



General Assembly

February Session, 2004

**Raised Bill No. 309**

LCO No. 1411

\*01411\_\_\_\_\_KID\*

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

**AN ACT CONCERNING RECORDS OF YOUTHFUL OFFENDERS.**

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

1 Section 1. Section 54-761 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) The records of any youth adjudged a youthful offender,  
4 including fingerprints, photographs and physical descriptions, shall be  
5 confidential and shall not be open to public inspection or be disclosed  
6 except as provided in this section, but such fingerprints, photographs  
7 and physical descriptions submitted to the State Police Bureau of  
8 Identification of the Division of State Police within the Department of  
9 Public Safety at the time of the arrest of a person subsequently  
10 adjudged a youthful offender shall be retained as confidential matter  
11 in the files of the bureau and be opened to inspection only as provided  
12 in this section. Other data ordinarily received by the bureau, with  
13 regard to persons arrested for a crime, shall be forwarded to the  
14 bureau to be filed, in addition to such fingerprints, photographs and  
15 physical descriptions, and be retained in the division as confidential  
16 information, open to inspection only as provided in this section.

17 (b) The records of any youth adjudged a youthful offender on or  
18 after October 1, 1995, or any part thereof, may be disclosed to and  
19 between individuals and agencies, and employees of such agencies,  
20 providing services directly to the youth, including law enforcement  
21 officials, state and federal prosecutorial officials, school officials in  
22 accordance with section 10-233h, court officials, the Division of  
23 Criminal Justice, the Court Support Services Division, the Board of  
24 Parole, [and] the Victim Advocate or an advocate appointed pursuant  
25 to section 54-221 for a victim of a crime committed by the youth. Such  
26 records shall also be available to the attorney representing the youth,  
27 in any proceedings in which such records are relevant, to the parents  
28 or guardian of such youth, until such time as the youth reaches the age  
29 of majority or is emancipated, and to the youth upon his emancipation  
30 or attainment of the age of majority, provided proof of the identity of  
31 such youth is submitted in accordance with guidelines prescribed by  
32 the Chief Court Administrator. Such records disclosed pursuant to this  
33 subsection shall not be further disclosed.

34 (c) The records of any youth adjudged a youthful offender, or any  
35 part thereof, may be disclosed upon order of the court to any person  
36 who has a legitimate interest in the information and is identified in  
37 such order. Records or information disclosed pursuant to this  
38 subsection shall not be further disclosed.

39 (d) The records of any youth adjudged a youthful offender, or any  
40 part thereof, shall be available to the victim of the crime committed by  
41 such youth to the same extent as the record of the case of a defendant  
42 in a criminal proceeding in the regular criminal docket of the Superior  
43 Court is available to a victim of the crime committed by such  
44 defendant. The court shall designate an official from whom such  
45 victim may request such information. Information disclosed pursuant  
46 to this subsection shall not be further disclosed.

47 (e) Any reports and files held by the Court Support Services  
48 Division regarding any youth adjudged a youthful offender who

49 served a period of probation may be accessed and disclosed by  
50 employees of the division for the purpose of performing the duties  
51 contained in section 54-63b.

52 (f) Information concerning any youth adjudged a youthful offender  
53 who has escaped from an institution to which such youth has been  
54 committed or for whom an arrest warrant has been issued may be  
55 disclosed by law enforcement officials.

56 (g) The information contained in and concerning the issuance of any  
57 protective order issued in a case in which a person is found eligible to  
58 be adjudged a youthful offender shall be entered in the registry of  
59 protective orders pursuant to section 51-5c, as amended, and may be  
60 further disclosed as specified in said section.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**Statement of Purpose:**

To allow the Victim Advocate access to records of youthful offenders.

*[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.]*