



General Assembly

January Session, 2007

Committee Bill No. 6285

LCO No. 6244

06244HB06285JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING THE AGE OF A CHILD WITH RESPECT TO
JUVENILE COURT JURISDICTION.**

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

1 Section 1. Section 46b-120 of the general statutes, as amended by
2 section 1 of public act 05-250, is repealed and the following is
3 substituted in lieu thereof (*Effective July 1, 2009*):

4 The terms used in this chapter shall, in its interpretation and in the
5 interpretation of other statutes, be defined as follows: (1) "Child"
6 means any person under sixteen years of age, [and,] except that for
7 purposes of delinquency matters and proceedings, "child" means any
8 person (A) under [sixteen] eighteen years of age, or (B) [sixteen]
9 eighteen years of age or older who, prior to attaining [sixteen] eighteen
10 years of age, has violated any federal or state law or municipal or local
11 ordinance, other than an ordinance regulating behavior of a child in a
12 family with service needs, and, subsequent to attaining [sixteen]
13 eighteen years of age, violates any order of the Superior Court or any
14 condition of probation ordered by the Superior Court with respect to
15 such delinquency [proceeding] proceedings; (2) "youth" means any
16 person sixteen or seventeen years of age; (3) "youth in crisis" means

17 any youth who, within the last two years, (A) has without just cause
18 run away from the parental home or other properly authorized and
19 lawful place of abode, (B) is beyond the control of the youth's parents,
20 guardian or other custodian, or (C) has four unexcused absences from
21 school in any one month or ten unexcused absences in any school year;
22 (4) "abused" means that a child or youth (A) has been inflicted with
23 physical injury or injuries other than by accidental means, or (B) has
24 injuries that are at variance with the history given of them, or (C) is in
25 a condition that is the result of maltreatment, [such as] including, but
26 not limited to, malnutrition, sexual molestation or exploitation,
27 deprivation of necessities, emotional maltreatment or cruel
28 punishment; (5) a child may be found "mentally deficient" who, by
29 reason of a deficiency of intelligence that has existed from birth or
30 from early age, requires, or will require, for [his] such child's
31 protection or for the protection of others, special care, supervision and
32 control; (6) a child may be convicted as "delinquent" who has violated
33 (A) any federal or state law or municipal or local ordinance, other than
34 an ordinance regulating behavior of a child in a family with service
35 needs, (B) any order of the Superior Court, except as provided in
36 section 46b-148, or (C) conditions of probation as ordered by the court;
37 (7) a child or youth may be found "dependent" whose home is a
38 suitable one for the child or youth, save for the financial inability of the
39 child's or youth's parents, parent or guardian, or other person
40 maintaining such home, to provide the specialized care the condition
41 of the child or youth requires; (8) "family with service needs" means a
42 family that includes a child who (A) has without just cause run away
43 from the parental home or other properly authorized and lawful place
44 of abode, (B) is beyond the control of the child's parent, parents,
45 guardian or other custodian, (C) has engaged in indecent or immoral
46 conduct, (D) is a truant or habitual truant or who, while in school, has
47 been continuously and overtly defiant of school rules and regulations,
48 or (E) is thirteen years of age or older and has engaged in sexual
49 intercourse with another person and such other person is thirteen
50 years of age or older and not more than two years older or younger

