



General Assembly

**Substitute Bill No. 6888**

January Session, 2023



***AN ACT CONCERNING JUVENILE JUSTICE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-121s of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) There shall be a community-based diversion system that is based  
4 upon the plan developed pursuant to subsection (k) of section 46b-121n,  
5 as amended by this act.

6 (b) In lieu of arresting a child for a violation of section 53a-110a, 53a-  
7 125b, 53a-181a or 53a-182, a law enforcement agency shall refer such  
8 child to a juvenile review board in accordance with such community-  
9 based diversion system. The juvenile review board shall require the  
10 child to receive prevention, intervention and treatment services  
11 provided by a youth service bureau or community-based service  
12 provider. If such child does not successfully fulfill the requirements  
13 imposed by the youth service bureau or community-based service  
14 provider, the juvenile review board may refer the child to the court for  
15 delinquency proceedings.

16 Sec. 2. (*Effective from passage*) (a) An implementation team shall  
17 develop a plan for mandatory prearrest diversion of low-risk children.  
18 The implementation team shall include (1) the Commissioners of

19 Children and Families, Education and Correction, or their designees, (2)  
20 the executive director of the Court Support Services Division of the  
21 Judicial Branch, or the executive director's designee, and (3)  
22 representatives of local and regional boards of education, appointed by  
23 the chairpersons of the Juvenile Justice and Policy Committee,  
24 established pursuant to section 46b-121n of the general statutes, as  
25 amended by this act. The implementation team shall consider  
26 stakeholder input, including from children, families and law  
27 enforcement officials in the development of such plan.

28 (b) Not later than July 1, 2024, the implementation team shall also  
29 develop a plan for automatic prearrest diversion of children to the  
30 community-based diversion system or other community-based  
31 providers in lieu of arrest for first or second offenses, such as breach of  
32 peace in the second degree under section 53a-181 of the general statutes  
33 and larceny in the fifth degree under section 53a-125a of the general  
34 statutes. The implementation team shall consider and include data  
35 when developing such plan concerning prearrest diversionary  
36 measures implemented pursuant to section 46b-121s of the general  
37 statutes, as amended by this act. Additionally, the plan shall consider:  
38 (1) The capacity of youth service bureaus and other local agencies who  
39 will provide services to children diverted under the plan; (2)  
40 accountability mechanisms to measure success of services provided; (3)  
41 processes for victim input and involvement; (4) data collection for the  
42 purpose of tracking referrals of diverted children to youth service  
43 bureaus; (5) communication and outreach strategies to stakeholders for  
44 the purpose of accessing local services; (6) dates for full implementation  
45 of the plan; and (7) any other considerations the implementation team  
46 finds necessary for a successful implementation of the plan.

47 (c) Not later than July 1, 2024, the implementation team shall submit  
48 the plan for automatic prearrest diversion of children and report on its  
49 findings and recommendations pursuant to subsection (b) of this  
50 section, to the Juvenile Justice Policy and Oversight Committee. The  
51 implementation team shall terminate on the date that it submits such

52 report or January 1, 2025, whichever is later.

53 Sec. 3. Section 46b-121n of the general statutes is repealed and the  
54 following is substituted in lieu thereof (*Effective from passage*):

55 (a) There is established a Juvenile Justice Policy and Oversight  
56 Committee. The committee shall evaluate policies related to the juvenile  
57 justice system and the expansion of juvenile jurisdiction to include  
58 persons sixteen and seventeen years of age.

59 (b) The committee shall consist of the following members:

60 (1) Two members of the General Assembly, one of whom shall be  
61 appointed by the speaker of the House of Representatives, and one of  
62 whom shall be appointed by the president pro tempore of the Senate;

63 (2) The chairpersons and ranking members of the joint standing  
64 committees of the General Assembly having cognizance of matters  
65 relating to the judiciary, children, human services and appropriations,  
66 or their designees;

67 (3) The Chief Court Administrator, or the Chief Court  
68 Administrator's designee;

69 (4) A judge of the superior court for juvenile matters, appointed by  
70 the Chief Justice;

71 (5) The executive director of the Court Support Services Division of  
72 the Judicial Department, or the executive director's designee;

73 (6) The executive director of the Superior Court Operations Division,  
74 or the executive director's designee;

75 (7) The Chief Public Defender, or the Chief Public Defender's  
76 designee;

77 (8) The Chief State's Attorney, or the Chief State's Attorney's  
78 designee;

79 (9) The Commissioner of Children and Families, or the  
80 commissioner's designee;

81 (10) The Commissioner of Correction, or the commissioner's  
82 designee;

83 (11) The Commissioner of Education, or the commissioner's designee;

84 (12) The Commissioner of Mental Health and Addiction Services, or  
85 the commissioner's designee;

86 (13) The Labor Commissioner, or the commissioner's designee;

87 (14) The Commissioner of Social Services, or the commissioner's  
88 designee;

89 (15) The Commissioner of Public Health, or the commissioner's  
90 designee;

91 (16) The president of the Connecticut Police Chiefs Association, or the  
92 president's designee;

93 (17) The chief of police of a municipality with a population in excess  
94 of one hundred thousand, appointed by the president of the Connecticut  
95 Police Chiefs Association;

96 (18) Two child or youth advocates, one of whom shall be appointed  
97 by one chairperson of the Juvenile Justice Policy and Oversight  
98 Committee, and one of whom shall be appointed by the other  
99 chairperson of the Juvenile Justice Policy and Oversight Committee;

100 (19) Two parents or parent advocates, at least one of whom is the  
101 parent of a child who has been involved with the juvenile justice system,  
102 one of whom shall be appointed by the minority leader of the House of  
103 Representatives, and one of whom shall be appointed by the minority  
104 leader of the Senate;

105 (20) The Victim Advocate, or the Victim Advocate's designee;

106 (21) The Child Advocate, or the Child Advocate's designee; [and]

107 (22) The Secretary of the Office of Policy and Management, or the  
108 secretary's designee;

109 (23) Two children, youths or young adults under twenty-six years of  
110 age with lived experience in the juvenile justice system, nominated by  
111 the community expertise subcommittee, one of whom shall be  
112 appointed by each chairperson of this committee; and

113 (24) One community member who may be a family member of a child  
114 who has been involved with the juvenile justice system or a credible  
115 messenger with lived experience in the juvenile justice system and who  
116 works with youth in the juvenile justice system, nominated by the  
117 community expertise subcommittee and appointed by the chairpersons  
118 of this committee.

