

A BETTER WAY TO A SAFER CONNECTICUT

End Juvenile Injustice. Create Opportunity. Make CT Safe.

OCTOBER, 2021



The Connecticut Senate Republican Caucus

Kevin Kelly
Senate Republican Leader

Paul Formica
Senate Republican Leader Pro Tempore

A SAFER CONNECTICUT STARTS WITH A STRONGER CONNECTICUT

All people deserve to live in a state where they feel safe. Safe walking down the street, driving in their car, or sleeping in their home. Many people do not feel that way in our state today. Our cities are seeing their largest upticks in violent crime in years. The Red Cross is facing a severe blood shortage in Connecticut because demand from trauma cases is so high. Every day incidents of crime including serious repeat offenders are shocking residents across the state.

Connecticut must not only improve how we respond to all crime, but also how we prevent it.

Some say the pandemic is to blame for causing more crime. But we cannot pretend that any problem worsened by the pandemic did not also exist before the word "COVID" entered our vocabulary. If anything, the pandemic shines a brighter light on the fact that current policies are not working and it's time for change.

Connecticut is at a crossroads when it comes to making our state safer.

We can choose quick fixes and nibble around the edges. Or, we can start down a new path to not only establish appropriate consequences to combat crime, but also to prevent crime, to create opportunity and hope, and to rehabilitate by looking at the big picture.

The following details multiple proposals to respond to crime - involving both juveniles and adults - and prevent it. These ideas were developed following conversations with community advocates, police, service providers, and stakeholders.

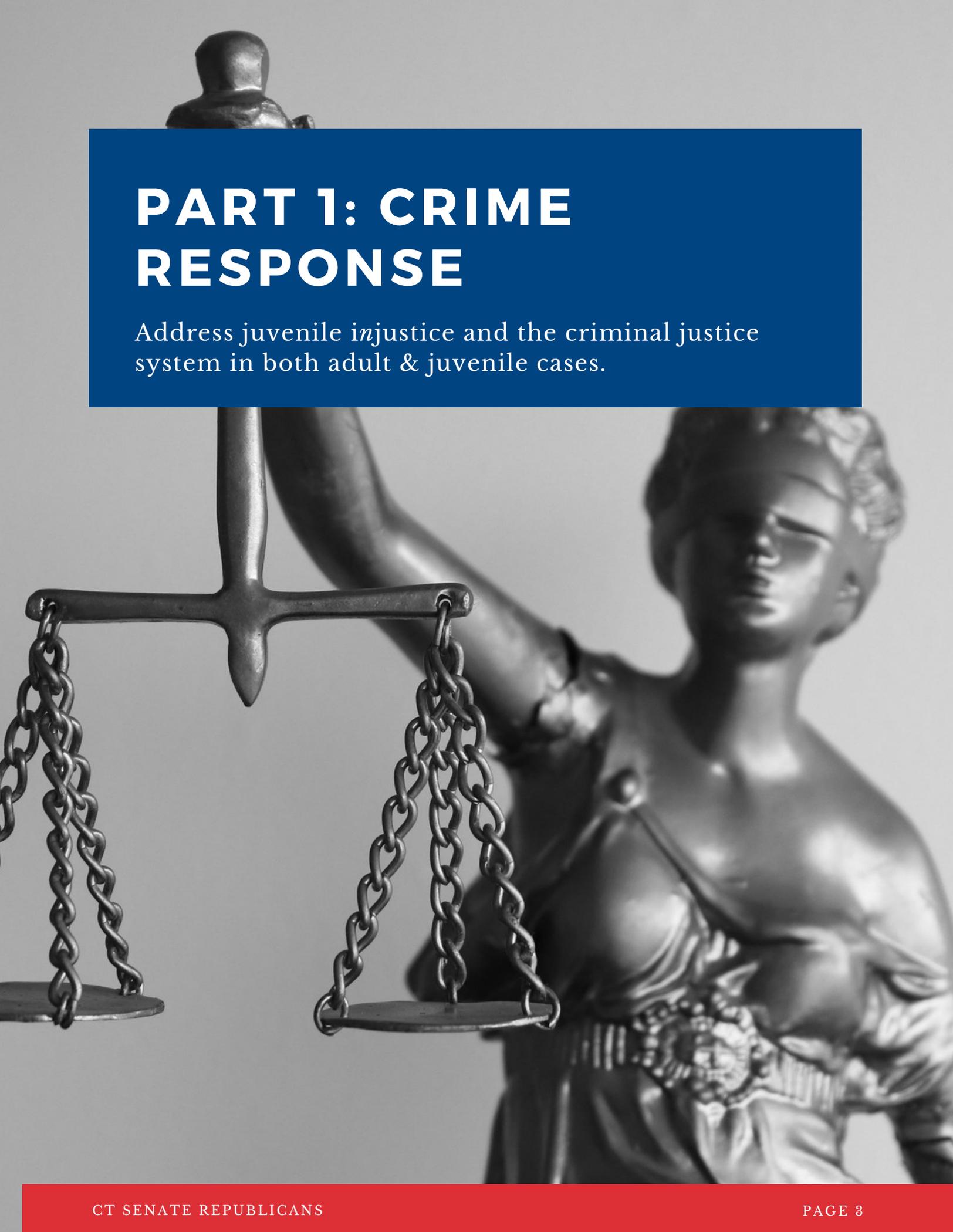
We must broaden conversations to address the root cause of rising crime. We must look at consequences for repeat offenders, and we also must create opportunity, jobs and a ladder out of poverty. We cannot ignore that Connecticut is dead last in job growth and income growth and Connecticut's economy is failing our children and failing our cities. We need to create good paying jobs for all individuals.

