



General Assembly

February Session, 2000

Amendment

LCO No. 4842

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 concerning
6 the commission of a class A, B or C felony shall be admissible in
7 evidence against such person in a criminal proceeding unless such
8 admission, confession or statement was made by such person in the
9 presence of such person's parent, guardian or legal representative or
10 another adult not affiliated with a law enforcement agency or the
11 Division of Criminal Justice designated by such person and after such
12 person and such parent, guardian, legal representative or other adult
13 have been advised (1) that such person has the right to refuse to make
14 any statements, (2) that any statements such person makes may be
15 introduced into evidence against such person, and (3) that such person

16 has the right to have counsel present and, if such person is indigent, to
17 have counsel appointed to represent such person.

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