



**FACT SHEET**  
**JUDICIARY COMMITTEE RAISED BILL #7389**  
**LCO #6394**

AN ACT CONCERNING CONFIDENTIALITY IN THE CASE OF A DISCRETIONARY TRANSFER OF A JUVENILE'S CASE TO THE REGULAR CRIMINAL DOCKET AND **IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE.**

**KEY REFORMS INCLUDED IN THE BILL:**

Section	Key Reform	Suggested Changes
2	<p><b>The removal of youth whose cases are transferred to the adult court from custody in an adult correctional system by July 1, 2021.</b></p> <p>This section will result in a study by January 1, 2020 that will (see section 5(r) below):</p> <ul style="list-style-type: none"> <li>• Examine how other states house youth whose cases are processed in the adult court</li> <li>• A study on the outcomes associated with laws regarding the transfer of juvenile cases to the adult court</li> <li>• A plan to implement the removal of youth from adult correctional supervision</li> </ul>	<p>The date in section 2 for the implementation of this change is January 1, 2020. This is incorrect. It should be July 1, 2021.</p>



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3 and 4	<p><b>The removal of youth whose cases are transferred to the adult court from custody in an adult correctional system by July 1, 2021.</b></p> <p>These sections specifically implement the intent of removing both male and female juveniles specifically from the John R. Manson Youth Institution in Cheshire and the York Correctional Institution for Women.</p>	<p>The effective date of both Section 3 and 4 should be July 1, 2021 and not July 2020</p>
5(m)(1)	<p><b>The removal of youth whose cases are transferred to the adult court from custody in an adult correctional system by July 1, 2021.</b></p> <p>This section authorizes the JJPOC to request, receive and review information regarding conditions of confinement and services available for individuals under 18 years of age detained at the John R. Manson Youth Institution.</p>	<p>Date should be consistent with dates noted above. Instead of January 1, 2020, the effective date should be July 1, 2021.</p>
5(r)	<p>This section assigns the responsibility for completing the study and plan in Section 5(m)(1) to the Juvenile Justice Policy and Oversight Committee.</p>	<p>This section has the correct date for the completion of the study, but the language does not accurately reflect the recommendation as adopted by the JJPOC.</p> <p>It currently reads such that a plan for the removal of juveniles from the adult correctional system should be completed by July 1, 2021.</p> <p>In effect, the JJPOC recommended that the study be completed by January 1, 2020 and the change be implemented by July 1, 2021.</p>



Section	Key Reform	Suggested Changes
6	<p><b>The adoption of best practices in all juvenile correctional facilities in the areas of suicidality, trauma, mental health, substance abuse, childhood abuse and neglect, family, and the lack of effective coping skills. These practices are intended to reduce recidivism, incarceration, and ensure safety and critical services in all juvenile correctional facilities, as recommended in a major study completed in 2019 by the Office of the Child Advocate.</b></p> <p>This section addresses best practices needed in the areas of suicidal and self-harming behaviors, solitary confinement, prohibiting the use of chemical agents, limiting the use of prone restraints on juveniles and ensuring that programs and services include behavioral intervention plans for children whose behavior interferes with the safety of others.</p>	No suggested changes
6(c)	<p>This section ensures that agencies that administer juvenile correctional facilities (DOC and Judicial Branch) collect data and report their findings annually to the JJPOC.</p> <p>This will ensure that youth in custody are safe and receiving the services they need to thrive and desist from further offending.</p> <p>This new system of accountability will improve safety and services for youth in the deepest end of the justice system.</p>	No suggested changes



Section	Key Reform	Suggested Changes
7	<p><b>The adoption of best practices in all juvenile correctional facilities in the areas of suicidality, trauma, mental health, substance abuse, childhood abuse and neglect, family, and the lack of effective coping skills. These practices are intended to reduce recidivism, incarceration, and ensure safety and critical services in all juvenile correctional facilities., as recommended in a major study completed in 2019 by the Office of the Child Advocate.</b></p> <p>This section addresses the importance of full compliance with the National Prison Rape Elimination Act, which provides for the prevention, detection, monitoring and response to sexual abuse in adult prisons and jails, community correctional centers and juvenile facilities.</p> <p>Presently, Department of Correction staffing levels are not in compliance with this law.</p>	No suggested changes
8	<p><b>The adoption of best practices in all juvenile correctional facilities in the areas of suicidality, trauma, mental health, substance abuse, childhood abuse and neglect, family, and the lack of effective coping skills. These practices are intended to reduce recidivism, incarceration, and ensure safety and critical services in all juvenile correctional facilities., as recommended in a major study completed in 2019 by the Office of the Child Advocate.</b></p>	No suggested changes



Section	Key Reforms	Suggested Changes
	<p>This section enhances the protection of juveniles from potential abuse and neglect in custodial settings by amending the law to add that all staff who work with children in a custodial setting, including contracted staff and ombudsman/woman, will be “mandated reporters”.</p>	
8(c)	<p>This section requires DOC and the Judicial Branch to provide training to all employees of correctional facilities where juveniles are housed on the accurate and prompt identification and reporting of child abuse and neglect.</p>	No suggested changes
9	<p><b>The adoption of best practices in all juvenile correctional facilities in the areas of suicidality, trauma, mental health, substance abuse, childhood abuse and neglect, family, and the lack of effective coping skills. These practices are intended to reduce recidivism, incarceration, and ensure safety and critical services in all juvenile correctional facilities, as recommended in a major study completed in 2019 by the Office of the Child Advocate.</b></p> <p>This section requires that all juvenile custodial facilities have the services of an “ombudsman” or “ombudswoman”. The purpose of such services is to review the complaints of children in correctional facilities or their parents, and to bring such complaints to the attention of the agency head.</p>	As adopted by JJPOC, the word “independent” should precede ombudsman or ombudswoman.



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Section	Key Reform	Suggested Changes
10 & 11	<p><b>The removal of court involvement of status offenders is consistent with national research findings that even limited contact with the justice system may increase the risk of further negative behavior on the part of youth. Such youth, including truants, runaways, and those out of control with parents are more effectively served by local diversionary and school based alternative programming. Increasing diversion is critical to both reducing recidivism and incarceration.</b></p> <p>This section addresses the removal of the remaining categories of status offenders known as “Families With Service Needs” from juvenile court jurisdiction.</p>	<p>The bill appears to read that all remaining categories are removed from juvenile court jurisdiction on June 30, 2019.</p> <p>The JJPOC recommended: July 1, 2019 for children charged with indecent and immoral conduct. For this category, the bill has the correct date.</p> <p>However, Section 10(3)(A) which addresses runaways should be effective January 1, 2020 and (B) which addresses beyond control of the child’s parent should be effective July 1, 2020.</p>