responsive, and trauma informed);
- Services should employ a strengths-based approach to youth, families, and communities;
- Services should support both youth and families;
- Services need to be evaluated for quality in delivery and outcomes;
- Service outcomes should be tied to meeting milestones in healthy adolescent development; and
- Service provision should build upon, expand, and improve the state’s current infrastructure.

Guided by these principles, the Committee endorses a four-point plan for expanding services to address the needs of 16- and 17-year-olds and to fill in the gaps—in particular, the dearth of substance abuse and mental health services—that currently exist in the juvenile justice system.

First, the *Court Support Services Division (CSSD)* will expand the probation workforce, relying on veteran probation officers carefully selected and motivated to work with older adolescents to lead and staff the new regional courts. CSSD will train probation officers in tandem with contracted service providers to reinforce a team-oriented case management approach.

Second, *state agencies will expand and adapt their existing array of juvenile programs with special attention to mental health and substance abuse services.* In general, services need to be expanded in order to preserve the existing level of delivery to younger juveniles as well as adapted to the different developmental needs of older adolescents. Specifically, Hornby Zeller’s service needs study recommends expanding evidence-based clinical programs to address the behavioral, mental health, and substance abuse needs of 16- and 17-year-old offenders.<sup>25</sup> Currently, the Department of Mental Health and Addiction Services’ programs are inaccessible to individuals under 18. CSSD and DCF, in response, plan to increase access to evidence-based programs—such as Brief Strategic Family Therapy, Multi-Systemic Therapy, and Functional Family Therapy—which cover both substance abuse and mental health issues, as well as expand in-patient substance abuse detoxification and treatment for juveniles with serious mental health problems. Other services that are targeted for expansion and modification include clinical evaluations; treatment for problem sexual behavior; home-based therapies; social skill

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<sup>25</sup> See p. 69 of the Hornby Zeller report “Connecticut service needs study: 16 and 17-year-old court-involved youth” in Appendix G.

development, including anger management and impulse control; girls groups; trauma recovery; and juvenile review boards and diversion.

Third, the Committee *supports the creation of new programs for 16- and 17-year-olds, focusing particularly on educational and vocational supports*. Committee members voiced concern about the lack of education and employment services for youth who have been habitually truant; suspended or expelled; or who are returning from incarceration or placement. Hornby Zeller's study cites services related to education and employment as the single most frequent need in the assessments currently done on youth offenders, especially for minority youth.<sup>26</sup> As one response to this need, DCF plans to adapt and expand its current educational re-entry program to address the needs of youth, and is working collaboratively with CSSD to make this program available to juveniles with pending delinquency petitions.

The final step of the four-point plan is to *establish an infrastructure that will ensure positive outcomes*. This will include assigning staff to training, implementation, and quality assurance, conducting research on the implementation and measuring outcomes, and applying Results-Based Accountability principles and practices to the state's service delivery system.

The Committee *recommends that services be phased in through the four-point plan in two stages*. The first stage begins in fiscal year 2007, when the state will begin to address the needs of 16- and 17-year-olds by building an experienced, core group of parole, probation, and program providers. For services to be effectively delivered, the expansion of contracted services and the development of a trained workforce must take place well in advance of July 1, 2009. The second stage of implementation will coincide with the implementation date of the raise in jurisdictional age. At that point, as the Regional Youth Courts open, a core group of practitioners will be ready to serve the courts and the 16- and 17-year-olds processed through them.

Based on current DCF and CSSD contracts, Hornby Zeller estimates a net initial cost for new and expanded services of \$19.4 million after the jurisdictional change, with a subsequent \$18.6 million cost net of savings.<sup>27</sup> With the full implementation of a continuum of services and evidence-based programs for 16- and 17-year-olds, the Hornby Zeller service needs study projects that the state can reasonably expect to achieve an improvement in recidivism of 10 percent.<sup>28</sup> Assuming that the recidivism rate of youth on probation after the jurisdictional change conservatively drops to 32.4 percent, the total annual savings on contracted services alone is estimated at \$819,000. Should the impact of the services be greater than the conservative projection, the total annual savings will increase correspondingly.

To further offset the costs of services, the Committee also *recommends that CSSD, DCF, and other relevant state agencies collaborate to ensure that federal reimbursement is obtained to the maximum extent possible*, particularly for clinical services for youth on

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<sup>26</sup> Ibid, p. 70.

<sup>27</sup> Ibid, pp. vii-viii and pp. 60-64.

<sup>28</sup> Ibid, p. 64.

probation. For every 10 percent of clinical services that could be reimbursed under Medicaid, the state stands to recover \$500,000.<sup>29</sup> State agencies will need to ensure that all youth are tested for Medicaid eligibility and that service providers' eligibility to provide Medicaid services is a factor in granting contracts.

The Committee concludes that it will be feasible to add community-based services and supports for older adolescents by the effective date of July 1, 2009, without negative impacts to younger juveniles. In addition, an improved network of age-appropriate services and support will benefit not only the 16- and 17-year-olds who will begin entering the juvenile justice system, but also those youth who remain court-involved after their 16th birthday. Consequently, the Committee *recommends adequate appropriations in the 2007-08 budget cycle for agencies to implement this service plan.*<sup>30</sup>

## **B. Implementation Plan: A Process Going Forward**

***Recommendation 5: Establish a Policy and Operations Coordinating Council.*** To ensure an intelligent, effective implementation process prior to the effective date of the jurisdictional change, the Committee *recommends the establishment of a Policy and Operations Coordinating Council.* Council membership should include one designee from each of the following constituency groups:

- The Legislature,
- A Juvenile Matters judge,
- Superior Court Operations,
- Department of Children and Families,
- Law enforcement,
- Juvenile defense,
- Juvenile prosecution,
- Court Support Services Division,
- Department of Education,
- Department of Mental Health and Addiction Services,
- Department of Correction, and
- The advocacy community.

By legislative mandate, the Policy and Operations Coordinating Council will be charged with advancing the central components set forth in the Committee's implementation plan: development, introduction and validation of a statewide detention risk assessment instrument; roll-out of the Regional Youth Courts Plan; and implementation of a comprehensive system of community-based and residential services for the population served by the juvenile court. Moreover, it will complete these components prior to July 1, 2009, when the jurisdictional change goes into effect.

The Policy and Operations Coordinating Council will submit status reports to the Legislature at quarterly intervals detailing its progress in completing its mandate. The

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<sup>29</sup> Ibid, p. 65.

<sup>30</sup> Comprehensive fiscal analyses related to the service plan are under development.

Policy and Operations Coordinating Council will submit a final report no later than January 1, 2009.

The Committee *recommends that financial support for the efforts of the Policy and Operations Coordinating Council be identified in the 2007 legislative session.* Such resources will support the provision of technical assistance and research services to support an informed planning process, as well as the Council's staffing and analytical requirements. Costs for this effort are estimated to be approximately \$250,000 per year.

Toward the end of its process, the Committee turned its attention toward delineating the nature and scope of several unresolved issues, with the goal of providing a clear blueprint for implementation during the period leading up to the effective date. The Committee *recommends that the Policy and Operations Coordinating Council be legislatively authorized—and required—to resolve these key tasks and outstanding issues,* which are listed below, prior to the effective date of July 1, 2009.

