



General Assembly

January Session, 2003

Committee Bill No. 6231

LCO No. 3471

Referred to Committee on Select Committee on Children

Introduced by:

(KID)

**AN ACT CONCERNING DEFIANT, REBELLIOUS AND
NONDELINQUENT TEENS BETWEEN THE AGES OF THIRTEEN AND
EIGHTEEN.**

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

1 Section 1. Section 46b-120 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 The terms used in this chapter shall, in its interpretation and in the
4 interpretation of other statutes, be defined as follows:

5 (1) "Child" means any person under [~~sixteen~~] eighteen years of age
6 and, for purposes of delinquency matters, "child" means any person
7 (A) under [~~sixteen~~] eighteen years of age, or (B) [~~sixteen~~] eighteen
8 years of age or older who, prior to attaining [~~sixteen~~] eighteen years of
9 age, has violated any federal or state law or municipal or local
10 ordinance, other than an ordinance regulating behavior of a child in a
11 family with service needs, and, subsequent to attaining [~~sixteen~~]
12 eighteen years of age, violates any order of the Superior Court or any
13 condition of probation ordered by the Superior Court with respect to
14 such delinquency proceeding;

15 (2) ["youth"] "Youth" means any person sixteen or seventeen years
16 of age;

17 (3) ["youth in crisis"] "Youth in crisis" means any youth who, within
18 the last two years, (A) has without just cause run away from the
19 parental home or other properly authorized and lawful place of abode,
20 (B) is beyond the control of parents, guardian or other custodian, or (C)
21 has four unexcused absences from school in any one month or ten
22 unexcused absences in any school year;

23 (4) ["abused"] "Abused" means that a child or youth (A) has been
24 inflicted with physical injury or injuries other than by accidental
25 means, or (B) has injuries that are at variance with the history given of
26 them, or (C) is in a condition that is the result of maltreatment such as,
27 but not limited to, malnutrition, sexual molestation or exploitation,
28 deprivation of necessities, emotional maltreatment or cruel
29 punishment;

30 (5) [a] A child may be found "mentally deficient" who, by reason of
31 a deficiency of intelligence that has existed from birth or from early
32 age, requires, or will require, for his protection or for the protection of
33 others, special care, supervision and control;

34 (6) [a] A child may be convicted as "delinquent" who has violated
35 (A) any federal or state law or municipal or local ordinance, other than
36 an ordinance regulating behavior of a child in a family with service
37 needs, (B) any order of the Superior Court, or (C) conditions of
38 probation as ordered by the court;

39 (7) [a] A child or youth may be found "dependent" whose home is a
40 suitable one for the child or youth, save for the financial inability of
41 parents, parent, guardian or other person maintaining such home, to
42 provide the specialized care the condition of the child or youth
43 requires;

44 (8) ["family with service needs"] "Family with service needs" means

45 a family that includes a child who (A) has without just cause run away
46 from the parental home or other properly authorized and lawful place
47 of abode, (B) is beyond the control of parent, parents, guardian or
48 other custodian, (C) has engaged in indecent or immoral conduct, (D)
49 is a truant or habitual truant or who, while in school, has been
50 continuously and overtly defiant of school rules and regulations, or (E)
51 is thirteen years of age or older and has engaged in sexual intercourse
52 with another person and such other person is thirteen years of age or
53 older and not more than two years older or younger than such child;

54 (9) [a] A child or youth may be found "neglected" who (A) has been
55 abandoned, or (B) is being denied proper care and attention,
56 physically, educationally, emotionally or morally, or (C) is being
57 permitted to live under conditions, circumstances or associations
58 injurious to the well-being of the child or youth, or (D) has been
59 abused;

60 (10) [a] A child or youth may be found "uncared for" who is
61 homeless or whose home cannot provide the specialized care that the
62 physical, emotional or mental condition of the child requires. For the
63 purposes of this section, the treatment of any child by an accredited
64 Christian Science practitioner in lieu of treatment by a licensed
65 practitioner of the healing arts, shall not of itself constitute neglect or
66 maltreatment;

67 (11) ["delinquent act"] "Delinquent act" means the violation of any
68 federal or state law or municipal or local ordinance, other than an
69 ordinance regulating the behavior of a child in a family with service
70 needs, or the violation of any order of the Superior Court;

