

HB 5782

PA 751 (Vetoed)

1971

Corrections, Welfare & Humane Inst. 3-19

House 5460 - 5461

Senate 3406

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**CORRECTIONS,
WELFARE
AND
HUMANE
INSTITUTIONS**

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REP. EDWARD L. IWANICKI, 79th District - I would like to speak on four bills which are related to each other, H.B. 5781, 5782, 5783 and 5784. In 5781, this bill would give the Commissioner of Children and Youth Services a facility to which he can send children and youth committed to his care whom he is now prohibited by statute from sending to the only two institutions the department has under its jurisdiction which are correctional institutions. These facilities will enable the commissioner to separate the child behaviour problems from the criminally delinquent. The residents will contribute to the support of their house of residence and be encouraged to finish their education or find employment while in residence there. On HB 5782, this bill will provide a community based service center for youth in trouble in their communities, through drug abuse or from other causes; a community referral center to relieve the burden on the state juvenile court which received over 13,000 delinquency referrals in 1969 and to afford the commissioner of children and youth services some alternative to institutional placement for children and youth committed to him. HB 5783. Mr. Chairman, is to have a commission investigate and report recommendations for transferring the functions of the Conn. school for boys from the present location at Meriden to a more suitable place. Now this thing here in the last eight years, we have now the Conn. school for boys, it has now become an area where they are building new highways, they're putting up a big mall and it kind of induces the boys who are in the Conn. school for boys to try and escape and I don't think this is any good for the public and I think we should find a better place for it. HB 5784 is to provide a facility for children committed to the commissioner of children and youth services who are not suited for the state institutions like the Conn. school for boys or the Long Lane School for girls who will benefit from an outdoor type facility of a forestry camp in a healthful, natural environment. That is about all, Mr. Chairman. I would like to have a favorable report on all four of these bills. I don't think there is any money involved.

CHAIRMAN CIARLONE: Are there any questions?

(Rep. Brown spoke at length at this point but none of his remarks were audible. Rep. Iwanicki answered him and neither were his remarks audible. Something about expenses and sum of \$30,000 was mentioned).

CHAIRMAN CIARLONE: When you mention relocation of the School for boys in Meriden, would this be for a matter of security or are the present facilities inadequate?

REP. IWANICKI: Security, most of all because the area now is getting so crowded with the new highway, the new mall and there seems to be more people congested in that area where the school is. Now the boys of 14 or 15 years who are in that school have a tendency to try to escape because of the parking facilities of

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the cars in the mall and it is easier for them to get out because of the highway where they can hitch a ride or something like that than it was before.

CHAIRMAN CIARLONE: Thank you, are there any other legislators who wish to testify?

REP. RICHARD DICE, 83rd District: I would like to support the bills which have my name on them which are HB 5781, 5782, 5784 and 6533. There was a question asked about the expenses of these and I think you can ask the Commissioner of the department of children and youth services with a document at how they accumulated their expense analysis. I am particularly interested in the first bill concerning Half-Way Houses. This matter was brought to my attention first by a prosecutor who indicated that one of the problems is that they do have situations where youths are released from institutions who do not have a place to go and as a result of that, he felt it was a situation that if we could work them back into the society and where he could receive guidance, this would be a situation that would be helpful in the general administration of justice and help our youth. I might indicate that bill 5781 has a feature in it which I suggested and that is that those youths who are not in school full time, can work and are encouraged to work and part of their work compensation would be used in assisting to help support of the Half-Way House itself. This in turn is another way of endeavoring to orient the youth of the institutions of the responsibility they have to face in society when they are released entirely.

REP. JAMES F. GAFFNEY, 80th District: I would like to speak in favor of 5 bills co-sponsored by me, HB 5781, 5782, 5783, 5784 and 6533. Being a legislator from Meriden and also a lifetime resident of Meriden, I have been employed as a summer counselor at the Conn, school for boys so I realize directly some of the problems confronted by the staff and the operations of the Conn. school for boys. The bills 5781 through 5784 have been recommended by Commissioner Wayne Mucci as bills which would correct many of the problems and inequities which now exist. I refer specifically to the act concerning Half-Way Houses for children and youth. I found that the boys sent to the Conn. school for boys had a tremendous range in their backgrounds and their problems and am certain that many of them attending the Conn. School for boys should not have been assigned there for more than a very brief orientation and could have been assigned to Half-Way Houses. The act concerning transfer of boys from the Conn, school for boys to the Boys Correctional Institution at Cheshire, 6368, solves the problem of the boys at the other range of the spectrum, these boys by having an extremely difficult time, disrupt not only the people that they deal with but also the entire operation of the school. I feel that 6368 is certainly only a temporary measure to allieviate some of problems that they have to allow for the transfer to Cheshire is certainly not going to help these boys solve their problems but it

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will allow for the orderly operation of the Conn. school for boys. I think many other speakers who have co-signed these bills will speak before the committee.

REP. BROWN: Do we have the transfer bill here?

REP. GAFFNEY: The transfer bill? You don't have that yet.

REP. BROWN: What is that bill?

REP. GAFFNEY: It will allow for transfer of pupils from the Conn. school for boys to Cheshire Reformatory.

*Note: There was a short exchange between Rep. Brown and Rep. Gaffney regarding transfer bill which was not audible.

CHAIRMAN CIARLONE: I have been told that bill has been transferred to the Judiciary Committee and we will not take any testimony at this point. Are there any further questions of Rep. Gaffney?