## **Key Tasks and Outstanding Issues**

### **Diversion Services and Assessments**

In the interests of most effectively serving an expanded juvenile court jurisdiction, the Committee recommends that prevention and diversion services—such as Juvenile Review Boards and Youth Service Bureaus—be made more widely available. Prior to implementation of the jurisdictional change, determinations should be made regarding where and how such services should be augmented and how best to channel state and federal funds to that end. Furthermore, as discussed more fully in Hornby Zeller's service needs study, assessment mechanisms for more systematically identifying which populations are appropriate for diversion should be studied and implemented prior to July 1, 2009.<sup>31</sup>

### **Facility Space for Pre-Trial Detention and Long-Term Placements**

The Committee recommends that comprehensive projections be developed during the implementation phase to determine the detention bed capacity that will be required to accommodate an expanded juvenile justice population. Projections should take into account factors such as the adoption of the detention risk assessment instrument, a 14-day average pre-trial length of stay for juveniles, the prohibition of detention for status offenders who violate Families with Service Needs orders,<sup>32</sup> an expanded service delivery network, more flexible statutory opportunities for parole and alternative programming in the juvenile court system, and other relevant system changes that may arise during the implementation phase, e.g., the introduction of bonds for juveniles. Based on these factors, preliminary projections from CSSD estimate that within three years of the age change, approximately 150 16- and 17-year-olds who are awaiting trial will require secure accommodation in the juvenile system, a 25 percent reduction from the current number of youth confined pre-trial by DOC. The Committee also recommends that feasible alternative options to provide the requisite pre-trial detention capacity be identified prior to July 1, 2009.

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<sup>31</sup> Ibid, pp. 22-29.

<sup>32</sup> Public Act 05-250, effective October 1, 2007.

As is the case with pre-trial detention capacity, although there are likely to be long-term placement savings attributable to the changes in policy and practice recommended in this report, there may also be a need for additional bed space to accommodate the expanded population of delinquency commitments. Current population projections, completed by Hornby Zeller in January 2007, indicate that a range of 78 to 192 additional placement beds may be required to house the expanded committed delinquent population. The Committee recommends a more thorough investigation of this issue. One suggestion is to conduct a review of the case files of 16- and 17-year-old youth who are currently incarcerated to more definitively assess placement impact prior to the effective date of the jurisdictional change.

### **Agency Jurisdiction: Collateral Impacts of Raising the Age**

As juvenile court jurisdiction expands to include 16- and 17-year-old children, the scope of jurisdiction in a number of stakeholder agencies will be collaterally impacted. Some of these collateral effects include:

- Which agency will have the authority and responsibility for providing mental health and substance abuse services to the older adolescent population (*e.g.*, DCF or the Department of Mental Health and Addiction Services)?
- To what age will DCF have authority and control over juveniles committed to it by the court as delinquent? If the agency's jurisdictional age limit is held to be 18, youth who are arrested close to their 18th birthday may only be subject to DCF's authority and receive services for a short period of weeks or months. Alternatively, if the agency's jurisdictional age limit is extended to 21 or 25, we create a more flexible opportunity for long-term service provision for older adolescents.
- Regarding long-term placements, which agency will be responsible for housing 16- and 17-year-old adolescents sentenced to a period of long-term placement after the jurisdictional change (*e.g.*, DOC, DCF)?
- Does raising the age of juvenile court jurisdiction have consequences for state statutes setting the mandatory age of school attendance?

### **Youth in Crisis**

In Connecticut, 16- and 17-year-olds who are beyond their parents control, have run away from home, or who fail to go to school are termed Youth in Crisis (YIC). Effective July 1, 2000, the Juvenile Court was given legislative authority to provide services for these youth. The YIC law clearly allows status offenders to be referred to juvenile court, but such a ruling would be unenforceable; under current law, the court is prohibited from declaring a Youth in Crisis delinquent or imprisoning him or her.<sup>33</sup> With this in mind, following the change in jurisdictional age, issues remain to be resolved regarding YIC jurisdiction and classification. In particular, some Committee members question the necessity of a separate YIC designation after the age is raised.

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<sup>33</sup> CGS §46b-150f (c).

### **Serious Juvenile Offenses**

Members of the Committee believe that existing statutory definitions of detainable offenses may be overly expansive. Current law allows a police officer to place a child in detention without a court order for Serious Juvenile Offenses (SJO), as defined in Connecticut General Statutes (CGS) §46b-120(12). While the SJO classification includes Class A and B felonies, gun and weapons charges, and escape, it also includes a number of offenses for which a child or youth might not face detention were the case to be reviewed by a judge. For example, drug possession with intent to sell, burglary, larceny, and risk of injury to a minor are all classified as SJOs.<sup>34</sup> These are offenses where the facts of the crime and the level of the child's involvement regularly factor into the decision to detain. Requiring judicial approval before detaining these non-violent offenders would help insure that only those children who need a secure setting are detained. The Committee recommends that the scope of the SJO classification be examined and modified where appropriate.

### **Importing Process Elements from Adult Criminal Court After the Age Change**

Committee members have noted with enthusiasm that the focused attention on juvenile justice policy occasioned by the change in the age threshold presents a rare opportunity to offer innovative visions for the future of juvenile justice practices. As part of the ongoing debate, therefore, members have agreed that the new juvenile court process, following the jurisdictional change, should incorporate the best parts of existing juvenile and adult court processes. Prior to the effective date of the jurisdictional change, the Committee recommends that careful consideration be given to assessing whether and how any of the following elements of the adult criminal court process might be legislatively imported to the juvenile court after the age change:

- *Jury Trials.* There are no jury trials in juvenile court; in adult criminal court, a defendant may request a jury trial if he or she is facing the possibility of incarceration.
- *Bond.* In juvenile court, bond is not available prior to arraignment. At arraignment, however, the court is allowed to release a juvenile to bail. In adult court, a defendant may be released upon posting a cash or surety bond at arrest.
- *Release and Parental Notification.* If a juvenile is arrested and a parent is unavailable, the juvenile will likely be held in a detention center and presented before court on the next business day. In the juvenile system, a youth cannot be released at the point of arrest except to a parent or responsible adult, and the youth is not eligible to be released on bond. In contrast, an arrested adult may be released upon his or her own recognizance or upon posting of a bond; parental notification and release to a responsible adult is not required.
- *Fines.* The imposition of monetary fines as an alternative disposition is not permissible in juvenile court. Fines are allowable dispositional alternatives in adult criminal court pursuant to C.G.A. §53a-41 and §53a-42.<sup>35</sup>

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<sup>34</sup> See, e.g., CGS §21a-277; CGS §21a-278; CGS §53a-101; CGS §53a-102a; and CGS §53a-103a. Only the most serious burglary and larceny offenses are classified as SJOs.

