



Testimony in Support of S.B. 13: An Act Concerning Fair Treatment of Incarcerated Women

Testimony in Support of H.B. 5531: An Act Concerning Enhanced Employment Opportunities for Incarcerated Individuals

Testimony in Opposition to S.B. 486: An Act Concerning Notification to Boards of Education of the Release of a Juvenile Sexual Offender and a Model Policy Concerning the Reentry of Such Juveniles into the School System

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Senator Doyle, Senator Kissel, Representative Tong, Representative Rebimbas and esteemed members of the Judiciary Committee,

We are submitting this written testimony on behalf of Connecticut Voices for Children, a research-based child advocacy organization working to ensure that all Connecticut children have an equitable opportunity to achieve their full potential. Thank you for this opportunity to provide testimony in support of S.B. 13: An Act Concerning Fair Treatment of Incarcerated Women, in support of H.B. 5531: An Act Concerning Enhanced Employment Opportunities for Incarcerated Individuals, and in opposition to S.B. 486: An Act Concerning Notification to Boards of Education of the Release of a Juvenile Sexual Offender and a Model Policy Concerning the Reentry of such Juveniles into the School System.

Support of S.B. 13: An Act Concerning Fair Treatment of Incarcerated Women

In recent months, a lack of monitoring and series of complaints have led to scrutiny of health care in the state's correctional facilities.¹ Women's health issues are of particular importance to the health of families as pregnancy, birth, and the reproductive health of the population of female inmates directly impacts the health of their children and the ability of these women to parent once they are released from incarceration.

As of January 2018, over 900 women reside at York Correctional Institution.² Nationwide, two-thirds of incarcerated parents were convicted of non-violent offenses and one-quarter are serving a sentence for a drug-related conviction.³ Nationally, over 90 percent of incarcerated women are under the age of 55.⁴ We were unable to find Connecticut-specific demographics, but it is reasonable to assume they are close to national averages and that most women incarcerated in Connecticut are of reproductive age.

Reports of a recent birth occurring in an inmate's cell at York Correctional Institution are particularly disturbing⁵ and suggest the need to institute clear guidelines for women's health care during incarceration. Approximately four percent⁶ of women report being pregnant on entering prison, while others have recently given birth or may discover a pregnancy after incarceration. Most pregnant women in prisons are at a high risk of complications from pregnancy and childbirth as a result of poor health prior to pregnancy and low socioeconomic status.⁷ While 94 percent of pregnant women in state prisons reported having at least one obstetric exam, just 54 percent had received instruction on child care, special testing, diet, or other relevant health information according to one survey.⁸ The factors that impact maternal health also impact infant and child health; improved care and outcomes for mothers mean healthier children.⁹ **We support the efforts of S.B. 13 to provide guidelines for providing appropriate obstetric care to pregnant women before, during, and after birth.**

During labor, shackling can increase the danger of falls and other injuries and restrict the ability of medical personnel to perform necessary interventions.¹⁰ Despite the medical risks posed by shackling during labor and delivery, this practice continues even in states with laws or regulations prohibiting this action. While officials from the prison system have stated that shackling women in labor is contrary to current guidelines,¹¹ this national evidence suggests the need for a clear, legal prohibition as is laid out within S.B. 13, and we support this provision.

Several provisions of this bill guide postpartum support for women. The recommendations of this bill align with the Bright Futures periodicity guidelines adopted by the American Pediatric Association of Connecticut regarding screening for post-partum depression.¹² Further, lactating women in prison also have unique needs. Consensus on the benefits of breast milk and breastfeeding for both mother and child¹³ supports policies to promote expression of breast milk in prison. Further, expressing breast milk is in line with other programs and efforts to enhance connections between women in prison and their children to promote healthy relationships once women return to their families and communities.¹⁴ This practice allows mothers to provide nutrition for their children even while incarcerated and might offer a strengthened psychological bond.

Providing appropriate care to incarcerated women is both the ethical thing to do and a smart approach to reducing recidivism and improving post-incarceration opportunities for women involved with the justice system and their children.¹⁵

Support of H.B. 5531: An Act Concerning Enhanced Employment Opportunities for Incarcerated Individuals

Incarcerated adults are likely to have low levels of educational and career achievement.¹⁶ Combined with the stigma of having experienced incarceration, this often leads to unemployment after release.¹⁷ There's strong evidence that efforts to help incarcerated individuals complete their education and connect with gainful employment during their time in a correctional facility results in decreased recidivism when individuals return to their communities,¹⁸ and some researchers have even found that post-release employment is *the strongest* predictor of post-release recidivism.¹⁹ These facts become especially important when considering that fathers and mothers make up over half of the population of incarcerated individuals.²⁰ Incarceration significantly impacts not only employment rates but also reduces later income, and this drastically affects the ability of formerly incarcerated individuals to provide for their children and contribute to their communities.²¹ The unemployment and reduced income of formerly incarcerated individuals has been found to have negative implications for families' housing stability,²² increase the risk of child welfare

involvement,²³ and place considerable strain on romantic relationships, often resulting in destabilized family structures.²⁴

We believe that H.B. 5531 takes an important step toward connecting incarcerated individuals with job training, apprenticeship opportunities and connections within the trades, and specifies that these options should consider the ability of an individual to make a lifetime career in the trade despite having a criminal record. **Helping formerly incarcerated individuals attain stable, profitable, fulfilling employment is a smart policy because it decreases recidivism and helps to mitigate some of the harmful economic and psychological impacts that incarceration can have on children and families.**

Opposition to S.B. 486: An Act Concerning Notification to Boards of Education of the Release of a Juvenile Sexual Offender and a Model Policy Concerning the Reentry of Such Juveniles into the School System

We oppose S.B. 486 for three reasons. **First, the bill is duplicative and therefore unnecessary. Second, the bill's roll-out timing is not congruent. Third, the bill leaves the possibility for more people to be notified of a juvenile's crime than is necessary to protect both the safety of the victim and the confidentiality of the adjudicated youth,** potentially subjecting the adjudicated youth to feelings of stigma and hopelessness.