71 (12) ["serious juvenile offense"] "Serious juvenile offense" means (A)
72 the violation, [by a child,] including attempt or conspiracy to violate,
73 [sections] by a child of section 21a-277, 21a-278, 29-33, 29-34, 29-35,
74 53-21, 53-80a, 53-202b [,] or 53-202c, sections 53-390 to 53-392, inclusive,
75 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, or 53a-70 to
76 53a-71, inclusive, section 53a-72b [,] or 53a-86, sections 53a-92 to

77 53a-94a, inclusive, section 53a-95, 53a-101, 53a-102a [,] or 53a-103a,
78 sections 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a)
79 of section 53a-122, subdivision (3) of subsection (a) of section 53a-123,
80 section 53a-134, 53a-135, 53a-136a, 53a-166 [,] or 53a-167c, subsection
81 (a) of section 53a-174 [,] or section 53a-196a, 53a-211, 53a-212, 53a-216
82 or 53a-217b, or (B) running away, without just cause, from any secure
83 placement other than home while referred as a delinquent child to the
84 Court Support Services Division or committed as a delinquent child to
85 the Commissioner of Children and Families for a serious juvenile
86 offense;

87 (13) ["serious juvenile offender"] "Serious juvenile offender" means
88 any child convicted as delinquent for commission of a serious juvenile
89 offense;

90 (14) ["serious juvenile repeat offender"] "Serious juvenile repeat
91 offender" means any child charged with the commission of any felony
92 if such child has previously been convicted delinquent at any age for
93 two violations of any provision of title 21a, 29, 53 or 53a that is
94 designated as a felony;

95 (15) ["alcohol-dependent child"] "Alcohol-dependent child" means
96 any child who has a psychoactive substance dependence on alcohol as
97 that condition is defined in the most recent edition of the American
98 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
99 Disorders"; and

100 (16) ["drug-dependent child"] "Drug-dependent child" means any
101 child who has a psychoactive substance dependence on drugs as that
102 condition is defined in the most recent edition of the American
103 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
104 Disorders", [. No] provided no child shall be classified as drug
105 dependent who is dependent (A) upon a morphine-type substance as
106 an incident to current medical treatment of a demonstrable physical
107 disorder other than drug dependence, or (B) upon amphetamine-type,
108 ataractic, barbiturate-type, hallucinogenic or other stimulant and

109 depressant substances as an incident to current medical treatment of a
110 demonstrable physical or psychological disorder, or both, other than
111 drug dependence.

112 Sec. 2. Subsection (a) of section 46b-121 of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective*
114 *October 1, 2003*):

115 (a) (1) Juvenile matters in the civil session include:

116 (A) Except as provided in subparagraph (B) of this subdivision, all
117 proceedings concerning uncared-for, neglected or dependent children
118 and youth within this state, termination of parental rights of children
119 committed to a state agency, matters concerning families with service
120 needs, contested matters involving termination of parental rights or
121 removal of guardian transferred from the Probate Court, the
122 emancipation of minors and youth in crisis, but does not include
123 matters of guardianship and adoption or matters affecting property
124 rights of any child, youth or youth in crisis over which the Probate
125 Court has jurisdiction, provided appeals from probate concerning
126 adoption, termination of parental rights and removal of a parent as
127 guardian shall be included; and

128 (B) All proceedings (i) concerning children thirteen years of age or
129 older who are beyond the control of their parents, guardians or other
130 custodians, and the families of such children, and (ii) not involving a
131 commitment to the Department of Children and Families or a
132 termination of parental or custodial rights. All proceedings under this
133 subparagraph shall be heard in a docket separate from other juvenile
134 matters in the civil session.

135 (2) Juvenile matters in the criminal session include all proceedings
136 concerning delinquent children in the state and persons [sixteen]
137 eighteen years of age and older who are under the supervision of a
138 juvenile probation officer while on probation or a suspended
139 commitment to the Department of Children and Families, for purposes

140 of enforcing any court orders entered as part of such probation or
141 suspended commitment.

142 Sec. 3. Section 46b-121b of the general statutes is repealed and the
143 following is substituted in lieu thereof (*Effective October 1, 2003*):

144 (a) The Division of Criminal Justice shall have charge of all
145 proceedings concerning juvenile matters in the criminal session of the
146 Superior Court and all proceedings concerning families with service
147 needs in the civil session of the Superior Court, but not including any
148 proceedings under subparagraph (B) of subdivision (1) of subsection
149 (a) of section 46b-121, as amended by this act.