119 (c) Any vacancy shall be filled by the appointing authority.

120 (d) The Secretary of the Office of Policy and Management, or the  
121 secretary's designee, and a member of the General Assembly selected  
122 jointly by the speaker of the House of Representatives and the president  
123 pro tempore of the Senate from among the members serving pursuant  
124 to subdivision (1) or (2) of subsection (b) of this section shall be  
125 cochairpersons of the committee. Such cochairpersons shall schedule  
126 the first meeting of the committee, which shall be held not later than  
127 sixty days after June 13, 2014.

128 (e) Members of the committee shall serve without compensation,  
129 except for necessary expenses incurred in the performance of their  
130 duties.

131 (f) Not later than January 1, 2015, the committee shall report, in  
132 accordance with section 11-4a, to the joint standing committees of the  
133 General Assembly having cognizance of matters relating to  
134 appropriations, the judiciary, human services and children, and the  
135 Secretary of the Office of Policy and Management, regarding the

136 following:

137 (1) Any statutory changes concerning the juvenile justice system that  
138 the committee recommends to (A) improve public safety; (B) promote  
139 the best interests of children and youths who are under the supervision,  
140 care or custody of the Commissioner of Children and Families or the  
141 Court Support Services Division of the Judicial Department; (C)  
142 improve transparency and accountability with respect to state-funded  
143 services for children and youths in the juvenile justice system with an  
144 emphasis on goals identified by the committee for community-based  
145 programs and facility-based interventions; and (D) promote the efficient  
146 sharing of information between the Department of Children and  
147 Families and the Judicial Department to ensure the regular collection  
148 and reporting of recidivism data and promote public welfare and public  
149 safety outcomes related to the juvenile justice system;

150 (2) A definition of "recidivism" that the committee recommends to be  
151 used by state agencies with responsibilities with respect to the juvenile  
152 justice system, and recommendations to reduce recidivism for children  
153 and youths in the juvenile justice system;

154 (3) Short-term goals to be met within six months, medium-term goals  
155 to be met within twelve months and long-term goals to be met within  
156 eighteen months, for the Juvenile Justice Policy and Oversight  
157 Committee and state agencies with responsibilities with respect to the  
158 juvenile justice system to meet, after considering existing relevant  
159 reports related to the juvenile justice system and any related state  
160 strategic plan;

161 (4) The impact of legislation that expanded the jurisdiction of the  
162 juvenile court to include persons sixteen and seventeen years of age, as  
163 measured by the following:

164 (A) Any change in the average age of children and youths involved  
165 in the juvenile justice system;

166 (B) The types of services used by designated age groups and the

167 outcomes of those services;

168 (C) The types of delinquent acts or criminal offenses that children and  
169 youths have been charged with since the enactment and  
170 implementation of such legislation; and

171 (D) The gaps in services identified by the committee with respect to  
172 children and youths involved in the juvenile justice system, including,  
173 but not limited to, children and youths who have attained the age of  
174 eighteen after being involved in the juvenile justice system, and  
175 recommendations to address such gaps in services; and

176 (5) Strengths and barriers identified by the committee that support or  
177 impede the educational needs of children and youths in the juvenile  
178 justice system, with specific recommendations for reforms.

179 (g) Not later than July 1, 2015, the committee shall report, in  
180 accordance with section 11-4a, to the joint standing committees of the  
181 General Assembly having cognizance of matters relating to  
182 appropriations, the judiciary, human services and children, and the  
183 Secretary of the Office of Policy and Management, regarding the  
184 following:

185 (1) The quality and accessibility of diversionary programs available  
186 to children and youths in this state, including juvenile review boards  
187 and services for a child or youth who is a member of a family with  
188 service needs;

189 (2) An assessment of the system of community-based services for  
190 children and youths who are under the supervision, care or custody of  
191 the Commissioner of Children and Families or the Court Support  
192 Services Division of the Judicial Department;

193 (3) An assessment of the congregate care settings that are operated  
194 privately or by the state and have housed children and youths involved  
195 in the juvenile justice system in the past twelve months;

196 (4) An examination of how the state Department of Education and  
197 local boards of education, the Department of Children and Families, the  
198 Department of Mental Health and Addiction Services, the Court  
199 Support Services Division of the Judicial Department, and other  
200 appropriate agencies can work collaboratively through school-based  
201 efforts and other processes to reduce the number of children and youths  
202 who enter the juvenile justice system;

203 (5) An examination of practices and procedures that result in  
204 disproportionate minority contact, as defined in section 4-68y, within  
205 the juvenile justice system;

206 (6) A plan to provide that all facilities and programs that are part of  
207 the juvenile justice system and are operated privately or by the state  
208 provide results-based accountability;

209 (7) An assessment of the number of children and youths who, after  
210 being under the supervision of the Department of Children and  
211 Families, are convicted as delinquent; and

212 (8) An assessment of the overlap between the juvenile justice system  
213 and the mental health care system for children.

214 (h) The committee shall complete its duties under this section after  
215 consultation with one or more organizations that focus on relevant  
216 issues regarding children and youths, such as the University of New  
217 Haven and any of the university's institutes. The committee may accept  
218 administrative support and technical and research assistance from any  
219 such organization. The committee shall work in collaboration with any  
220 results first initiative implemented pursuant to section 2-111 or any  
221 public or special act.

222 (i) The committee shall establish a time frame for review and  
223 reporting regarding the responsibilities outlined in subdivision (5) of  
224 subsection (f) of this section, and subdivisions (1) to (7), inclusive, of  
225 subsection (g) of this section. Each report submitted by the committee  
226 shall include specific recommendations to improve outcomes and a



227 timeline by which specific tasks or outcomes must be achieved.

