



Legislative Testimony
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**Written Testimony Opposing
House Bill 7332, An Act Concerning Public Safety and the
Welfare of Repeat Juvenile Offenders and Their Victims**

Senator Bradley, Representative Verrengia, and distinguished members of the Public Safety and Security Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to House Bill 7332, An Act Concerning Public Safety and the Welfare of Repeat Juvenile Offenders and Their Victims.

As an organization committed to justice and equality, the ACLU-CT strongly opposes this unnecessary bill, which would cause more juveniles to be transferred to the adult criminal system by including car theft as an offense eligible for transfer and by expanding judicial discretion during transfer hearings. This bill relies on a 1980s approach to justice when our state needs a 21st century approach. By tying the hands of judges by requiring them to automatically send juveniles who are accused of certain crimes into the adult court and jail systems, this bill would take Connecticut backward. In the process, it would undermine the wellbeing of youth, increase racial disparities in our juvenile justice system, and jeopardize public safety. Furthermore, juveniles are not miniature adults. They have different socio-emotional and physical needs, and their brains are still developing. Connecticut's adult court and incarceration systems are not equipped to handle these needs. It is not in a youth's best interest to enter the adult justice system, and it could be counterproductive to the state's goal of public safety to send youth into the adult system.

Currently, Connecticut allows judges to exercise their discretion and consider all of the factors in a case when deciding whether to transfer a juvenile to the adult court system. Creating a mandatory-minimum-style requirement for a judge to send a juvenile to adult court purely based on which crime they are accused of, not their case as a whole, could incentivize over-charging by prosecutors and create an inequitable approach to justice.

This also would not improve outcomes for juveniles who are charged with a crime or public safety. According to a 2007 Centers for Disease Control and Prevention publication,

transferring youth to adult court actually increases, not decreases, violence among transferred youth.

In addition to subverting justice, this bill is unnecessary. Contrary to what some have claimed, Connecticut is experiencing a downward trend around juvenile car theft arrests. Car thefts among youth are decreasing. Law enforcement made 166 arrests of youth for car theft during the fourth quarter of 2018 – down from 212 arrests in the second quarter. The overall number of youth arrests in Connecticut has also dropped in recent years. In fiscal year 2011, 8,523 youth entered Connecticut’s justice system. In 2015, that number was down to 6,981; by 2016, that number had dropped to 6,241. Recent data also shows that the vast majority of older teens who enter Connecticut’s juvenile court system age out of crime, as they are not involved with the justice system later as adults. We encourage this committee to stick with proven, evidence-based solutions to these issues, not punitive approaches that could perpetuate injustice.

In particular, we believe this bill will increase racial injustice. Youth of color are already more likely to be transferred to adult court than white youth in Connecticut, according to a 2017 report. With the report finding that race, as opposed to other factors like age, previous record, charge, and socioeconomic status, was the deciding factor in these youth transfers, making it easier to transfer juveniles to adult court surely risks the perpetuation of this inequality.

We strongly encourage the committee to oppose House Bill 7332.