

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-6889

Title: AN ACT CONCERNING JUVENILE MATTERS.

Vote Date: 3/30/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/15/2023

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

This bill would empower both the courts and the Department of Children and Families regarding the handling of minors that have committed offences or are habitual offenders, and also allows the courts to find that a family is unsuitable to maintain the wellbeing of an offending minor so that they can take matters into their own hands. The courts could therefore have a role in deciding the future of a minor.

SUBSTITUTE LANGUAGE:

The substitute language strips everything from the bill except sections 5 and 6.

RESPONSE FROM ADMINISTRATION/AGENCY:

Natasha Pierre Esq., State Victim Advocate, Office of the Victim Advocate: She opposes this bill, stating that the Office of the Victim Advocate supports the intent to expand crime victims' rights to seek restitution in juvenile matters. However, victims are also disadvantaged by the unintended consequences of an increase in their insurance rates due to filing a claim.

Susan Hamilton, Director of Delinquency Defense, Office of the Chief Public Defender: She opposes this bill, stating that it would be counterproductive to the goals of the youth justice system, including increased diversion, public safety, and improved outcomes for youth. She states that the bill would give the court unconstitutional discretion to remove custody from a parent when their child has been arrested. She adds that a youth that needs

their parent to represent and protect them in a court of law will struggle to do so if that child is forced to go to trial in an area that their parents are unable to reach.

NATURE AND SOURCES OF SUPPORT:

Minority Leader Vincent Candelora, Connecticut General Assembly: Representative Candelora supports this bill, stating that truancy and misbehavior at school is an indicator that a child may be involved in criminal activity. He states that early intervention at this level is critical in reforming a child's negative behavior and wants the importance of this program to be recognized. Further, he also wants to see it utilized more broadly.

Marcella Kurowski: They support this bill, stating that there should be consequences for crime. They further state that crime disproportionately affects low-income communities, and postulates what will happen juvenile continues to commit offenses as they start to become adults.

NATURE AND SOURCES OF OPPOSITION:

70 people submitted testimony in opposition to the bill. This group opposes the bill, stating that the bill's provision on the courts being allowed to hold a child if a parent is unable to control them is unconstitutional and offensive. They also state that these measures would not decrease recidivism amongst youths, and they would only serve to perpetuate a cycle of offences. They also state that sending a child to an adult prison would be extremely harmful.