51 than such child; (9) a child or youth may be found "neglected" who (A)
52 has been abandoned, [or] (B) is being denied proper care and attention,
53 physically, educationally, emotionally or morally, [or] (C) is being
54 permitted to live under conditions, circumstances or associations
55 injurious to the well-being of the child or youth, or (D) has been
56 abused; (10) a child or youth may be found "uncared for" who is
57 homeless or whose home cannot provide the specialized care that the
58 physical, emotional or mental condition of the child or youth requires.
59 For the purposes of this section, the treatment of any child or youth by
60 an accredited Christian Science practitioner, in lieu of treatment by a
61 licensed practitioner of the healing arts, shall not of itself constitute
62 neglect or maltreatment; (11) "delinquent act" means the violation of
63 any federal or state law or municipal or local ordinance, other than an
64 ordinance regulating the behavior of a child in a family with service
65 needs, or the violation of any order of the Superior Court; (12) "serious
66 juvenile offense" means (A) the violation of, including attempt or
67 conspiracy to violate, section 21a-277, 21a-278, 29-33, 29-34, 29-35,
68 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to
69 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to 53a-71,
70 inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-101,
71 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of
72 subsection (a) of section 53a-122, subdivision (3) of subsection (a) of
73 section 53a-123, section 53a-134, 53a-135, 53a-136a, 53a-166 or 53a-167c,
74 subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212,
75 53a-216 or 53a-217b, by a child, or (B) running away, without just
76 cause, from any secure placement other than home while referred as a
77 delinquent child to the Court Support Services Division or committed
78 as a delinquent child to the Commissioner of Children and Families for
79 a serious juvenile offense; (13) "serious juvenile offender" means any
80 child convicted as delinquent for commission of a serious juvenile
81 offense; (14) "serious juvenile repeat offender" means any child
82 charged with the commission of any felony if such child has
83 previously been convicted delinquent at any age for two violations of
84 any provision of title 21a, 29, 53 or 53a that is designated as a felony;

85 (15) ["alcohol-dependent child" means any child who has] "alcohol-
86 dependent" means a psychoactive substance dependence on alcohol as
87 that condition is defined in the most recent edition of the American
88 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
89 Disorders"; and (16) ["drug-dependent child" means any child who
90 has] "drug-dependent" means a psychoactive substance dependence
91 on drugs as that condition is defined in the most recent edition of the
92 American Psychiatric Association's "Diagnostic and Statistical Manual
93 of Mental Disorders". No child shall be classified as drug dependent
94 who is dependent (A) upon a morphine-type substance as an incident
95 to current medical treatment of a demonstrable physical disorder other
96 than drug dependence, or (B) upon amphetamine-type, ataractic,
97 barbiturate-type, hallucinogenic or other stimulant and depressant
98 substances as an incident to current medical treatment of a
99 demonstrable physical or psychological disorder, or both, other than
100 drug dependence.

101 Sec. 2. Section 46b-121 of the general statutes is repealed and the
102 following is substituted in lieu thereof (*Effective July 1, 2009*):

103 (a) (1) Juvenile matters in the civil session include all proceedings
104 concerning uncared-for, neglected or dependent children and youths
105 within this state, termination of parental rights of children committed
106 to a state agency, matters concerning families with service needs,
107 contested matters involving termination of parental rights or removal
108 of guardian transferred from the Probate Court, the emancipation of
109 minors and youths in crisis, but does not include matters of
110 guardianship and adoption or matters affecting property rights of any
111 child, youth or youth in crisis over which the Probate Court has
112 jurisdiction, [provided] except that appeals from probate concerning
113 adoption, termination of parental rights and removal of a parent as
114 guardian shall be included.

115 (2) Juvenile matters in the criminal session include all proceedings
116 concerning delinquent children [in the] within this state and persons

117 [sixteen] eighteen years of age and older who are under the
118 supervision of a juvenile probation officer while on probation or a
119 suspended commitment to the Department of Children and Families,
120 for purposes of enforcing any court orders entered as part of such
121 probation or suspended commitment.

122 (b) (1) In juvenile matters, the Superior Court shall have authority to
123 make and enforce such orders directed to parents, including any
124 person who acknowledges before [said] the court paternity of a child
125 born out of wedlock, guardians, custodians or other adult persons
126 owing some legal duty to a child, youth or youth in crisis therein, as
127 [it] the court deems necessary or appropriate to secure the welfare,
128 protection, proper care and suitable support of a child, youth or youth
129 in crisis subject to [its] the court's jurisdiction or otherwise committed
130 to or in the custody of the Commissioner of Children and Families. In
131 addition, with respect to proceedings concerning delinquent children,
132 the Superior Court shall have authority to make and enforce such
133 orders as [it] the court deems necessary or appropriate to punish the
134 child, deter the child from the commission of further delinquent acts,
135 assure that the safety of any other person will not be endangered and
136 provide restitution to any victim. [Said court] The Superior Court shall
137 also have authority to grant and enforce temporary and permanent
138 injunctive relief [, temporary or permanent] in all proceedings
139 concerning juvenile matters.

