



General Assembly

February Session, 2004

Amendment

LCO No. 4174

HB0567004174HDO

Offered by:
REP. GREEN, 1st Dist.

To: Subst. House Bill No. 5670 File No. 502 Cal. No. 348

"AN ACT CONCERNING COURT JURISDICTION OF YOUTHS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2004*) The Chief Court
4 Administrator shall conduct a demonstration project for a period of
5 three years in one or two court locations in which a Youthful Offender
6 Unit shall be established with jurisdiction over cases involving a youth
7 in crisis, as defined in section 46b-120 of the general statutes, or a
8 youthful offender, as defined in section 54-76b of the general statutes,
9 as amended, provided such demonstration project shall have a
10 caseload of not more than two hundred forty cases.

11 Sec. 2. (NEW) (*Effective January 1, 2005*) (a) Notwithstanding the
12 provisions of section 46b-121 of the general statutes and section 46b-
13 150f of the general statutes, as amended, for a period of three years
14 from the effective date of this section in any court location in which a
15 Youthful Offender Unit has been established pursuant to section 1 of

16 this act, a petition alleging a youth is a youth in crisis shall be filed
17 with such unit.

18 (b) Upon determination that a youth is a youth in crisis in
19 accordance with policies established by the Chief Court Administrator,
20 the Youthful Offender Unit may, with the consent of the youth and the
21 parents or guardian of such youth after consultation with available
22 counsel, if requested, refer the youth to a service provider under
23 contract with the Court Support Services Division for the performance
24 of an assessment of such youth and such youth's family to determine
25 the needs of such youth and family and the availability of community-
26 based programs and services to meet those needs. Based upon such
27 assessment, the division may offer age-appropriate, community-based
28 programs and services for such youth and such youth's family which
29 may include educational, vocational, behavioral health, mental health
30 and substance abuse prevention and treatment programs and services.
31 The youth and the parents or guardian of such youth may accept or
32 decline the offer of services. If the youth and the parents or guardian of
33 such youth, after consultation with available counsel if requested,
34 agrees to accept any such offer of services, any violation of that
35 agreement by the youth shall not constitute a delinquent act and shall
36 not be punished by detention or incarceration.

37 Sec. 3. (NEW) (*Effective January 1, 2005*) (a) Notwithstanding the
38 provisions of sections 54-76b to 54-76o, inclusive, of the general
39 statutes, as amended, for a period of three years from the effective date
40 of this section in any court location in which a Youthful Offender Unit
41 has been established pursuant to section 1 of this act, motions to be
42 adjudged a youthful offender shall be made to such unit and all
43 proceedings concerning the determination of that motion, the
44 adjudication of a youth as a youthful offender and the disposition of
45 such youth upon such adjudication shall be handled by such unit.

46 (b) The Youthful Offender Unit may refer a youth adjudicated a
47 youthful offender to the Court Support Services Division for the
48 performance of an assessment of such youth to determine the needs of

49 such youth and the availability of community-based programs and
 50 services to meet those needs. Based upon such assessment, the division
 51 shall offer age-appropriate, community-based programs and services
 52 for such youth which may include educational, vocational, mental
 53 health, behavioral health and substance abuse prevention and
 54 treatment programs and services.

55 (c) Any youth adjudicated a youthful offender who is sentenced to a
 56 period of probation shall be supervised by a youthful offender
 57 probation officer who shall have a caseload of not more than sixty
 58 youths. Any youth adjudicated a youthful offender who is sentenced
 59 to a term of imprisonment shall be placed in an age-appropriate
 60 facility.

61 Sec. 4. (NEW) (*Effective July 1, 2004*) The Chief Court Administrator
 62 shall annually evaluate the demonstration project conducted pursuant
 63 to section 1 of this act and, not later than January 1, 2006, January 1,
 64 2007, and January 1, 2008, report the results of such evaluation and any
 65 recommendations for legislation to the joint standing or select
 66 committees of the General Assembly having cognizance of matters
 67 relating to corrections and children, in accordance with the provisions
 68 of section 11-4a of the general statutes."

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>January 1, 2005</i>
Sec. 3	<i>January 1, 2005</i>
Sec. 4	<i>July 1, 2004</i>