150 (b) The Attorney General shall have charge of all proceedings
151 concerning juvenile matters in the civil session of the Superior Court,
152 except as provided in subsection (a) of this section.

153 Sec. 4. Section 46b-121i of the general statutes is repealed and the
154 following is substituted in lieu thereof (*Effective October 1, 2003*):

155 (a) The Judicial Department shall:

156 (1) Coordinate programs and services of the juvenile justice system
157 with other state and municipal agencies, boards and commissions;

158 (2) Develop and use intake and assessment procedures for the
159 evaluation of juveniles;

160 (3) Provide case management for juveniles;

161 (4) Provide pretrial diversion and postconviction programs;

162 (5) Coordinate community-based services for juveniles and their
163 families which promote appropriate reintegration of the juvenile with
164 his family, school and community; and

165 (6) Provide other programs and services necessary to the juvenile
166 justice system.

167 (b) In developing its programs, the Judicial Department shall:

168 (1) Develop risk and assessment instruments for use in determining
169 the need for detention or other placement at the time a juvenile enters
170 the system;

171 (2) Develop a case classification process to include the establishment
172 of classification program levels and case management standards for
173 each program level. A program level is based on the needs of the
174 juvenile, his potential to be dangerous and his risk of offending
175 further;

176 (3) Develop a purchase-of-care system, which will facilitate the
177 development of a state-wide community-based continuum of care,
178 with the involvement of the private sector and the local public sector.
179 Care services may be purchased from private providers to provide a
180 wider diversity of services. This system shall include accessing Title
181 IV-E funds of the federal Social Security Act, as amended, new
182 Medicaid funds and other funding sources to support eligible
183 community-based services. Such services developed and purchased
184 shall include, but not be limited to, evaluation services which shall be
185 available on a geographically accessible basis across the state.

186 (c) The Judicial Department shall, within available appropriations,
187 prepare and make available to the public a pamphlet describing the
188 rights of parents and children and the power of the court with respect
189 to children thirteen years of age or older who are beyond the control of
190 their parents, guardians or other custodians.

191 (d) The Judicial Department shall establish a protocol for matters
192 before the court involving children thirteen years of age or older who
193 are beyond the control of their parents, guardians or other custodians.
194 Such protocol shall include, but not be limited to: (1) Mandatory
195 referral for substance abuse assessment, if warranted; (2) referral to the
196 appropriate school district for a planning and placement team meeting,
197 if warranted; and (3) referral for psychological evaluation of the child

198 and the parent or parents, with the interaction of both child and
199 parent, and, if feasible, family therapy with the agreement of the child
200 and the parent or parents.

201 Sec. 5. Section 46b-123 of the general statutes is repealed and the
202 following is substituted in lieu thereof (*Effective October 1, 2003*):

203 (a) The judges of the Superior Court, or in the discretion of the Chief
204 Court Administrator, a committee of said judges designated by the
205 Chief Court Administrator, shall appoint such probation officers,
206 probation aides, clerks, detention personnel, clerical assistants and
207 other personnel, including supervisory staff, as they deem necessary
208 for the treatment and handling of juvenile matters within the venue
209 districts established under section 46b-142. The Chief Court
210 Administrator may assign, reassign and modify the assignments of
211 such personnel and assign such duties within the Superior Court as he
212 deems necessary for the efficient operation of the courts. Any person
213 serving in any such capacity in the Juvenile Court on July 1, 1978, shall
214 continue to serve in the Superior Court at the compensation he was
215 receiving in the Juvenile Court under the compensation plan
216 established pursuant to section 51-12, for the remainder of any term to
217 which he was appointed. In no event shall the compensation of any
218 such person be affected solely as a result of the transfer of jurisdiction
219 in section 51-164s. Any of such appointees may be discharged by the
220 appointing authority for cause and after hearing. The salaries of each
221 of such officials shall be fixed by the judges, subject to the provisions
222 of section 51-12.

223 (b) The Chief Court Administrator shall assign, in each of five
224 districts established under section 46b-142 that have the highest
225 number of families with service needs and youth in crisis but
226 excluding the number of truants and habitual truants, a probation
227 officer who shall be trained and specialize in matters involving
228 children thirteen years of age or older who are beyond the control of
229 their parents, guardians or other custodians.

230 (c) All judges and personnel appointed for the treatment and
231 handling of juvenile matters within the venue districts established
232 under section 46b-142 shall receive not less than twenty hours of
233 training per year in handling matters involving children thirteen years
234 of age or older who are beyond the control of their parents, guardians
235 or other custodians.

