

Boys in detention in Connecticut at a 10-year high

By: JACQUELINE RABE THOMAS | February 19, 2014

Hakeem A. was recently sent to live at the state's juvenile detention center for smoking marijuana and leaving his house without his parents' permission – both violations of his probation.

Jusstice W. was also recently locked up at the Connecticut Juvenile Training School (CJTS) in Middletown. He violated his probation by failing to obey the rules of his mom's house.

The state's reliance on a maximum-security facility for convicted youth offenders whose crimes are not severe enough to land them in the adult criminal justice system has led to a 10-year high in the number of boys living at the detention center. On Dec. 1, the population was 140 at the Middletown facility run by the Department of Children and Families. Pre-conviction placements are run by the Judicial branch.

"I would like to know where are the plans for increasing the caseworkers so the kids get the services?" State Rep. Toni Walker, co-chairwoman of the Appropriations Committee asks DCF's commissioner. The millions of dollars DCF has saved from decreasing the number of children living in group homes or being sent out-of-state are almost entirely funneled to other areas of the governor's proposed budget.

At the same time, the state's child welfare agency is moving forward with plans open a 12-bed facility for girls next to the boys' detention center in early March.

As DCF appears to be increasing its dependence on locked facilities to deal with troubled juveniles, some legislators are expressing concern about the new facility, and lawyers who represent children like Hakeem and Jusstice are questioning the direction the state is heading.

"I think one of the reasons they're sent there is [the state] just doesn't have anywhere else to put them," said Trudy Condio, an attorney who represents delinquent children from low-income families.

"The problem is they just don't have the services they need in the community. So what's left?" Condio said. "That's usually a locked facility."

BY THE NUMBERS

In the past several years, seven Connecticut residential treatment facilities for teenagers have either closed or stopped taking those involved in the criminal justice system. Also, the state has largely stopped sending the adolescents to out-of-state facilities.

More juvenile offenders, some as young as 13, are now ending up in the boys' detention facility in Middletown. On Jan. 15, 2010, 86 offenders were housed there; on Jan. 15 of this year, the population was 138.

Meanwhile, the number being served in less-restrictive group homes in the community has declined sharply – between 2010 and 2014, the numbers have dropped from 182 adolescents to 95.

DCF leaders say the increase at the boys' detention center is because of a 2012 state law that pulls 16- and 17-year-old offenders into the juvenile correction system for less severe crimes. Before 2012, those who broke any law at age 17 were charged as adults.

However, the number of juvenile delinquents the courts have committed to the department has remained steady at about 340 children on any given day over the last five years, although the typical age of incarcerated youths has climbed.

"In many placements, [the locked training school] is the most appropriate," William Rosenbeck, the facility's superinten-

dent, said during an interview. He pointed out that the older juvenile offenders are better served by DCF than the adult prison system. "We see the increase as a positive."

With the reduction in the number of group homes and, by extension, group-home placements, DCF seems to have re-routed many young offenders to either the training school or back home to live. The number of youth offenders on parole living at home increased from 70 on Jan. 15, 2010, to 120 in January 2014.

While the agency has made it a top priority to serve more children in their homes by providing them with the therapy and other treatment they need, advocates say it hasn't been enough to curb the increase in the number of boys being incarcerated. "The department sees CJTS as the first stop for a kid coming in," said James Connolly, who represents children for the state's public defenders' office after they are convicted and sent to DCF for placement.

Barbara Claire, the agency's legal director, said DCF tries to make an appropriate placement for every child who breaks the law, but there is no pleasing every advocate. "They are pretty much never satisfied with what's available," she said, adding that CJTS is a therapeutic setting. "It's not a crime and punishment model."

WHERE JUVENILES ARE PLACED

The number of children committed to the Department of Children and Families for breaking the law has remained steady at about 340 children on any given day over the last five years. This is even after some 16- and 17-year-old offenders were brought into the juvenile correction system after enactment of Raise the Age legislation. Meanwhile, the number of children being served at the state-run boys' detention facility has increased, while those served in group homes in the community has declined.



Source: Department of Children and Families — snapshots on Jan. 15 of each year

WHO IS BEING LOCKED UP?

With more children ending up at CJTS, advocates in the state want to know if this is because those adolescents are more dangerous to the community and need to be locked up, or if it's because there's nowhere else to put them.

Researchers at Georgetown University's Center of Juvenile Justice Reform asked the same question recently, but found no data to answer their question. "No data have been available for the past two years," researchers at the center wrote last spring of Connecticut's risk assessment instruments.