228 (j) The committee shall implement a strategic plan that integrates the  
229 short-term, medium-term and long-term goals identified pursuant to  
230 subdivision (3) of subsection (f) of this section. As part of the  
231 implementation of such plan, the committee shall collaborate with any  
232 state agency with responsibilities with respect to the juvenile justice  
233 system, including, but not limited to, the Departments of Education,  
234 Mental Health and Addiction Services, Correction and Children and  
235 Families and the Labor Department and Judicial Department, and  
236 municipal police departments. Not later than January 1, 2016, the  
237 committee shall report such plan, in accordance with section 11-4a, to  
238 the joint standing committees of the General Assembly having  
239 cognizance of matters relating to appropriations, the judiciary, human  
240 services and children, and the Secretary of the Office of Policy and  
241 Management, regarding progress toward the full implementation of  
242 such plan and any recommendations concerning the implementation of  
243 such identified goals by any state agency with responsibilities with  
244 respect to the juvenile justice system or municipal police departments.

245 (k) Not later than January 1, 2017, the committee shall submit a  
246 report, in accordance with section 11-4a, to the joint standing  
247 committees of the General Assembly having cognizance of matters  
248 relating to appropriations, the judiciary, human services and children  
249 and the Secretary of the Office of Policy and Management, regarding a  
250 plan that includes cost options for the development of a community-  
251 based diversion system. Such plan shall include recommendations to  
252 address issues concerning mental health and juvenile justice. The plan  
253 shall include recommendations regarding the following:

254 (1) Diversion of children who commit crimes, excluding serious  
255 juvenile offenses, from the juvenile justice system;

256 (2) Identification of services that are evidence-based, trauma-  
257 informed and culturally and linguistically appropriate;

258 (3) Expansion of the capacity of juvenile review boards to accept  
259 referrals from municipal police departments and schools and  
260 implement restorative practices;

261 (4) Expansion of the provision of prevention, intervention and  
262 treatment services by youth service bureaus;

263 (5) Expansion of access to in-home and community-based services;

264 (6) Identification and expansion of services needed to support  
265 children who are truant or exhibiting behaviors defiant of school rules  
266 and enhance collaboration between school districts and community  
267 providers in order to best serve such children;

268 (7) Expansion of the use of memoranda of understanding pursuant to  
269 section 10-233m between local law enforcement agencies and local and  
270 regional boards of education;

271 (8) Expansion of the use of memoranda of understanding between  
272 local and regional boards of education and community providers for  
273 provision of community-based services;

274 (9) Recommendations to ensure that children in the juvenile justice  
275 system have access to a full range of community-based behavioral  
276 health services;

277 (10) Reinvestment of cost savings associated with reduced  
278 incarceration rates for children and increased accessibility to  
279 community-based behavioral health services;

280 (11) Reimbursement policies that incentivize providers to deliver  
281 evidence-based practices to children in the juvenile justice system;

282 (12) Recommendations to promote the use of common behavioral  
283 health screening tools in schools and communities;

284 (13) Recommendations to ensure that secure facilities operated by the  
285 Department of Children and Families or the Court Support Services

286 Division of the Judicial Department and private service providers  
287 contracting with said department or division to screen children in such  
288 facilities for behavioral health issues; and

289 (14) Expansion of service capacities informed by an examination of  
290 grant funds and federal Medicaid reimbursement rates.

291 (l) The committee shall establish a data working group to develop a  
292 plan for a data integration process to link data related to children across  
293 executive branch agencies, through the Office of Policy and  
294 Management's integrated data system, and the Judicial Department  
295 through the Court Support Services Division, for purposes of evaluation  
296 and assessment of programs, services and outcomes in the juvenile  
297 justice system. Membership of the working group shall include, but not  
298 be limited to, the Commissioners of Children and Families, Correction,  
299 Education and Mental Health and Addiction Services, or their  
300 designees; the Chief State's Attorney, or the Chief State's Attorney's  
301 designee; the Chief Public Defender, or the Chief Public Defender's  
302 designee; the Secretary of the Office of Policy and Management, or the  
303 secretary's designee; and the Chief Court Administrator of the Judicial  
304 Branch, or the Chief Court Administrator's designee. Such working  
305 group shall include persons with expertise in data development and  
306 research design. The plan shall include cost options and provisions to:

307 (1) Access relevant data on juvenile justice populations;

308 (2) Coordinate the handling of data and research requests;

309 (3) Link the data maintained by executive branch agencies and the  
310 Judicial Department for the purposes of facilitating the sharing and  
311 analysis of data;

312 (4) Establish provisions for protecting confidential information and  
313 enforcing state and federal confidentiality protections and ensure  
314 compliance with related state and federal laws and regulations;

315 (5) Develop specific recommendations for the committee on the use

316 of limited releases of client specific data sharing across systems,  
317 including with the Office of Policy and Management, the Division of  
318 Criminal Justice, the Departments of Children and Families, Education  
319 and Mental Health and Addiction Services, the Judicial Department and  
320 other agencies; and

321 (6) Develop a standard template for memoranda of understanding for  
322 data-sharing between executive branch agencies, the Judicial  
323 Department, and when necessary, researchers outside of state  
324 government.

325 (m) (1) The committee shall periodically request, receive and review  
326 information regarding conditions of confinement, including services  
327 available, for persons under eighteen years of age detained at the John  
328 R. Manson Youth Institution, Cheshire.

329 (2) Not later than October 1, 2018, the committee shall submit a  
330 report, in accordance with section 11-4a, to the joint standing  
331 committees of the General Assembly having cognizance of matters  
332 relating to appropriations, the judiciary, human services and children  
333 and the Secretary of the Office of Policy and Management on current  
334 conditions of confinement, including services available, for persons  
335 under eighteen years of age who are detained or incarcerated in  
336 correctional facilities, juvenile secure facilities and other out-of-home  
337 placements in the juvenile and criminal justice systems. The report shall  
338 include, but need not be limited to, a description of any gaps in services  
339 and the continued availability and utilization of mental health,  
340 education, rehabilitative and family engagement services.