Christina Quaranta, Connecticut Justice Alliance, Executive Director

Ferencia Smith, Connecticut Justice Alliance, Justice Advisor

Audrey Castell Watts, Connecticut Justice Alliance, Ally

Percy Berry, Connecticut Justice Alliance, Ally

Bell Orenthea, Connecticut Justice Alliance, Ally

Silvia Bodhoe, Connecticut Justice Alliance, Ally

Keisha Bright, Connecticut Justice Alliance, Ally

Akia Callum, Connecticut Justice Alliance, Ally

Xing Cantres, Connecticut Justice Alliance, Ally

Samantha DaSilva, Connecticut Justice Alliance, Ally

Jallexa Diaz, Connecticut Justice Alliance, Ally

Quandre Duarte, Connecticut Justice Alliance, Ally

Kymerly Escarsega, Connecticut Justice Alliance, Ally

Briana Espada, Connecticut Justice Alliance, Ally

Sylasia Ferebee, Connecticut Justice Alliance, Ally

Brett Foster, Connecticut Justice Alliance, Ally

Lourdes Fronseca, Connecticut Justice Alliance, Ally

Orlando Gonzalez, Connecticut Justice Alliance, Ally

Hamza Hameedi, Connecticut Justice Alliance, Ally

Rachel Henderson, Connecticut Justice Alliance, Ally

Eleonore Hendricks, Connecticut Justice Alliance, Ally

Jailynn Hernandez, Connecticut Justice Alliance, Ally

Bahir Hinton, Connecticut Justice Alliance, Ally

Sincere Hinton, Connecticut Justice Alliance, Ally

Tareq Ibrahim, Connecticut Justice Alliance, Ally

Susan Kaufman, Connecticut Justice Alliance, Ally
Eli Kenney, Connecticut Justice Alliance, Ally
Jessie Kenney, Connecticut Justice Alliance, Ally
Steve Kenney, Connecticut Justice Alliance, Ally
Deborah LaMarr, Connecticut Justice Alliance, Ally
Kelly LaMarr, Connecticut Justice Alliance, Ally
Luay Lpizra, Connecticut Justice Alliance, Ally
Tyzai Mazyck, Connecticut Justice Alliance, Ally
Lori McAdam, Connecticut Justice Alliance, Ally
Iah McLamb, Connecticut Justice Alliance, Ally
Rennette McLamb, Connecticut Justice Alliance, Ally
Tisha McLamb, Connecticut Justice Alliance, Ally
Julius Morales, Connecticut Justice Alliance, Ally
Anthony Pantano, Connecticut Justice Alliance, Ally
Ana Paulino, Connecticut Justice Alliance, Ally
Kevin Paulino, Connecticut Justice Alliance, Ally
Katie Pavia, Connecticut Justice Alliance, Ally
Janet Perrera, Connecticut Justice Alliance, Ally
Francesca Pisano, Connecticut Justice Alliance, Ally
Deandres Pujols, Connecticut Justice Alliance, Ally
Leonardo Pujols, Connecticut Justice Alliance, Ally
Marco Pujols, Connecticut Justice Alliance, Ally
Maria Pujols, Connecticut Justice Alliance, Ally
Marina Pujols, Connecticut Justice Alliance, Ally
William Pujols, Connecticut Justice Alliance, Ally
Mary Quaranta, Connecticut Justice Alliance, Ally
Anna Romero, Connecticut Justice Alliance, Ally
Amanda Roque, Connecticut Justice Alliance, Ally
Casey Rosselli, Connecticut Justice Alliance, Ally
Destinee Silva, Connecticut Justice Alliance, Ally
Carol Singleton, Connecticut Justice Alliance, Ally
Mahogany Singleton, Connecticut Justice Alliance, Ally
Yancy Singleton, Connecticut Justice Alliance, Ally
Ronald Soucy, Connecticut Justice Alliance, Ally
Melissa Standifer, Connecticut Justice Alliance, Ally
Jennifer Stephens, Connecticut Justice Alliance, Ally
Alexis Taylor, Connecticut Justice Alliance, Ally
Onderfole Thompson, Connecticut Justice Alliance, Ally
Daniel Throop, Connecticut Justice Alliance, Ally
Milton Westley, Connecticut Justice Alliance, Ally
Antonio Williams, Connecticut Justice Alliance, Ally
Jacqueline Woods Connecticut Justice Alliance, Ally
Raven Jennings, Connecticut Resident
Amber McPhaul, Connecticut Resident

Jordyn Wilson, Youth Justice Campaign Associate, The Sentencing Project: They oppose this bill, stating that only the state of Florida holds more youths in adult prisons. Further, they state that these individuals are disproportionately represented by black and brown youths. They state that youths who go to an adult prison system are 30% more likely

to return to the prison system than those who go to a youth legal system. They state that there should be a plan to remove all pre-trial youths 17 and younger out of the Department of Corrections. They state that charging youths as adults does not increase public safety and reiterates that studies show how these people are more likely to commit crimes again if they are put through an adult prison system.

Dana Forry, RYASAP: They oppose this bill, stating that it has many harmful components, many of which assume that the youth's family is the problem and fail to offer resources and support for them and their children. They further state that there may be visible struggles with youth who have been referred to community-based programs instead of court because most have not been provided the support that is necessary for their success.