140 (2) If any order for the payment of money is issued by [said court]
141 the Superior Court, including any order assessing costs issued under
142 section 46b-134 or 46b-136, the collection of such money shall be made
143 by [said] the court, except orders for support of children committed to
144 any state agency or department, which orders shall be made payable to
145 and collected by the Department of Administrative Services. [Where] If
146 the [court] Superior Court after due diligence is unable to collect such
147 moneys within six months, [it] the court shall refer such case to the
148 Department of Administrative Services for collection as a delinquent
149 account. In juvenile matters, the [court] Superior Court shall have

150 authority to make and enforce orders directed to persons liable
151 hereunder on petition of [said] the Department of Administrative
152 Services made to [said] the court in the same manner as is provided in
153 section 17b-745, in accordance with the provisions of section 17b-81 [,]
154 or 17b-223, subsection (b) of section 17b-179 [,] or section 17a-90,
155 46b-129 or 46b-130, and all of the provisions of section 17b-745 shall be
156 applicable to such proceedings. Any judge hearing a juvenile matter
157 may make any other order in connection therewith that a judge of the
158 Superior Court is authorized to grant and such order shall have the
159 same force and effect as any other order of the Superior Court. In the
160 enforcement of [its] the court's orders, in connection with any juvenile
161 matter, the court may issue process for the arrest of any person,
162 compel attendance of witnesses and punish for contempt by a fine not
163 exceeding one hundred dollars or imprisonment not exceeding six
164 months.

165 Sec. 3. Subsection (c) of section 46b-127 of the general statutes is
166 repealed and the following is substituted in lieu thereof (*Effective July*
167 *1, 2009*):

168 (c) Upon the effectuation of the transfer, such child shall stand trial
169 and be sentenced, if convicted, as if [he were sixteen] such child were
170 eighteen years of age. Such child shall receive credit against any
171 sentence imposed for time served in a juvenile facility prior to the
172 effectuation of the transfer. A child who has been transferred may
173 enter a guilty plea to a lesser offense if the court finds that such plea is
174 made knowingly and voluntarily. Any child transferred to the regular
175 criminal docket who pleads guilty to a lesser offense shall not resume
176 [his] such child's status as a juvenile regarding [said] such offense. If
177 the action is dismissed or nolleed or if such child is found not guilty of
178 the charge for which [he] such child was transferred or of any lesser
179 included offenses, the child shall resume [his] such child's status as a
180 juvenile until [he] such child attains the age of [sixteen] eighteen years.

181 Sec. 4. Subsection (f) of section 46b-133c of the general statutes is

182 repealed and the following is substituted in lieu thereof (*Effective July*
183 *1, 2009*):

184 (f) Whenever a proceeding has been designated a serious juvenile
185 repeat offender prosecution pursuant to subsection (b) of this section
186 and the child does not waive such child's right to a trial by jury, the
187 court shall transfer the case from the docket for juvenile matters to the
188 regular criminal docket of the Superior Court. Upon transfer, such
189 child shall stand trial and be sentenced, if convicted, as if such child
190 were [sixteen] eighteen years of age, except that no such child shall be
191 placed in a correctional facility but shall be maintained in a facility for
192 children and youths until such child attains [sixteen] eighteen years of
193 age or until such child is sentenced, whichever occurs first. Such child
194 shall receive credit against any sentence imposed for time served in a
195 juvenile facility prior to the effectuation of the transfer. A child who
196 has been transferred may enter a guilty plea to a lesser offense if the
197 court finds that such plea is made knowingly and voluntarily. Any
198 child transferred to the regular criminal docket who pleads guilty to a
199 lesser offense shall not resume such child's status as a juvenile
200 regarding such offense. If the action is dismissed or nolleed or if such
201 child is found not guilty of the charge for which such child was
202 transferred, the child shall resume such child's status as a juvenile until
203 such child attains [sixteen] eighteen years of age.