When it comes to juvenile crime, we also must correct the juvenile injustice young people are facing. This includes providing the right supports and intervention early.

We need to involve police, community leaders, prosecutors and youth advocates to shape the best policies. We need to empower residents to make decisions about how to invest in their communities and create opportunity. We need to open communication and empower community members to be part of the solution.

A safer Connecticut starts with a stronger Connecticut. It starts with an economy that can support jobs, build hope and create a path to success for young people. It starts with proactive policing, appropriate consequences for repeat offenders and ensuring our justice system has the tools to successfully rehabilitate.

We cannot settle for a quick fix and call it success. We have a call to action. We have an opportunity for change. We must not let comprehensive reform slip away.



PART 1: CRIME RESPONSE

Address juvenile *in*justice and the criminal justice system in both adult & juvenile cases.

ACCOUNTABILITY & JUVENILE INJUSTICE

REQUIRE NEXT DAY COURT FOR JUVENILES

Currently there is often far too much time between arrest of a juvenile and their court date. The result is a delay in access to services and supports as well as the potential that the juvenile will commit additional offenses while waiting for court as intervention has yet to take place. To expedite access to services, we propose providing for immediate assessment and access to services (which need to be made available at detention centers in Hartford and Bridgeport). We propose to allow the court to order mental health evaluations for juveniles and to require Court Support Services interventions to be ordered at arraignment in juvenile court, instead of post-adjudication.

DETENTION ORDERS

We propose the following changes related to detention orders:

- **INFO SHARING:** Make juvenile records available directly to police, prosecutors, public defenders, and judges
- **TRAINING:** Require training for police, prosecutors and judges to make sure they understand the same process
- **LESS RESTRICTIVE ALTERNATIVE STANDARD:** Amend the current standard in CGS Sec. 46b-133(c) to change "(B) there is no appropriate less restrictive alternative available" to allow the court to make a determination based on all the facts and circumstances; not simply whether or not there exists a less restrictive alternative (every alternative to detention is less restrictive.)
- Require the court to provide, in writing, the reason for any denial of a detention order sought by a police officer or prosecutor. The 2021 AAC Concerning Court Operations (PA-21-104) only requires Judicial Branch to collect statistics on detention requests. This would also require Division of Criminal Justice and police departments to collect the same statistics.

