

Testimony Supporting
H.B. 5576, An Act Concerning Family Support Centers for Children of Families with Service Needs

Testimony of Meagan Reed, Theresa Sgobba,¹ Shelley Geballe, and Mary Glassman
To the Select Committee on Children
February 27, 2007

Senator Meyer, Representative McMahon, and distinguished Members of the Select Committee on Children:

We testify on behalf of Advocates for Connecticut's Children and Youth (ACCY), a statewide, independent, citizen-based organization dedicated to speaking up for children and youth in the policy making process that has such a great impact on their lives. ACCY is the sister lobbying organization of Connecticut Voices for Children, on whose behalf we also testify.

ACCY strongly supports H.B. 5576, which would establish service centers to meet the needs of juvenile status offenders outside of a detention setting. This treatment-oriented approach to status offenders will reduce recidivism, lower juvenile justice costs, improve these youth's prospects for mentally, emotionally, and socially healthy lives, and promote stronger families.

Public Act 05-250 expressed legislative understanding that status offenders do not belong in the juvenile justice system. Effective October 1, 2007, it prohibits holding status offenders in juvenile detention facilities and also prohibits adjudicating status offenders as delinquents solely for violating a court's Family with Service Needs (FWSN) order. It also requires judges to find that there is no less restrictive alternative appropriate to the child's and community's needs before ordering an out-of-home placement or DCF commitment of a child from a family with service needs.

Despite this important change in the law, Connecticut still does not provide the support services needed to effectively address these children's mental, emotional and behavioral needs and prevent recidivism. Effectively addressing the needs that precipitated the status offending behavior is essential to fulfilling the intent of Public Act 05-250: to avert future juvenile justice involvement and promote positive development among FWSN youth. As recently as January 2007, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) underscored the need for service interventions to prevent delinquent behavior among status offenders with its release of the videoconference, "Addressing the Needs of Juvenile Status Offenders and Their Families" which was "designed to raise awareness about status

¹ Meagan Reed and Theresa Sgobba are Yale Law students participating in the Yale Legislative Services program and have prepared this testimony under the supervision of Attorney Shelley Geballe (President, Connecticut Voices for Children), Attorney Mary Glassman (Director, Advocates for Connecticut's Children and Youth) and Professor J. L. Pottenger, Jr. (Legislative Advocacy Clinic, Yale Law School).

offending and to highlight legislative reforms, policies, programs, and practices that have shown promise in effectively intervening with status offenders and their families.”

Studies of delinquency and the policy and practical responses of government to it highlight the gap that persists between the elimination of punishment as a response to misbehavior among youth and the successful treatment of these youth to avert further problems. As a 2003 survey of such studies explained, “the juvenile court has long served as a dumping ground for a wide variety of problem behaviors of children that other institutions (e.g., social, mental health, and child protective services) fail to serve adequately. Although collaboration between juvenile justice and child and adolescent social services was once considered the cornerstone of a comprehensive childcare system, the two systems are severely fragmented. De-institutionalization and diversion policies [such as Act 05-250]...have turned child delinquents away from juvenile courts, resulting in sparse program development for these children.”² H.B. 5576 will help to bridge this gap by providing much-needed treatment services to Connecticut’s status offenders.

Children of families with service needs are currently underserved by the lack of treatment options. Community-based service centers would provide many crucial services for these at-risk youth.

Status offender systems were first established in 1960s to help parents, schools and communities get their disobedient – but not delinquent – children back on track by providing treatment, counseling, and supervision. Most systems today attempt to leverage the power and authority of the family court to compel behavioral change in a young person, but lack the alternative programs, services, or resources to help kids and families truly improve.³ In Connecticut, while detention of these youth is no longer an option, publicly provided treatment and services remain unavailable for children of families with service needs, a category, which currently includes over 900 of Connecticut’s most at-risk youth.⁴ Community-based family support centers would give these youth access to an initial screening and assessment after they have been identified as status offenders, 24 hour/day crisis intervention services, short-term residences for those seeking temporary respite (e.g. from abuse), trauma and mental health treatment, mediation, social activities, and educational advocacy.

Connecticut’s status offenders, like youth involved with the juvenile justice system, commonly lack access to adequate mental health services. The Governors’ Mental Health Policy Council found that at least 62 percent of Connecticut’s juvenile detainees suffered from mental health needs requiring treatment. According to national studies, as many as 20 percent are seriously mentally ill.⁵ These disorders include anxiety, mood and conduct disorders, psychotic disorders, attention deficit and hyperactivity disorder, and post traumatic stress disorder. Studies also indicate that 50 percent to 75 percent of juvenile delinquents have both mental health disorders and substance abuse problems.⁶ A 1999 study by the Substance Abuse and Mental Health Services Administration shows that youths with emotional and behavioral problems are more likely to abuse alcohol and illicit drugs.⁷ While Connecticut’s current FWSN law recognizes the

² R. Loeber, D. Farrington & D. Petechuk, “Child Delinquency: Early Intervention and Prevention.” *Child Delinquency Bulletin*, May 2003. Available online at <http://www.ncjrs.gov/html/ojdp/186162/page1.html>.

³ T. Chiu and S. Mogulscu, “Changing the Status Quo for Status Offenders: New York State’s Efforts to Support Troubled Teens,” Vera Institute of Justice Issue in Brief, 2004.

⁴ As reported by the Connecticut Families with Service Needs Advisory Board in February, 2007.

⁵ A. Yee. “Mental Health Needs of Juvenile Offenders,” National Conference of State Legislatures *LegisBrief*, Vol. 8, No. 32 (Aug/Sept. 2000).

⁶ *Id.*

⁷ *Id.*

inappropriateness of using incarceration as a substitute for mental health treatment, it does not yet provide a better option. Standardized mental health screening protocols and treatment programs conducted through programs at family support centers would enable status offenders and their families to receive the appropriate services to address their needs at the earliest possible stage.