<sup>35</sup> In a January 3, 2007 memorandum, the Office of Fiscal Affairs estimated that approximately \$800,000 of total revenues can be attributed to 16- and 17-year-olds for criminal fines, bond forfeiture, and various program fees (e.g., Adult Probation; Accelerated Rehabilitation; Alcohol Education Program). Estimates

- *Expungement.* In juvenile court, a youth may apply to expunge a delinquency record two years after completion of a sentence (four years after completion of a sentence if there is a Serious Juvenile Offense) if he or she has remained out of legal trouble. In adult criminal court, the records of a 16- or 17-year-old youth are expunged automatically (no petition for erasure is required) at age 21, so long as the youth has not been subsequently convicted of a felony prior to his or her 21<sup>st</sup> birthday.
- *Probationary Sentences.* In juvenile court, youth may be placed on probation supervision for as long as the judge deems necessary. In adult court, there are statutory limits on the period of probation that can be imposed on 16- and 17-year-old offenders based on the degree of the offense.

### **Custodial Interrogation<sup>36</sup>**

Under Connecticut law, any admission, confession, or statement made by a child to a police officer or juvenile court official is inadmissible evidence unless made in the presence of a parent or guardian and after the parent or guardian and child have been advised of the child's constitutional rights under *Miranda v. Arizona*, 384 U.S. 436 (1966).<sup>37</sup> During testimony before the Committee, some witnesses expressed concern that extending this obligation to 16- and 17-year-olds would have a substantial impact on law enforcement practices. Any statements or confessions by 16- and 17-year-old offenders are now admissible as evidence in adult criminal court if they have been advised of their *Miranda* rights. After the jurisdictional change these statements would be inadmissible in juvenile court unless they were made in the presence of parents after notice of *Miranda* rights to both child and parent. The Committee acknowledges that this issue will require additional debate and resolution prior to July 1, 2009.

### **Motor Vehicle Infractions**

Issues emerged during the Committee process regarding where contested motor vehicle infractions will be tried after the change in jurisdiction. Currently, for youth under the age of 16, motor vehicle infractions constitute delinquent acts. Alternatively, for youth over the age of 16, infractions can often be resolved without criminal consequences. The Committee recommends that attention be directed to this issue to determine whether the definition of delinquent act should be changed to exclude motor vehicle infractions, which might be handled more efficiently in motor vehicle courts.

### **School-Related Issues**

The connection between school and youth arrest in Connecticut demands further exploration and attention. A significant proportion of Connecticut's court-involved youth arrive at the system due to either an arrest at school or an arrest while suspended from school. As Hornby Zeller identified among its findings, over 90 percent of African-American youth on probation with CSSD have been suspended or expelled from school

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suggest that an additional \$1.2 million is generated from this age group for fines, fees, and surcharges imposed for motor vehicle violations and infractions.

<sup>36</sup> This paragraph was largely excerpted from a memorandum compiled by the National Center for State Courts, "Exclusion of confessions or statements by 16- and 17-year-olds if juvenile jurisdiction in Connecticut is to be expanded," December 12, 2006.

<sup>37</sup> CGS §46b-137(a).

at least once.<sup>38</sup> Prior to the effective date of the jurisdictional change, consideration should be paid to assessing, costing out, and developing appropriate interventions for addressing the extensive educational needs of system-involved 16- and 17-year-olds. Committee members also stressed the need to strengthen schooling and build in preventive supports for younger children to reduce the overall level of and need for services before they turn 16.

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## **CONCLUSION**

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The Juvenile Jurisdiction Planning and Implementation Committee, through a comprehensive and consensus-based process, has identified five recommendations intended to raise the age of juvenile jurisdiction in Connecticut from 16 to 18. While the Committee appreciates that implementation of the age change is a complex undertaking affecting numerous agencies, service providers, and communities, it remains committed to this critical endeavor. With this plan, the Committee provides realistic and concrete steps to bring 16- and 17-year-olds into the juvenile justice system in a timely, feasible, and cost-effective manner.

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<sup>38</sup> See p. 70 of the Hornby Zeller service needs study in Appendix G.

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## BIBLIOGRAPHY

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An Act Concerning Children of Families with Service Needs, CT Public Act No. 05-250.

An Act Concerning General Budget and Revenue Implementation Provisions, CT Public Act No. 06-187, section 16.

Annie E. Casey Foundation, "Results: Impact of JDAI." <<http://www.aecf.org/initiatives/jdai/results.htm>> (February 5, 2007).

Aos, Steve, Robert Barnoski, Roxanne Lieb, and Polly Phipps, *The Comparative Costs and Benefits of Programs to Reduce Crime, v 4.0*. Olympia, WA: Washington State Institute for Public Policy, 2001.

Austin, James, Kelly Dedel Johnson, and Ronald Weitzer, *Alternatives to Secure Detention and Confinement of Juvenile Offenders*, Office of Juvenile Justice and Delinquency Prevention Bulletin, September 2005.

Baird, A.A., J.A. Fugelsang, and C.M. Bennett, "What were you thinking?" <<http://www.theteenbrain.com/research/projects/goodidea2.php>> (February 4, 2007).

Bishop, D.M., C.E. Frazier, L. Lanza-Kaduce, and L. Winner, "The transfer of juveniles to criminal court: Does it make a difference?" *Crime and Delinquency*, 42: 171-191 (1996).

Coalition for Juvenile Justice, *Childhood on Trial: The Failure of Trying & Sentencing Youth in Adult Criminal Court*, 2005. <<http://www.appa-net.org/about%20appa/CJJ-report.pdf>> (February 4, 2007).

Connecticut Juvenile Justice Alliance, *Out of Balance: Failures in Addressing Disproportionate Minority Contact within Connecticut's Juvenile Justice System*. <[http://www.ctjja.org/resource\\_category\\_9.html](http://www.ctjja.org/resource_category_9.html)> (February 4, 2007).

Dougherty, Victoria, Malia Sieve, and Terri Thomalla, "State of Connecticut Juvenile Justice Programs: Recidivism Outcome Evaluation." Connecticut Policy and Economic Council (CPEC), July 2002.

Fagan, J.A., "The comparative advantage of juvenile versus criminal court sanctions on recidivism among adolescent felony offenders," *Law and Policy* 18 (1 and 2): 77-113 (1996).

Forst, Martin et al., "Youth in Prisons and Training Schools: Perceptions and Consequences of the Treatment-Custody Dichotomy," *Juvenile and Family Court*, vol. 4 (1989).

Holman, Barry, and Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*, Justice Policy Institute, 2006.

Hornby Zeller Associates, Inc., "Connecticut Service Needs Study: 16 And 17 Year-Old Court-Involved Youth: Final Report," January 29, 2007.

Hornby Zeller Associates, Inc., "Connecticut Service Needs Study: 16 And 17 Year-Old Court-Involved Youth: Preliminary Findings," Presentation to the Juvenile Jurisdiction Planning and Implementation Committee, January 4, 2007.

John D. and Catherine T. MacArthur Research Network on Adolescent Development and Juvenile Justice. <<http://www.mac-adoldev-juvjustice.org/page26.html>> (February 4, 2007).

Marcus, David L. "Communities Helping Kids," *The American Prospect*, September 2005. <<http://www.prospect.org/web/page.wv?section=root&name=ViewPrint&articleId=10122>> (February 5, 2007).