GPS MONITORING

Institute mandatory around-the-clock GPS monitoring of juveniles arrested for violent crimes or repeat offenses while they are already awaiting trial for a prior offense. This replaces electronic monitoring which currently only provides notification if a juvenile has left home when under a stay at home order between the hours of 9am-5pm.

MANDATORY FINGERPRINTING

Make mandatory fingerprinting of juveniles arrested for a felony, a Class A Misdemeanor, a charge resulting from loss of life or serious physical injury, a sexual assault, a serious juvenile offense, or an offense involving use of a firearm.

REVISE TRANSFER TO ADULT COURT FOR SERIOUS OFFENSES

The current system is failing those juveniles who are stuck in a cycle of repeat criminal behavior. We want to fix that system, and part of the solution must include recognizing when a juvenile needs enhanced services and supports available through the adult court system, with the protections of the Youthful Offender docket in place.

Currently, it is very difficult to transfer juvenile cases to adult court even for the most heinous of crimes where the adult court system has enhanced resources and supports to better address the situation with both accountability and rehabilitation.

There must be appropriate accountability measures that match the crime committed and a recognition that certain highly dangerous criminal activity is best addressed in adult court, under the Youthful Offender docket, where more tools are available to help someone address serious problems and get their life back on track. Therefore, we propose the following:

- **BEST INTERESTS STANDARD CHANGE:** Currently transfer statute requires the court to determine that it is in the best interest of a juvenile *and* best interest of society. The problem is you can always say it's not in the best interest of a juvenile to incarcerate. If changed to "or" from "and" would help to stop the course of action that leads to violent crime.
- Expand those automatically transferred to adult court, including SJOs (Serious Juvenile Offenses).
- Provide for the transfer of serious repeat juvenile offenders to the adult docket of the Superior Court, and revisit current exclusions from the youthful offender definitions to provide transferred cases with greater confidentiality than regular adult cases and give judges flexibility in sentencing a juvenile.
- Lower the age of those who can be transferred to adult court from 15 to 14 for murder, violent sexual assault, and violent crimes involving firearms.



INCREASE 6 HOUR PERIOD HOLD LIMIT

Allow for exceptions to the 6-hour time limit in certain circumstances, including when seeking a detention order. Giving more time to enable a judge to review and make a determination on whether to detain will address issues raised by stakeholders on the limited time frame hindering a thorough review by a judge. The reason for putting in a 6-hour time limit initially was because the policy was tied to increased federal funding. Federal funding is no longer tied to the time limit, therefore the state will not be penalized by modifying the time limit to meet the concerns raised in the judicial system.

RECIDIVISM STUDY

We must ensure current programs are effective in addressing recidivism rates. Therefore, we propose studying two areas in particular:

- The **Risk Reduction Earned Credit**, or RREC program, allows for certain individuals to have their sentences reduced by participating in prison programs, and for good behavior. We must study the effectiveness of this program, and any other early release policies as they relate to recidivism. If there are issues with release of incarcerated people resulting in recidivism, we must take action to improve state policies that oversee early release.
- In 2019 the state passed legislation to establish a **diversionary program to provide wraparound services and resources to rehabilitate and redirect youthful offenders charged with auto theft**. We must examine the results of this program to ensure effectiveness.

PART 2: PREVENTION & OPPORTUNITY

Create Job Opportunities, Safe Homes, & Support



INTERVENTION & SERVICES

TRAUMA, TRUANCY, MEDIATION, & MENTORSHIP

In meeting with community members, four elements of intervention stood out as areas that must be addressed early on in a juvenile's life to help prevent, deter, and redirect them from crime: **trauma, truancy, mediation, mentorship.**

Trauma and juvenile crime are very often linked.

