



General Assembly

January Session, 2003

Amendment

LCO No. 7125

HB0656707125HD0

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 Section 46b-150g of the general statutes is repealed and the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 section 46b-120, may] shall
7 attempt to locate the youth in crisis. If the officer locates such youth in

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

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

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 Section 46b-149b of the general statutes is repealed and the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

39 (a) Any police officer or any official of a municipal or community
40 agency, who in the course of [his] such police officer's or official's

41 employment under subsection (d) of section 17a-15 or section 46b-120,
42 46b-121, 46b-149, 46b-149a, 46b-150f, as amended by this act, or 46b-
43 150g, as amended by this act, provides assistance to a child or a family
44 in need thereof, shall not be liable to such child or such family for civil
45 damages for any personal injuries which result from the voluntary
46 termination of service by the child or the family.

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

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

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

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

72 (c) Upon determination that a youth is a youth in crisis in

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

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