



General Assembly

Amendment

February Session, 2000

LCO No. 4149

Offered by:

REP. FARR, 19th Dist.

REP. GREEN, 1st 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. Subsection (b) of section 54-56e of the general statutes, as
3 amended by section 3 of public act 99-148, is repealed and the
4 following is substituted in lieu thereof:

5 (b) The court may, in its discretion, invoke such program on motion
6 of the defendant or on motion of a state's attorney or prosecuting
7 attorney with respect to a defendant (1) who, the court believes, will
8 probably not offend in the future, (2) who has no previous record of
9 conviction of a crime or of a violation of section 14-196, subsection (c)
10 of section 14-215, section 14-222a, subsection (a) of section 14-224 or
11 section 14-227a, (3) who has not [previously] been adjudged a youthful
12 offender [on or after October 1, 1995.] within the preceding five years
13 under the provisions of sections 54-76b to 54-76n, inclusive, and (4)
14 who states under oath, in open court or before any person designated
15 by the clerk and duly authorized to administer oaths, under the
16 penalties of perjury that the defendant has never had such program

17 invoked in the defendant's behalf, provided the defendant shall agree
18 thereto and provided notice has been given by the defendant, on a
19 form approved by rule of court, to the victim or victims of such crime
20 or motor vehicle violation, if any, by registered or certified mail and
21 such victim or victims have an opportunity to be heard thereon. In
22 determining whether to grant an application under this section with
23 respect to a person who has been adjudged a youthful offender under
24 the provisions of sections 54-76b to 54-76n, inclusive, more than five
25 years prior to the date of such application, and notwithstanding the
26 provisions of section 54-76l, the court shall have access to the youthful
27 offender records of such person and may consider the nature and
28 circumstances of the crime with which such person was charged as a
29 youth. Any defendant who makes application for participation in such
30 program shall pay to the court an application fee of thirty-five dollars."