National Center for State Courts, "Assessing the Judicial Branch's proposed Regional 'Youth Sessions' to implement juvenile jurisdiction change in Connecticut." Forthcoming (February 2007).

National Center for State Courts, "Exclusion of Confessions or Statements by 16- and 17-Year-Olds if Juvenile Jurisdiction in Connecticut is to be Expanded," December 12, 2006.

National Center for State Courts, "Implications of Changing Juvenile Jurisdiction for Adjudication and Case-Processing Personnel Needs in Connecticut Superior Court," January 23, 2007.

National Center for State Courts, "Potential benefits and public savings in changing juvenile jurisdiction in Connecticut Superior Court." Forthcoming (February 2007).

Roman, John, *The Economic Impact of Raising the Age of Juvenile Jurisdiction in Connecticut: Remarks before the Judiciary and Appropriations Committee, Connecticut General Assembly, February 21, 2006*, Urban Institute, 2006.

Roper v. Simmons, 543 U.S. 551, (2005).

The State of Connecticut Judicial Branch Court Support Services Division, "JJPIC: Proposed Court and Service System for 16 & 17 year olds," Presentation to the Juvenile Jurisdiction Planning and Implementation Committee, January 4, 2007. <<http://www.cga.ct.gov/hdo/jjplic/>> (February 4, 2007).

Townsend, Peggy, "Detention Redemption," *The American Prospect Online*, September 2005. <<http://www.prospect.org/web/page.ww?section=root&name=ViewPrint&articleId=10125>> (February 5, 2007).

Winner, L., L. Lanza-Kaduce, D.M. Bishop, and C.E. Frazier, "The transfer of juveniles to criminal court: Reexamining recidivism over the long term," *Crime and Delinquency* 43(4): 548-563 (1997).

Ziedenberg, Jason, and Vincent Schiraldi, *The Risks Juveniles Face When They Are Incarcerated with Adults*, Justice Policy Institute, June 1997. <<http://www.cjck.org/jpi/risks.html>> (February 4, 2007).

## **APPENDIX A**

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**Juvenile Jurisdiction Planning and Implementation Committee  
Enabling Legislation**

## APPENDIX A

### House Bill No. 5846 Public Act No. 06-187 9 of 89

Sec. 16. (*Effective from passage*) There is established a juvenile jurisdiction planning and implementation committee that shall consist of the following members:

- (1) Six members of the General Assembly, one of whom shall be appointed by the speaker of the House of Representatives, one of whom shall be appointed by the president pro tempore of the Senate, one of whom shall be appointed by the majority leader of the House of Representatives, one of whom shall be appointed by the majority leader of the Senate, one of whom shall be appointed by the minority leader of the House of Representatives and one of whom shall be appointed by the minority leader of the Senate;
- (2) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and human services, or their designees;
- (3) The Chief Court Administrator, or the Chief Court Administrator's designee;
- (4) The Commissioner of Children and Families, or the commissioner's designee;
- (5) The Commissioner of Correction, or the commissioner's designee;
- (6) A judge of the superior court assigned to hear juvenile matters, appointed by the Chief Justice;
- (7) The Chief Public Defender, or the Chief Public Defender's designee;
- (8) The Child Advocate, or the Child Advocate's designee;
- (9) The Chief State's Attorney, or the Chief State's Attorney's designee;
- (10) The Secretary of the Office of Policy and Management, or the secretary's designee; and
- (11) Four members of the advocacy community, two of whom shall be appointed by each of the co-chairs of the Juvenile Court Jurisdiction Committee.

The members of the General Assembly appointed by the speaker of the House of Representatives and the president pro tempore of the Senate shall serve as the co-chairs of the committee. All appointments to the committee shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

The chairpersons of the committee shall schedule the first meeting of the committee to be held not later than sixty days after the effective date of this section. The committee shall plan for the implementation of any changes in the juvenile justice system that would be required in order to extend jurisdiction in delinquency matters and proceedings to include sixteen-year-old and seventeen-year-old children within the Superior Court for Juvenile Matters. On or before February 1, 2007, the committee shall submit a report, in accordance with section 11-4a of the general statutes, on the committee's findings, together with any recommendations for appropriate legislation, to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and human services.

## **APPENDIX B**

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**Members of the  
Juvenile Jurisdiction Planning and Implementation Committee**

## APPENDIX B

### CO-CHAIRS

Sen. Toni Harp  
10th Senate District  
Deputy President Pro Tempore;  
Chair, Appropriations

Rep. Toni Walker  
93rd House District  
Deputy Majority Leader

### MEMBERS

Portia Bonner, Ph.D.  
Assistant Superintendent  
Hamden Public Schools

Joyce Bosco  
Executive Director  
Southside Family House

Liz Brown  
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William Carbone  
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Court Support Services Division  
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Fran Carino  
Supervisory Juvenile Prosecutor for  
Statewide Matters  
Office of the Chief State's Attorney

Jeff Carr  
Parole Services  
Department of Children and Families

Donald Devore  
Director, Bureau of Juvenile Services  
Department of Children and Families

Darlene Dunbar  
Commissioner  
Department of Children and Families

Rep. Robert Farr  
19th House District  
Judiciary Committee designee

Sen. Judith Freedman  
26th Senate District  
Senate Minority Leader designee

Deborah Fuller  
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Janice Gruendel  
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## APPENDIX B

Mickey Kramer  
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Office of the Child Advocate

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Hon. William Lavery  
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Office of the Chief Public Defender

Peter Rockholz  
Deputy Commissioner  
Department of Mental Health and  
Addiction Services

Ellen Scalettar  
Senior Policy Fellow  
Connecticut Voices for Children

Chief Carl Sferrazza  
Enfield Police Department

Deborah DelPrete Sullivan  
Legal Counsel  
Office of the Chief Public Defender

Rep. Cathy C. Tymniak  
133rd House District  
House Minority Leader designee

## **APPENDIX C**

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### **Presenting Witnesses and Other Participants**

## APPENDIX C

### August 3, 2006

**Hector Glynn**, Executive Director,  
Connecticut Juvenile Justice Alliance

### September 7, 2006

**Chief Tom Sweeney**, Glastonbury Police  
Department

**Lt. Keith O'Brien**, Glastonbury Police  
Department

**Chief Thomas Flaherty**, Milford Police  
Department and Executive Director, Police  
Officer Standards and Training Council