204 Sec. 5. Subsection (f) of section 46b-133d of the general statutes is
205 repealed and the following is substituted in lieu thereof (*Effective July*
206 *1, 2009*):

207 (f) When a proceeding has been designated a serious sexual
208 offender prosecution pursuant to subsection (c) of this section and the
209 child does not waive the right to a trial by jury, the court shall transfer
210 the case from the docket for juvenile matters to the regular criminal
211 docket of the Superior Court. Upon transfer, such child shall stand trial
212 and be sentenced, if convicted, as if such child were [sixteen] eighteen
213 years of age, except that no such child shall be placed in a correctional

214 facility but shall be maintained in a facility for children and youths
215 until such child attains [sixteen] eighteen years of age or until such
216 child is sentenced, whichever occurs first. Such child shall receive
217 credit against any sentence imposed for time served in a juvenile
218 facility prior to the effectuation of the transfer. A child who has been
219 transferred may enter a guilty plea to a lesser offense if the court finds
220 that such plea is made knowingly and voluntarily. Any child
221 transferred to the regular criminal docket who pleads guilty to a lesser
222 offense shall not resume such child's status as a juvenile regarding
223 such offense. If the action is dismissed or nolleed or if such child is
224 found not guilty of the charge for which such child was transferred,
225 the child shall resume such child's status as a juvenile until such child
226 attains [sixteen] eighteen years of age.

227 Sec. 6. Subsection (c) of section 10-19m of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective July*
229 *1, 2009*):

230 (c) The Commissioner of Education shall adopt regulations, in
231 accordance with the provisions of chapter 54, establishing minimum
232 standards for such youth service bureaus and the criteria for qualifying
233 for state cost-sharing grants, including, but not limited to, allowable
234 sources of funds covering the local share of the costs of operating such
235 bureaus, acceptable in-kind contributions and application procedures.
236 Said commissioner shall, on December 1, 1979, and annually thereafter,
237 report to the General Assembly on the referral or diversion of children
238 under the age of [sixteen] eighteen years from the juvenile justice
239 system and [on the referral or diversion of children between the ages
240 of sixteen and eighteen years from] the court system. Such report shall
241 include, but not be limited to, the number of times any child is so
242 diverted, the number of children diverted, the type of service provided
243 to any such child, by whom such child was diverted, the ages of the
244 children diverted and such other information and statistics as the
245 General Assembly may request from time to time. Any such report
246 shall contain no identifying information about any particular child.

247 Sec. 7. (NEW) (*Effective July 1, 2008*) (a) The Chief Court
248 Administrator shall, within available resources, establish regional
249 juvenile courts within this state for the hearing of juvenile matters
250 including, but not limited to, delinquency proceedings. In establishing
251 such courts, the Chief Court Administrator shall consult with the
252 judges of the Superior Court who hear such juvenile matters.

253 (b) The Chief Court Administrator may establish a regional juvenile
254 court under this section in any existing court facility and shall
255 maximize the use of court facilities that may otherwise be unused or
256 substantially underutilized.

257 Sec. 8. Section 46b-121i of the general statutes is repealed and the
258 following is substituted in lieu thereof (*Effective July 1, 2009*):

259 (a) The Judicial Department shall:

260 (1) Coordinate programs and services of the juvenile justice system
261 with other state and municipal agencies, boards and commissions;

262 (2) Develop and use intake and assessment procedures for the
263 evaluation of juveniles;

264 (3) Provide case management for juveniles;

265 (4) Provide pretrial diversion and postconviction programs;

266 (5) Coordinate community-based services for juveniles and their
267 families [which] that promote appropriate reintegration of the juvenile
268 with [his] the juvenile's family, school and community; and

269 (6) Provide other programs and services necessary to the juvenile
270 justice system.