Truancy is often the first sign of trauma in children and can be an entry point to identify a child at risk and in need of services.

Mediation is vital to stopping retaliatory crime.

Mentorship and empowering young people is key to positive outcomes and a positive life trajectory.

We must fund programs that have been successful in this area and focused on creating an ecosystem of support that unites community service providers to get each juvenile needed supports. Service providers must work in a network connected together to get juveniles the right help.

We propose establishing an RFP process to award state funding to the most successful programs specifically targeted to these four areas of need. The process will include a state level review board that includes stakeholders from the communities, state, cities, Office of the Chief States Attorney, public defenders, the Department of Children & Families and CT's Youth Service Bureaus.

EXAMPLES OF POTENTIAL SUCCESSFUL SERVICES:

The Youth Empowerment Program: Hartford North End program began in December 2020. Modeled on "Supporting a Family Empowers the Youth" (SAFETY). Community based intervention program involving mentoring, trauma informed group sessions, parent engagement, education support and crisis support.

Montgomery Alabama Open Doors & the Roca model from Massachusetts and Baltimore focus on trauma intervention, link to truancy, and include sending a social worker to every shooting and crime.

Project Longevity Family Program: Potentially expand successful adult-focused program to juveniles. Program focus on family support and wrap around services.

Other models, concepts to explore: Cognitive Behavioral Therapy (CBT), Project Safe Neighborhoods PSN for adults/roll call program expansion to juveniles.

ASSESSMENT OF SERVICES WITHIN CRIMINAL JUSTICE SYSTEM

Assessment of services needed to specifically understand issues that arose from the transfer of services from the Department of Children & Families (DCF) to Court Support Services Division (CSSD).

When services were transferred from DCF to CCSD there was no succession and transfer plan, and stakeholders have expressed that services were lost in the process, including losing diversionary programs for a period of time. We propose a comprehensive review of this transfer to better understand what fell through the cracks and what cracks remain open.

Assessment of ALL Programs for Juveniles and Adults

We must engage in a full assessment of all programs in place today to determine if programs or access to current programs needs to be changed. While the sentencing commission studies diversionary programs, that study is limited in scope. We propose an analysis of all programs.

OPPORTUNITY & JOBS

PIPELINE FOR CT'S FUTURE

Require the State Department of Education to partner with the Office of Apprenticeship Training to develop the Pipeline for Connecticut's Future program as a pathway to obtaining occupational licenses for students in urban areas via an apprenticeship or partnership with local businesses.

In today's world, receiving a bachelor's degree is no longer a guarantee to employment upon graduation. Overall, 43% of college graduates are underemployed in their first job. In addition, higher education is a path that is not for everyone. Instead of focusing only on college preparation in our high schools, we need to expand our approach in high school to show students that there is a future and there are good jobs even if you don't see college in your future.

This proposed program would provide a direct pipeline of qualified employees by incentivizing local school districts in urban areas to develop partnerships with local businesses and curriculum to train high school students specifically for the business community's needs upon graduation. This homegrown program is modeled on successful programs in Wallingford and the Platt Technical High School in Milford where local manufacturers work collaboratively with the superintendent of schools in their joint effort to get students that may not be interested in attending college to graduate with a specific, manufacturing related career path in mind and ultimately to be employed by the participating companies.

This model both enables companies to fill vacant positions in their workforce with an employee trained specifically for that job while providing **direct employment opportunities** for Connecticut youth as well **promoting entrepreneurship** among high school students.

The program model entails both industry-specific class time as well as cooperative work placements. In addition to the work performed at the local high schools, these programs also provide incubator space for **entrepreneurs** to work collaboratively and innovatively with students.

While the Wallingford and Platt programs are geared specifically towards manufacturing, it is imperative to educate towards a certificate statewide. Whether it is manufacturing, computer programming, auto mechanic, culinary arts, etc. students can graduate from high school with not only a diploma but also either a certificate or with skillsets necessary to begin a career.