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REP. BROWN: I found the most difficult problem being the range of the youths that were submitted or attending the Conn. school for boys had ranged from constant truant to youths that had allegedly committed murder and were in the same groups. I particularly had a group of 17 year old youths and this range made it very difficult to rehabilitate the boys. I found that in the youths who were there for such things as truancy or from broken homes learned from many of the boys who had been in a different environment where they had never thought of stealing a car for instance, did learn how to steal a car. These are not the kind of things these boys should be learning. There was a bill on forestry camps for example, and opportunities were available for different types of youths that are sent to the Conn. school for boys, I think it would be helpful in their rehabilitation.

REP. JOHN F. PAPANDREA, DEPUTY MAJORITY LEADER ON BEHALF OF THE HOUSE DEMOCRATIC MAJORITY: The 1969 session of this Legislature enacted landmark legislation when it created the Department of Children and Youth Services in skeleton form with only a nominal budget. The Democratic House Leadership was enthusiastically in favor of creating the new department in 1969, and we are ever more enthusiastic in our support of the implementing legislation which will transform our idealistic commitment into an actual, meaningful and modern reality to replace the disgracefully inadequate, wastefully archaic and extravagantly expensive facilities at the Meriden School for Boys. It is not necessary to bore you with the well documented and well publicized problems experienced in recent years at the Conn. school for boys. It is enough to say that any institution in an urban setting which has had as many as 405 run-aways in a single year, which has seen a community terrorized repeatedly by juvenile rapists, murderers, burglars and psychotics living in an open, minimum security institution alongside mild delinquents in need of only gentle guidance and direction, clearly

bespeaks an intolerable, utterly insufferable anomaly in a state with the highest per capita income in the entire nation. I make this statement the day after the Governor's budget message, fully aware of its implication. To leave things as they are in the name of economy, would do irreparable violence and damage to the children of this state and to its taxpayers. The present cost per child at Meriden is over \$11,000 per year. This is hardly economy - especially when we consider the price paid in wasted lives, unnecessary failures, havoc wreaked on the community and, most horribly, the needless suffering and deprivation of our young people who cannot redeem themselves and contribute useful and meaningful lives to society. Each of the programs before you are bi-partisan in origin - the new central Diagnostic and Intensive Treatment Center, the Community Multi-Treatment Centes, the Half-Way Houses, the Forestry Camp and the Commission to study the Conn. School for Boys - all have bi-partisan sponsorship and support. When the life of a juvenile hangs in the balance - no one cares about his family's political credentials, no one is pre-occupied with money - only one consideration is paramount - the redemption and rehabilitation of a young, precious and impressionable human life. This state has many pressing problems - untold demands upon its fiscal resources - but it has no greater problem, no more pressing need, no clearer obligation than to bring its care and treatment of youthful offenders out of the archaic past into the 1970's. One life redeemed - one wasted talent transformed into productive and contributing social behavior, has no price tag. It is the least we can do for our youth and for ourselves. To do less demeans our commitment to keep Connecticut a state which truly cares. I have with me a list this morning of the run-aways since 1963. In 1963 we had 110 run-aways in the Meriden School for Boys, in 1964, 221, in 1965, 304, in 1966 it reached the all-time high of 405, in 1967 saw 315 boys run-away, in 1968, 362 and in 1969, 324.

CHAIRMAN CIARLONE: Thank you very much. Are there any questions? If not, we will now proceed to the portion of our hearing whereby we will have members of the public come forth to be heard.

MR. HORACE SANDAVENER: I am president of Conn. State Prison Local #391 and I rise to oppose SB 612 for two obvious reasons. One is that when money such as this is incorporated in reclassifications for the group, this is used as a high in the salary and two, the statement of purpose to establish an incentive program that will encourage correctional employees to continue their education seems nothing but a farce because if you look within the bill, the Commissioner "may" certify which means that someone can go to college with the hopes of getting his dollar per credit, yet if the Commissioner does not certify him, he is left out in the cold. The bill stands to be nothing but a big joke and the whole Local opposes it.

REP. JOHN B. CHAGNON. 97th District: I just wondered, Mr. Chairman, if this bill shouldn't be in Public Personnel rather than in this committee.

CHAIRMAN CIARLONE: That may be but in view of the fact that it is in here, we will take testimony on it. Mr. Sandavener, do we have any programs now that can handle this?

MR. SANDAVENER: This isn't for inmates, this is for Correctional employees.

CHAIRMAN CIARLONE: My question is, do we have any incentive programs for employees now?

MR. SANDAVENER: No, none other than promotional opportunities of which there are many. I would just like to close and say that I am in favor of bills 613 and 826. Thank you.

SENATOR EDWARD S. RIMER, JR., 26th District: It seems that your objection primarily is that it is discretionary or you deem it discretionary on the part of the commissioner to determine whether or not an employee is eligible for the incentive pay, referring specifically to the wording "may". If it was mandatory, would you be opposed to this - that is if the word was "shall" rather than "may"?

MR. SANDAVENER: I would be opposed anyway.

SENATOR RIMER: Could you explain to me why you would be opposed?

MR. SANDAVENER: Well, first of all, some people can't afford to go to college for obvious reasons of marriage, etc. and the thing is that we are all doing the same work regardless of whether you have the college credits or not and when you go for re-classifications for the general body, the people use these types of monies to say that you can reach this particular goal if and when you get the college credits and this isn't in the fair system of the Civil Service to hold it against you if you don't go to college.

REP. BROWN: Do I understand you correctly then, sir, that you are opposed to any incentive program based upon educational accomplishment?