**Lt. Stan Konesky**, Instructor, Police  
Officer Standards and Training Council

### September 21, 2006

**Sherry Haller**, Executive Director, The  
Justice Education Center

**Eleanor Lyon**, Lyon & Associates

**William Carbone**, Executive Director,  
Court Support Services Division, Judicial  
Branch

**Brian Hill**, Criminal Sanctions Monitor,  
Juvenile Matters, Judicial Branch

**Barbara Lanza**, Program Manager,  
Center for Best Practices, Court Support  
Services Division, Judicial Branch

**Julie Revaz**, Program Manager, Court  
Support Services Division, Judicial Branch

**Theresa Lantz**, Commissioner,  
Department of Correction

**George Coleman**, Interim Commissioner,  
State Board of Education

**Peter Rockholz**, Deputy Commissioner,  
Department of Mental Health and  
Addiction Services

### October 5, 2006

**Peter Rockholz**, Deputy Commissioner,  
Department of Mental Health and  
Addiction Services

**Christine Rapillo**, Director of Juvenile  
Delinquency Defense, Office of the Chief  
Public Defender

**Darlene Dunbar**, Commissioner,  
Department of Children & Families

**Donald Devore**, Director of Juvenile  
Services, Department of Children &  
Families

### October 17, 2006

**Jeanne Milstein**, Child Advocate, Office  
of the Child Advocate

**Theresa Lantz**, Commissioner,  
Department of Correction

**Mary Marcial**, Director of Programs and  
Treatment, Department of Correction

### November 2, 2006

**Dr. Reginald Mayo**, Superintendent, New  
Haven Public Schools

**Winston Johnson**, Director of Social  
Work & Psychiatric Services, Hartford  
Public Schools

**James Shannon**, Director of Pupil &  
Family/Community, Bridgeport Public  
Schools

**Asst. Chief Herman Badger**, New Haven  
Police Department

**Lt. Achilles Rethis**, Hartford Police  
Department

**Sgt. Matthew Eisele**, Hartford Police  
Department

**Sgt. Jesus Ortiz**, Bridgeport Police  
Department

### November 16, 2006

**Darlene Dunbar**, Commissioner,  
Department of Children & Families

**John Dixon**, Superintendent, Connecticut  
Juvenile Training School, Department of  
Children & Families

**Susan O'Brien**, Director of Parole  
Services, Department of Children &  
Families

**Karen Andersson**, Health Management  
Administrator, Administrative Service  
Organization

**Lori B. Szczygiel**, Chief Executive  
Officer, Connecticut Behavioral Health  
Partnership, Administrative Service  
Organization

## APPENDIX C

### **November 30, 2006**

**Dr. Abigail Baird**, Assistant Professor of Psychological and Brain Sciences, Dartmouth University

**Hon. William Lavery**, Chief Court Administrator, Judicial Branch (submitted memorandum)

### **December 21, 2006**

**Francis J. Carino**, Supervisory Juvenile Prosecutor for Statewide Matters, Office of the Chief State's Attorney

### **January 4, 2007**

**Julie Revaz**, Program Manager, Court Support Services Division, Judicial Branch

**Dennis E. Zeller**, President and founder, Hornby Zeller Associates

**Helaine Hornby**, Vice President, Hornby Zeller Associates

### **January 18, 2007**

**Dennis E. Zeller**, President and founder, Hornby Zeller Associates

**Helaine Hornby**, Vice President, Hornby Zeller Associates

**Sara Mogulescu**, Director, Center on Youth Justice, Vera Institute of Justice

### **January 25, 2007**

**Sara Mogulescu**, Director, Center on Youth Justice, Vera Institute of Justice

### **February 8, 2007**

**Jeanne Milstein**, Child Advocate, Office of the Child Advocate

## **APPENDIX D**

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### **Designated Working Group Members**

## APPENDIX D

### **Front End Workgroup**

Leo Arnone, Court Support Services Division, Judicial Branch (*facilitator*)

Anne Marie DeGraffenreidt, Department of Children and Families

Rep. Robert Farr

Susan Hamilton, Office of Policy and Management

Rep. Gail Hamm

Brian Hill, Court Support Services Division, Judicial Branch

David Iaccarino, Court Operations, Judicial Branch

Sen. John Kissel

Theresa Lantz, Department of Correction

Jeanne Milstein, Office of the Child Advocate

Sue O'Brien, Department of Children and Families

Chief Carl Sferrazza, Enfield Police Department

Rep. Cathy Tymniak

### **Court-Related Issues Workgroup**

Christine Rapillo, Office of the Chief Public Defender (*facilitator*)

Fran Carino, Office of the Chief State's Attorney

Larry D'Orsey, Judicial Branch

Donald Devore, Department of Children and Families

Antonio Donis, Department of Children and Families

Sen. Judith Freedman

Deborah Fuller, External Affairs, Judicial Branch

Sen. Mary Ann Handley

Lisa Kouzoujian, Juvenile Law Attorney

Hon. William Lavery, Judicial Branch

Hon. Barbara Quinn, Judicial Branch

Deborah DelPrete Sullivan, Office of the Chief Public Defender

### **Services and Disposition Workgroup**

Hector Glynn, Connecticut Juvenile Justice Alliance (*facilitator*)

Portia Bonner, Ph.D., Hamden Public Schools

Joyce Bosco, Southside Family House

Liz Brown, Commission on Children

William Carbone, Court Support Services Division, Judicial Branch

Jeff Carr, Department of Children and Families

John Dixon, Connecticut Juvenile Training School, Department of Children and Families

Darlene Dunbar, Department of Children and Families

Rep. Lile R. Gibbons

Janice Gruendel, Governor's Office

Mickey Kramer, Office of the Child Advocate

Hon. Michael Mack, Judicial Branch

Sen. Edward Meyer, Senate Majority Leader designee

Julie Revaz, Court Support Services Division, Judicial Branch

Cindy Rutledge, Department of Children and Families

# **APPENDIX E**

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## **Risk Assessment Instruments**

**Cook County, IL**

**State of New Mexico**

**Santa Cruz County, CA**

**COOK COUNTY JUVENILE COURT  
JUVENILE JUSTICE DIVISION  
JUVENILE PROBATION DEPARTMENT**

**SCREEN DATE:** \_\_\_\_\_ **SCREEN TIME:** \_\_\_\_\_ **SCREENER:** \_\_\_\_\_  
**YOUTH OFFICER:** \_\_\_\_\_ **DISTRICT:** \_\_\_\_\_  
**MINOR RESPONDENT:** \_\_\_\_\_ **DOB:** \_\_\_\_\_ **AGE:** \_\_\_\_\_

**SEX:** M / F **RACE:** WHITE / BLACK / HISPANIC / ASIAN / OTHER **P.O.:** \_\_\_\_\_  
**RD#:** \_\_\_\_\_ **IR#:** \_\_\_\_\_ **FAMILY FOLDER NUMBER :** \_\_\_\_\_