341 (n) Not later than January 1, 2020, the committee shall submit a  
342 report, in accordance with section 11-4a, to the joint standing  
343 committees of the General Assembly having cognizance of matters  
344 relating to appropriations, the judiciary, human services and children  
345 and the Secretary of the Office of Policy and Management regarding a  
346 juvenile justice reinvestment plan. The report shall include a study and  
347 make recommendations for the reinvestment of savings realized from

348 the decreased use of incarceration and congregate care towards strategic  
349 investments in home-based, school-based and community-based  
350 behavioral health services and supports for children diverted from, or  
351 involved with, the juvenile justice system.

352 (o) Not later than January 1, 2019, and annually thereafter, the  
353 Department of Correction and the Court Support Services Division of  
354 the Judicial Branch shall report to the committee on compliance with the  
355 provisions of section 46b-126a. Such reports shall present indicia of  
356 compliance in both state facilities and those facilities managed by a  
357 private provider under contract with the state, and shall include data on  
358 all persons under eighteen years of age who have been removed or  
359 excluded from educational settings as a result of alleged behavior  
360 occurring in those educational settings.

361 (p) Not later than January 1, 2019, and annually thereafter, all state  
362 agencies that detain or otherwise hold in custody a person under  
363 eighteen years of age involved with the juvenile justice or criminal  
364 justice system, or that contract for the housing of any person involved  
365 with the juvenile justice or criminal justice system under eighteen years  
366 of age, shall report to the committee on compliance with the provisions  
367 of section 46b-121p. Such reports shall include indicia of compliance in  
368 both direct-run and contract facilities, and shall include data on all  
369 rearrests and uses of confinements and restraints for youth in justice  
370 system custody, as defined in section 10-253.

371 (q) [Not later than July 1, 2018, the] The committee shall convene [a]  
372 an education subcommittee to fulfill tasks, as directed by the committee,  
373 consult in the development of a plan pursuant to section 5 of this act,  
374 and develop a detailed plan concerning the overall coordination,  
375 oversight, supervision, and direction of all vocational and academic  
376 education services and programs for children in justice system custody,  
377 and the provision of education-related transitional support services for  
378 children returning to the community from justice system custody. The  
379 subcommittee shall consist of:

- 380 (1) One person designated by the Commissioner of Education;
- 381 (2) One person designated by the executive director of the Court  
382 Support Services Division of the Judicial Branch;
- 383 (3) One person designated by the Bridgeport School District;
- 384 (4) One person designated by the Hartford School District;
- 385 (5) One person designated by the Commissioner of Correction;
- 386 (6) One person who is an expert in state budgeting and who can assist  
387 the subcommittee in obtaining data on relevant expenditures and  
388 available resources, designated by the Secretary of the Office of Policy  
389 and Management;
- 390 (7) Three persons, who are experts with significant career experience  
391 in providing and coordinating education in justice-system settings and  
392 who are not employees of the state of Connecticut, designated by the  
393 chairpersons of the Juvenile Justice Oversight and Planning Committee;  
394 and
- 395 (8) Two persons representing the interests of students and families,  
396 one designated by the executive director of an organization in this state  
397 with the mission of stopping the criminalization of this state's children  
398 and one designated by the executive director of an organization in this  
399 state that advocates for legal rights for the most vulnerable children in  
400 this state.
- 401 (A) The plan developed pursuant to this subsection shall include, but  
402 need not be limited to:
- 403 (i) Identification of a single state agency and designation of a program  
404 manager within that agency who will be responsible for planning,  
405 coordination, oversight, supervision, quality control, legal compliance  
406 and allocation of relevant federal and state funds for children in justice  
407 system custody;

408 (ii) A detailed description of how educational services will be  
409 provided to children in justice system custody and how education-  
410 related supports will be provided to children during transition out of  
411 justice system custody, either directly by the single state agency  
412 identified by the plan pursuant to clause (i) of this subparagraph or  
413 through a state-wide contract with a single nonprofit provider;

414 (iii) An analysis of resources expended for educating children in  
415 justice system custody and for supporting educational success during  
416 transitions out of justice system custody, and recommendations for  
417 consolidating and reallocating resources towards the oversight,  
418 accountability, services and supports provided for in the plan pursuant  
419 to this subsection;

420 (iv) Provisions for ensuring that a range of pathways to educational  
421 and economic opportunity are available for children in justice system  
422 custody, including at a minimum a traditional high school diploma  
423 program, an accelerated credit recovery program, vocational training  
424 programs and access to post-secondary educational options;

425 (v) Specifications for a state-wide accountability and quality control  
426 system for schools that serve children in justice system custody. The  
427 accountability and quality control system shall include, but need not be  
428 limited to:

429 (I) A specialized school profile and performance report, to be  
430 produced annually for each school that serves children in justice system  
431 custody. The profiles and performance reports shall be consistent with  
432 other accountability systems required by law and shall include criteria  
433 and metrics tailored to measuring the quality of schools that serve  
434 children in justice system custody. Such metrics shall include, but need  
435 not be limited to: Student growth in reading and math; credit  
436 accumulation; modified graduation rates and high school equivalent  
437 passage rates; school attendance, defined as the percentage of children  
438 who are actually physically present in classrooms for school and  
439 educational programs; the percentage of students pursuing a high

440 school diploma, an industry-based certification, a recognized high  
441 school diploma equivalent, credits for advanced courses and post-  
442 secondary education programs; performance in educating children with  
443 exceptionalities, including identification of special education needs, the  
444 development of best-practices for individualized education programs  
445 and the provision of services and supports mandated by individualized  
446 education programs; student reenrollment in school or other  
447 educational or vocational training programs after leaving justice system  
448 custody; student success in post-release high school, post-secondary  
449 education, or job-training programs; and compliance with the protocols  
450 for support of educational transitions delineated in clause (vi) of this  
451 subparagraph;

452 (II) Identifying achievement benchmarks for each measurement of  
453 school quality;

454 (III) Written standards for educational quality for schools that serve  
455 children in custody;