MR. SANDAVENER: No sir, because there are many opportunities within the system which you can reach if you continue your education. You can take promotional exams and this is how you should be compensated for education not because you can go to college for extra money.

REP. BROWN: I am not attempting to cross examine you; I am really interested in hearing your position.

MR. SANDAVENER: Thank you.

MR. D. SHINGLETON, LEGISLATIVE DIRECTOR FOR THE CONN. STATE EMPLOYEES COUNCIL # 16: I would like to speak in opposition to SB 612. We oppose this bill for several reasons. One of the most important basic reasons is that our merit system has already suffered too much of an erosion by these types of programs. As a matter of fact, I believe the governor has recommended that the

unfairness of some people receiving more money for the same kind of duties is certainly not for the best interest of the state. All employees should be paid equally for work performed. We understand that the commissioner and the sponsor of this bill had good intentions but we feel that the merit system is much more important to state employees and as the previous speaker has already stated, there are many promotional opportunities if an employee wishes to advance. He can certainly advance in the correctional department under the present system. The Legislature created a problem in 1967 when they established a red circle rate. This has come back to haunt us throughout the state service every since. We have had numerous grievances, we've had appeal cases on this matter and in all cases we have not been able to resolve this problem. It is our opinion that the securing of a college degree or college credits does not necessarily in itself make a man a better correction officer. There are many employees who cannot continue their education, because of family obligations and their family obligations must come first before any further education can be considered. We feel that this is a discriminatory type of bill and we ask the committee to reject it.

REP. LORENZO MORGAN, 8th District: I am very curious as to what you mean by "red circle rate".

MR. SHINGLETON: By "red circle" we mean the rate over and above the maximum salary. The creation of it was in 1967 when the pay raise of state employees who were entitled to an anniversary increase didn't get it because they froze the anniversary increases into the pay plan and the result of that was they established this "red circle rate". There are employees of the state right now who are receiving over and above the maximum salary of their particular grade. We feel this should be done away with as soon as possible.

REP. PAT MESITE, 77th District: As the state representative from Meriden, I want to be on record as strongly in support of HB 5781, 5782, 5783 and 5784. The Conn. School for Boys is located in the 77th district which I represent. I am painfully aware of the shortcomings of the Boys School and the tremendous burden it has placed on the city of Meriden. We in Connecticut must be prepared to make the sacrifices necessary to give the youth of our state the facilities they deserve to give them a chance to become solid citizens and at the same time return calm and safety to the areas of Meriden near the State School property. In 1967 I was a police commissioner and the boys that ran away, was tremendous. We had a rate of about 400 a year, a lot of them were repeaters and it puts a burden on the police department every time a kid runs away from school, they call the police department and for the 3 and one half years I was a commissioner, what a burden it puts on the police department and the city of Meriden. I don't know if you people are familiar with the State School for Boys. It is right smack in the center of the city of Meriden and the people that live around the area, why every night in the week they call the police department that somebody is prowling, somebody is stealing a car and it has become a terrible burden on the people who live around there. Thank you.

MR. BILL MacKAY, representing the Greater Hartford Community Council which is the planning operation for the Capitol region. We handle everything, aging, children and youth, day care, unwed mothers, etc. I have two other hats. I am a former director of probation in the Juvenile Court System and helped to set up the Juvenile Court System and just before the Department of Children and Youth took over the School for Boys in Meriden, I was a trustee and a board member at Meriden so I have a great personal interest in 5781. 5782. 5784, 6533 which in essence are the package which will be presented to you in more detail by Mr. Luce from the Dept. of Children and Youth. The Community Council helped in planning this legislation originally and we have had a very close connection with the department since then. It was intended when the department was set up that it would have a two-pronged effect, one to take over the institution of the Long Lane School and the School for Boys. We recognized that the trustees meeting more frequently couldn't do the job that was necessary at the School for Boys. Secondly, in addition to the community program, now these girls can go about setting up facilities in the community, but one of our problems in the Juvenile Court was that unless you were given all the diagnosis, all the planning and unless you had the resources, you were licked. You just couldn't move with these youngsters. We feel that you know the drug problem, you know that delinquency is increasing all the time, I'm not going to spend a lot of time on that but these are the things that can help us out, the Half-Way Houses, the Multi-Service Centers, the Forestry Camp, the Diagnosis Center. You cannot depend on a single institution such as the School for Boys or Long Lane School to solve your problems. Anyone that works in the field is hamstrung at the moment. Now, can I speak on austerity for just a moment. If I read the Governor's message correctly, he said he would put new money into drugs and into the operation of things designed here for children and youth. I hope I didn't misunderstand because I think these are things that are paramount in what we are doing. We in the council representing a citizen group of about 700 organizations, 182 agencies, are fully in back of these bills. We helped, as I say, in the original planning. We hope that you will find the money to do these community services. It's an old cliché but still true, an ounce of prevention is worth a pound of cure. I've made no written statement because you will hear this in detail from Mr. Luce and the others but we wanted to be on record in favor of these bills.

REP. BROWN: Mr. Mackay, are you in favor of these bills just as they stand?

MR. MACKAY: Yes I like them just as they stand.

MR. JAMES E. LUCE. Director of Community Services of the Department of Children and Youth Services. I am representing the commissioner this morning because he had a prior commitment and could not attend this hearing. With your permission, I would like to read his statement. (Mr. Luce was asked by Senator Crafts and Rep. Brown if it were possible for him to summarize the seven pages of written testimony. Chairman Ciarlone told Mr. Luce that if he felt it was necessary for him to read the report that it was perfectly all right for him to do so. Mr. Luce said he would summarize the report as best he could. The following report is typed into the record exactl

as submitted by Commissioner Mucci).