236 Sec. 6. Subsection (c) of section 46b-127 of the general statutes is
237 repealed and the following is substituted in lieu thereof (*Effective*
238 *October 1, 2003*):

239 (c) Upon the effectuation of the transfer, such child shall stand trial
240 and be sentenced, if convicted, as if he were [sixteen] eighteen years of
241 age. Such child shall receive credit against any sentence imposed for
242 time served in a juvenile facility prior to the effectuation of the
243 transfer. A child who has been transferred may enter a guilty plea to a
244 lesser offense if the court finds that such plea is made knowingly and
245 voluntarily. Any child transferred to the regular criminal docket who
246 pleads guilty to a lesser offense shall not resume his status as a juvenile
247 regarding said offense. If the action is dismissed or nolleed or if such
248 child is found not guilty of the charge for which he was transferred or
249 of any lesser included offenses, the child shall resume his status as a
250 juvenile until he attains the age of [sixteen] eighteen years.

251 Sec. 7. Subsection (f) of section 46b-133c of the general statutes is
252 repealed and the following is substituted in lieu thereof (*Effective*
253 *October 1, 2003*):

254 (f) Whenever a proceeding has been designated a serious juvenile
255 repeat offender prosecution pursuant to subsection (b) of this section
256 and the child does not waive his right to a trial by jury, the court shall
257 transfer the case from the docket for juvenile matters to the regular
258 criminal docket of the Superior Court. Upon transfer, such child shall
259 stand trial and be sentenced, if convicted, as if he were [sixteen]
260 eighteen years of age, except that no such child shall be placed in a
261 correctional facility but shall be maintained in a facility for children

262 and youth until he attains [sixteen] eighteen years of age or until he is
263 sentenced, whichever occurs first. Such child shall receive credit
264 against any sentence imposed for time served in a juvenile facility
265 prior to the effectuation of the transfer. A child who has been
266 transferred may enter a guilty plea to a lesser offense if the court finds
267 that such plea is made knowingly and voluntarily. Any child
268 transferred to the regular criminal docket who pleads guilty to a lesser
269 offense shall not resume his status as a juvenile regarding said offense.
270 If the action is dismissed or nolleed or if such child is found not guilty
271 of the charge for which he was transferred, the child shall resume his
272 status as a juvenile until he attains [sixteen] eighteen years of age.

273 Sec. 8. Subsection (f) of section 46b-133d of the general statutes is
274 repealed and the following is substituted in lieu thereof (*Effective*
275 *October 1, 2003*):

276 (f) When a proceeding has been designated a serious sexual
277 offender prosecution pursuant to subsection (c) of this section and the
278 child does not waive the right to a trial by jury, the court shall transfer
279 the case from the docket for juvenile matters to the regular criminal
280 docket of the Superior Court. Upon transfer, such child shall stand trial
281 and be sentenced, if convicted, as if such child were [sixteen] eighteen
282 years of age, except that no such child shall be placed in a correctional
283 facility but shall be maintained in a facility for children and youth until
284 such child attains [sixteen] eighteen years of age or until such child is
285 sentenced, whichever occurs first. Such child shall receive credit
286 against any sentence imposed for time served in a juvenile facility
287 prior to the effectuation of the transfer. A child who has been
288 transferred may enter a guilty plea to a lesser offense if the court finds
289 that such plea is made knowingly and voluntarily. Any child
290 transferred to the regular criminal docket who pleads guilty to a lesser
291 offense shall not resume such child's status as a juvenile regarding
292 such offense. If the action is dismissed or nolleed or if such child is
293 found not guilty of the charge for which such child was transferred,
294 the child shall resume such child's status as a juvenile until such child

295 attains [sixteen] eighteen years of age.

