



General Assembly

February Session, 2000

Amendment

LCO No. 4236

Offered by:

REP. TULISANO, 29th Dist.

SEN. FONFARA, 1st Dist.

REP. MCCLUSKEY, 20th Dist.

To: Subst. Senate Bill No. 475

File No. 172

Cal. No. 504

"An Act Concerning Escape From Custody."

1 After line 88, add the following:

2 "Sec. 4. (NEW) (a) No admission, confession or statement, written or
3 oral, made by a person who has attained the age of sixteen years but
4 has not attained the age of eighteen years during a custodial
5 interrogation of such person by a law enforcement officer shall be
6 admissible in evidence against such person in a criminal proceeding
7 unless such admission, confession or statement was made by such
8 person in the presence of such person's parent, guardian or legal
9 representative or another adult not affiliated with a law enforcement
10 agency or the Division of Criminal Justice designated by such person
11 and after such person and such parent, guardian, legal representative
12 or other adult have been advised (1) that such person has the right to
13 refuse to make any statements, (2) that any statements such person
14 makes may be introduced into evidence against such person, and (3)
15 that such person has the right to have counsel present and, if such

16 person is indigent, to have counsel appointed to represent such person.

17 (b) Notwithstanding the provisions of subsection (a) of this section,
18 a law enforcement officer may interrogate such person if (1) the officer
19 has made reasonable efforts to contact such person's parent, guardian
20 or legal representative or another adult not affiliated with a law
21 enforcement agency or the Division of Criminal Justice designated by
22 such person, (2) the officer has been unable to contact such parent,
23 guardian, legal representative or other adult, and (3) the officer seeks
24 to question such person concerning the commission of a crime,
25 evidence of which will disappear if prompt action is not taken by law
26 enforcement officers."