271 (b) In developing its programs, the Judicial Department shall:

272 (1) Develop and implement an independently-validated risk [and]
273 assessment [instruments] instrument for use on a state-wide basis in

274 determining the need for detention or other placement at the time a
275 juvenile enters the system. The risk assessment instrument shall use
276 objective factors, including, but not limited to, the factors set forth in
277 subdivision (2) of this subsection, to classify juveniles as those
278 appropriate for detention, those who may be released with structured
279 supervision and those who may be released without supervision. The
280 risk assessment instrument shall be designed to minimize the impact
281 of subjective measures that result in disproportionate detention of
282 minorities;

283 (2) Develop and implement a case classification process to [include
284 the establishment of] establish classification program levels and case
285 management standards for each program level. [A] Each program level
286 [is] shall be based on the following factors: (A) The needs of the
287 juvenile, [his] (B) the offense the juvenile is charged with, (C) the
288 juvenile's potential to be dangerous [and his risk of offending] or
289 offend further, and (D) the potential for the juvenile to fail to appear in
290 court or to run away prior to a court hearing or disposition;

291 (3) Not later than July 1, 2010, and annually thereafter, review the
292 risk assessment instrument and the case classification process
293 described in subdivisions (1) and (2) of this subsection and revise the
294 risk assessment instrument and the case classification process to meet
295 the needs of juveniles; and

296 [(3)] (4) Develop and implement a purchase-of-care system, which
297 will facilitate the development of a state-wide community-based
298 continuum of care, with the involvement of the private sector and the
299 local public sector. Care services may be purchased from private
300 providers to provide a wider diversity of services. [This] The system
301 shall [include accessing] maximize the use of federal funds and shall
302 access available Title IV-E funds of the federal Social Security Act, as
303 amended from time to time, new Medicaid funds and other funding
304 sources to support eligible community-based services. Such services
305 developed and purchased shall include, but not be limited to,

306 evaluation services which shall be available on a geographically
307 accessible basis across the state.

308 Sec. 9. Section 46b-121k of the general statutes is repealed and the
309 following is substituted in lieu thereof (*Effective July 1, 2009*):

310 (a) (1) The Court Support Services Division shall [be charged with
311 the duty of developing] develop constructive programs for the
312 prevention and reduction of delinquency and crime among juvenile
313 offenders. To [that end] develop such programs, the executive director
314 of the Court Support Services Division shall cooperate with other
315 agencies to encourage the establishment of new programs and to
316 provide a continuum of services for juvenile offenders who do not
317 require secure placement, including, but not limited to, juveniles
318 classified pursuant to the risk assessment instrument described in
319 section 46b-121i, as amended by this act, as those who may be released
320 with structured supervision and those who may be released without
321 supervision. When appropriate, the Court Support Services Division
322 shall coordinate such programs with the Department of Children and
323 Families and the Department of Mental Health and Addiction Services.

324 (2) The programs shall be tailored to the type of juvenile, including
325 the juvenile's offense history, age and development, gender, mental
326 health, [and chemical] alcohol dependency or drug dependency,
327 [problem,] need for structured supervision and other characteristics,
328 and shall be culturally appropriate, trauma-informed and provided in
329 the least restrictive environment possible in a manner consistent with
330 public safety. The Court Support Services Division shall develop
331 programs that provide: [(1)] (A) Intensive general [educational
332 programs] education, with an individual educational plan for each
333 juvenile; [(2)] specific educational components in the management of]
334 (B) appropriate job training and employment opportunities; (C)
335 counseling sessions in anger management and nonviolent conflict
336 resolution; [(3)] (D) treatment for [chemical] alcohol dependency and
337 drug dependency; [(4)] (E) mental health screening, assessment and

338 treatment; [and (5)] (F) sexual offender treatment; and (G) services for
339 families of juveniles.

340 (b) The Judicial Department may contract to establish regional
341 secure residential facilities and regional highly supervised residential
342 and nonresidential facilities for juveniles referred by the court. Such
343 facilities shall operate within contracted-for capacity limits. Such
344 facilities shall be exempt from the licensing requirements of section
345 17a-145.

346 (c) The Court Support Services Division shall collaborate with
347 private residential facilities providing residential programs and with
348 community-based nonresidential postrelease programs.

349 (d) Any program developed by the Court Support Services Division
350 that is designed to prevent or reduce delinquency and crime among
351 juvenile offenders shall be gender specific, as necessary, and shall
352 comprehensively address the unique needs of a targeted gender group.

353 (e) The Court Support Services Division may consult with the
354 Commission on Racial and Ethnic Disparity in the Criminal Justice
355 System established pursuant to section 51-10c to address the needs of
356 minorities in the juvenile justice system.

