



General Assembly

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Amendment

LCO No. 7616

HB0656707616HD0

Offered by:

REP. MUSHINSKY, 85th Dist.
REP. TYMNIAK, 133rd Dist.
REP. THOMPSON, 13th Dist.
REP. HAMM, 34th Dist.
SEN. COOK, 18th Dist.
REP. ZALASKI, 81st Dist.
REP. NOUJAIM, 74th Dist.
REP. MCMAHON, 15th Dist.
REP. TERCYAK, 26th Dist.
REP. TRUGLIA, 145th Dist.

REP. GREEN, 1st Dist.
REP. WILLIS, 64th Dist.
REP. SHERER, 147th Dist.
REP. SAWYER, 55th Dist.
REP. POWERS, 151st Dist.
REP. STONE, 134th Dist.
REP. WINKLER, 41st Dist.
REP. HOVEY, 112th Dist.
REP. RUWET, 65th Dist.

To: Subst. House Bill No. 6567

File No. 621

Cal. No. 425

"AN ACT CONCERNING THE AGE OF A CHILD FOR PURPOSES OF JURISDICTION IN JUVENILE MATTERS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 46b-150g of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 (a) Any police officer who receives a report from the parent or
6 guardian of a youth in crisis, as defined in subparagraph (A) of
7 subdivision (3) of section 46b-120, [may] shall attempt to locate the

8 youth in crisis. If the officer locates such youth in crisis, such officer
9 [may] shall report the location of the youth to the parent or guardian in
10 accordance with the provisions of federal and state law after such
11 officer determines that such report does not place the youth in any
12 physical or emotional harm. In addition, the police officer [may] shall
13 respond in one of the following ways: (1) Transport the youth in crisis
14 to the home of the child's parent or guardian or [any other person] a
15 suitable and worthy adult; (2) refer the youth in crisis to the [superior
16 court for juvenile matters] probate court in the district where the youth
17 in crisis is located, provided the probate judge for such probate court is
18 willing to accept the referral; (3) hold the youth in crisis in protective
19 custody for a maximum period of twelve hours until the officer can
20 determine a more suitable disposition of the matter, provided (A) the
21 youth in crisis is not held in any cell designed or used for adults, and
22 (B) the officer may release the youth in crisis [at any time without
23 taking further action; or] to the parent or guardian of the youth if the
24 officer determines that returning the youth does not place the youth in
25 any physical or emotional harm; (4) transport or refer a youth in crisis
26 to any public or private agency serving children, with or without the
27 agreement of the youth in crisis; (5) refer the youth in crisis to a youth
28 service bureau, provided one exists in the local community; or (6) if the
29 police officer is unable to transport, refer or hold the youth in crisis
30 pursuant to subdivisions (1) to (5), inclusive, of this subsection, refer
31 the youth in crisis to the superior court for juvenile matters in the
32 district where the youth in crisis is located. If a youth in crisis is
33 transported or referred to an agency pursuant to this section, such
34 agency shall provide temporary services to the youth in crisis unless or
35 until the parent or guardian of the youth in crisis at any time refuses to
36 agree to those services.

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

40 Sec. 502. Section 46b-149b of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2003*):

42 (a) Any police officer or any official of a municipal or community
43 agency, who in the course of [his] such police officer's or official's
44 employment under subsection (d) of section 17a-15 or section 46b-120,
45 46b-121, 46b-149, 46b-149a, 46b-150f, as amended by this act, or 46b-
46 150g, as amended by this act, provides assistance to a child or a family
47 in need thereof, shall not be liable to such child or such family for civil
48 damages for any personal injuries which result from the voluntary
49 termination of service by the child or the family.

50 (b) Each municipal police department and the Division of State
51 Police within the Department of Public Safety shall implement a
52 uniform protocol for providing intervention and assistance in matters
53 involving youths in crisis. Such uniform protocol shall be developed
54 by the Police Officer Standards and Training Council established
55 under section 7-294b.

56 Sec. 503. Section 46b-150f of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective October 1, 2003*):

58 (a) Any selectman, town manager, police officer or welfare
59 department of any town, city or borough, any probation officer, any
60 superintendent of schools, any child-caring institution or agency
61 approved or licensed by the Commissioner of Children and Families,
62 any youth service bureau, a parent or foster parent of a youth, or a
63 representative of youth, who believes that the acts or omissions of a
64 youth are such that such youth is a youth in crisis may file a written
65 complaint setting forth those facts with the Superior Court which has
66 venue over [that] the matter.

67 (b) A petition alleging that a youth is a youth in crisis shall be
68 verified and filed with the Superior Court which has venue over the
69 matter. The petition shall set forth plainly: (1) The facts which bring
70 the youth within the jurisdiction of the court; (2) the name, date of
71 birth, sex and residence of the youth; (3) the name and residence of the
72 parent or parents, guardian or other person having control of the
73 youth; and (4) a prayer for appropriate action by the court in

74 conformity with the provisions of this section.

75 (c) Upon determination that a youth is a youth in crisis in
76 accordance with policies established by the Chief Court Administrator,
77 the court may make and enforce orders, including, but not limited to,
78 orders: [(1) Prohibiting the youth in crisis from driving a motor vehicle
79 for a time determined by the court;] (1) Directing the Commissioner of
80 Motor Vehicles to suspend the motor vehicle operator's license of the
81 youth in crisis for a period of time, as directed by the court, but not to
82 exceed one year; (2) requiring work or specified community service; (3)
83 mandating that the youth in crisis attend an educational program in
84 the local community approved by the court; [and] (4) requiring mental
85 health services; (5) referring the youth in crisis to a youth service
86 bureau, provided one exists in the local community; and (6) reviewing
87 the option of emancipation, pursuant to section 46b-150, of the youth
88 in crisis or the parent or guardian of such youth in crisis. A youth in
89 crisis found to be in violation of any order under this section shall not
90 be considered to be delinquent and shall not be punished by the court
91 by incarceration in any state-operated detention facility or correctional
92 facility.

93 (d) The Judicial Department may use any funds appropriated for
94 purposes of this chapter for costs incurred by the department or the
95 court pursuant to this section."