**(REQUIRED)** **(REQUIRED)**

**FACTOR**

<b>1.</b>	<b>MOST SERIOUS INSTANT OFFENSE:</b> _____	<b>SCORE</b>	
	(Choose only one item indicating the most serious charge)		
	<b>Automatic Transfer Cases</b> .....	15	
	<b>Violent Felonies</b> Agg Batt – Bodily Harm, Agg Battery with/Firearm, AggCrimSexAsslt, Agg Discharge of a Firearm , Agg Vehicular Invasion, Armed Robbery w/ Handgun, Armed Violence W/Firearm, Home Invasion, Murder, UUW-Gun).....	15	
	Agg Batt against Police Officer, Agg Domestic Battery, Domestic Battery W/Bodily Harm, Agg Robbery, Agg Stalking, Child Pornography, Hate Crime W/ Bodily Injury, Hate Crime @Place of Worship, Heinous Batt, Residential Arson .....	12	
	<b>Other Forcible Felonies</b> – (Agg Batt, CrimSexAbuse, Hate Crime, Intimidation, Kidnapping, Robbery, Vehicle Invasion).....	10/12*	
	<b>Other Offenses</b>		
	Felony Sale of Cannabis (Class 1 or 2 felony amount), Arson, DCS.....	10/12*	
	PCS w/int deliver, Residential Burglary, UUW (not a gun), Possession Explosives.....	7/10*	
	Felony Possession of Narcotics/Drugs for Sale or Other Felonies.....	5/7*	
	Misdemeanor Possession of Narcotics/Drugs or Other Weapons Possession.....	3	
	Other Misdemeanors.....	2	
	<b>Not Picked up on New Offense (WARRANT)</b> .....	0	
<b>2.</b>	<b>PRIOR AUTHORIZED SECURE DETENTIONS</b> (Choose only one item)		
	Prior detention within the last 24 hour period.....	8	
	Prior detention within the last seven days.....	7	
	Six or more total detentions within the last 12 months (# _____).....	10	
	One to five detentions within the last 12 months (# _____).....	6	
	No detentions within the last 12 months.....	0	
<b>3.</b>	<b>PAST FINDINGS OF DELINQUENCY – CLOSED PROCEEDINGS</b> (Choose only one item)		
	IDOC Discharged.....	8	
	Past Finding of Delinquency on a violent felony.....	7	
	Past Finding of Delinquency on a felony.....	5	
	Past Finding of Delinquency on a misdemeanor (# of findings x 1 up to a total of 3 points).....	1 / 2 / 3	
	No Past Finding of Delinquency.....	0	
<b>4.</b>	<b>CURRENT CASE STATUS</b> (Choose only one item)		
	Criminal Court Case Pending.....	8	
	IPS.....	7	
	Probation (# _____).....	4	
	Supervision (# _____).....	2	
	Not an active case.....	0	
<b>5.</b>	<b>PETITIONS PENDING ADJUDICATION</b> (Choose only one item)		
	2 + Petitions Pending (# _____).....	3	
	1 Petition Pending.....	1	
	No Petitions Pending.....	0	
<b>6.</b>	<b>UNDER DETENTION ALTERNATIVE RESTRICTIONS</b>		
	Electronic Monitoring.....	10	
	Shelter Care Facility.....	9	
	Evening Reporting Center.....	7	
	Home Confinement.....	5	
<b>7.</b>	<b>WARRANT CASES</b> (Choose only one item)		
	Category 1: Mandatory Detention.....	15	
	Category 2: Non-Mandatory Detention.....	8	
	<b>TOTAL SCORE</b>	_____	

**\*ALL SUBSEQUENT POLICE  
REFERRALS FOR THESE  
OFFENSES**

**DECISION SCALE**

Score 0-9..... **AUTHORIZE RELEASE** (with notice of prioritized date for 5-12 Conference)  
 Score 10-14..... **COMPLETE NON-SECURE DETENTION OPTIONS FORM**  
 Score 15 +..... **AUTHORIZE DETENTION** (for minors 13 years of age and older)

(Complete non-secure custody options for minors under 13 years of age before placement into secure detention unless Minor is charged with UUW-Firearm in or on school grounds)

**ADMINISTRATIVE OVERRIDE:** **YES** **NO** **REASON:** \_\_\_\_\_  
**FINAL DECISION:** **DETAIN** **RELEASE** **RELEASE WITH CONDITIONS**

MR lives at: \_\_\_\_\_ Apt. \_\_\_\_\_ City: CHGO/ \_\_\_\_\_ IL/ \_\_\_\_\_ Zip: \_\_\_\_\_

MR lives with: \_\_\_\_\_ Relation: \_\_\_\_\_ Phone: 312 / 630 / 708 / 773 / 847 \_\_\_\_\_

231	Agg Vehicular Hijacking with F/A	334	Aggravated Firearm Discharge	541	Manslaughter - Voluntary
234	Agg Criminal Sexual Assault	339	Aggravated Battery/ Great Bodily Harm	543	Murder (non A/T)
242	UUW – School Grounds	341	Aggravated Vehicular Invasion	548	Solicitation of Murder
243	Murder	342	Aggravated Vehicular Hijacking	552	Reckless Homicide
256	Robbery – Armed with Firearm A/T	343	Aggravated Battery with Firearm	556	Armed Robbery
257	DCS on school grounds to a minor under to a minor under the age of 17	360	Armed Violence with Firearm	570	Aggravated – Arson
258	Agg Batt with firearm on school grounds or on a conveyance	408	Attempt Murder	572	Home Invasion
		442	UUW – School Grounds (non A/T)	573	Robbery Armed Firearm
		443	UUW Public Housing (non A/T)	589	Armed Violence
		450	UUW – Firearm	777	Interstate Warrant
		520	Criminal Sexual Assault		
		534	Aggravated Criminal Sexual Assault (non A/T)		
		539	Aggravated Kidnapping		

**JA 12 POINTS**

361	Aggravated Battery against police officer
362	Aggravated Domestic Battery
363	Domestic Battery with Bodily Harm
364	Aggravated Robbery
365	Aggravated Stalking
366	Child Pornography
367	Hate Crime with Bodily Injury
368	Hate Crime at Place of Worship
369	Heinous Battery
370	Residential Arson

**JA 10 POINTS**

325	Ethnic Intimidation
335	Vehicle Invasion
338	Vehicle Hijacking
345	Vehicular Endangerment
346	Stalking
347	Hate Crime
351	Unlawful Del Cannabis
	Class 1 & 2 Fel Amt
403	Attempt Criminal Sex Assault
411	Attempt Armed Robbery
423	Attempt Aggravated Arson
424	Aggravated Cruelty to Animals

**JA 10 POINTS**

427	Attempt Agg Crim Sex Assault
503	Arson
507	Aggravated Battery
527	Firearm – Unlawful Sale
533	Criminal Sexual Abuse
535	Intimidation
538	Kidnapping
550	Aggravated Criminal Sex Abuse
555	Robbery
574	Controlled Substance – Del
580	Gang Organization Recruitment

**JA 7 POINTS**

319	Unlawful Del Cannabis – Misdemeanor Amt
333	Poss Contl Sub w/Int to Del
445	Weapons – Unlawful Sale
524	Explosives Possession
564	Unlawful Use of Weapon
585	Residential Burglary

**JA 5 POINTS**

322	Bring Contraband into Institution
323	Child Pornography, Sexual
324	Burglary to Auto
326	Compel – Conf by Threat
329	Juvenile Pimping
337	Agg Poss Stolen Vehicle

**JA 5 POINTS**

352	Possession of Cannabis Fel Amt
406	Attempt Kidnapping
409	Attempt Criminal Sex Abuse
410	Attempt Robbery
412	Attempt Theft of Auto
414	Attempt Theft over \$300

**JA 5 POINTS**

422	Attempt Residential Burglary
424	Attempt Arson
432	Attempt Aggravated Crime
433	Attempt Aggravated Sexual Abuse
434	Attempt Aggravated Sex with Family
511	Burglary
528	Forgery
544	Controlled Sub Poss – Fel Amt
554	Restraint - Unlawful