TESTIMONY OF WAYNE R. MUCCI, Commissioner, Dept. of Children and Youth. I regret that my schedule does not allow me to appear personally to testify in favor of the bills currently before your committee. These bills would provide the Dept. of Children and Youth Services with badly needed resources for the treatment and rehabilitation of juvenile offenders and other youth in trouble. I would hope, however, that this statement will provide the committee with some idea of the department's needs as well as the need for these programs. At the present time, Connecticut's juvenile correctional system is limited to two correctional schools, the Long Lane School in Middletown and the Conn. School for Boys in Meriden. These schools were each established about 100 years ago and, at that time, represented a forward looking and progressive method of dealing with youthful offenders. This was a time when Connecticut's population was still rural to a large extent, and was, of course, much smaller than it is at the present time. For many years, these institutions served Conn. and Connecticut's youth well, but they are no longer adequate, and in my opinion, cannot meet the needs which are so evident in Conn. As time goes on, these institutions will be even less adequate to treat the many behavioral problems which youth in highly urban and industrial society now face. To think otherwise is merely to delude ourselves. These schools presently handle everything from the youth who is fleeing from a highly deteriorated home situation and whose major problem is truancy from school and perhaps some associated petty misdemeanors, all the way to an older, mature youth who is an adult physically and who may have committed a series of serious criminal offenses, or in some cases, even murder. One facility cannot reasonably be expected to develop the programming necessary to effect an adequate rehabilitation of all those varying types of youth, yet that is what has been expected at Meriden and Long Lane. The staff and personnel of these schools are doing their best, but the system, or rather the lack of a system here in Conn., works against them. The Dept. of Children and Youth Services needs a range of alternatives so that youth can be assigned to the program which most nearly meets their needs. No longer can the citizens of the state look upon a single training school as an answer to the problem of delinquent and troubled children, for these schools cannot and do not give that answer. They represent a solution designed 100 years ago and that solution is no longer viable in the 1970's. The bills before you will provide the state with as modern and as flexible a program as any now existing. There will, of course, be a time delay even if all the funds suggested in these bills were to be appropriated, because of certain necessary construction. Yet, if these bills are passed and properly implemented by the administration, Conn. should within the span of a few years, be among the leaders in the field of juvenile corrections and treatment. I emphasize that Conn. does not today stand among the leaders. The Legislature, in 1969, created the Dept. of Children and Youth Services, and by so doing, gave the state an administrative structure which has been widely presented as a model to other states in the country. Yet, this structure will, frankly, mean very little if it does not have the

ability to create the programs which were outlined in the 1969 assembly and which are here before you spelled out in somewhat more specific detail today. Let me comment briefly on each of these bills. Bill #5782 would authorize the Dept. to establish community Multi-Service Centers for youth in trouble. This program has been funded on a pilot basis by the federal government and is presently operating in an inner-city neighborhood in Bridgeport. Youths have been referred by the schools, by the police, juvenile court, parents themselves, and community social service agencies. Counseling, job employment, casework, group therapy and other services are designed to keep kids from going through the formal adjudicatory process which could eventually see them ending up in a training school. This is one of the first thoroughly preventive efforts that the state has made and would appear to promise a great deal for the future. It has been our experience that one of the reasons that kids get into trouble, start using drugs, and become committed to the path of delinquency is that nobody gets to them soon enough. This is what the community Multi-Service Center will do and is doing in Bridgeport. The funds appropriated would allow three such centers to be placed in the largest cities in the state, as that is where the need is most pressing. We also contemplate using these centers to provide counseling and treatment for children using or about to use drugs.

Bill #6533 would authorize bonded funds for the construction of a central diagnostic and intensive treatment center for the department. At the present time, a child committed to the department by the Juvenile Court comes to us with very little clinical diagnostic and evaluation work and no treatment planned for him. He, or she, as the case may be, merely is sent to one of the training schools which then does the best it can. Each puts the child through an orientation period which includes some diagnosis and evaluation, but this is not an extensive program. The need for a procedure which would receive children, review their problems and their strengths from a psychological, psychiatric, educational and vocational point of view and then intelligently plan a program to meet their problems and utilize their strengths should be self-explanatory. A Diagnostic Center, when combined with the resources which the other bills in this package would provide, would make available to the Dept. a treatment plan and provision for placement in a program which suits his needs. The Center would be staffed with skilled professionals and would be able to work not only with children committed by the court, but also with those voluntary admissions to the dept. There is a provision in our legislation which allows us to accept voluntary admissions. However, we have not been able to use these provisions, even though there has been a number of requests, since the dept. has no facilities under its jurisdiction and none available to it through purchase of services. The second aspect of the Diagnostic and Intensive Treatment Center is, in fact, intensive treatment. Many of you probably heard of the inadequate facilities for treatment of the most difficult and most acting out cases at Meriden School for Boys. We believe that the Diagnostic Center should have a section devoted to the treatment of youth who cannot now be adequately treated at

the Conn. School for Boys or the Long Lane School for Girls. This unit which would be no more than 15 to 30 beds, would provide a secure setting with a highly professional staff of psychologists and psychiatrists to treat youth who would be most amenable to this methodology. This would also save a great deal of money for two reasons. First, a separate facility for the most difficult juvenile offenders does not have to be constructed, and second, a highly trained diagnostic staff can be used within the same facility for treatment of the most difficult and disturbed juvenile cases. I see the Diagnostic Center as the program which ties together and coordinates all of the resources and facilities of the department.

