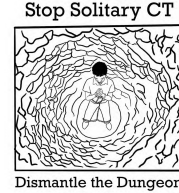




CONNECTICUT
VOICES
FOR CHILDREN



katal
CENTER FOR HEALTH,
EQUITY, AND JUSTICE



ACLU
Connecticut



March 19, 2020

**Dear Governor Ned Lamont, Chief Administrative Judge Patrick L. Carroll III, and
Department of Correction Commissioner Rolland Cook,**

The Connecticut Juvenile Justice Alliance and its partners are writing to share concerns about the impact of the novel coronavirus (COVID-19) on detained and incarcerated youth.

As states across the country undertake steps to stop the spread of COVID-19 such as closing schools and businesses, canceling events, and shifting to supporting children in their homes and communities, one group of young people is being left behind: the nearly 50,000 youth in custody in the United States.

As of Wednesday, March 18, in Connecticut, the Court Support Services Division of the Judicial Branch reported that there were 52 children being held in detention and 24 children incarcerated within the REGIONS secure units of juvenile detention. The Department of Corrections reported that there were 49 children under 18 incarcerated in their facilities - 47 boys in Manson Youth Institution and 2 girls at York Correctional Institution. The majority of the boys in MYI are there pre-trial and have not been sentenced.

Research by health care experts shows that incarcerated populations are most at risk during a public health crisis. COVID-19 spreads quickly in enclosed spaces such as cruise ships and

nursing homes. It will spread just as quickly in detention centers, REGIONS secure, and the adult facilities that incarcerate youth. Contagious viruses such as COVID-19 spread much faster in detention centers and prisons because incarcerated youth are in close quarters. Behind bars, youth are not able to participate in proactive measures to keep themselves safe, such as frequently washing hands, or staying in sanitized spaces. Infection control is a challenge in these situations because incarcerated youth are often in large congregate and communal settings. Practices to end larger gatherings will further isolate youth, putting their mental, emotional, and spiritual health at risk. Both the Judicial Branch and the Department of Corrections have already canceled visitations, cutting youth off from families, friends, and other supportive relationships during a time of heightened fear.

Further, youth detention and correctional facilities are unlikely equipped to meet the medical needs of youth if a COVID-19 outbreak should occur inside a juvenile detention or correctional facility. Youth will not have many options to stay away from other youth if they become ill and there are limited infirmary beds. If staff become ill, it will be difficult to provide care and support to youth and if lockdowns are utilized, that will only intensify virus infection rates.

Specific Asks of Governor Lamont, Chief Administrative Judge Patrick L. Carroll III, and Department of Correction Commissioner Rolland Cook:

To prevent the spread of COVID-19, we urge you to publicly share your emergency plan for addressing the novel coronavirus in the juvenile and criminal justice systems, including the adoption of these measures to protect youth under the supervision of the juvenile justice system:

1. Halt new detention or incarceration for youth by the Judicial Branch or Department of Correction unless a determination is made that an individual youth is a substantial and immediate safety risk to others.
2. For the youth currently detained and/or incarcerated by the Judicial Branch or Department of Correction:
 - a. Examine all pre- and post-adjudication release processes and mechanisms and begin using them to release youth as quickly and safely as possible;
 - b. Releasing youth with chronic illnesses, such as asthma or diabetes; other serious illnesses; or are in need of medical care; to their homes with needed medical supports or to another, safer environment where their medical needs can be comprehensively met
 - c. Plans to transition each youth from a Judicial Branch or Department of Correction facility must be developed in consultation with that youth and a trusted adult, as well as other relevant state agencies like the Department of Children and Families, to ensure that they have a place to go where:
 - i. They have a safe, stable place to live;
 - ii. Their basic needs are met;

- iii. They receive immediate & adequate medical care;
- iv. They have a plan for community support;
- v. They have immediate access to Medicaid or Husky Insurance

The state must provide the appropriate resources and supports around youth and their families or other caregivers to meet any gaps in the above list of needs.

3. While youth are awaiting release:
 - a. Provide written and verbal communications to youth about COVID-19, access to medical care, and community-based supports;
 - b. Ensure continued access to education, with specific consideration being given to the federal rights of youth in the care of these agencies receiving special education;
 - c. Ensure access to legal counsel through confidential visits or teleconferencing;
 - d. Ensure access to family contacts;
 - e. Guarantee access to unlimited, free phone calls.

4. For youth on probation:
 - a. Eliminate incarceration as an option for technical violations of probation;
 - b. Allow youth to travel and access medical care, stay isolated when necessary, and take care of themselves and their families;
 - c. Eliminate requirements for in-person meetings with their probation officers;
 - d. Place a moratorium on all requirements around in-person attendance and payment for court and probation- ordered programs, community service, and labor.

5. No child should be arrested for normal adolescent misbehavior:
 - a. Law enforcement should decline to make an arrest for minor disciplinary issues,
 - b. If an arrest must be made, police officers should use their discretion to “counsel and release” the child to their family.

In closing, we call on Governor Lamont to urge all Executive Branch agencies and the Judicial Branch to work collaboratively and to establish formal Memorandums of Understanding that will ensure creative solutions to meet the comprehensive needs of youth and families are being immediately implemented without bureaucratic concerns. He should also monitor the progress of this effort and maintain regular communications with system leaders to identify and eliminate barriers to achieving this goal.

These are extraordinary times. We are grateful for the work our state is already doing to meet the challenges facing us. Some of the things we are asking for here may have already been considered and implemented. We look forward to working with our colleagues to address the needs of justice-system-involved youth.

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