**JA 5 POINTS**

558	Theft of Auto
560	Theft over \$300
566	Sexual Relationship w/Family
577	Possession of Stolen Auto

**JA 3 POINTS**

312	Unauthorized Storage of Weapon
313	Poss of Cannabis – Mis Amt
328	Poss Conc Dangerous Weapon
348	Misdemeanor Sale Cannabis
350	Theft of Firearm
400	Attempt Burglary
435	Attempt Forgery
446	Attempt Poss of Controlled Sub
504	Aggravated Assault

**JA 2 POINTS**

302	Ticket Scalping
303	Endangering Life/Health Child
305	Contributing to Neglect of Child
308	Poss/Theft Detection Device
309	Vandalism
310	Aiding a Fugitive
311	Obstructing Service of a Process
314	Alteration Identification of Vehicle
315	Obt Service Defraud Elec Device
316	Unlawful Sale of Fireworks
317	Leaving Motor Vehicle Accident
318	Peddling Merchandise without License
320	Hitchhiking
321	Unlawful Use of a Computer
336	Looting
401	Attempt Crim Damage to Property
404	Attempt Eavesdropping
405	Attempt Retail Theft
413	Attempt Theft Under \$300
415	Attempt Deceptive Practice
416	Attempt Theft from Person
417	Attempt Theft Lost/Mislaid Property

438	Attempted Battery
499	Miscellaneous Attempt
500	Abortion
501	Air Rifle – Carry Discharge
502	Air Rifle – Unlawful Sale
506	Battery
508	Bribe – Accepting
509	Bribe – Offering
510	Bribery
512	Burglary Tool – Possession of
513	Civil Rights – Violated
514	Conspiracy
516	Criminal Damage to Property
517	Criminal Trespass to Vehicle
519	Deception Practice
521	Disorderly Conduct
522	Distribute Abortifacient
523	Eavesdropping
525	False Fire Alarm
526	Defacing Identifying Mark
529	Gambling
530	Gambling – Keeping Place of

547	Prostitution
549	Public Indecency
551	Reckless Conduct
553	Resisting or Obstructing Police
557	Solicitation
559	Theft Under \$300
561	Theft – Deception or Threat
562	Theft from Person
563	Theft – Lost/Mislaid Property
565	Assault
568	Unregistered Gun
569	Unregistered Gun Carrier
575	Crim Damage to Stat Supp Prop
576	Poss of Stolen Property
578	Unlawful Use of Credit Card
579	Unlawful Poss of Ammo/Firearm
581	Escape
582	Theft
583	Criminal Trespass to Land
584	Poss Drug Paraphernalia
586	Retail Theft
587	Tampering with Vehicle



## DETENTION SCREENING Statewide Risk Assessment II

<b>FACTS #:</b>		<b>First Name:</b>		<b>Last Name:</b>	
<b>SS#:</b>		<b>DOB:</b>		<b>Gender:</b> Male      Female	
<b>Taken into Custody/Arrested:</b>		Date:	Time:	Referral County:	
Screeener:			Screening Date:		Time:
Primary Reason for Referral/Detention:	<input type="checkbox"/> Delinquent Offense	<input type="checkbox"/> Drug Court or Juvenile Court Hold (post disp)			
	<input type="checkbox"/> Delinquent Offense+VOP, VCO, Other Viol. (delinquent offense while on probation)	<input type="checkbox"/> Disposition –15 day Detention			
	<input type="checkbox"/> Probation/Parole Violation (with warrant)	<input type="checkbox"/> Detained Pending Post-Dispositional Placement			
	<input type="checkbox"/> Viol. of Court Order/Cond Order of Release	<input type="checkbox"/> Committed/Diag – return to court on pending case			
		<input type="checkbox"/> ICJ/INS Hold			
		<input type="checkbox"/> Transfer from Other Center			
<i>If one of the above is checked, complete entire form</i>			<i>If one of the above is checked, complete:</i>		
			<input type="checkbox"/> <i>Special Detention Cases, if applicable</i> <input type="checkbox"/> <i>Detention Admission (required)</i>		
Primary (most serious) Referral Offense:					
Enumerated		Fel/Mis:	Degree:	Det Category:	
Use or Possession of a Weapon in Commission of Crime: <input type="checkbox"/> Knife or other sharp instrument <input type="checkbox"/> Firearm <input type="checkbox"/> Other					

**A. OFFENSE (Score only the most serious instant offense)**

- |   |         |
|---|---------|
| 0. All enumerated offenses in 31-22-8.....  | 12      |
| 1. Violent Offense Against Person Resulting in Serious Bodily Injury or Death ..  | 12      |
| 2. Violent Sexual Felony .....  | 12      |
| 3. Use or Possession of Firearm in Commission of a Crime .....                    | 12      |
| 4. Felony Crimes of Violence .....  | 8       |
| 5. Felony Sexual Offenses .....   | 8       |
| 6. Felony Property Crimes including Auto Theft .....                              | 5       |
| 7. All Other Felony Crimes and Misdemeanors.....                                  | 3       |
| 8. All infractions, Petty Misdemeanors and non-criminal probation violations..... | 0       |
| <b>**Enumerated offense will not be mitigated**</b> .....                         | + _____ |
| <b>OFFENSE SCORE</b>  |         |

**B. PRIOR OFFENSE HISTORY (Score only one of the following)**

- |  |         |
|--|---------|
| Felony petition <i>filed and</i> pending .....   | 6       |
| Prior felony adjudication/within the last six months, or two or more adjudications including one felony within the last 12 months..... | 5       |
| Prior felony adjudication within the last three years.....   | 3       |
| <b>PRIOR HISTORY SCORE</b>   | + _____ |

**C. RISK OF FTA AND REOFFENSE (Add all that apply up to 3 points)**

- |  |         |
|--|---------|
| Previous Escape/abscond from secure facility, or court ordered placement ..... | 1/ea    |
| Previous failure to appear for court .....                                     | 1/ea    |
| Pending citations or referrals.....  | 1/ea    |
| <b>FTA AND REOFFENSE SCORE</b>   | + _____ |

**D. Aggravating Factors (Add all that apply, up to 3 points)**

- |  |         |
|--|---------|
| Multiple Offenses are alleged for this referral .....                      | 1/ea    |
| Two or more adjudicated offenses involving violence in the last year ..... | 1/ea    |
| Crime or behavior alleged was particularly vicious or violent.....         | 1/ea    |
| <b>AGGRAVATING FACTORS SCORE</b>   | + _____ |

**E. Mitigating Factors (Subtract all that apply, up to 3 points)**

- \*\*Do not complete for enumerated offenses\*\***
- |  |         |
|--|---------|
| Involvement in offense was remote, indirect or otherwise mitigated ..... | 1/ea    |
| Family member or caretaker able to assume responsibility for minor ..... | 1/ea    |
| No arrests or citations within the last year .....                       | 1/ea    |
| <b>MITIGATING FACTORS SCORE</b>  | - _____ |

**TOTAL SCORE (A+ B+ C + D - E)**



**DETENTION DECISION (Based on score)**

- Do Not Detain (0-7 Points)
- Non-Secure Alternative (Home/Community Supervision 8-11)
- Secure Detention (12 Or More Points)