WORKFORCE DEVELOPMENT PATH TO CAREER

There is a shortage of professionals in the construction and manufacturing trades. To better connect young people with opportunity, especially within construction and manufacturing trades that are experiencing a shortage in their workforces, we can simplify and make clear the path from secondary or collegiate level education to a professional career.

- **Information to students.** During the 2021 legislative session, the Connecticut General Assembly passed into law a provision requiring high schools to encourage the completion of FAFSA forms. Encouraging students to apply for federal government aid in the form of grants and loans to attend a two or four year college is not the only path our high schools should be promoting. Rather, a career as a professional tradesperson is another path that will provide a lifetime of financial independence and economic stability and often without the massive amounts of student loan debt faced by attendees of a traditional college program. We propose requiring area high schools to discuss the benefits of attending a trade school alongside any discussions of enrolling at a traditional two or four year college.
- **Financial Aid.** Allow trade schools to participate in the Roberta Willis Scholarship Fund. The Roberta B. Willis Need-Based Grant Program is open to Connecticut residents who attend a Connecticut public or non-profit private college who demonstrate financial need. Applicants must submit the FAFSA to apply. Awards are offered to full-time students in 2- or 4- year programs of study. We propose expanding access to this program to allow trade school applicants to apply for grants.
- **Industry support.** Connecticut's apprenticeship program provides many benefits to those students lucky enough to gain entry to the program. There are state grants that pay for the apprentice's wages and tax credits available to businesses who agree to sponsor a construction or manufacturing apprentice. We propose expanding the tax credit to businesses that hire any registered apprentice who completes an apprenticeship program, not just those who complete four year programs in construction or qualified manufacturing programs with periods of 4,000 or 8,000 hours. This would open up the tax credit to seven more trades whose apprenticeship programs are only 2,000 hours: Auto Glass Technician, Barber, Oil Burner Servicer, Sewer Storm and Water Lines Installer, Energy Efficiency Technician, Lawn Sprinkler and Maintainer, Gasoline Tank Installer and Repairer.





SUMMER JOBS PROGRAM

Establish a Summer Jobs Program in at risk communities that is coordinated by an ecosystem of guidance counselors and mentors. Jobs can be offered by municipalities in areas such as Parks and Recreation and also by local businesses, hospitals, and organizations through a public private partnership and incentive program for job creators. Having a strong system in place will give youth the ability to know where their summer employment will be, to select a field of interest to them, and to have a known source of stable income in the summer months. This creates a bridge to a future. It helps young people achieve self determination, self sufficiency and take pride in themselves. The proposed program can begin as a pilot program in an urban community.

VOCATIONAL PROGRAMS RECRUITMENT

Enhance middle school recruitment to vo-tech programs. We must ensure Connecticut's vocational-technical high schools are within reach for youth in urban communities and are being discussed with students at an early age. We propose reinvigorating a vo-tech ambassador program in urban areas to share information with students in middle schools to make more younger school children aware of future opportunities.