Bill #5784 would authorize the dept. to establish a Forestry Camp. This program is one that is used by many states and has, I think, been used successfully by the Dept. of Correction in our own state. Aside from giving the dept. an alternative for its placement, it will provide benefits to the state in terms of youth working to maintain watershed areas, building pathways, caring for beach areas, and public parks, etc. The Forestry Camp program is a way of giving a youth not only the experience of being out of doors, but also, and far more important, experience in doing something successful and of seeing the tangible results of his own efforts. Many, many youth end up in juvenile training schools such as Meriden because not only has society defined them as failures but they begin to define themselves as failures. It is our hope that, if we can give youth who would be suitable for this training a feeling of success, then we can work with this feeling of success and transfer it into other areas of social relationships.

Bill #5783 would establish a commission to investigate and make recommendations concerning the Conn. School for Boys. I endorse this concept as there are serious questions in my own mind as to whether or not Meriden School is properly located and whether, as the Dept. develops other facilities, resources and programs, there would, in fact, be a continuing need for the facility at Meriden. I hasten to add, however, that we cannot begin to think about phasing Meriden out until we have resources and programs sufficient to replace it. This commission would assist the dept. and the administration in thoroughly reviewing the problems associated in such a planning process.

Bill #5781 would authorize the commissioner of the dept. to establish Half-Way Houses. I am sure that most of you serving on this committee have been exposed to the Halfway House concept, as many states have begun to go in this direction. The bill before you is, I think, a very good one and unique in a couple of its aspects. First, it will allow the Dept. to place youth directly into Halfway Houses, both youth committed by the Juvenile Court, as well as youth voluntarily admitted to the dept. The bill directs the commissioner to establish a full range of rehabilitative services which many halfway House programs lack. Second, and an extremely important part of the legislation, is that youth who are employed will contribute a portion

of their earnings to the upkeep and maintenance of the facility. This, I think, will establish among the youth at the Halfway House and participating in the program a sense of responsibility, not only for their own success, but for the success of the house as a whole. This concept of mutual self-help has worked in the field of drug programs, in Highfields in New Jersey and in corrections programs in Wisconsin and California. This is something which can and will work in Conn., I am sure. As a matter of fact, I think that such programs as Daytop have also utilized this approach. The trend in programming for delinquents, as well as for youth in trouble has been through the country to move away from institutionalization, particularly in the large, old fashioned training schools, as compared to smaller, community based units, Forestry Camps and other kinds of facilities. The training school is the most expensive way of training youth and its effectiveness is questionable in many cases. These bills will provide, at what I believe is an extremely moderate cost, a flexible and progressive program in Conn. I support this legislation knowing full well that Conn., has a state, has a substantial fiscal problem, but it seems to me that juvenile correction and youth services in this state have been suffering from an austerity program for decades. Now that the state has the vehicle and the plans, and now that bi-partisan support exists for this legislation, I urge that the state move and provide the funds for the services which have been lacking for so long. The funds involved are minimal, yet the results of appropriating these funds, in terms of rehabilitating youth - in terms of youth who will not go on to become adjudicated criminals and end up in Cheshire or the State Prison - will, I think, justify every single penny expended for these programs. I respectfully submit to the honorable members of this committee that these bills be reported favorably and that they be passed by the general assembly. It is time for juvenile corrections and services for children to receive the priority that they so rightly deserve. If this means that one road cannot be built in this state, or that one harbor cannot be dredged, or that one new office building is delayed, then that is a small price to pay. Thank you.

REP. BROWN asked a question of Mr. Luce which was inaudible and MR. LUCE answered: The budget figures to the best of my knowledge, not being a physical officer, were compiled on the basis of experiences either that we had in the state in the pilot project where we have demonstrated the operation of this Multi-Service concept and the cost thereto. The Forestry Camps are not new, they are old in terms of having been established as to cost items, not only here in terms of the adult but in other states, particularly Massachusetts, New Jersey and Wisconsin so they are well-established figures as to cost items. I think the cost items were rather stringently gone over in terms of developing a budget requirement to operate these programs and are well within reason.

REP. BROWN: Do you anticipate that these places would be on a regional basis?

MR. LUCE: They would almost have to be on a municipal basis but not limited to a geographical or political boundry. The Multi-Service Center, for instance, in Bridgeport is operated concerning a specific housing center as a target area. However, we receive on open referral in Stratford, Milford, all of Fairfield, up and down the coast really. If we can serve the child, then we would not turn that child down. This would be true for these other centers where they would be located in a specific community or neighborhood, the services rendered would have to be on an open referral basis.

REP. BROWN: On the current facilities, how is it done now, on an experimental basis, who pays for them now?

MR. LUCE: These are all under a federal grant.

REP. BROWN: Would there be a possibility that the government would provide matching funds to set up these service centers?

MR. LUCE: There may be a possibility of this but our facilities now are so under existing finances, that we wouldn't be able to provide the matching fund portions for federal grants.

CHAIRMAN CIARLONE: In New Haven, we have some HalfWay Houses, as a matter of fact, we have two. Under this plan, would the state have to take over the operation of these Halfway Houses?

MR. LUCE: They are less apt to take them over than to utilize them and to augment them because one thing we have found out about HalfWay Houses or temporary shelter facilities or residential treatment programs, whichever name you want to give them, is that there just aren't enough of them. If there is just one thing that needs to be said of this program it is that this provides alternatives; it is the lack of alternatives that usually extend the problems.