"In our view, any risk assessment instrument that has not been validated on the specific population for which it is intended

is problematic... Hartford parole officers could not identify the difference between risk and needs scores on the instrument, stating in one instance that, 'Risk and needs are the same.'

While it remains a question whether an accurate system exists when DCF makes placement decisions, what the Georgetown researchers know is that "technical violations [are] the largest driver of confinement placements." The most recent incarcerations for both Hakeem A. and Justice W. were for technical violations while living at home. (The full names of those who break the law under age 18 are not made public.)

The Georgetown researchers also wrote, "Sanctions should not interrupt reintegration into the community ... unless there is a clearly elevated public safety risk... It was reported that community-based [therapy] is not sufficient to meet the need. This may be because the array of services does not match the full range of parolee needs."

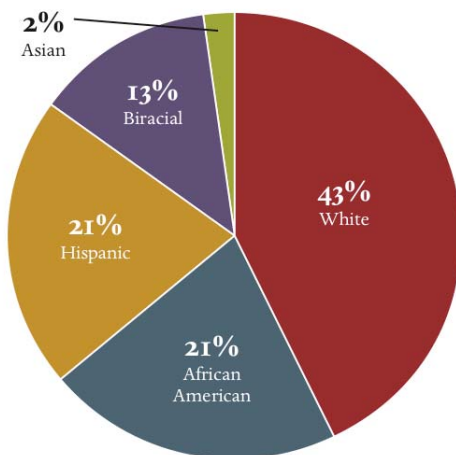
INEQUALITY

The racial makeup of teenagers incarcerated at CJTS does not reflect the state's population. "White children [are] likelier to get treatment. Minority children [are] likelier to get incarceration," the Connecticut Juvenile Justice Alliance reported in October after analyzing state data.

Of the 163 adolescent boys incarcerated in 2011, the most recent year for which data is available, DCF's advisory board reports that 86 percent were black, Hispanic or another minority -- well above the 30 percent these populations make up throughout the state. DCF has said it is aware of the discrepancy and is taking steps to address it.

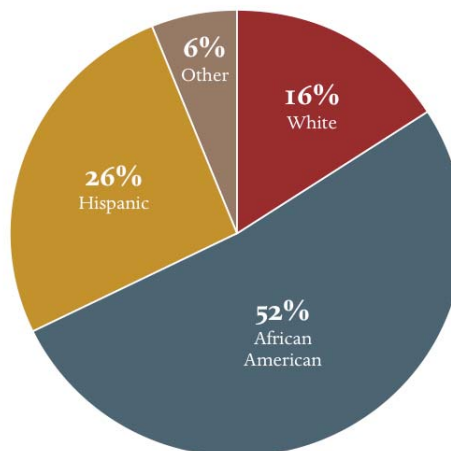
White children likelier to get treatment. Minority children likelier to get incarceration.

YOUTH ADMITTED TO
RIVERVIEW HOSPITAL FOR CHILDREN AND FAMILIES



Source: Connecticut Court Support Services Division

YOUTH ADMITTED TO
CONNECTICUT JUVENILE TRAINING SCHOOL



Source: Connecticut Department of Children and Families

Further, more than 80 percent of the juveniles incarcerated have psychiatric diagnoses. "Most boys carry more than one diagnosis," the detention facility's advisory board reports. These boys "are also coping with issues or loss/bereavement and trauma due to neglect, physical and sexual abuse along with learning disorders and cognitive delays."

There's also concern about the children getting adequate legal representation, as most of these youths come from indigent families and cannot afford a lawyer. Public defenders are typically reimbursed \$350 a case.

"It's abysmal. It's laughable," said lawyer Robert Skelley about the reimbursement rate for many hours of work. Until recently, Skelley represented children through the public defender's office for the Norwich and Windham areas.