456 (IV) A program for quality control and evaluation of schools serving  
457 children in custody. The program shall include, but need not be limited  
458 to, in-person observation and monitoring of each school serving  
459 children in justice system custody. The monitoring shall occur at least  
460 annually, and shall be conducted by experts in special education and  
461 education in justice-system settings;

462 (V) Provisions for ensuring that each school serving children in  
463 justice system custody seeks and obtains external accreditation by a  
464 recognized accrediting agency; and

465 (VI) A set of supports, interventions and remedies that shall be  
466 implemented when a school serving children in justice system custody  
467 falls consistently or significantly short of quality benchmarks;

468 (vi) Provisions for ensuring that the state-wide education system for  
469 children in justice system custody includes:



470 (I) The engagement of one or more curriculum development  
471 specialists to support learning in schools serving children in justice  
472 system custody and to develop a flexible, high-interest, modular  
473 curriculum that is aligned with state standards and adapted to the  
474 context of educating children in justice system custody;

475 (II) The engagement of one or more professional development and  
476 teacher training specialists to support teachers in schools that serve  
477 children in justice system custody; and

478 (III) The engagement of professional reentry coordinators to support  
479 educational success in children returning to the community from justice  
480 system custody;

481 (vii) A protocol for educational support of children transitioning into,  
482 and out of, justice system custody. The protocol shall include, but need  
483 not be limited to:

484 (I) Team-based reentry planning for every child in justice system  
485 custody;

486 (II) Clear and ambitious timelines for transfer of educational records  
487 at intake and release from justice system custody; and

488 (III) Timelines for reenrollment and credit transfer;

489 (viii) Recommendations for any legislation that may be necessary or  
490 appropriate to implement the provisions of the plan developed  
491 pursuant to this subsection; and

492 (ix) A timeline for implementation of the plan developed pursuant to  
493 this subsection.

494 (B) The plan developed pursuant to this subsection shall be submitted  
495 on or before January 1, 2020, to the joint standing committee of the  
496 General Assembly having cognizance of matters relating to education,  
497 in accordance with the provisions of section 11-4a.

498 (C) For purposes of this subsection: "Justice system custody" means  
499 justice system custody, as defined in section 10-253; "school" means any  
500 program or institution, or any project or unit thereof, that provides any  
501 academic or vocational education programming for any children in  
502 justice system custody; and "child" means child, as defined in section 10-  
503 253.

504 (r) The committee shall review methods other states employ to (1)  
505 transfer juvenile cases to the regular criminal docket, and (2) detain  
506 persons fifteen, sixteen and seventeen years of age whose cases are  
507 transferred to the regular criminal docket. Such review shall consider  
508 (A) the transfer of juvenile cases to the regular criminal docket and  
509 outcomes associated with such transfers, including the impact on public  
510 safety and the effectiveness in changing the behavior of juveniles, and  
511 (B) preadjudication and postadjudication detention and include an  
512 examination of organizational and programmatic alternatives. The  
513 committee shall, in accordance with the provisions of section 11-4a, not  
514 later than January 1, 2020, report such review including a plan for  
515 implementation not later than July 1, 2021, of any recommended  
516 changes, including cost options where appropriate to the committee of  
517 the General Assembly having cognizance of matters relating to the  
518 judiciary.

519 (s) The committee shall appoint persons to an incarceration  
520 subcommittee for purposes that include developing plans pursuant to  
521 sections 4 and 5 of this act, and to fulfill other tasks, as directed by the  
522 committee.

523 (t) The committee shall appoint persons to a community expertise  
524 subcommittee for purposes that include developing a plan pursuant to  
525 section 5 of this act, and to fulfill other tasks, as directed by the  
526 committee.

527 Sec. 4. (*Effective from passage*) (a) Not later than July 1, 2023, the  
528 Department of Correction, in consultation with the incarceration  
529 subcommittee, established pursuant to section 46b-121n of the general

530 statutes, as amended by this act, shall develop and submit the  
531 commissary implementation plan described in subsection (b) of this  
532 section, to the Juvenile Justice Policy and Oversight Committee,  
533 established pursuant to said section.

534 (b) The plan developed in accordance with this section shall provide  
535 for the following in relation to youths in Department of Correction  
536 facilities: (1) An integrated positive behavior motivation system to  
537 engage and reinforce positive youth behaviors and expectations that can  
538 be used as payment for commissary goods in place of a monetary  
539 system; (2) revised commissary policies and procedures to include the  
540 development and implementation of positive behavior motivation  
541 policies and procedures; (3) increased incentives to promote good health  
542 and recognize a diverse range of ethnic groups, races, sexes and cultural  
543 backgrounds; (4) (A) identification of youth within the institution that  
544 do not have equitable access to commissary, including those who are  
545 indigent, without family supports or with disabilities that contribute to  
546 their lack of access to commissary, and (B) strategies to implement  
547 equitable access to commissary; (5) provision of menstrual products in  
548 a manner pursuant to sections 18-69e and 18-99b of the general statutes;  
549 (6) transition of saved commissary allocations, including how associated  
550 saved funds can be transitioned and accessed when a youth is  
551 transferred to an adult facility; (7) ongoing training and assistance, such  
552 as those provided through the Capitol Region Education Council's  
553 Positive Behavioral Intervention and Supports; (8) continuous quality  
554 improvement system for ongoing implementation of the plan pursuant  
555 to this subsection; and (9) biannual surveys or focus groups to obtain  
556 feedback from youth in Department of Correction facilities on ways to  
557 improve its system and concerning the implementation of such plan.

558 (c) The Department of Correction shall immediately implement  
559 procedures for more equitable commissary options for youth described  
560 in subdivision (4) of subsection (b) of this section and shall fully  
561 implement the plan not later than November 1, 2023.

562 Sec. 5. (*Effective from passage*) (a) Not later than November 1, 2023, the

563 executive director of the Court Support Services Division of the Judicial  
564 Branch, or the executive director's designee, and the Commissioners of  
565 Children and Families, Education and Correction, or their designees,  
566 shall, in consultation with the incarceration, community expertise and  
567 education subcommittees of the Juvenile Justice Policy and Oversight  
568 Committee, established pursuant to section 46b-121n of the general  
569 statutes, as amended by this act, develop a reentry success plan for  
570 youth released from the Department of Correction and facilities and  
571 programs under the jurisdiction of the Judicial Department.