REP. ASTRID T. HANZALEK, 40th District: I am delighted to testify in favor of some of these bills, specifically, 5781. 5782. 5782 and 6533. I think it is high time that we did something for youths who are in trouble. One of the problems we have had in the past is that we have wasted our money and their best formative years in teaching them how to become criminals. I think this makes us accessories after the fact and I was delighted that although our budget seems to be quite stringent, the governor specifically mentioned possible appropriation for new projects in the area of children and youth services. I would hope that the committee acts on this favorably. I'm sure that the department as presently constituted will be only too happy to provide additional information and more specifics. I do not intend to act as an expert; I am not an expert but I am just like you, terribly concerned about what we are doing for our young people.

CHAIRMAN CIARLONE: The next speaker we have is from the Task

Force on Law and Justice from the New Haven Council of Churches.

MR. MEROLD WESTPHAL: I am part of a delegation of four from the Task Force on Law and Justice of the N. H. Council of Churches. We are here speaking on behalf of the Task Force and in our capacity as private citizens. We wish to speak briefly on three different pieces of legislation before you. The first one is 605, The Establishment of an Interstate Corrections Compact. We believe the provisions of this bill as it now stands do not conform with the praiseworthy intentions. We concur with the motivation underlying this bill, for it is only to the degree that it succeeds in the rehabilitation of offenders that the corrections system serves the interests of either the offenders themselves or society. The Commissioner of Corrections would be authorized to transfer prisoner out of state against their will. Article IV, Paragraph (i) reads, "The parent, guardian, trustee, or other person or persons entitled under the laws of the sending state to act for, advise, or otherwise function with respect to any inmate shall not be deprived of or restricted in his exercise of any power in respect of any inmate confined pursuant to the terms of this compact". While being careful to erect no legal barriers to the exercise of such powers, the compact would legalize acts which would in fact restrict or deprive such persons in the exercise of such powers. By transferring the prisoner to California, or Ohio, or even Massachusetts, the Commissioner would in fact be restricting or depriving his family and lawyer of the power of visiting him. By making it difficult or impossible to consult with his lawyer, this transfer would impair the prisoner's ability to prepare his defense or his appeal. By making it difficult or impossible for his family to visit him, the transfer would weaken or destroy the relationship which might be most important for his rehabilitation. It would either place a heavy burden in time and money on the family, or it would place the burden of isolation from them on the prisoner. Neither of these alternatives is likely to strengthen family bonds. "But" the prisoner will be told, "this is for your good. We are going to rehabilitate you." In order to take this seriously one would almost have to ascribe to the Commissioner an infallible wisdom and untainted good will. But even this would not be enough. For prisoners are not things but persons, and rehabilitation is not something which skilled practitioners do to them, like heart surgery, but a change in their attitude and outlook. To rehabilitate a person is to reconcile him to the society in which he lives, and one does not reconcile hostile and alienated persons by treating them as chattel to be moved around against their will because it is economically more efficient that way or because some expert has decided that the advantages of facility X outweigh the disadvantages of separation from family and lawyer. There is no conflict here between the interests of the prisoner and those of society. They are the same, the rehabilitation of the prisoner. We believe this compact will serve that goal only if it is amended so as to permit out of state transfers of prisoners only when the prisoners themselves consent and when that consent has been informed by the advice of their lawyers. Obviously a different sort of protection would have to be provided for those who have been legally declared mentally incompetent. I am going to ask Mrs.

Vivian Noble who is Chairman of our Task Force to present a brief statement on bill #602 and then Rev. Tom Scott will present an even briefer statement on #613.

REP. BROWN: Mr. Westphal, I wonder if it would be possible to get all four of you to sit up front and then if we have any questions, we can ask all of you in the simplest way?

CHAIRMAN CIARLONE: That is a good point. Will all four of you please sit up in front so that the committee can ask questions? Thank you.

MRS. VIVIAN NOBLE, Chairman of the Task Force of the N. H. Council of Churches: Regarding Bill #602 - the placement of children born to persons detained at the Conn. Correctional Institution, Niantic. We believe that Section 2 of this bill raises an issue which the Dept. of Corrections to date has not taken seriously enough, namely the implication of the doctrine of presumed innocence for policy concerning pre-trial detention. We are all taught in school that one of the strengths of our system is that a person is presumed innocent until proven guilty in a court of law. We believe that if this principle is not to be a farce in the courtroom, it must also be practiced in our jails. Pre-trial detainment is itself a compromise of this principle, since it involves the imprisonment of persons innocent before the law. We concede that this is sometimes necessary, but we believe that any further infringement on the freedom of such persons, which they, of course, can see only as punishment before trial, is unconscionable. A system which tells a woman that she is presumed innocent until proven guilty but takes her newborn baby from her before it proves her guilty, is not likely to evoke her confidence. On this score it does not evoke ours either. To separate the newborn child from the mother imposes emotional and psychological hardship on the mother and possibly the child - and can effect the natural feelings that are established between mother and child at this time - that are particularly necessary to preserve for the young mother in trouble. And so, in place of Section 2 we urge the committee to write legislation directing the Dept. of Corrections, in cases where pre-trial detainees give birth, first to make special efforts to secure the woman's release on bail or her own recognizance, and, if this proves impossible, to provide wholesome and adequate facilities for her to be with her child while awaiting trial if she so desires.