Currently in Connecticut, the police must notify a school when an enrolled student is arrested for violating firearm laws, any felony (including all sex offenses listed within the language of S.B. 486), or a class A misdemeanor (including additional sex offenses). Police already are required to report the felonies listed within this bill to superintendents at the time of arrest.²⁵

Additionally, as drafted, this bill requires that the Commissioner of Education and the Court Support Services Division of the Judicial Department create an implementation plan to ensure that returning youth convicted of sex offenses receive an appropriate education, that the safety of victims of the crimes for which these youths were adjudicated are protected, and that the confidentiality of the adjudicated youths is secure. This plan is to be finished by January 1, 2019. However, the bill specifies that beginning October 1, 2018—3 months prior to when the Commissioner and the Judicial Department roll out their plan—the Judicial Department is to begin notifying superintendents. This could lead to superintendents receiving confidential information about adjudicated youth with no guidelines as to how to use the information and who else may (or may not) receive the information.

Finally, without a concrete plan for the legislature to vote on, it remains possible that the plan put forth in January 2019 would not satisfactorily protect the adjudicated youths' confidentiality. Protecting confidentiality is critical for promoting the future success of youth who have undergone rehabilitative services. Connecticut has spent years moving toward a juvenile justice system within which treatment is therapeutic in nature and allows youth to receive the behavioral, educational, and family services they need to strive for a positive future. Additionally, if youth keep a clean record for at least three years after being discharged from court supervision, the court may grant them pardon. The period immediately following discharge is a vital time in young people's lives to further their educations, establish careers, and engage in the other activities that help them become productive, contributing, tax-paying members of society.

There is ample evidence suggesting that having a criminal record is a barrier to gaining employment, finishing education, and establishing social relationships once a young person re-enters his or her

community.²⁶ These consequences negatively impact both youth and their communities in myriad ways, but most worrisome is that these barriers increase the risk that these persons will recidivate.²⁷ One of the reasons why youth are so negatively impacted when they have a criminal record is that they experience increased stigma, and this decreases feelings of hope about the future and trust that if they stay on a good path they can achieve success in life.²⁸ These findings suggest that considering the confidentiality of youthful sexual offenders may also promote future public safety.

Sex offenses are deeply complicated and traumatizing to victims; there is no doubt that Connecticut's criminal policy should protect the safety and security of victims. However, stigmatizing young people who commit offenses may decrease public safety rather than increase it. Any plan concerning how confidential information of adjudicated youth is dispersed should be heard and voted on in its entirety before being enacted. Therefore, we oppose this bill because of its duplicative nature, the mismatched timeline, and lack of a full, transparent plan specifying both who should and should not be privy to information about adjudicated youth and how information may and may not be used so as to decrease risk of stigmatization in school.

Thank you for the opportunity to submit testimony in support of S.B. 13, in support of H.B. 5531, and in opposition to S.B. 486. We can be reached with any questions at lruth@ctvoices.org and ksiegel@ctvoices.org or at 203-498-4240.

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² Connecticut Department of Correctional Facilities. (2018) Monthly Statistics. Retrieved from: <http://www.portal.ct.gov/DOC/Report/Monthly-Statistics>

³ Pew Charitable Trust. (2010) "Collateral Costs: Incarceration's Effect on Economic Mobility." Retrieved from: http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/collateralcosts1pdf.pdf

⁴ Bureau of Justice Statistics. (2018) "Bulletin: January 2018." Retrieved from: <https://www.bjs.gov/content/pub/pdf/p16.pdf>

⁵ Thomas, J. R. (2018). "Special Report: Dwindling Oversight Heightens Concern Over Medical, Mental Health Care for Inmates." *Connecticut Mirror*. Retrieved from: <https://ctmirror.org/2018/03/06/trashed-2/>

⁶ Sufrin, C., Kolbi-Molinas, A. & Roth, R. (2015) "Reproductive Justice, Health Disparities, and Incarcerated Women in the United States." *Perspectives on Sexual and Reproductive Health*. <https://doi.org/10.1363/47e3115>

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¹⁰ Sufrin, C., Kolbi-Molinas, A. and Roth, R. (2015) "Reproductive Justice, Health Disparities, and Incarcerated Women in the United States." *Perspectives on Sexual and Reproductive Health*. <https://doi.org/10.1363/47e3115>

¹¹ Thomas, J. R. (2018). "Special Report: Dwindling Oversight Heightens Concern Over Medical, Mental Health Care for Inmates." *Connecticut Mirror*. Retrieved from: <https://ctmirror.org/2018/03/06/trashed-2/>

¹² American Academy of Pediatrics. "Bright Futures Recommendations for Periodic Preventative Health Care." Retrieved from: https://www.aap.org/en-us/Documents/periodicity_schedule.pdf.

¹³ Victora, C., Bahi, R. Franca, G. et al. (2016). "Breastfeeding in the 21st Century: Epidemiology, Mechanisms, and Lifelong Effect." *Lancet*. 387:475-90.

¹⁴ Connecticut Department of Corrections. () "York Compendium." Available at: <http://www.portal.ct.gov/DOC/Facility/York-CI>

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