572 (b) (1) Such plan shall be for the purpose of successfully reintegrating  
573 youth into their communities. In the development of such plan, the  
574 executive director of the Court Support Services Division of the Judicial  
575 Branch, or the executive director's designee, and the Commissioners of  
576 Children and Families, Education and Correction, or their designees, in  
577 consultation with the incarceration, community expertise and education  
578 subcommittees of the Juvenile Justice Policy and Oversight Committee,  
579 shall consider all aspects deemed necessary for successful  
580 implementation of such plan, including, but not limited to: (A) Reentry  
581 models and best practices around the country, including reentry hubs,  
582 community-based enhanced reentry wraparound services and  
583 transitional housing; and (B) expansion of community reentry  
584 roundtables and welcome centers that focus on youth.

585 (2) Such plan shall incorporate restorative and transformative justice  
586 principles, including, but not limited to, the (A) provision of  
587 individualized academic support and the role of school districts in  
588 ensuring the provision of academic, vocational and transition support  
589 services; (B) connection of youth to vocational and workforce  
590 opportunities; (C) connection of youth to developmentally appropriate  
591 housing; (D) delivery of trauma-informed mental health and substance  
592 use treatments; (E) development of restorative justice reentry circles; (F)  
593 use of credible messengers as mentors or transition support providers;  
594 and (G) role of reentry coordinators.

595 (3) Such plan shall include (A) a proposed quality assurance

596 framework, including the collection of appropriate data, promulgation  
597 of a public dashboard and monitoring framework to ensure the  
598 successful discharge and reentry of incarcerated youth, and (B)  
599 information concerning federal and state funding sources in support of  
600 the comprehensive reentry model and identification of priorities and  
601 appropriate timelines for implementation.

602 (c) Not later than January 1, 2024, the executive director of the Court  
603 Support Services Division of the Judicial Branch, or the executive  
604 director's designee, and the Commissioners of Children and Families,  
605 Education and Correction, or their designees, shall report the plan  
606 developed pursuant to this section to the Juvenile Justice Policy and  
607 Oversight Committee.

608 Sec. 6. Section 13 of public act 21-174 is repealed and the following is  
609 substituted in lieu thereof (*Effective from passage*):

610 (a) The Judicial Branch shall develop an implementation plan to  
611 securely house in the custody of the Judicial Branch any person under  
612 eighteen years of age who is arrested and detained prior to sentencing  
613 or disposition on or after January 1, 2023. The plan shall include cost  
614 estimates and recommendations for legislation as may be necessary or  
615 appropriate for implementation of such plan.

616 (b) Not later than January 1, 2022, the Judicial Branch shall submit the  
617 implementation plan developed pursuant to subsection (a) of this  
618 section, in accordance with the provisions of section 11-4a of the general  
619 statutes, to the joint standing committee of the General Assembly  
620 having cognizance of matters relating to the judiciary and to the Juvenile  
621 Justice Planning and Oversight Committee established pursuant to  
622 section 46b-121n of the general statutes, as amended by this act.

623 (c) Not later than July 1, 2023, the Judicial Branch shall begin a review  
624 and update of the implementation plan developed pursuant to  
625 subsection (a) of this section and include provisions for the full and final  
626 transition of all children from the care and custody of the Department

627 of Correction and into the care and custody of the Judicial Branch. Such  
628 updated plan shall include a phased-in timetable for full  
629 implementation and estimated costs for each phase of such  
630 implementation.

631 (d) Not later than December 15, 2023, the Judicial Branch shall submit  
632 the implementation plan updated pursuant to subsection (c) of this  
633 section and any recommendations for legislation, funding or policy  
634 changes, in accordance with the provisions of section 11-4a of the  
635 general statutes, to the joint standing committee of the General  
636 Assembly having cognizance of matters relating to the judiciary and to  
637 the Juvenile Justice Planning and Oversight Committee established  
638 pursuant to section 46b-121n of the general statutes, as amended by this  
639 act.

640 Sec. 7. Section 54-1l of the general statutes is repealed and the  
641 following is substituted in lieu thereof (*Effective from passage*):

642 (a) This section and section 54-1m, as amended by this act, shall be  
643 known as the "Alvin W. Penn Racial Profiling Prohibition Act".

644 (b) For [the] purposes of this section, "racial profiling" means the  
645 detention, interdiction or other disparate treatment of an individual  
646 [solely] by a police officer on the basis, in whole or in part, of the  
647 perceived racial or ethnic status of such individual, except when such  
648 status is used in combination with other information when seeking to  
649 apprehend a specific suspect whose racial or ethnic status is part of the  
650 description of the suspect.

651 (c) No member of the Division of State Police within the Department  
652 of Emergency Services and Public Protection, a municipal police  
653 department or any other law enforcement agency shall engage in racial  
654 profiling. [The detention of an individual based on any noncriminal  
655 factor or combination of noncriminal factors is inconsistent with this  
656 policy.]

657 [(d) The race or ethnicity of an individual shall not be the sole factor

658 in determining the existence of probable cause to place in custody or  
659 arrest an individual or in constituting a reasonable and articulable  
660 suspicion that an offense has been or is being committed so as to justify  
661 the detention of an individual or the investigatory stop of a motor  
662 vehicle.]