296 Sec. 9. Section 46b-146 of the general statutes is repealed and the
297 following is substituted in lieu thereof (*Effective October 1, 2003*):

298 Whenever any child has been found delinquent or a member of a
299 family with service needs, and has subsequently been discharged from
300 the supervision of the Superior Court or from the custody of the
301 Department of Children and Families or from the care of any other
302 institution or agency to whom he has been committed by the court,
303 such child, his parent or guardian, may file a petition with the Superior
304 Court and, if such court finds that at least two years or, in the case of a
305 child convicted as delinquent for the commission of a serious juvenile
306 offense, four years have elapsed from the date of such discharge, that
307 no subsequent juvenile proceeding has been instituted against such
308 child, that such child has not been found guilty of a crime and that
309 such child has reached [sixteen] eighteen years of age within such
310 period, it shall order all police and court records pertaining to such
311 child to be erased. Upon the entry of such an erasure order, all
312 references including arrest, complaint, referrals, petitions, reports and
313 orders, shall be removed from all agency, official and institutional files,
314 and a finding of delinquency or that the child was a member of a
315 family with service needs shall be deemed never to have occurred. The
316 persons in charge of such records shall not disclose to any person
317 information pertaining to the record so erased, except that the fact of
318 such erasure may be substantiated where, in the opinion of the court, it
319 is in the best interests of such child to do so. No child who has been the
320 subject of such an erasure order shall be deemed to have been arrested
321 ab initio, within the meaning of the general statutes, with respect to
322 proceedings so erased. Copies of the erasure order shall be sent to all
323 persons, agencies, officials or institutions known to have information
324 pertaining to the delinquency or family with service needs proceedings
325 affecting such child. Whenever a child is dismissed as not delinquent
326 or as not being a member of a family with service needs, all police and
327 court records pertaining to such charge shall be ordered erased

328 immediately, without the filing of a petition.

329 Sec. 10. Subsection (h) of section 46b-149 of the general statutes is
330 repealed and the following is substituted in lieu thereof (*Effective*
331 *October 1, 2003*):

332 (h) If the court finds, based on clear and convincing evidence, that
333 the family of a child is a family with service needs, the court may, in
334 addition to issuing any orders under section 46b-121, as amended by
335 this act: (1) [~~refer~~] Refer the child to the Department of Children and
336 Families for any voluntary services provided by said department or, if
337 the family is a family with service needs solely as a result of a finding
338 that a child is a truant or habitual truant, to the authorities of the local
339 or regional school district or private school for services provided by
340 such school district or such school, which services may include
341 summer school, or to community agencies providing child and family
342 services; (2) commit [~~that~~] the child to the care and custody of the
343 Commissioner of Children and Families for an indefinite period not to
344 exceed eighteen months; (3) order the child to remain in his own home
345 or in the custody of a relative or any other suitable person (A) subject
346 to the supervision of a probation officer, or (B) in the case of a family
347 which is a family with service needs solely as a result of a finding that
348 a child is a truant or habitual truant, subject to the supervision of a
349 probation officer and the authorities of the local or regional school
350 district or private school; or (4) if the family is a family with service
351 needs as a result of the child engaging in sexual intercourse with
352 another person and such other person is thirteen years of age or older
353 and not more than two years older or younger than such child, (A)
354 refer the child to a youth service bureau or other appropriate service
355 agency for participation in a program such as a teen pregnancy
356 program or a sexually transmitted disease program, and (B) require
357 such child to perform community service such as service in a hospital,
358 an AIDS prevention program or an obstetrical and gynecological
359 program. If the court issues any order which regulates future conduct
360 of the child, parent or guardian, the child, parent or guardian [,] shall

361 receive adequate and fair warning of the consequences of violation of
362 the order at the time it is issued, and such warning shall be provided to
363 the child, parent or guardian, to his attorney and to his legal guardian
364 in writing and shall be reflected in the court record and proceedings. A
365 child found to be in violation of any order under this section shall not
366 be considered to be delinquent and shall not be punished by the court
367 by incarceration in any state-operated detention facility or correctional
368 facility.

369 Sec. 11. Section 46b-149 of the general statutes is amended by
370 adding subsection (j) as follows (*Effective October 1, 2003*):

371 (NEW) (j) Any program developed by the Court Support Services
372 Division for families with service needs or children of such families
373 under this section shall be gender specific, as necessary, and shall
374 comprehensively address the unique needs of a targeted gender group.

375 Sec. 12. Section 46b-149b of the general statutes is repealed and the
376 following is substituted in lieu thereof (*Effective October 1, 2003*):

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

384 (b) Each municipal police department and the Division of State
385 Police within the Department of Public Safety shall implement a
386 uniform protocol for providing intervention and assistance in matters
387 involving children thirteen years of age or older who are beyond the
388 control of their parents, guardians or other custodians. Such uniform
389 protocol shall be developed by the Police Officer Standards and
390 Training Council.