SAFE HOUSING

IMPROVE HOUSING CONDITIONS BY ENDING HIDDEN OWNERSHIP

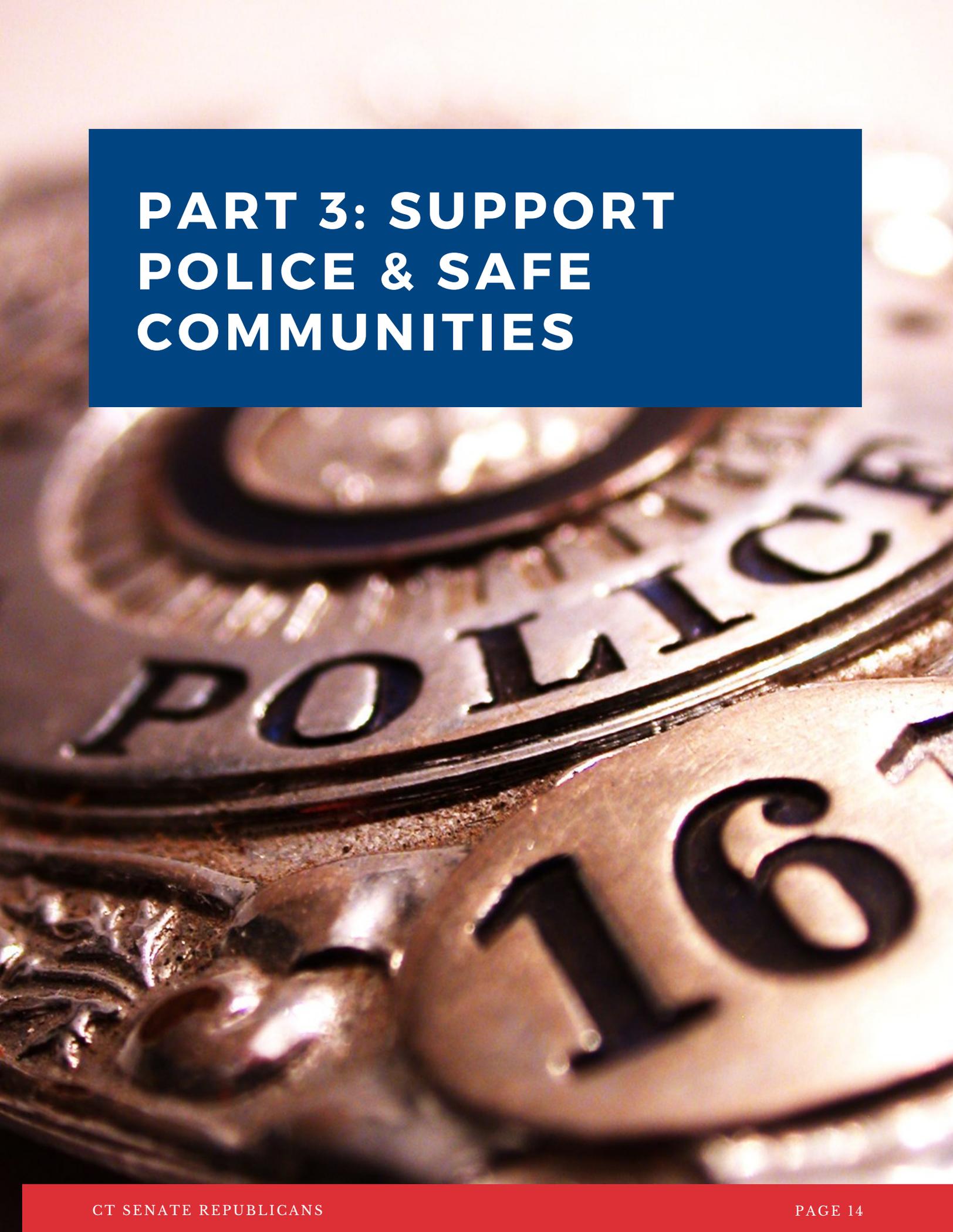
Require LLCs to disclose at least one natural person that is a member directly or indirectly of an LLC that rents real property. When it comes to safe housing and holding landlords accountable, a significant problem identified by community members is the proliferation of hidden ownership in which landlords hide their identities in property purchases through LLC shell companies. Hidden ownership hinders transparency and when employed by bad actors can shield an individual from being held accountable to renters. If a housing unit falls into disrepair or unsafe and unsanitary living conditions, it can be nearly impossible to identify the landlord and therefore hold them accountable. Anonymity can foster abuse and landlord negligence. Transparency is an important step in rooting out bad actors.