663 Sec. 8. Section 54-1m of the general statutes is repealed and the  
664 following is substituted in lieu thereof (*Effective from passage*):

665 (a) Each municipal police department, the Department of Emergency  
666 Services and Public Protection and any other department with authority  
667 to conduct a traffic or pedestrian stop shall adopt a written policy that  
668 prohibits the stopping, detention, interdiction or search of any person  
669 when such action is [solely] motivated, in whole or in part, by  
670 considerations of race, color, ethnicity, age, gender or sexual orientation,  
671 [and such action would constitute a violation of the civil rights of the  
672 person] except when such consideration of race, color, ethnicity, age,  
673 gender or sexual orientation is used in combination with other  
674 identifying factors in an effort to find and apprehend a specific suspect  
675 whose race, color, ethnicity, age or gender is part of the description of  
676 the suspect. For the purposes of this section: (1) ["Department with  
677 authority to conduct a traffic stop"] "Department with authority to  
678 conduct a traffic or pedestrian stop" means any department that  
679 includes, or has oversight of, a police officer, (2) "pedestrian stop" means  
680 a detention of a pedestrian by a police officer, not associated with a call  
681 for service, when the detention results in a citation, an arrest, a frisking  
682 or search of the pedestrian's body or property, but does not include a  
683 detention for routine searches performed at a point of entry or exit from  
684 a controlled area or an arrest or search pursuant to a warrant issued by  
685 a judge of the Superior Court, and [(2)] (3) "police officer" means a police  
686 officer within a municipal police department or the Department of  
687 Emergency Services and Public Protection or a person with the same  
688 authority pursuant to any provision of the general statutes to make  
689 arrests or issue citations for violation of any statute or regulation  
690 relating to motor vehicles and to enforce said statutes and regulations

691 as policemen or state policemen have in their respective jurisdictions,  
692 including, but not limited to: (A) Special policemen or state policemen  
693 acting under the provisions of section 29-18, 17a-24 or 17a-465; (B)  
694 policemen acting under the provisions of section 29-19; (C) the  
695 Commissioner of Motor Vehicles, each deputy commissioner of the  
696 Department of Motor Vehicles and any salaried inspector of motor  
697 vehicles designated by the commissioner pursuant to section 14-8; (D)  
698 State Capitol Police officers acting under the provisions of section 2-1f;  
699 (E) special police forces acting under the provisions of section 10a-156b;  
700 (F) state policemen acting under the provisions of section 27-107; and  
701 (G) fire police officers acting under the provisions of section 7-313a.

702 (b) Not later than [July 1, 2013] October 1, 2023, the Office of Policy  
703 and Management, in consultation with the Racial Profiling Prohibition  
704 Project Advisory Board established in section 54-1s, and the Criminal  
705 Justice Information System Governing Board shall, within available  
706 resources, develop and implement a standardized method:

707 (1) To be used by police officers of municipal police departments, the  
708 Department of Emergency Services and Public Protection and any other  
709 department with authority to conduct a traffic or pedestrian stop to  
710 record traffic or pedestrian stop information unless the police officer is  
711 required to leave the location of the stop prior to completing such form  
712 in order to respond to an emergency or due to some other exigent  
713 circumstance within the scope of such police officer's duties. The  
714 standardized method and any form developed and implemented  
715 pursuant to such standardized method shall allow the following  
716 information to be recorded: (A) The date and time of the stop; (B) the  
717 specific geographic location of the stop; (C) the unique identifying  
718 number of the police officer making the stop, or the name and title of  
719 the person making the stop if such person does not have a unique  
720 identifying number; (D) the race, [color,] ethnicity, age and gender of  
721 the operator of the motor vehicle [that] or pedestrian who is stopped,  
722 provided the identification of such characteristics shall be based on the  
723 observation and perception of the police officer responsible for



724 reporting the stop; (E) the nature of the alleged traffic violation or other  
725 violation that caused the stop to be made and the statutory citation for  
726 such violation; (F) the disposition of the stop including whether a  
727 warning, citation or summons was issued, whether a search was  
728 conducted, the authority for any search conducted, the result of any  
729 search conducted, the statute or regulation citation for any warning,  
730 citation or summons issued and whether a custodial arrest was made;  
731 and (G) any other information deemed appropriate. The method shall  
732 also provide for (i) notice to be given to the person stopped that if such  
733 person believes that such person has been stopped, detained, interdicted  
734 or subjected to a search [solely because of] on the basis, in whole or in  
735 part, of such person's race, color, ethnicity, age, gender, sexual  
736 orientation, religion or membership in any other protected class, such  
737 person may file a complaint with the appropriate law enforcement  
738 agency unless the police officer was required to leave the location of the  
739 stop prior to providing such notice in order to respond to an emergency  
740 or due to some other exigent circumstance within the scope of such  
741 police officer's duties, and (ii) instructions to be given to the person  
742 stopped on how to file such complaint unless the police officer was  
743 required to leave the location of the stop prior to providing such  
744 instructions in order to respond to an emergency or due to some other  
745 exigent circumstance within the scope of such police officer's duties;

746 (2) To be used to report complaints pursuant to this section by any  
747 person who believes such person has been subjected to a [motor vehicle]  
748 traffic or pedestrian stop by a police officer [solely] on the basis, in whole  
749 or in part, of race, color, ethnicity, age, gender, sexual orientation or  
750 religion; and

751 (3) To be used by each municipal police department, the Department  
752 of Emergency Services and Public Protection and any other department  
753 with authority to conduct a traffic or pedestrian stop to report data to  
754 the Office of Policy and Management pursuant to subsection (h) of this  
755 section.

756 (c) Not later than [July 1, 2013] October 1, 2023, the Office of Policy

757 and Management, in consultation with the Racial Profiling Prohibition  
758 Project Advisory Board, shall develop and implement guidelines to be  
759 used by each municipal police department, the Department of  
760 Emergency Services and Public Protection and any other department  
761 with authority to conduct a traffic or pedestrian stop in (1) training  
762 police officers of such agency in the completion of the form developed  
763 and implemented pursuant to subdivision (1) of subsection (b) of this  
764 section, and (2) evaluating the information collected by police officers of  
765 such municipal police department, the Department of Emergency  
766 Services and Public Protection or other department with authority to  
767 conduct a traffic or pedestrian stop pursuant to subsection (e) of this  
768 section for use in the counseling and training of such police officers.