391 Sec. 13. Section 46b-149c of the general statutes is repealed and the
392 following is substituted in lieu thereof (*Effective October 1, 2003*):

393 (a) With respect to truancy and other family with service needs
394 cases, the judicial branch shall:

395 (1) Coordinate programs and services with other state agencies;

396 (2) Establish protocols in cooperation with the Office of Policy and
397 Management, the Department of Children and Families and the
398 Department of Education for referral to community-based intervention
399 programs prior to referral of a case to the superior court for juvenile
400 matters;

401 (3) Develop and use procedures to evaluate the risk and service
402 needs of children whose cases have been referred to the superior court
403 for juvenile matters; and

404 (4) Collaborate with community-based programs.

405 (b) The Chief Court Administrator, in cooperation with the
406 Department of Education, shall encourage the adoption and
407 implementation by each local and regional board of education of a
408 uniform policy under subsection (b) of section 10-198a concerning the
409 filing of complaints with the Superior Court pursuant to section 46b-
410 149.

411 Sec. 14. Section 46b-150f of the general statutes is repealed and the
412 following is substituted in lieu thereof (*Effective October 1, 2003*):

413 (a) Any selectman, town manager, police officer or welfare
414 department of any town, city or borough, probation officer,
415 superintendent of schools, any child-caring institution or agency
416 approved or licensed by the Commissioner of Children and Families,
417 any youth service bureau, a parent or foster parent of a youth, or a
418 youth or the representative or attorney of such youth, who believes
419 that the acts or omissions of a youth are such that such youth is a

420 youth in crisis may file a written complaint setting forth those facts
421 with the Superior Court which has venue over that matter.

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

430 (c) Upon determination that a youth is a youth in crisis in
431 accordance with policies established by the Chief Court Administrator,
432 the court may make and enforce orders, including, but not limited to,
433 orders: (1) Prohibiting the youth in crisis from driving a motor vehicle
434 for a time determined by the court; (2) requiring work or specified
435 community service; (3) mandating that the youth in crisis attend an
436 educational program in the local community approved by the court;
437 and (4) requiring mental health services. A youth in crisis found to be
438 in violation of any order under this section shall not be considered to
439 be delinquent and shall not be punished by the court by incarceration
440 in any state-operated detention facility or correctional facility.

441 (d) The Judicial Department may use any funds appropriated for
442 purposes of this chapter for costs incurred by the department or the
443 court pursuant to this section.

444 (e) Any program developed by the Court Support Services Division
445 for youth in crisis under this section shall be gender specific, as
446 necessary, and shall comprehensively address the unique needs of a
447 targeted gender group.

448 Sec. 15. Section 46b-150g of the general statutes is repealed and the
449 following is substituted in lieu thereof (*Effective October 1, 2003*):

450 (a) Any police officer who receives a report from the parent or
451 guardian of a youth in crisis [, as defined in section 46b-120, may] shall
452 attempt to locate the youth in crisis. If the officer locates such youth in
453 crisis, such officer [may] shall report the location of the youth to the
454 parent or guardian in accordance with the provisions of federal and
455 state law after such officer determines that such report does not place
456 the youth in any physical or emotional harm. In addition the police
457 officer [may] shall respond in one of the following ways: (1) Transport
458 the youth in crisis to the home of the child's parent or guardian or any
459 other person; (2) refer the youth in crisis to the superior court for
460 juvenile matters in the district where the youth in crisis is located; (3)
461 hold the youth in crisis in protective custody for a maximum period of
462 twelve hours until the officer can determine a more suitable
463 disposition of the matter, provided (A) the youth in crisis is not held in
464 any cell designed or used for adults, and (B) the officer [may] shall not
465 release the youth in crisis [at any time without taking further action] to
466 the parent or guardian of the youth in crisis during such twelve-hour
467 period; or (4) transport or refer a youth in crisis to any public or
468 private agency serving children, with or without the agreement of the
469 youth in crisis. If a youth in crisis is transported or referred to an
470 agency pursuant to this section, such agency shall provide temporary
471 services to the youth in crisis unless or until the parent or guardian of
472 the youth in crisis at any time refuses to agree to those services. Such
473 agency shall be immune from any liability, civil or criminal, which
474 might otherwise be incurred or imposed, provided such services are
475 provided in good faith and in a nonnegligent manner.

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

479 Sec. 16. (*Effective October 1, 2003*) Section 46b-148 of the general
480 statutes is repealed.

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>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>October 1, 2003</i>
Sec. 16	<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. HAMM, 34th Dist.