



JJPOC Meeting Minutes

January 17th, 2019

2:00PM

2B

Attendance:

Ram Aberasturia	Elizabeth Duryea	Melissa McCaw	Sen. Gary Winfield
Abby Anderson	Sarah Eagan	Eleanor Michael	TYJI Staff:
Erica Bromley	Tais Ericson	Marc Pelka	William Carbone
Kenneth Butricks	John Frassinelli	Chief Marshall Porter	Danielle Cooper
Chief Anthony Campbell	Eulalia Garcia	Rep. Robyn Porter	Colleen Conroy
Francis Carino	Hector Glynn	Christine Rapillo	Susan Cusano
Hon. Judge Patrick Carroll	Derrick Gordon	Janeen Reid	Devon McCormick
Hon. Judge Bernadette Conway	Susan Hamilton	Gary Roberge	Erika Nowakowski
Rollin Cook	Brian Hill	Deborah Stevenson	Alex Scranton
Vanessa Dorantes	John Holland	Rep. Toni Walker	

Representative Toni Walker called the meeting to order. At this time, Rep. Toni Walker welcomed 4 new members of the JJPOC:

Melissa McCaw, Secretary-Designee for the Office of Policy and Management (OPM)

Rollin Cook, Commissioner-Designee for the Department of Corrections (DOC)

Vanessa Dorantes, Commissioner-Designee for the Department of Children and Families (DCF)

Marc Pelka, Undersecretary for Criminal Justice at OPM

Rep. Toni Walker asked for a motion to accept the meeting minutes of December 20th, 2018. The motion to accept the meeting minutes was seconded and passed unanimously.

Update on Progress

William Carbone, from the TYJI at the University of New Haven, reviewed the agenda for today's meeting. William Carbone thanked the members of the JJPOC and their staff for all the work on the 2019 JJPOC Workgroup Recommendations.

Office of the Child Advocate Report:

"Incarcerated/Detained Youth - An Examination of Conditions of Confinement"

William Carbone introduced Sarah Eagan and Heather Panciera, from the Office of the Child Advocate (OCA), for their presentation of the OCA report "Incarcerated/Detained Youth – An Examination of Conditions of Confinement".



Information for the report was gathered through the various state agencies that have been actively involved in housing CT's youth population (DCF, DOC and CSSD) as well as through interviews with the youth themselves.

The report's key findings included that children of color remain disproportionately confined and incarcerated in CT's state-run facilities, the deeper the youth are in the system the less likely they are to receive developmentally appropriate programming, and that currently CT does not have a uniform approach/standard for preventing youth suicide and meeting the needs of youth in confinement.

OCA's youth-specific records found instances of self-injurious or other suicidal ideations/behaviors at all facilities involved, however only CSSD reported any suicidal behavior among boys during the report (DOC did report 2 instances at York for girls). CSSD was also the only agency that showed evidence of a comprehensive, quality assurance framework for suicide prevention as recommended by the Department of Justice.

The report found that all youth in the system were subject to physical restraints and day-long seclusion. Although it is against CT law to place juveniles in solitary confinement, the DOC can assign juveniles who commit a disciplinary infraction confined-to-quarters (CTQ), where juveniles can be placed in isolation for up to 23 ½ hours per day. Over the course of OCA's 6-month review period, there was 96 instances of CTQ observed. Youth who are placed in CTQ are not able to attend programming or go to school. In addition, youth can also be assigned to Security Risk Group (SRG), a long-term form of isolation for juveniles with active gang affiliations. SRG status calls for 21-22 hours/day of cell confinement. The range of SRG confinement observed was 5-15 months. Juvenile's on SRG do not go to group programming but receive 1-2 hours/day of schooling. During OCA's review, there was 14 youth placed under SRG status. Isolation at Manson was identified by the DOC as an important tool in ensuring facility safety with highly problematic youth.

Boys at Manson, including those with known psychiatric condition and respiratory problems, were subject to pepper spray. CT law is currently silent on the use of chemical agents on juveniles. No youth in custody receives daily mental health treatment services. CJTS provided clinical contact to its juvenile population once per week. A review of 53 juveniles under DOC supervision found that only 4 were identified as needing weekly clinical contact. Educational programming varied among the agencies involved. Currently CSSD is in the process of making their ombudsman a mandated reporter for cases of suspected abuse/neglect. DOC has no youth ombudsman and DOC correctional staff are not mandated reporters.

After the report, Sarah Eagan went over OCA's recommendations from their findings. A lengthy discussion followed the presentation. Some of the discussion involved the use of pepper spray on juveniles and instances of extended isolation/segregation.



