

**Testimony Opposing
H.B. No. 7148: AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM
ENDING JUNE THIRTIETH, 2021, AND MAKING APPROPRIATIONS THEREFOR
Governor's Proposed Appropriations for the Judicial Branch**

Lauren Ruth, Ph.D.
Appropriations Committee
March 4, 2019

Senator Osten, Representative Walker, Senator Formica, Representative Lavielle and esteemed members of the Appropriations Committee,

My name is Lauren Ruth, and I am testifying today on behalf of Connecticut Voices for Children, a research-based child advocacy organization working to ensure that all Connecticut children have an equitable opportunity to achieve their full potential. At Connecticut Voices for Children, my research focuses on aligning Connecticut's juvenile justice system with empirical research to promote positive outcomes for at-risk youth and increased public safety.

Today, I am testifying in opposition to the Governor's proposed baseline funding for the Judicial Branch in H.B. 7148: An Act Concerning the State Budget for the Biennium Ending June Thirtieth, 2021, and Making Appropriations Therefor. Over the past few years, Connecticut has made tremendous changes to its juvenile justice system, but it has not appropriated funding to support these changes. Baseline funding of these changes perpetuates harms caused by years of divestment in the juvenile justice system.

In 2017, the Connecticut General Assembly passed legislation mandating that Connecticut close its large prison for male youths, the Connecticut Juvenile Training School (CJTS) and transfer juvenile justice services from the Department of Children and Families (DCF) to the Court Support Services Division (CSSD) of the Judicial Branch. Is laudable that with this legislation Connecticut became the first state to close its large youth prison,¹ and it was necessary to close CJTS for the safety and well-being of the youth receiving care within the justice system., It is, however, important to note that CJTS was not closed because there were no children who needed secure care. The boys and girls previously in the care of DCF and now in the care of CSSD have very high needs. In 2017, every single boy admitted to CJTS carried multiple psychiatric diagnoses and 66 percent of the boys had a special education IEP.² To better meet the needs of these children, the Legislature mandated that CSSD should (1) establish new community based, small, dormitory-like secure facilities that differ in their level and form of security, and (2) establish a more robust continuum of services to serve more youth effectively in the least restrictive setting appropriate and meet the needs of the new youth being transferred from DCF.³

CSSD requested over \$25 million from the Legislature to implement these mandates.⁴ The final FY 2019 Revised Budget appropriated CSSD \$16.9 million, which is only two-thirds of what they requested and over \$3.5 million less than the cost of operating CJTS in 2017.⁵ Additionally, in transferring juvenile justice services from DCF to CSSD, the Legislature left a number of diversionary programs with unstable funding. Prior to the transfer, DCF used money from its Juvenile Justice Outreach Services line item to provide funding for a broad range of behavioral health and diversionary services including Local Interagency Service Teams (LISTs) that facilitate coordination between state agencies and community-level agencies, and

Juvenile Review Boards (JRBs) that connect children who have committed status offenses or a number of first-time offenses with community-based services. DCF no longer provides funding for these programs because they no longer clearly fall within DCF's mandate,⁶ and the Legislature and Governor did not provide CSSD with funding for these diversionary services within the last budget cycle.

LISTs and JRBs are key components of the JJPOC's community-based diversion plan meant to increase diversion of youth from the juvenile justice system and provide youth with developmentally informed care within their communities.⁷ For 2019, the Office of Policy and Management was able to carry-forward funding from a federal grant to fund a portion of JRBs that DCF previously funded, but this funding was one-time, and using the funding for JRBs stymied CSSD's ability to use the funding to expand their continuum of care.⁸ CSSD also indicated that due to the combination of lower funding than requested and a low number of contract bids from nonprofit providers, they delayed issuing a contract for a juvenile facility with secure hardware such as bedroom doors locked from the outside, and they instead used this funding to continue funding LISTs in 2019.⁹ At this time, it is unclear whether CSSD will continue to fund the LISTs past July 2019, as they do not have funding for both establishing a hardware secure facility *and* funding diversionary services.

A budget sufficient for implementing and sustaining recent juvenile justice reforms needs to include an additional \$8 million for CSSD to create a hardware secure facility and expand services *as well as* an additional \$1.5 million for CSSD to sustain funding for JRBs and LISTs. An adequate budget that aims to decrease juvenile justice involvement further would also include \$9 million to implement the JJPOC's community-based diversion system and expand community-based services in parts of the state severely lacking these services.¹⁰

The Governor's Proposed FY 2020-2021 budget does none of these things. The proposed budget provides baseline funding to line items that fund juvenile justice services within the Judicial Branch. For line items that fund diversionary services, the proposed budget includes cuts to the lines. Taken together, the Governor's proposed budget slightly decreases juvenile justice funding from baseline need:

- \$47,000 increase above the FY 2019 appropriation for short term and residential board and care for children (a .75 percent increase),
- \$79,000 increase above the FY 2019 appropriation for juvenile justice outreach services (a .75 percent increase),
- \$620,000 decrease for alternatives to juvenile incarceration (a 3 percent decrease), and
- \$719,000 decrease from FY 19 appropriations to youthful offender services (a 7 percent decrease).