Scott Cochran, President, Connecticut Youth Services Association, President: He opposes this bill, stating that Section 1 would create unnecessary challenges with transportation to the community in which the arrest of the youth took place and would take youth away from the available resources within their local community. Further, he stated that the automatic transfer of youth ages 15 and older who commit serious juvenile offenses to adult court, as included in Section 3, does not appropriately align with the needs of youth and that adult court is not properly equipped to handle the needs of young people. He also stated that Section 4 disproportionately impacts families in over-enforced communities and that Section 7 places undue financial hardship on parents of youth who are charged on car theft charges. This burden more adversely affects those who do not have adequate financial means and does not address the issue at hand with the necessary support to minimize re-arrest.

Erica Bromley, Youth Justice Consultant, Connecticut Youth Services Association: She opposes this bill, stating that Sections 5 and 6 roll back very critical reforms that were made over the course of the last five years concerning Family with Service Needs. She claims that returning Family with Service Needs cases back to court is a major step backwards and one that is not at all warranted. She also states regarding the other sections the following: for section 1, she states forcing young people to attend court in the town where they were arrested presents many issues for both youth and parents including transportation, and if probation is needed, probation officers will not be familiar with the youth's local community services. For section 3, she states that instituting automatic transfer for ages 15 and up for all serious juvenile offenses does not align with what is in the best interest of the youth and adult court is not able to address the needs of young people. She states that section 4 allows the court to investigate families if a child is charged with a certain offense which causes a disproportionate impact on already over policed communities. Finally, she states that section 7 allows a court to require payment from parents when a youth is adjudicated on car theft charges. This section is inappropriate and disproportionately affects those who already struggle financially. Additionally, the concept of holding a young person in custody if a parent is deemed as "unable to control" their child is ridiculously subjective and inappropriate.

Melissa Goemann, Senior Policy Counsel, National Juvenile Justice Network: She opposes this bill, stating that they strongly discourage expanding the number of offenses that are automatically charged in adult court and encourage the legislature to end the outdated and harmful practice of automatically charging any minors in adult court. She states that the determination of whether to charge a young person as an adult should always be given the

serious consideration by a judge that this significant, life-altering decision requires. She adds that the negative impacts of treating youth as adults are substantial and often life-long, affecting individual youth, their families, and communities, sharing that 30% of youths sent to adult prisons return to prison as repeat offenders.

Marisa Halm, Director, Youth Justice Project Center for Children: She opposes this bill, stating that it, if passed, would result in a troubling roll back of meaningful juvenile justice system reform and result in an increase the likelihood of recidivism for youth it intends to impact and that this bill falls short of its esteemed intent, which is to promote public safety.

Steve Kennedy, Organizing and Network Director, People's Parity Project: He opposes this bill, stating that there is no evidence that moving children into the adult legal system improves outcomes. He also states that by institutionalizing children, especially in adult facilities, we expose them to trauma and express a disregard for their lives that makes their continued system involvement almost inevitable.

Agata Lawska, Managing Attorney: They oppose the bill, stating that it effectively undoes years of systemic work that advocates, local and state agencies, parents, and many others have collaboratively worked on to improve our courts and the out of court opportunities to reduce recidivism and therefore improve public safety.

Lauren Ruth, Research Policy Fellow, Connecticut Voices for Children: She opposes this bill, stating that it will remove court discretion to release pre-trial young people on bail or to their parents, and it will remove court discretion to decide whether young people charged with serious juvenile offenses (SJOs) should remain in the youth criminal legal system. She writes that it will reinstate Family with Service Needs petitions, which Connecticut has phased out in favor of utilizing a community-based diversion model. She states that the bill allows victims of property crime to apply for victim compensation and allows courts to require restitution from parents of young people adjudicated for larceny of a motor vehicle. Finally, she states that this bill requires the Judicial Department to study the implementation of victim impact panels on delinquency proceedings and to implement these panels if feasible

Jess Zaccagnino, Policy Counsel, ACLU-CT: She opposes this bill, stating that children do not belong in adult prisons. She also states that the bill is rooted in a false narrative about young people.

Reported by: James Angelopoulos

Date: April 3, 2023