MODERNIZE SECTION 8 POLICIES

The federal Section 8 housing choice voucher program has been criticized for provisions that prevent tenants from living with unauthorized residents including family members. The policy creates issues in which tenants must choose between housing support and maintaining a home with a two parent support system. Tenants may find their family relationships scrutinized by landlords as part of the voucher regulation, and this scrutiny can turn relationships into reasons for eviction. While this is a federal program, we can pass a law to end the enforcement of the problematic provision in the state of Connecticut and require the CT Department of Housing to pay for any federal funds lost as a result of the change. This will motivate our federal delegation to push for a change on the federal level. This proposal seeks to modernize housing policies similar to the modernization of welfare policies in the 1990s which replaced Aid to Families with Dependent Children (AFDC) with Temporary Assistance for Needy Families (TANF) and eliminated problematic provisions that prohibited assistance for families with two parents in a household. No one should have to choose between their home and a loving supportive relationship for themselves and their children.

HOLD CITIES ACCOUNTABLE FOR POOR PUBLIC HOUSING CONDITIONS

Public housing that is supported by state funds must be subject to penalties and loss of state funding when violations are found.

A close-up, macro photograph of several police badges. The badges are metallic and show signs of wear. The word 'POLICE' is embossed on one badge, and the number '16' is embossed on another. The lighting is warm and dramatic, highlighting the textures and curves of the metal.

PART 3: SUPPORT POLICE & SAFE COMMUNITIES

LAW ENFORCEMENT SUPPORT

LAW ENFORCEMENT OFFICER (LEO) PIPELINE PILOT

Connecticut police forces are shrinking due to increased retirements, low recruitment numbers, and officers exiting the force early.

We propose creating a pilot program at participating universities with the goal of recruiting individuals to pursue law enforcement careers at the state and local level. The pilot program is a partnership between Connecticut universities and law enforcement mentors and pairs criminal justice majors with law enforcement mentors. Once the participating student graduates, they are guaranteed a job with one of the participating law enforcement agencies in the state.

EXPAND EXPLORER PROGRAMS

We propose expanding successful "explorer" programs by creating a high school elective program focused on learning about law enforcement in which a student can earn credit to graduate. These programs have been successful in multiple communities in building interaction and involvement with young people and officers to build better community relationships. This program can be modeled on ROTC programs, PAL programs, or the Adult Citizens Program that has seen success.

FUNDING FOR SOCIAL/DATA INTELLIGENCE

Investigations and proactive policing have become very much data driven and intelligence driven in recent years. Social media and online data can help officers prevent crime before situations escalate. We propose focusing state support on ensuring funding is available to assist police departments in budgeting for the modernization of intelligence tools.

PURSUIT CHANGES

Allow for use of stop sticks, a tire-deflation device used by law enforcement to safely and quickly stop a vehicle. Currently, stop sticks are only allowed when pursuit is authorized. We propose recategorizing their use as a way to allow for appropriate usage in preventing further crime and reckless driving.





REVISE QUALIFIED IMMUNITY LAW

Amend subsection (d) of C.G.S § 52-571k to allow governmental immunity to be a defense except in cases where an officer is acting in a manner evincing extreme indifference to human life, and to permit interlocutory appeals of a trial court's denial of the application of governmental immunity.

CONSENT SEARCHES

Refine the ban on consent searches to permit certain ones, following criteria such as the law enforcement officer has reasonable and articulable suspicion that weapons, contraband, or other evidence of a crime is contained within the vehicle, and that a law enforcement officer who solicits consent to search a motor vehicle shall, whether or not the consent is granted, complete a police report documenting the reasonable and articulable suspicion for the solicitation of consent.

DUTY TO INTERVENE

Strike the phrase "unreasonable, excessive or" where it appears in C.G.S § 7-282e, to ensure an officer is only criminally liable for failing to intervene in another officer's use of force if that force constitutes a crime.

DECERTIFICATION

Strike in C.G.S § 7-294d the vague language allowing for decertification for conduct that "undermines public confidence in law enforcement," but leaving intact the specified examples (discriminatory conduct, falsification of reports, or violation of the Alvin Penn Racial Profiling Prohibition Act).