



DATE: February 27, 2018
TO: Committee on Children
FROM: Melanie Berzins, Public Policy Intern
RE: S.B. NO. 187 AN ACT CONCERNING THE TRANSFER OF A CHILD CHARGED WITH CERTAIN OFFENSES TO THE CRIMINAL DOCKET AND THE GROUNDS FOR DETENTION OF AN ARRESTED CHILD

Good morning Senator Moore, Senator Suzio, Representative Urban, Representative Zupkus and distinguished members of the Committee on Children:

My name is Melanie Berzins, Public Policy Intern at the CT Community Nonprofit Alliance. The Alliance is Connecticut's statewide association of community nonprofits. Our members deliver essential services to more than a half a million people each year and employ almost 14% of Connecticut's workforce.

Thank you for the opportunity to testify on S.B. NO. 187 AN ACT CONCERNING THE TRANSFER OF A CHILD CHARGED WITH CERTAIN OFFENSES TO THE CRIMINAL DOCKET AND THE GROUNDS FOR DETENTION OF AN ARRESTED CHILD.

The Alliance opposes S.B. NO 187 due to a number of concerns regarding its consequences for the safety and appropriate placement, treatment and rehabilitation of justice-involved youth.

We oppose the provision in the bill that reduces the age at which youth can be tried as adults from age 15 to age 14, as it would increase the number of children placed in adult courts and prisons. The adult justice system is not designed for children and does not have the services, programs and facilities to meet their unique needs.

Placing children in adult facilities is a disservice both to the children affected as well as to the overall public. It prevents justice-involved children from receiving the rehabilitative services they need, placing them at greater risk of repeating or escalating the actions that first put them in the court system.

Youth in adult prisons are at a greater risk of being the victims of assault, abuse, and even death than those placed in the juvenile justice system. Youth in the adult system are also unable to access educational services, which the juvenile system is required to provide. Youth in adult prisons are often placed in isolation to protect them from older/larger youth and adults, increasing the risk of being forced into psychologically damaging solitary confinement.

Not only do youth in the adult system not receive the rehabilitative or educational services they need, but they are further isolated and face a greater uphill battle in psychological, emotional and educational adjustment upon reentry into the community.

We also oppose the provision to increase the number of offenses that require automatic transfer of youth to adult court. Connecticut is working towards aligning our system with national trends and best practices regarding automatic transfer to adult court – broadening the criteria for transfer will further set us back.

According to the CDC, youth who are adjudicated in the adult justice system are more likely to re-offend and more likely to commit more violent offenses than youth who are adjudicated for the same offenses in the juvenile system. As such, it does not make sense to increase the number of children who are automatically transferred to the adult system. Rather, such transfers should be at the discretion of the judge adjudicating each youth's case.

This bill also incorporates “a strong probability that the child will commit or attempt to commit other offenses injurious to the child” and “probable cause to believe that the child's continued residence in the child's home pending disposition poses a risk to the child” as grounds for detention of that child.

We oppose this provision, which essentially punishes and further traumatizes children for behavioral health needs or for being abused by jailing them for their own protection. A child's potential risk for self-harm and/or abuse necessitates access to appropriate behavioral health services and treatment, not detention. These provisions would especially impact homeless youth, girls and LGBTQ youth, who are at greater risk of becoming victims of human trafficking and violence or abuse in the home. Connecticut law states that children should only be detained if they are a risk to public safety. These children do not pose a risk to public safety, but rather are at-risk themselves.

Connecticut has made great strides in improving re-entry and rehabilitation for justice-involved youth, and has a robust network of nonprofit community providers who currently provide these children with high quality, cost-effective behavioral health, educational and re-entry services. This bill would take Connecticut backwards, increasing barriers for youth in need of services, punishing youth for mental health issues and abuse, and increasing the state's youth prison population.

Thank you for your consideration. Please feel free to contact me with questions or for more information.

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