357 Sec. 10. Subsection (b) of section 46b-133 of the general statutes is
358 repealed and the following is substituted in lieu thereof (*Effective July*
359 *1, 2009*):

360 (b) Whenever a child is brought before a judge of the Superior
361 Court, such judge shall immediately have the case proceeded upon as
362 a juvenile matter. Such judge may admit [such] the child to bail or
363 release [him] the child in the custody of [his] the child's parent or
364 parents, [his] the child's guardian or some other suitable person to
365 appear before the Superior Court when ordered. If detention becomes
366 necessary or desirable, the same shall be in the manner prescribed by
367 this chapter, provided the child shall be placed in the least restrictive

368 environment possible in a manner consistent with public safety.

369 Sec. 11. Subsection (a) of section 51-165 of the general statutes is
370 repealed and the following is substituted in lieu thereof (*Effective*
371 *January 1, 2009*):

372 (a) (1) On and after July 1, 1998, the Superior Court shall consist of
373 one hundred eighty-one judges, including the judges of the Supreme
374 Court and the Appellate Court, who shall be appointed by the General
375 Assembly upon nomination of the Governor.

376 (2) On and after October 1, 1998, the Superior Court shall consist of
377 one hundred eighty-three judges, including the judges of the Supreme
378 Court and the Appellate Court, who shall be appointed by the General
379 Assembly upon nomination of the Governor.

380 (3) On and after January 1, 1999, the Superior Court shall consist of
381 one hundred eighty-six judges, including the judges of the Supreme
382 Court and the Appellate Court, who shall be appointed by the General
383 Assembly upon nomination of the Governor.

384 (4) On and after October 1, 1999, the Superior Court shall consist of
385 one hundred ninety-one judges, including the judges of the Supreme
386 Court and the Appellate Court, who shall be appointed by the General
387 Assembly upon nomination of the Governor.

388 (5) On and after October 1, 2000, the Superior Court shall consist of
389 one hundred ninety-six judges, including the judges of the Supreme
390 Court and the Appellate Court, who shall be appointed by the General
391 Assembly upon nomination of the Governor.

392 (6) On and after January 1, 2009, the Superior Court shall consist of
393 two hundred one judges, including the judges of the Supreme Court
394 and the Appellate Court, who shall be appointed by the General
395 Assembly upon nomination of the Governor.

396 Sec. 12. (*Effective July 1, 2008*) (a) Not later than July 1, 2009, the

397 judges of the Superior Court, or in the discretion of the Chief Court
398 Administrator, a committee of said judges designated by the Chief
399 Court Administrator, shall appoint such probation officers, probation
400 aides, clerks, security and detention personnel, clerical assistants, court
401 interpreters and other personnel, including supervisory staff, as they
402 deem necessary for the treatment and handling of persons sixteen or
403 seventeen years of age in juvenile matters pursuant to chapter 815t of
404 the general statutes within the venue districts established under
405 section 46b-142 of the general statutes. The Chief Court Administrator
406 may assign, reassign and modify the assignments of such personnel
407 and assign such duties within the Superior Court as the Chief Court
408 Administrator deems necessary for the efficient treatment and
409 handling of persons sixteen or seventeen years of age.

410 (b) Not later than July 1, 2009, the Chief Court Administrator and
411 the executive director of the Court Support Services Division of the
412 judicial branch shall evaluate the programs and services provided in
413 the juvenile justice system, including, but not limited to, services
414 provided pursuant to chapter 815t of the general statutes, to ensure
415 that such programs and services meet the needs of persons sixteen
416 years of age or older in the juvenile justice system, and shall
417 implement, within available resources, any changes deemed necessary
418 in the programs and services.

419 Sec. 13. (*Effective from passage*) (a) There is established a Juvenile
420 Jurisdiction Policy and Operations Coordinating Council. The council
421 shall monitor the implementation of the central components of the
422 implementation plan developed by the Juvenile Jurisdiction Planning
423 and Implementation Committee, as set forth in subsection (f) of this
424 section, and resolve issues identified by the committee, as set forth in
425 subsection (g) of this section, concerning changes required in the
426 juvenile justice system to expand jurisdiction to include persons
427 sixteen and seventeen years of age.