REV. TOM SCOTT speaking on behalf of the Task Force on Law and Justice of the N. H. Council of Churches would like to read a brief statement on Bill #613. We believe that Section 1 of this bill is worthy of support, for by acting in effect as the insurer of corrections officials the state protects not only their interests but also those of prisoners and others who may file claims against them. But we are not sure about the implications of Section 2. Consider a case in which a prisoner calls a guard by some obscene name, whereupon the guard assaults him and blinds him. Would it not then be the case that the attorney general would be in the untenable position of being the guard's defense attorney in the ensuing civil action and at the same time his prosecutor in the criminal action?

CHAIRMAN CIARLONE: Are there any questions from our committee?

REP. BROWN: I have a question. Are you in favor of the establishment of any kind of interstate compact?

MR. WESTPHAL: We are in favor of that compact if it has a provision in it that prisoners could be sent out of state only with their consent and only when that consent is given upon advice of their lawyers.

REP. BROWN: Well, with this amendment in it, you would think the compact is a good idea?

MR. WESTPHAL: Yes I would.

MR. JUSTIN ELSCINOS of the Conn. Correctional Institution for Boys, President of Local #1252 School for Boys AfL-CIO. I am here to speak in favor of 5781, 5782, 5783, 5784, 6533. I work for the Conn. School for Boys and it seems the place is inadequate to take care of the kids we have there, the run-aways. You bring them back one day and they are gone another day. These are chronic run-aways. Some of these kids could be helped, a hell of a lot of them could be helped. I think about 95% of these boys could be helped, they have about 5% of the kids who are hypo-aggressive and we have to have a place for them but I think with this new program and with the Commissioner going in there, I think it will work out. We are heartily in favor of all these here bills. Thank you.

CHAIRMAN CIARLONE: Does the problem seem to be a lack of staff or lack of security -- not that I am opposed to the bills, I just wonder what the problem is.

MR. ELSCINOS: No, it isn't lack of staff, it's just permissiveness. The boys are allowed to roam about the hill and they just take a notion, maybe something happens, one kid might bully another, and they just walk off the hill, that's all there is to it. But once they start running, they don't stop. It isn't that every boy up there is a run-away - when you get a figure like 405 run-aways in one year, it could be that one kid has run away maybe 15 times, they are repeaters. We have kids up there who do not run away and could be helped. We get the bottom of the barrel from the state. Some of the kids can be helped and some of them cannot be helped. Some of them have the attitude "I don't care" but some of these boys come up and want to be helped - I would say 95% of them can be helped.

REP. BROWN: What is the ----- population up there?

MR. ELSCINOS: I would say the population is about 112 in the correctionals? We have 3 shifts going - I would say we must have about 90 to a hundred.

REP. BROWN: From your observations, based upon the current arrangement, do you find that there are some boys there whose

life, limb or safety may be in jeopardy as a result of the correct arrangement?

MR. ELSCINOS: I would say so, yes. We live with these boys sometimes in a cottage with about 23 or 24 boys. Now when you have boys, some of whom are mentally disturbed and naturally, one boy will pick on another and before you know it there is a small riot and you have to go and break it up. Our responsibility is to take care of these boys so they won't get hurt and we cannot touch these boys, all we can do is try to make them up in a gentle manner. We get kicked on, spit at and sworn at and things like that, but this is our job and we have to do it.

REP. BROWN: What do you do in a case where you have to impose some sort of discipline - do you have isolation or things like that?

MR. ELSCINOS: We have a treatment unit which is composed of 10 cells. This isn't adequate to take care of these kids because there are no facilities, it is just one big room. Up to a short time ago, we had a ----- in Cheshire where we sent these boys to Cheshire so any kid who was hypo-aggressive was sent to Cheshire and that was the only way we alleviated the problem up at the hill, the fact that we had some place where we could put these kids but we don't have any place to put these kids right now. If we put them in the treatment unit, they just knock the bricks right through the walls.

REP. BROWN: I don't want to go beyond your responsibilities but if someone decides the different level of dangers of youngsters and something is done to separate the different types of dangers to protect one who is not dangerous -----who does this?

MR. ELSCINOS: Well if we have a kid who is hypo-aggressive, he is put in a cottage with bigger kids and it is up to us to see that he is controlled and when he runs out of control, we have to get the supervisor and Dr. Dean and maybe send the kid to Cheshire because that's the only place we have to put the kids before and now we haven't got any place to put the children. Another thing, when we talk about Youth Services, these are not little kids, some of these "little Boys" go up to 6'3" and 6'4" - they're taller and stronger than I am and we have to contain these kids. All we can do is contain them, we can't rehabilitate them because we haven't got the facilities.

REP. BROWN: Is your staff adequate to do this?

MR. ELSCINOS: Yes, I would say the staff is adequate.

REP. BROWN: I understand it is almost one to one.

MR. ELSCINOS: Yes, but you see we are working on a 24 hour basis; in the daytime we have a cottage mother and at night we have the security.

REP. BROWN: Do you think the state employees going on 40 hours will resolve that problem?

MR. ELSCINOS: I don't think that will solve any problem. I think the state employees have been slaves of the state long enough.