JJPOC 2019 Workgroup Recommendations

*It shall be noted that Melissa McCaw, Rollin Cook and Vanessa Dorantes all abstained their votes due to the fact that they are in “designee status” within their new roles.

William Carbone then introduced Hector Glynn and Abby Anderson, to present the Executive Workgroup’s 2019 Recommendations to the members of the JJPOC. The Executive Workgroup is made up of the co-chairs of all of JJPOC’s other Workgroups.

The Executive Workgroup’s Recommendation was as follows:

- A. To raise the age of juvenile jurisdiction from 17 to 18 by January 1, 2021.
- B. To have the JJPOC monitor the implementation of this change in juvenile jurisdiction, in the event it is enacted into law;
- C. To have JJPOC share relevant findings resulting from this oversight with the committees of cognizance of the General Assembly; and that,
- D. By July 1, 2023, the JJPOC should prepare a process evaluation on the implementation of this change and share such evaluation with the committees of cognizance of the General Assembly.

It was asked by a member of the JJPOC if CSSD could provide an update regarding the status of the youth they currently are responsible for, as it directly relates to this proposed recommendation. CSSD stated they would be able to provide more information at the February meeting.

The members of the JJPOC then voted on the proposed recommendation. Votes opposing the Executive Workgroup Recommendation were Francis Carino, Chief Marshall Porter and Deborah Stevenson. All other members voted in favor. The recommendation was accepted.

William Carbone then introduced Honorable Judge Bernadette Conway, co-chair of the Incarceration Workgroup, to present the Incarceration Workgroup’s 2019 Recommendations to the members of the JJPOC.

The Executive Workgroup’s Recommendations were as follows:

Recommendation #1

- A. Will conduct a review of how other states house the 15 to 18-year-old youth whose cases are processed in the adult court system. This review should address both the pre-adjudication and post adjudication housing matters and should include an examination of organizational and programmatic alternatives.
- B. Will conduct a study on other states’ laws regarding the transfer of juvenile cases to adult court and the outcomes associated with those laws, including their impact on public safety and their effectiveness in changing behavior.



- C. Will ensure that such review and study are completed by January 2020 and that such study includes a plan for implementation of any recommended changes, including cost options where appropriate, by July 1, 2021.

Abby Anderson proposed a friendly amendment to add to Recommendation #1 that states “No youth under the age of 18 who have their cases transferred to the adult court should be housed in a facility run by the DOC pre or post-adjudication.” The friendly amendment was accepted with only Deborah Stevenson objecting. Recommendation #1 was not voted on as a whole.

The members of the JJOPC began discussing Recommendation #2 of the Incarceration Workgroup. Chief Marshall Porter offered a friendly amendment to Recommendation #2.3A. The language states:

- a) Prohibit the use of chemical agents (pepper spray) on youth in juvenile detention and DOC facilities.

Chief Marshall Porter proposed that the word “Prohibit” was changed to “Limit”. Voting in favor of the proposed amendment were Chief Marshall Porter, Deborah Stevenson, Francis Carino, Eulalia Garcia and Kenneth Butricks. All other members opposed. The proposed amendment was denied.

Discussion continued around Recommendation #2. Abby Anderson proposed a friendly amendment to Recommendation 2 subsection 2B.

Recommendation #2.2B

To address the negative impacts of solitary confinement:

- a) The JJPOC should conduct a review of the definitions of administrative segregation, solitary confinement, seclusion, and isolation utilized or recommended by organizations, associations and other entities involved with the issue of detained youth, including but not limited to the Department of Justice, the Council of Juvenile Correctional Administrators, the National Commission on Correctional Health Care, the American Correctional Association and the American Psychiatric Association, as well as best practice recommendations regarding the maximum number of hours and days for each definition.
- b) Issue a report by October 2019 that summarizes the review and provide recommended definitions that include the maximum number of hours and days a youth may be held in administrative segregation, solitary confinement, seclusion and isolation.

Abby Anderson proposed changing the date of October 2019 to May 1, 2019. The friendly amendment was voted on and unanimously accepted by the members of the JJPOC.

However, due to time constraints, Recommendation #2 was not officially voted on.



A special JJPOC meeting will be held on February 6th, 2019 to continue the voting on JJPOC 2019 Recommendations.

Next Meeting: February 6th, 2019 2:00pm

Meeting adjourned at 4:00pm.

*Audio and/or video of the meeting can be found on

https://www.cga.ct.gov/app/taskforce.asp?TF=20141215_Juvenile%20Justice%20Policy%20and%20Oversight%20Committee