



General Assembly

February Session, 2000

**Amendment**

LCO No. 5059

Offered by:

REP. TULISANO, 29<sup>th</sup> Dist.

SEN. FONFARA, 1<sup>st</sup> Dist.

REP. MCCLUSKEY, 20<sup>th</sup> Dist.

To: Subst. House Bill No. 5133

File No. 23

Cal. No. 85

***"An Act Concerning Representation Of Children And  
Parents In Juvenile Proceedings."***

1 Strike out everything after the enacting clause and substitute the  
2 following in lieu thereof:

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

16 against such person, and (3) that such person has the right to have  
17 counsel present and, if such person is indigent, to have counsel  
18 appointed to represent such person.

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