428 (b) The council shall consist of the following members:

429 (1) One member of the General Assembly appointed by the speaker
430 of the House of Representatives;

431 (2) One child or youth advocate appointed by the president pro
432 tempore of the Senate;

433 (3) The executive director of the Superior Court Operations
434 Division, or the executive director's designee;

435 (4) A judge of the superior court for juvenile matters, appointed by
436 the Chief Justice;

437 (5) The executive director of the Court Support Services Division of
438 the judicial branch, or the executive director's designee;

439 (6) The Chief Public Defender, or the Chief Public Defender's
440 designee;

441 (7) The Chief State's Attorney, or the Chief State's Attorney's
442 designee;

443 (8) The Commissioner of Children and Families, or the
444 commissioner's designee;

445 (9) The Commissioner of Correction, or the commissioner's
446 designee;

447 (10) The Commissioner of Education, or the commissioner's
448 designee;

449 (11) The Commissioner of Mental Health and Addiction Services, or
450 the commissioner's designee; and

451 (12) The president of the Connecticut Police Chiefs Association, or
452 the president's designee.

453 (c) All appointments to the council shall be made not later than
454 thirty days after the effective date of this section. Any vacancy shall be

455 filled by the appointing authority.

456 (d) The speaker of the House of Representatives and the president
457 pro tempore of the Senate shall select the chairpersons of the council
458 from among the members of the council. Such chairpersons shall
459 schedule the first meeting of the council, which shall be held not later
460 than sixty days after the effective date of this section.

461 (e) Members of the council shall serve without compensation, except
462 for necessary expenses incurred in the performance of their duties.

463 (f) Prior to July 1, 2009, the council shall monitor the
464 implementation of the central components of the implementation plan
465 contained in the final report of the Juvenile Jurisdiction Planning and
466 Implementation Committee dated February 8, 2007, including, but not
467 limited to: (1) The development, validation and implementation of a
468 risk assessment instrument pursuant to section 46b-121i of the general
469 statutes, as amended by this act; (2) the establishment of regional
470 juvenile courts pursuant to section 7 of this act; and (3) the
471 development and implementation of a comprehensive system of
472 community-based services and residential services for juveniles.

473 (g) Prior to July 1, 2009, the council shall resolve issues identified in
474 the final report of the Juvenile Jurisdiction Planning and
475 Implementation Committee to prepare for the introduction of persons
476 sixteen and seventeen years of age into the juvenile justice system and
477 to improve the juvenile justice system. Such issues include, but need
478 not be limited to, the following:

479 (1) An assessment of various diversion programs to determine the
480 most appropriate programs for such persons;

481 (2) The development of comprehensive projections to determine the
482 short-term and long-term placement capacity required to
483 accommodate an expanded juvenile population in the juvenile justice
484 system, including an identification of available pretrial detention

485 facilities, the need for additional pretrial detention facilities and
486 feasible alternatives to detention;

487 (3) An analysis of the impact of the expansion of juvenile
488 jurisdiction on state agencies and a determination of which state
489 agencies shall be responsible for providing relevant services to
490 juveniles, including, but not limited to, mental health and substance
491 abuse services, housing, education and employment;

492 (4) An examination of whether the inclusion of persons sixteen and
493 seventeen years of age in the juvenile justice system requires a revision
494 of statutes that establish a mandatory age for school attendance;

495 (5) An examination of the needs of youth in crisis, as defined in
496 subdivision (3) of section 46b-120 of the general statutes, as amended
497 by this act;

498 (6) An examination and modification of offenses categorized as
499 serious juvenile offenses in subdivision (12) of section 46b-120 of the
500 general statutes, as amended by this act;

501 (7) A comparison and analysis of procedures used in the juvenile
502 justice system versus the criminal court system to determine the most
503 suitable procedures for juveniles, including, but not limited to, the
504 most suitable procedures for the lawful interrogation of juveniles;

505 (8) The treatment of a motor vehicle infraction, motor vehicle
506 violation or motor vehicle offense committed by a person sixteen or
507 seventeen years of age; and

508 (9) An examination of school related issues for juveniles, including
509 intervention strategies to reduce the number of suspensions,
510 expulsions and arrests of juveniles while in school.

