



General Assembly

February Session, 2004

Amendment

LCO No. 4791

HB0521104791HDO

Offered by:
REP. GREEN, 1st Dist.

To: Subst. House Bill No. 5211 File No. 528 Cal. No. 366

"AN ACT CONCERNING PRISON OVERCROWDING."

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

3 "Sec. 501. (NEW) (*Effective July 1, 2004*) The Chief Court
4 Administrator shall, within available resources, conduct a
5 demonstration project for a period of three years in one or two court
6 locations in which a Youthful Offender Unit shall be established with
7 jurisdiction over cases involving a youth in crisis, as defined in section
8 46b-120 of the general statutes, or a youthful offender, as defined in
9 section 54-76b of the general statutes, as amended, provided such
10 demonstration project shall have a caseload of not more than two
11 hundred forty cases.

12 Sec. 502. (NEW) (*Effective January 1, 2005*) (a) Notwithstanding the
13 provisions of section 46b-121 of the general statutes and section 46b-
14 150f of the general statutes, as amended, for a period of three years
15 from the effective date of this section in any court location in which a

16 Youthful Offender Unit has been established pursuant to section 501 of
17 this act, a petition alleging a youth is a youth in crisis shall be filed
18 with such unit.

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

38 Sec. 503. (NEW) (*Effective January 1, 2005*) (a) Notwithstanding the
39 provisions of sections 54-76b to 54-76o, inclusive, of the general
40 statutes, as amended, for a period of three years from the effective date
41 of this section in any court location in which a Youthful Offender Unit
42 has been established pursuant to section 501 of this act, motions to be
43 adjudged a youthful offender shall be made to such unit and all
44 proceedings concerning the determination of that motion, the
45 adjudication of a youth as a youthful offender and the disposition of
46 such youth upon such adjudication shall be handled by such unit.

47 (b) The Youthful Offender Unit may refer a youth adjudicated a
48 youthful offender to the Court Support Services Division for the

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

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

62 Sec. 504. (NEW) (*Effective July 1, 2004*) The Chief Court
63 Administrator shall annually evaluate the demonstration project
64 conducted pursuant to section 501 of this act and, not later than
65 January 1, 2006, January 1, 2007, and January 1, 2008, report the results
66 of such evaluation and any recommendations for legislation to the
67 joint standing or select committees of the General Assembly having
68 cognizance of matters relating to corrections and children, in
69 accordance with the provisions of section 11-4a of the general statutes."