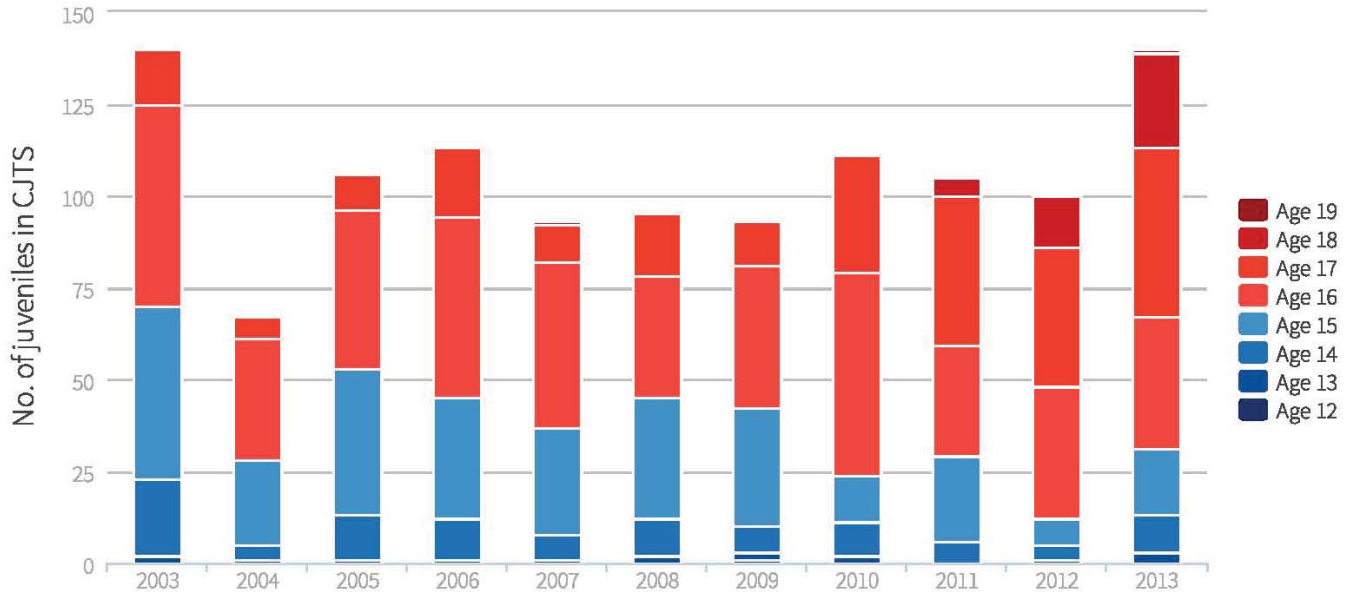
PROBLEMS AT THE CONNECTICUT JUVENILE TRAINING SCHOOL

In a Dec. 31 memo to the staff of the detention facility, DCF Commissioner Joette Katz provided a list of problems that had been brought to her attention. "In the past year, there have been some actions by certain staff that are damaging to [our]

mission and serve to erode the progress occurring within CJTS," Katz wrote.

"There have been allegations of abuses and neglect; lack of supervision that has resulted in youth being injured; language grievances regarding how staff speak to youth; lack of immediately reporting or accurately reporting incidents and overall a sense that some staff are not here at CJTS for the benefit of the youth we serve. These behaviors will not be tolerated," she wrote.

Connecticut Juvenile Training School Population by Age



Source: Department of Children and Families — snapshots on Dec. 1 of each year

ALVIN CHANG AND JACQUELINE RABE THOMAS / MIRROR STAFF

The union that represents the staff at CJTS told state legislators last week that the facility is "greatly understaffed." Advocates point to issues like these when they argue that CJTS is an inappropriate placement for too many of the adolescents who end up there.

"When kids can be maintained in the community or congregate care facilities, it's much better than a maximum security facility," said Martha Stone, head of the Center for Children's Advocacy, and a lawyer who represents some of the boys who have been sent to the facility. "If [DCF has] no other options, then the default is going to be CJTS."

While private facilities must be independently audited and licensed by DCF and the Department of Public Health, state-run juvenile correction facilities have no such oversight. "There is an obvious conflict of interest here," said Connolly, with the public defender office's post-conviction unit. "It would be important to have an independent, autonomous entity that oversees them."

HOW DID CONNECTICUT END UP HERE?

As residential facilities have closed in the state, no new ones have opened. "The increase at CJTS directly correlates to the number of facilities they've closed," said Stone, who won a class-action lawsuit against the state in 1997 for the how the state's juvenile justice system handled adolescents before they are convicted.

But a DCF spokesman denied that this was causing a problem now. "I am sure those closings had some impact, but those closings had an impact quite some time ago," said Gary Kleeblatt.

Meanwhile, after a recent visit to the training school, the Georgetown researchers noted, "On occasion, youth had remained beyond the term of the commitment order because of a lack of an appropriate and viable community-based or home placement."