Female status offenders are particularly in need of support services providing treatment for mental, emotional, and substance abuse problems as well as for sexual or physical abuse. Female youth comprise 40 percent of the status offender population but are 170% more likely to be referred to juvenile court for status offenses than males.⁸ They also have a higher risk of having mental, emotional and substance-abuse problems during puberty. In previous testimony before the Connecticut Legislature, the Office of the Child Advocate has noted that many status-offending girls suffer from severe depression and attempt suicide 3-5 times more often than boys. Many female status offenders are teen mothers and many more are fleeing sexual or other kinds of abuse. Gender-specific treatment programs provided through family support centers could help address these needs.

Providing children of families with service needs with community-based support services will reduce status offenses and prevent more serious delinquency.

Connecticut can learn from other states' and other jurisdictions' evidence-based and cost-effective approaches to working with status offenders. Some jurisdictions – such as Cook County, IL (Chicago) and Maricopa County, Arizona (Phoenix) – have been working for years to develop effective crisis response interventions, partnerships with community-based providers, and alternatives to detention and custodial placement to better serve status offenders and their families. Local reformers in New York State have diverted status-offending youth from the court system and into supportive services in the community and developed community-based alternatives to detention and placement.⁹

In response to a 2001 legislative change in New York State's status offender laws allowing for the classification of sixteen- and seventeen- year-old youth as status offenders, New York City's Department of Probation and the Administration of Children's Services (ACS)—the two agencies primarily responsible for administering and funding the city's status offender system—collaborated to design and implement an innovative approach to the intake and assessment of status offenders – the Family Assessment Program (FAP). Launched in December 2002, FAP seeks to quickly connect status-offending children and their families to appropriate services in the community, reduce the city's reliance on family court, and decrease the number of out-of-home placements for PINS youth. By placing family assessment and service delivery at the beginning of the PINS process, FAP is conserving resources at subsequent stages of the process, resulting in significant financial and administrative savings for the city. FAP has freed up probation to concentrate on its juvenile delinquency caseload. It has reduced referrals to court, thus conserving judicial resources. And, with fewer cases in court, fewer youth are being placed out of the home—the most expensive and often least effective outcome for families with service needs.

A study commissioned by the city two and a half years after it began rolling out the FAP program, revealed that in less than three years, the city was already reaping significant benefits: families were receiving assistance more immediately; probation intakes had dropped by more than 80%; court referrals were down

⁸ M. Chesney-Lind, & R. Sheldon (1998). "Girls, delinquency, and juvenile justice." Belmont CA: Wadsworth.

⁹ T. Chiu and S. Mogulscu, "Changing the Status Quo for Status Offenders: New York State's Efforts to Support Troubled Teens," Vera Institute of Justice Issue in Brief, 2004, at 1-3.

by more than half as youth were being informally connected to services without the need for a family court order; and out-of-home remands and placements for status offending youth—the most expensive and often least effective service option—were reduced by more than 20%. And all of this progress occurred despite the fact that the number of youth eligible for status offender status increased exponentially with the introduction of sixteen- and seventeen-year-old youth into the system.¹⁰

Albany County, New York similarly has been restructuring youth services countywide. The county created and implemented the Juvenile Release under Supervision (JRUS) program in September 2003 to provide a credible, community-based alternative to detention for status offending youth. JRUS provides intensive supervision and services to youth who previously would have been remanded to detention. Specialized probation officers provide daily contact with teens supervised under JRUS, and youth and families in the program are referred to necessary services such as mediation, respite care, or parent support groups. After ten months of the program's operation, 82% of all youth enrolled in the program completed it without being remanded to detention. Since the introduction of JRUS, county expenditures on non-secure detention have decreased by an estimated \$50,000 annually.¹¹

Onondaga County, New York, which includes the city of Syracuse, has long operated a number of community-based alternatives for status offenders to reduce their involvement with the juvenile justice system. Its PRISM program, for example, provides each adolescent with a comprehensive treatment plan that includes services such as individual therapy, family counseling, drug or alcohol treatment, pro-social skills instruction, and aggression replacement therapy. In 2002, local officials incorporated the evidence-based program Family Functional Therapy (FFT) to offer an intensive level of services to the most troubled families. By relying on community-based alternatives to placement, the county has dramatically reduced the number of youth placed in secure facilities by 95% – from 67 cases in 1995 to just 5 in 2003.¹²

Connecticut's statewide provision of services to FWSN youth through community-based support centers has the significant potential of reducing their future delinquency, giving status offenders the chance to succeed at home and in their communities.

Community-based programs are more cost-effective than previously used detention measures.

When considering the potential costs of operating the proposed service centers, it is essential to remember that the costs of detention are significantly higher than is the provision of services, and that the money saved by the elimination of detention for status offenders in Public Act 05-250 will more than offset the costs of the treatment programs that H.B. 5576 proposes. According to figures supplied by the Court Support Services Division and referenced by the Families with Service Needs Advisory Board in February, 2007, the operation of a community-based service center would cost, per child, at least 75% less than detention and at least 150% less than a residential program, with potential savings of thousands of dollars per child. The experience of other states show that there are also substantial longer-term savings to be achieved as recidivism and delinquent behavior are reduced by more appropriate treatment-oriented responses to these youth and their families.

For the foregoing reasons, we urge you to pass H.B. 5576, An Act Concerning Family Support Centers for Children of Families with Service Needs. Thank you for your time and consideration.

¹⁰ Claire Shubik and Ajay Khashu, "A Study of New York City's Family Assessment Program," Vera Institute of Justice, 2005.

¹¹ *Id.* at 6-7.

¹² *Id.* at 7-8.