



General Assembly

January Session, 2003

Committee Bill No. 5725

LCO No. 4185

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

AN ACT CONCERNING YOUTH IN CRISIS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-149b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Any police officer or any official of a municipal or community
4 agency, who in the course of his employment under subsection (d) of
5 section 17a-15 or section 46b-120, 46b-121, 46b-149, 46b-149a, 46b-150f,
6 as amended by this act, or 46b-150g, as amended by this act, provides
7 assistance to a child or a family in need thereof, shall not be liable to
8 such child or such family for civil damages for any personal injuries
9 which result from the voluntary termination of service by the child or
10 the family.

11 (b) Each municipal police department and the Division of State
12 Police within the Department of Public Safety shall implement a
13 uniform protocol for providing intervention and assistance in matters
14 involving children thirteen years of age or older who are in families
15 with service needs. Such uniform protocol shall be developed by the
16 Police Officer Standards and Training Council established under

17 section 7-249b.

18 Sec. 2. Section 46b-150f of the general statutes is repealed and the
19 following is substituted in lieu thereof (*Effective October 1, 2003*):

20 (a) Any selectman, town manager, police officer or welfare
21 department of any town, city or borough, probation officer,
22 superintendent of schools, any child-caring institution or agency
23 approved or licensed by the Commissioner of Children and Families,
24 any youth service bureau, a parent or foster parent of a youth, or a
25 youth or the attorney or other representative of such youth, who
26 believes that the acts or omissions of a youth are such that such youth
27 is a youth in crisis may file a written complaint setting forth those facts
28 with the Superior Court which has venue over that matter.

29 (b) A petition alleging that a youth is a youth in crisis shall be
30 verified and filed with the Superior Court which has venue over the
31 matter. The petition shall set forth plainly: (1) The facts which bring
32 the youth within the jurisdiction of the court; (2) the name, date of
33 birth, sex and residence of the youth; (3) the name and residence of the
34 parent or parents, guardian or other person having control of the
35 youth; and (4) a prayer for appropriate action by the court in
36 conformity with the provisions of this section.

37 (c) Upon determination that a youth is a youth in crisis in
38 accordance with policies established by the Chief Court Administrator,
39 the court may make and enforce orders, including, but not limited to,
40 orders: [(1) Prohibiting the youth in crisis from driving a motor vehicle
41 for a time determined by the court;] (1) Directing the Commissioner of
42 Motor Vehicles to suspend the motor vehicle operator's license of the
43 youth in crisis for a period of time specified in the regulations adopted
44 pursuant to section 4 of this act; (2) requiring work or specified
45 community service; (3) mandating that the youth in crisis attend an
46 educational program in the local community approved by the court;
47 [and] (4) requiring mental health services; (5) placing the youth in
48 crisis on probation; (6) prohibiting the youth in crisis from eligibility as

49 a youthful offender pursuant to sections 54-76b to 54-76o, inclusive; (7)
50 prohibiting the youth in crisis from eligibility for accelerated pretrial
51 rehabilitation pursuant to section 54-56e; and (8) committing the youth
52 in crisis to a secure community group home. A youth in crisis found to
53 be in violation of any order under this section shall not be considered
54 to be delinquent and shall not be punished by the court by
55 incarceration in any state-operated detention facility or correctional
56 facility.

57 (d) Any program developed by the Court Support Services Division
58 for youth in crisis under this section shall be gender specific, as
59 necessary, and shall comprehensively address the unique needs of a
60 targeted gender group.

61 [(d)] (e) The Judicial Department may use any funds appropriated
62 for purposes of this chapter for costs incurred by the department or the
63 court pursuant to this section.

64 Sec. 3. Section 46b-150g of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective October 1, 2003*):

66 (a) Any police officer who receives a report from the parent or
67 guardian of a youth in crisis [, as defined in section 46b-120, may] shall
68 attempt to locate the youth in crisis. If the officer locates such youth in
69 crisis, such officer [may] shall report the location of the youth to the
70 parent or guardian or probate court in accordance with the provisions
71 of federal and state law after such officer determines that such report
72 does not place the youth in any physical or emotional harm. In
73 addition the police officer [may] shall respond in one of the following
74 ways: (1) Transport the youth in crisis to the home of the child's parent
75 or guardian or [any other person] a suitable and worthy adult; (2) refer
76 the youth in crisis to the superior court for juvenile matters in the
77 district where the youth in crisis is located; (3) hold the youth in crisis
78 in protective custody for a maximum period of twelve hours until the
79 officer can determine a more suitable disposition of the matter,
80 provided (A) the youth in crisis is not held in any cell designed or used

81 for adults, and (B) the officer [may] does not release the youth in crisis
82 [at any time without taking further action] to the parent or guardian of
83 the youth in crisis during such twelve-hour period; or (4) transport or
84 refer a youth in crisis to any public or private agency serving children,
85 with or without the agreement of the youth in crisis. If a youth in crisis
86 is transported or referred to an agency pursuant to this section, such
87 agency shall provide temporary services to the youth in crisis unless or
88 until the parent or guardian of the youth in crisis at any time refuses to
89 agree to those services. Such agency shall be immune from any
90 liability, civil or criminal, which might otherwise be incurred or
91 imposed, provided such services are provided in good faith and in a
92 nonnegligent manner.

93 (b) Any police officer acting accordance with the provisions of this
94 section shall be deemed to be acting in the course of the police officer's
95 official duties.

96 Sec. 4. (NEW) (*Effective October 1, 2003*) The Commissioner of Motor
97 Vehicles shall adopt regulations, in accordance with the provisions of
98 chapter 54 of the general statutes, setting forth the length of suspension
99 and number of points chargeable against the operator's license of a
100 youth in crisis for whom the court has ordered a license suspension
101 under subsection (c) of section 46b-150f of the general statutes, as
102 amended by this act.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>

Statement of Purpose:

To improve the law concerning youth in crisis and the manner in which noncriminal teenage behavior is addressed in this state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. MUSHINSKY, 85th Dist.; REP. HAMM, 34th Dist.
SEN. HANDLEY, 4th Dist.

H.B. 5725, 5998, 6228