769 [(d) (1) Prior to the date a standardized method and form have been  
770 developed and implemented pursuant to subdivision (1) of subsection  
771 (b) of this section, each municipal police department, the Department of  
772 Emergency Services and Public Protection and any other department  
773 with authority to conduct a traffic stop shall, using the form developed  
774 and promulgated pursuant to the provisions of subsection (h) in effect  
775 on January 1, 2012, record and retain the following information: (A) The  
776 number of persons stopped for traffic violations; (B) characteristics of  
777 race, color, ethnicity, gender and age of such persons, provided the  
778 identification of such characteristics shall be based on the observation  
779 and perception of the police officer responsible for reporting the stop  
780 and the information shall not be required to be provided by the person  
781 stopped; (C) the nature of the alleged traffic violation that resulted in  
782 the stop; (D) whether a warning or citation was issued, an arrest made  
783 or a search conducted as a result of the stop; and (E) any additional  
784 information that such municipal police department, the Department of  
785 Emergency Services and Public Protection or any other department with  
786 authority to conduct a traffic stop, as the case may be, deems  
787 appropriate, provided such information shall not include any other  
788 identifying information about any person stopped for a traffic violation  
789 such as the person's operator's license number, name or address.]

790 [(2)] (d) On and after the date a standardized method and form have  
791 been developed and implemented pursuant to subdivision (1) of  
792 subsection (b) of this section, each municipal police department, the  
793 Department of Emergency Services and Public Protection and any other  
794 department with authority to conduct a traffic or pedestrian stop shall  
795 record and retain the information required to be recorded pursuant to  
796 such standardized method and any additional information that such  
797 municipal police department or the Department of Emergency Services  
798 and Public Protection or other department with authority to conduct a  
799 traffic or pedestrian stop, as the case may be, deems appropriate,  
800 provided such information shall not include any other identifying  
801 information about any person stopped for a traffic violation such as the  
802 person's operator's license number, name or address.

803 (e) Each municipal police department, the Department of Emergency  
804 Services and Public Protection and any other department with authority  
805 to conduct a traffic or pedestrian stop shall provide to the Chief State's  
806 Attorney and [the Office of Policy and Management] the Institute for  
807 Municipal and Regional Policy at The University of Connecticut (1) a  
808 copy of each complaint received pursuant to this section, and (2) written  
809 notification of the review and disposition of such complaint. No copy of  
810 such complaint shall include any other identifying information about  
811 the complainant such as the complainant's operator's license number,  
812 name or address.

813 (f) Any police officer who in good faith records traffic or pedestrian  
814 stop information pursuant to the requirements of this section shall not  
815 be held civilly liable for the act of recording such information unless the  
816 officer's conduct was unreasonable or reckless.

817 (g) If a municipal police department, the Department of Emergency  
818 Services and Public Protection or any other department with authority  
819 to conduct a traffic or pedestrian stop fails to comply with the provisions  
820 of this section, [the Office of Policy and Management shall recommend  
821 and] the Secretary of the Office of Policy and Management may order  
822 an appropriate penalty in the form of the withholding of state funds

823 from such municipal police department, the Department of Emergency  
824 Services and Public Protection or such other department with authority  
825 to conduct a traffic or pedestrian stop.

826 (h) [Not later than October 1, 2012, each municipal police department  
827 and the Department of Emergency Services and Public Protection shall  
828 provide to the Office of Policy and Management a summary report of  
829 the information recorded pursuant to subsection (d) of this section.] On  
830 and after [October 1, 2013] January 1, 2025, each municipal police  
831 department, the Department of Emergency Services and Public  
832 Protection and any other department with authority to conduct a traffic  
833 or pedestrian stop shall provide to the [Office of Policy and  
834 Management] Institute for Municipal and Regional Policy at The  
835 University of Connecticut a monthly report of the information recorded  
836 pursuant to subsection (d) of this section for each traffic or pedestrian  
837 stop conducted, in a format prescribed by the [Office of Policy and  
838 Management] Institute for Municipal and Regional Policy at The  
839 University of Connecticut, in consultation with the Racial Profiling  
840 Project Advisory Board. On and after January 1, [2015] 2025, such  
841 information shall be submitted in electronic form, and shall be  
842 submitted in electronic form prior to said date to the extent practicable.

843 (i) The [Office of Policy and Management] Institute for Municipal and  
844 Regional Policy at The University of Connecticut shall, within available  
845 resources, review the prevalence and disposition of traffic and  
846 pedestrian stops and complaints reported pursuant to this section,  
847 including any traffic stops conducted on suspicion of a violation of  
848 section 14-227a, 14-227g, 14-227m or 14-227n. Not later than July 1,  
849 [2014] 2026, and annually thereafter, the office shall report the results of  
850 any such review, including any recommendations, to the Governor, the  
851 General Assembly and any other entity deemed appropriate. The [Office  
852 of Policy and Management] Institute for Municipal and Regional Policy  
853 at The University of Connecticut shall make such report publicly  
854 available on the [office's] institute's Internet web site.

855 Sec. 9. (Effective July 1, 2023) The sum of \_\_\_\_ dollars is appropriated

856 to the Office of Policy and Management to fund organizations for the  
857 purpose of assisting members appointed to the Juvenile Justice Policy  
858 and Oversight Committee pursuant to subdivisions (23) and (24) of  
859 subsection (b) of section 46b-121n of the general statutes, as amended by  
860 this act, from the General Fund, for the fiscal years ending June 30, 2024,  
861 and June 30, 2025, through stipends for child care and transportation to  
862 such members during their time of and in association with their service  
863 on said committee.

864 Sec. 10. (Effective July 1, 2023) The sum of \_\_\_\_ dollars is appropriated  
865 to the Department of Correction from the General Fund, for the fiscal  
866 years ending June 30, 2024, and June 30, 2025, for the purpose of fully  
867 implementing the commissary implementation plan pursuant to section  
868 4 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	46b-121s
Sec. 2	from passage	New section
Sec. 3	from passage	46b-121n
Sec. 4	from passage	New section
Sec. 5	from passage	New section
Sec. 6	from passage	PA 21-174, Sec. 13
Sec. 7	from passage	54-1l
Sec. 8	from passage	54-1m
Sec. 9	July 1, 2023	New section
Sec. 10	July 1, 2023	New section

**Statement of Legislative Commissioners:**

In Section 8, the definition in Subsec. (j) was moved to Subsec. (a) for clarity; and Subsec. (j) was deleted.

**JUD** Joint Favorable Subst.