



PA 23-188—sHB 6888

Judiciary Committee

Appropriations Committee

AN ACT CONCERNING JUVENILE JUSTICE

SUMMARY: This act makes various changes in laws on juvenile justice.

Among other things, it does the following:

1. creates an implementation team to develop a prearrest diversion plan for low-risk children (§ 1);
2. expands the Juvenile Justice Policy and Oversight Committee’s (JJPOC) membership by adding five new members, establishes incarceration and enterprise subcommittees, and requires these subcommittees to help specified state agencies develop certain plans (§ 2);
3. requires various state agencies, by November 1, 2023, and in consultation with designated JJPOC subcommittees, to develop a reentry success plan for youth released from the Department of Correction (DOC) and the Judicial Department’s facilities and programs (§ 3); and
4. requires the judicial branch, by July 1, 2023, to begin reviewing and updating the implementation plan developed under PA 21-174, § 13, to securely house anyone in the branch’s custody under age 18 who is arrested and detained (§ 4).

EFFECTIVE DATE: Upon passage

§ 1 — PREARREST DIVERSION PLAN

Implementation Team

The act establishes an implementation team and requires it to (1) develop a plan for prearrest diversion of low-risk children and (2) in doing so, consider stakeholder input, including from children, families, and law enforcement officials.

The implementation team must include (1) the commissioners of the departments of Children and Families (DCF), Education (SDE), and Correction (DOC), or their designees; (2) the judicial branch’s Court Support Services Division’s (CSSD) executive director, or his designee; (3) representatives of local and regional boards of education; and (4) a juvenile review board representative appointed by the JJPOC chairpersons.

The Plan

By January 1, 2024, the implementation team must develop a plan for automatic prearrest diversion of children to the community-based diversion system or other community-based service providers, instead of arrest, for first or second offenses.

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The act specifies that this includes offenses such as simple trespass, creating a public disturbance, 2nd degree breach of peace, and 6th degree larceny. (The first two are infractions, and the second two are misdemeanors.)

The act requires the implementation team, when developing the plan, to consider and include data on prearrest diversionary measures implemented under existing law's community-based diversion system. The plan must also consider the following:

1. the capacity of youth service bureaus (i.e., the local coordinating unit of community-based services) and other local agencies who will provide services to children diverted under the plan;
2. accountability mechanisms to measure these services' success;
3. victim input and involvement processes;
4. data collection to track referrals of diverted children to youth service bureaus;
5. stakeholder communication and outreach strategies for accessing local services;
6. dates for full plan implementation; and
7. any other considerations the team finds necessary for the plan's successful implementation.

Plan Submission and Report on Findings

By July 1, 2024, the implementation team must submit the plan for automatic prearrest diversion of children and report its findings and recommendations to JJPOC. The implementation team terminates when it submits its report or on January 1, 2025, whichever is later.

§ 2 — JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE (JJPOC)

Membership

The act adds five people to JJPOC's membership as follows:

1. two children, youths, or young adults under age 26 with lived experience in the juvenile justice system, one each appointed by the Judiciary Committee's House chairperson and ranking member;
2. one community member, who may be a family member of a child who has been involved with the juvenile justice system or a credible messenger with lived experience in the system and who works with youth in the system; and
3. two tribal members, one each from the Mashantucket Pequot Tribe and Mohegan Tribe of Indians of Connecticut, appointed by their respective tribe.

The community member must be nominated by the community expertise subcommittee (see below) and appointed by the committee's chairpersons.

Subcommittees

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Education. Existing law required JJPOC to convene a subcommittee to, generally, develop a detailed plan on the coordination and oversight of all educational services and programs for children in justice system custody and the provision of education-related transitional support services for their return to the community. The act specifically names this the education subcommittee and expands its purpose by requiring it to also fulfill tasks as directed by the committee and consult in developing the reentry success plan (see § 3 below).

Incarceration and Community Expertise. The act requires JJPOC to appoint people to an incarceration subcommittee and a community expertise subcommittee to help develop a reentry success plan (see § 3 below) and fulfill other tasks as the committee directs.

§ 3 — REENTRY SUCCESS PLAN

Plan Development and Purpose

By November 1, 2023, the act requires the CSSD executive director and the DCF, SDE, and DOC commissioners, or their designees, to develop a reentry success plan for youth released from DOC and the Judicial Department's facilities and programs. The executive director and commissioners must develop it in consultation with JJPOC's incarceration, community expertise, and education subcommittees. The executive director and the commissioners, or their designees, must report the plan to JJPOC by January 1, 2024.

Under the act, the plan's purpose is to successfully reintegrate youth into their communities. In developing the plan, the executive director and commissioners, or their designees, in consultation with the specified subcommittees, must consider all aspects deemed necessary to successfully implement the plan, including (1) reentry models and best practices around the country, including reentry hubs, community-based, enhanced reentry wraparound services, and transitional housing and (2) expansion of community reentry roundtables and welcome centers that focus on youth.

Restorative and Transformative Justice Principles

Under the act, the plan must also incorporate restorative and transformative justice principles. These principles must include the following:

1. provision of individualized academic support and the role of school districts in ensuring the provision of academic, vocational, and transition support services;
2. connection of youth to vocational and workforce opportunities and developmentally appropriate housing;
3. delivery of trauma-informed mental health and substance use treatments;
4. development of restorative justice reentry circles;
5. use of credible messengers as mentors or transition support providers; and
6. role of reentry coordinators.

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Quality Assurance Framework.

The plan must also include a proposed quality assurance framework, including (1) collecting appropriate data and (2) promulgating a public dashboard and monitoring framework to ensure the successful discharge and reentry of incarcerated youth.

Funding Sources Information

The plan must also include information on federal and state funding sources supporting a comprehensive reentry model and the identification of implementation priorities and appropriate timelines.

§ 4 — PLAN TO SECURELY HOUSE PERSONS UNDER AGE 18

Plan Review and Update

PA 21-174, § 13, required the judicial branch to develop an implementation plan to securely house anyone in its custody under age 18 who is arrested and detained prior to sentencing or disposition, starting in 2023.

By July 1, 2023, the act requires the judicial branch to begin reviewing and updating this plan. In the update, the branch must include provisions for the full and final transition of all children from DOC into the branch's care and custody. The updated plan must include a phased-in timetable for full implementation and estimated costs for each phase.

Submission of Updated Plan and Recommendations

The act requires the judicial branch to submit the updated implementation plan, along with any recommendations for legislation, funding, or policy changes, to the Judiciary Committee and JJPOC by December 15, 2023.