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State of Connecticut  
DIVISION OF CRIMINAL JUSTICE  
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Joseph J. Del Ciampo  
Counsel to the Rules Committee  
State of Connecticut, Judicial Branch  
100 Washington St., 3rd Floor  
P.O. Box 150474  
Hartford, CT 06115-0474

Re: RC ID# 2021-011

Dear Attorney Del Ciampo,

I am writing to follow-up on the comments previously submitted regarding the proposed changes to the rules addressing the non-judicial handling of juvenile matters; specifically, Sections 27-1A and 27-4A.

On behalf of the Division of Criminal Justice, I submit the following additional comments with regard to the proposed change to Section 27-4A, which would significantly limit those cases required to be handled judicially.

1. The new screening step will require probation to conduct a meeting before the initial plea date, which is set by the police (normally five to ten days from issuance of summons). In practice, this may be difficult to execute, as case reports often reach the court only a few days before the plea date.
2. Although the goal may be to reduce subjective professional judgement, it is relying on a risk instrument for which the arrested juvenile and parent supply nearly all of the information. Thus, outcomes depend largely on openness and integrity of a self-report. For example, if the juvenile has sporadic school attendance and is significantly behind, but reports that he attends regularly and is doing well, the results will not be based on accurate information. There likely will not be an opportunity to verify essential information.
3. Almost all combinations of charges likely will be eligible now for handling outside of court:
  - a. A juvenile can be arrested for a non-violent felony, without any court intervention.

- b. A juvenile can be arrested on numerous occasions, for non-violent felonies and misdemeanors, without any court intervention. By its design, there is no limit to the number of times a child can be arrested and handled at a JRB or youth service office. Is this sending a responsible message to the juvenile? Does this system adequately protect victims and account for community safety?
  - c. A juvenile can be charged with any offense relating to car theft or operation and, unless serious mental health or behavior issues are shared at the screening interview, will be handled locally or as NJ.
4. Reduces public safety enforcement of serious behaviors. For example, if the victim is a victim of assault or serious larceny, how will no contact orders or restitution requests be enforced? Can the JRBs and NJ officers act with meaningful effectiveness if a juvenile continues to harass or assault a victim or fails to make a restitution payment? Legitimate intervention would appear unlikely under this proposed structure.
  5. If the juvenile believes that the charges are not supportable, and chooses not to participate in the interview, he would lose eligibility and, presumably, be far more likely to be handled judicially. Is this fair to the juvenile?
  6. The current system of coding matters is not based upon subjective or highly discretionary rules – the same exclusionary rules apply to all juveniles under the current rule. Under the proposal, the interview method will be utilized to provide case coding. Such a process will likely provide for differing interpretation and disparate results.
  7. Finally, there doesn't appear to be increased or enhanced availability of reliable services and interventions with this new system. Without more effective interventions, how does it impact the juvenile or protect public safety? There certainly will be less judicial oversight under this revised system. The premise that judicial intervention detracts from the efficacy of intervention offered to the juvenile is very dubious. In our current structure, all professionals in this system are entrusted with the responsibility of discerning between low/moderate/serious level cases, and performing their functions accordingly.

Thank you, again, for providing us the opportunity to participate in this process.

Very truly yours,



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