**OVERRIDE: (Check one)**

- The child has no parent, guardian, custodian or other person able to provide adequate supervision and care for the child
- Parents located but not available
- Parents refuse custody
- Protective Services Involvement where charges have been substantiated:
- Override to Release
- Other: (must explain override reason, supervisor authorization to be noted in other internal comments box)

**If client is Detained only, complete the following section:**

**Substance Abuse Issues**

**Under the influence:**

**At time of screening: Does the client appear to be intoxicated**

Yes  No  Unknown

**If yes: Alcohol  Drugs  Marijuana  Solvents**

**Is any associated charges alcohol or drug related**

Yes  No  Unknown

**If yes: Alcohol  Drugs  Marijuana  Solvents**

**Assessment(s) on File: (FACTS; Administrative, Legal, and TCM tab)**

**Assessment: Date: Type:**

**Assessment: Date: Type:**

**Assessment: Date: Type:**

**Other Data Collection Items:**

*Intended for analysis purposes only and is not applicable to detention decision*

**Current referral:** Enter FACTS Ref #:

- Current charges are Serious or Youthful Offender
- Previous FTA for court: Enter total number of FTA which occurred on different dates \_\_\_\_\_
- Previous Escape or Runaway: Enter number of incidents with different dates \_\_\_\_\_
- Previous Detained (*exclude current detention*): Enter number of detention admissions which occurred on different dates: \_\_\_\_\_

**Runaway Status:**

- In-state runaway
- Out-of-state runaway
- Not a runaway

**SPECIAL DETENTION CASES (Check one Box then choose type and reason that apply)**

Any warrant or parole detention order                      Type                      Reason



- Violation of home detention/electronic monitoring
- Hold for out of state

Arrest Bench Parole Det order Magistrate/Municipal Not indicated on warrant Home Detention Electronic Monitoring INS ICJ	Escape from Secure Facility Abscond from out of home placement FTA Probation Violation Runaway
--	--

**Non-Secure Detention Placement (at time of decision)**

<p><b>Services:</b> <i>(Check all that apply)</i></p> <input type="checkbox"/> Home Detention <input type="checkbox"/> Electronic Monitoring <input type="checkbox"/> Community Monitoring (non-electronic monitoring) <input type="checkbox"/> Surveillance <input type="checkbox"/> 24 Hour House Arrest <input type="checkbox"/> Other: <i>(explain)</i> _____	<input type="checkbox"/> Community Corrections <input type="checkbox"/> Emergency Shelter Bed <input type="checkbox"/> CCMHC <input type="checkbox"/> Community Custody Program <input type="checkbox"/> Group Home <input type="checkbox"/> Youth Reporting Center
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**Detention Admission**

Admitted into Secure Detention:	Date:	Time:	Det Center:
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SANTA CRUZ COUNTY JUVENILE DETENTION  
SCREENING RISK ASSESSMENT

AREA 1. MOST SERIOUS INSTANT OFFENSE (choose highest one) (Arrest warrant for a new offense is scored as the offense)

- a. Any 707(b) offense 10 (No Mitigation to apply)
- b. Loaded Firearm 10
- c. Felony Crimes of violence 8
- d. Felony sexual offenses 7
- e. Felony high speed chase (driver only) 7
- f. Sale of drugs 7
- g. Court Identified gang member who committs misdemeanor crime of violence 5
- h. Other felony offenses except drugs 5
- i. Possession drug for sale 5
- j. Violent misdemeanor/possession of weapon 4
- k. Possesssion of drugs 3
- l. Misdemeanors 2
- m. Probation violations 0

AREA 2. CURRENT ARREST ON WARRANT

- a. Surrendered 0
- b. Apprehended 1
- c. Apprehended with resistance 2

AREA 3. LEGAL STATUS

- a. Pending Court (petition has been filed or case is "off calendar for personal service") 6
- b. Ward – last sustained offense within 3 months 4
- c. Ward – last sustained offense 3 months/1 year 3
- d. Ward – last sustained offense > 1 year 2
- e. 654/725 W&I (informal probation/6 months without wardship) 2
- f. Transfer in-custody (score for sustained offense)
- g. Open deferred entry of judgement 3
- h. None 0

AREA 4. RISK OF FTA AND REOFFENSE

- a. Previous 871 W&I (escape from a Juvenile Hall or Ranch Camp) 2 points each
- b. Previous FTAs .....1 point each (never to exceed 3 points)
- c. Pending referrals/citations .....0-3 points each (never to exceed 3 points)

AREA 5. RISK OF NEW OFFENSE

- a. Previously arrested or cited for new offense while pending court.....3 points

AREA 6. MITIGATING FACTORS (Can decrease by 1 to 3 points total – specify)

- a. Family member or caretaker able to assume responsibility for minor
- b. Stability in school and/or employment
- c. First arrest at 16 or older
- d. No arrests or citations within the last year
- e. Other (please specify below)

AREA 7. AGGRAVATING FACTORS (Can increase by 1 to 3 points total – specify)

- a. Runaway behavior from home
- b. Poor or no attendance at school
- c. Two or more sustained offenses involving violence in the last year.
- d. Multiple Offenses
- e. Other (please specify below)

AREA 8. VICTIM/WITNESS FACTORS

- a. Threats of violence against current victim subsequent to offense ..... 3
- b. Threats of violence to witness in current case subsequent to offense..... 3
- c. Previously victimized same person/family member..... 2
- d. Crime appears based on race, gender, sexual orientation, age, homelessness, disability or religion (hate crime)..... 2
- e. Minor has easy access to victim and crime was of a violent nature or a residential burglary..... 2

AREA 9. SUBSTANCE USE FACTORS

- a. Minor currently in treatment for alcohol/drug issues ..... (-2)
- b. No known substance use in the last year..... (-2)

PATTERN OF SUBSTANCE USE - PICK ONE BELOW:

- c. Knowledge of recent, active substance use and/or one or more positive urine test in the past 30 days..... 1
- d. Current IV drug use (within the past 72 hours) ..... 10
- e. Daily use of a narcotic for at least 30 days (not marijuana) ..... 3
- f. Drug or alcohol use 3-6x's week for at least 90 days (must have documentation of this) ..... 2
- g. Daily use of alcohol or marijuana and minor is 14 or under.....3
- h. Daily use of alcohol or marijuana and minor is 15 or older.....2

DETENTION DECISION (CHECK)

Release without restriction (0-5 points)

Release without restriction or Home Supervision release (6-9 points)

Detain (10 or more points)

OVERRIDE: (STATE REASONS)

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MANDATORY DETENTION CASES (Current Case)

THESE CASES ARE TO BE AUTOMATICALLY DETAINED BUT STILL SCORED

- a. Escapee from county institution
- b. Home supervision/E.M. arrest/Fresh arrest while on home supervision/E.M.
- c. Abscond from placement
- d. Placement failure
- e. Pickup and Detain
- f. Warrant without Judge previously agreeing to release by P.O.

## **APPENDICES F & G**

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**Please see separate volume for reports from  
the National Center for State Courts  
and  
Hornby Zeller Associates, Inc.**