While we appreciate that in a tight budget cycle, juvenile justice services did not undergo heavy cuts within the Governor's proposed FY 2020-2021 budget, baseline funding ignores years of failure to fund juvenile justice reform efforts. Without appropriate community-based diversion services and a continuum of services that can provide appropriate rehabilitation to justice-involved youth with varying risk factors, the Judicial Branch may instead find themselves addressing delinquent behavior more and more through detention. Detention is both costly (in 2015, the average daily cost was \$653;¹¹ in 2019, this cost is likely to be closer to between \$700 and \$900 per day) and less effective for meeting the needs of youth with low to moderate levels of risk factors.¹²

Thank you for the opportunity to submit testimony in opposition of the Governor's proposed appropriations to the Judicial Branch in H.B. 7148. I can be reached with any questions at lruth@ctvoices.org or at 203-498-4240, ext. 112.

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- ¹ Gordon, J. (2018, April). Connecticut Closes Last Large Youth Prison. National Juvenile Justice Network. Retrieved from: <http://www.njjn.org/article/connecticut-closes-last-large-youth-prison>
- ² Connecticut Juvenile Training School Advisory Board. (2018). Report to the Commissioner of the Department of Children and Families. Retrieved from: <https://portal.ct.gov/-/media/DCF/CJTS/pdf/CJTS-Annual-Report-2018.pdf?la=en>
- ³ Silbermann, Rachel, Jane McNichol, Ray Noonan, Camara Stokes Hudson, Lauren Ruth, Karen Siegel, & Nicole Updegrove. (2018). "Impact of the Proposed Appropriations Committee and Republican FY 2019 Budget Adjustments on Children and Families." Connecticut Voices for Children. Retrieved from: <http://www.ctvoices.org/publications/impact-proposed-appropriationscommittee-and-republican-fy-2019-budget-adjustments-chil>
- ⁴ Carroll III, Judge P. (2018, February). Public Testimony submitted to the Appropriations Committee. Retrieved from: <https://www.cga.ct.gov/2018/appdata/tmy/2018HB-05035-R000220-Carroll%20III.%20Judge%20Patrick%20L.%20Chief%20Court%20Administrator-Judicial%20Branch-TMY.PDF>
- ⁵ Connecticut Juvenile Training School Advisory Board. (2018). Report to the Commissioner of the Department of Children and Families. Retrieved from: <https://portal.ct.gov/-/media/DCF/CJTS/pdf/CJTS-Annual-Report-2018.pdf?la=en>
- ⁶ Barnes, Ben. (May 17, 2018). Juvenile Justice Policy & Oversight Committee Meeting May 2018. Hartford, CT. Retrieved from: <http://ct-n.com/ctnplayer.asp?odID=15307>
- ⁷ Connecticut Juvenile Justice Alliance. (2018). Examples of State Divestment from Juvenile Justice Related Initiatives: Direct Cuts & Withheld Funding. Memo. Retrieved from: https://static1.squarespace.com/static/5b8413b445776e48dcfec417/t/5c65a438e2c483cc817f2fe3/1550165050765/CTJJA+Juvenile+Justice+Divestment+Memo_2019-compressed.pdf
- ⁸ DCF provided full funding for JRBs in 3 major cities plus partial funding for JRBs in 32 other municipalities. There are 49 additional JRBs across the state that receive municipal funding and funding from other sources. If the state were to fully fund JRBs, CSSD would need to designate an excess of \$2 million.
- ⁹ Roberge, Gary. (May 17, 2018). Juvenile Justice Policy & Oversight Committee Meeting May 2018. Hartford, CT. Retrieved from: <http://ct-n.com/ctnplayer.asp?odID=15307>.
- ¹⁰ According to an estimate completed by the Office of Fiscal Analysis for HB 7286 in 2017, full implementation of the JJPOC community-based diversion plan would require an estimated \$9 million in startup costs plus ongoing increases in funding to expand Youth Service Bureaus, which would serve as hubs for connecting children, families, and community services. This is an important note because providing continuous funding for JRBs and LISTs are a necessary but not sufficient piece of implementing the JJPOC's vision of a system that can divert more youth from ever becoming involved in the justice system and providing communities with the resources they need to support struggling children and families.
- ¹¹ Connecticut Juvenile Justice Alliance. (2018). Examples of State Divestment from Juvenile Justice Related Initiatives: Direct Cuts & Withheld Funding. Memo. Retrieved from: https://static1.squarespace.com/static/5b8413b445776e48dcfec417/t/5c65a438e2c483cc817f2fe3/1550165050765/CTJJA+Juvenile+Justice+Divestment+Memo_2019-compressed.pdf
- ¹² Andrews, D. A., & Bonta, J. (2014). *The psychology of criminal conduct*. Routledge.