MRS. ANNY KAY. Conn. Correctional Institution, Niantic: I want to say hello to the committee members. -----, my deput commissioner is unable to be here today and asked me to come in and talk on 601 which relates to - in section 2 - authorizing the circuit court to commit young girls between the ages of 16 and 21 years for a two year term. We are requesting that section 2 be added to section 1865 to enable the court to sentence a young woman between 16 and 21 to a correctional institution for an indefinite term not to exceed two years. The circuit court does have the authority by statute to sentence males of the same ages to the Conn. Correctional Institution in Cheshire but we feel there are advantages for a female to be treated accordingly. When a female is in our custody we make every effort to make her a more productive person, offering her educational opportunities in which most cases she has not been exposed to previously, fitting her for a job and putting her in the best physical condition possible, etc. At the present time, the circuit court can sentence her only up to one year and usually there is no pro-follow up to help her make an adjustment when she returns to the community at the end of the year. X If she were to receive a two year term, parole to follow when she left the institution, we would be in a much better position to help her adjust or make the best use. The court may sentence the girl under the charge of manifest danger of falling into the habits of vice. This would be for a term not to exceed three years. Because this particular law has been challenged the court has been reluctant to use it. Consequently, many of the youngsters are sent to us for a one year term or else have been bound over to the Superior Court who do have the authority to sentence up to the maximum time as provided by statute. If this proposed section is approved, it is very likely the young woman would not have to face the Superior Court. The most important phase is the re-entry into society and any help we can offer is often the difference as to whether a young lady makes it or fails. I have bill 602 which has been spoken on and I am for, having proposed the legislation and I will try and give you the reasons why we feel it is practically a must. In the old 18-69 the commission for placing the child was scheduled in order that an infant shall not be maintained at said institution beyond the planning period for placement. What we want now added on is @which is not to exceed sixty calendar days." The time element is of utmost importance. 1. Placing a time limit on placement will eliminate the possibility of a baby being detained at the institution for an indefinite period of time - previous requirement- shall not be maintained beyond the planning period for placement, left the door open for either the mother or the Agency to claim planning period was in process of being completed - one particular case we had was where a baby remained at the institution for 11 months awaiting planning to be completed. 2. It is well recognized by all persons working with children that an institutional setting for a baby is not conducive to normal baby responses or growth.

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**CONNECTICUT
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**VOL. 14
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Monday, June 7, 1971

124.

MR. BILLINGTON: (7th)

Mr. Speaker, this bill calls for the Commissioner of the Department of Children and Youth Services to set up half-way houses for children and youth who are under the jurisdiction of the department. They would receive academic tutoring, employment counseling and other rehabilitant services. They would contribute part of the job Xearnings to the house. The appropriation for this service, Mr. Speaker, would be \$250,000. This is a good bill. It allows a child with behavior problems to take advantage of state services without being committed to the institution of criminally delinquents. By separating this child he is given a better chance to become a normal, productive citizen by working together with others. I think it is a good bill, Mr. Speaker, and it ought to pass.

THE SPEAKER:

Further remarks on the bill. If not, all those in favor will indicate by saying AYE. Opposed. THE BILL IS PASSED.

THE CLERK:

Cal. 1083. Sub. for H.B. 5782. AN ACT CONCERNING community MULTI-SERVICE CENTERS FOR YOUTH IN TROUBLE IN THEIR COMMUNITIES.

THE SPEAKER:

The gentleman from the 7th. Rep. Billington.

MR. BILLINGTON: (7th)

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill.

roc

Monday, June 7, 1971

125.

THE SPEAKER:

Would you remark.

MR. BILLINGTON: (7th)

Mr. Speaker, this bill provides for the Commissioner of Children and Youth Services to establish community nonresidential multi-service centers in areas of the State which have a high rate of juvenile delinquency. These centers, Mr. Speaker, may provide suitable treatment and services including counseling, family counseling and drug usage counseling. These centers shall be operational during the hours of need including weekends and holidays. I think it is a good bill, Mr. Speaker, and it should pass.

THE SPEAKER:

Further remarks on the bill. If not, all those in favor indicate by saying AYE. Opposed. THE BILL IS PASSED.

THE CLERK:

Page 8. Cal. 1124. Sub. for S.B. 1349. AN ACT CONCERNING HOUSING SITE DEVELOPMENT PROJECTS As amended by Senate Amendment Schedule A.

THE SPEAKER:

The gentleman from the 78th.

MR. PAPANDREA: (78th)

Mr. Speaker, may this item be Passed, Retaining its Place on the Calendar.

THE SPEAKER:

So ordered.

roc

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File numbers and I'll move for suspension for immediate consideration.

They should be in the Clerk's possession and we'll file this list too, if he wishes.

THE CHAIR:

That's what we're talking about, Senator. We want to compare the bills themselves, against the list we have.

Would you come up, Senator Ives and we'll expediate this very quickly?

SENATOR IVES:

Mr. President, I move for suspension of the rules for immediate consideration of the following bills:

THE CHAIR:

If there is no objection it is so ordered.

SENATOR IVES:

Mr. President, House Bill 5109, File 1268; House Bill 5298, File 1699; House Bill 5433, File 1310; House Bill 5730, File 940; House Bill 5781, File 1196; House Bill 5782, File 1211; House Bill 6277, File 289; House Bill 6411, File 1117; House Bill 6448, File 1377; House Bill 6685, File 1461; House Bill 6716, File 1684; House Bill 6927, File 934; House Bill 7170, File 769; House Bill 7811, File 1104; House Bill 8410, File 1106; House Bill 8225, File 1197; House Bill 8796, File 927; House Bill 8835, File 1305; House Bill 9189, File 1453; House Bill 6928, File 1080; House Bill 8485, File 1642.

Mr. President, I move for the adoption of the bills listed.

THE CHAIR:

Is there any objection to the adoption or passage of the bills? Hearing none; said bills declared passed.