511 (h) Not later than January 1, 2008, and quarterly thereafter until
512 January 1, 2009, the committee shall submit a status report to the joint
513 standing committees of the General Assembly having cognizance of

514 matters relating to the judiciary and human services, and the select
515 committee of the General Assembly having cognizance of matters
516 relating to children, in accordance with section 11-4a of the general
517 statutes, on implementation of the plan components set forth in
518 subsection (f) of this section and resolution of the issues identified in
519 subsection (g) of this section.

520 (i) Not later than January 1, 2009, the council shall submit a final
521 report on such implementation and resolution of issues to the joint
522 standing committees of the General Assembly having cognizance of
523 matters relating to the judiciary and human services, and the select
524 committee of the General Assembly having cognizance of matters
525 relating to children, in accordance with section 11-4a of the general
526 statutes.

527 Sec. 14. (*Effective July 1, 2008*) (a) The sum of ____ dollars is
528 appropriated to the Judicial Department, from the General Fund, for
529 the fiscal year ending June 30, 2009, for personal services for judges
530 and such probation officers, probation aides, clerks, security and
531 detention personnel, clerical assistants, court interpreters and other
532 personnel, including supervisory staff, as necessary for the treatment
533 and handling of persons sixteen years of age or older in delinquency
534 matters in the juvenile justice system.

535 (b) The sum of ____ dollars is appropriated to the Judicial
536 Department, from the General Fund, for the fiscal year ending June 30,
537 2009, for the purpose of funding programs under chapter 815t of the
538 general statutes to address the needs of persons sixteen years of age or
539 older in delinquency matters in the juvenile justice system.

540 Sec. 15. (*Effective July 1, 2008*) The sum of ____ dollars is
541 appropriated to the Department of Children and Families, from the
542 General Fund, for the fiscal year ending June 30, 2009, for the purpose
543 of establishing or expanding programs to address the needs of persons
544 sixteen years of age or older in delinquency matters in the juvenile

545 justice system.

546 Sec. 16. (*Effective July 1, 2007*) (a) The sum of two hundred fifty
547 thousand dollars is appropriated to the Office of Legislative
548 Management, from the General Fund, for the fiscal year ending June
549 30, 2008, for the purpose of carrying out the functions of the Juvenile
550 Jurisdiction Policy and Operations Coordinating Council established in
551 section 13 of this act.

552 (b) The sum of two hundred fifty thousand dollars is appropriated
553 to the Office of Legislative Management, from the General Fund, for
554 the fiscal year ending June 30, 2009, for the purpose of carrying out the
555 functions of the Juvenile Jurisdiction Policy and Operations
556 Coordinating Council established in section 13 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	46b-120
Sec. 2	<i>July 1, 2009</i>	46b-121
Sec. 3	<i>July 1, 2009</i>	46b-127(c)
Sec. 4	<i>July 1, 2009</i>	46b-133c(f)
Sec. 5	<i>July 1, 2009</i>	46b-133d(f)
Sec. 6	<i>July 1, 2009</i>	10-19m(c)
Sec. 7	<i>July 1, 2008</i>	New section
Sec. 8	<i>July 1, 2009</i>	46b-121i
Sec. 9	<i>July 1, 2009</i>	46b-121k
Sec. 10	<i>July 1, 2009</i>	46b-133(b)
Sec. 11	<i>January 1, 2009</i>	51-165(a)
Sec. 12	<i>July 1, 2008</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>July 1, 2008</i>	New section
Sec. 15	<i>July 1, 2008</i>	New section
Sec. 16	<i>July 1, 2007</i>	New section

Statement of Purpose:

To raise the age of juvenile court jurisdiction to age eighteen in a manner consistent with the recommendations of the Juvenile Jurisdiction Planning and Implementation Committee.

[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.]

Co-Sponsors: REP. HAMM, 34th Dist.; REP. GONZALEZ, 3rd Dist.

H.B. 6285