



Senate

General Assembly

File No. 811

January Session, 2011

Substitute Senate Bill No. 1044

Senate, May 18, 2011

The Committee on Human Services reported through SEN. MUSTO of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND FAMILIES TO BE NOTIFIED WHEN A YOUTH IS ARRESTED FOR PROSTITUTION.

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

1 Section 1. Subsection (c) of section 46b-133 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (c) (1) Upon the arrest of any child by an officer, such officer may
5 ~~[(1)] (A)~~ release the child to the custody of the child's parent or parents,
6 guardian or some other suitable person or agency, ~~[(2)] (B)~~ at the
7 discretion of the officer, release the child to the child's own custody, or
8 ~~[(3)] (C)~~ immediately turn the child over to a juvenile detention center.
9 When a child is arrested for the commission of a delinquent act and the
10 child is not placed in detention or referred to a diversionary program,
11 an officer shall serve a written complaint and summons on the child
12 and the child's parent, guardian or some other suitable person or
13 agency. If such child is released to the child's own custody, the officer

14 shall make reasonable efforts to notify, and to provide a copy of a
 15 written complaint and summons to, the parent or guardian or some
 16 other suitable person or agency prior to the court date on the
 17 summons. If any person so summoned wilfully fails to appear in court
 18 at the time and place so specified, the court may issue a warrant for the
 19 child's arrest or a *capias* to assure the appearance in court of such
 20 parent, guardian or other person. If a child wilfully fails to appear in
 21 response to such a summons, the court may order such child taken into
 22 custody and such child may be charged with the delinquent act of
 23 wilful failure to appear under section 46b-120. The court may punish
 24 for contempt, as provided in section 46b-121, any parent, guardian or
 25 other person so summoned who wilfully fails to appear in court at the
 26 time and place so specified.

27 (2) Upon the arrest of any youth by an officer for a violation of
 28 section 53a-82, such officer shall report suspected abuse or neglect to
 29 the Department of Children and Families in accordance with the
 30 provisions of sections 17a-101b to 17a-101d, inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	46b-133(c)

HS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires law enforcement officers who arrest a 16- or 17-year-old on prostitution charges to report alleged child abuse or neglect to the Department of Children and Families, results in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 1044*****AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND FAMILIES TO BE NOTIFIED WHEN A YOUTH IS ARRESTED FOR PROSTITUTION.*****SUMMARY:**

This bill requires a police officer who arrests a 16- or 17-year-old on prostitution charges to report suspected child abuse or neglect to the Department of Children and Families (DCF).

The police officer must report to DCF in accordance with the child abuse reporting law, which outlines report contents and imposes filing deadlines. By law, a police officer is a mandated reporter who must report to DCF suspected child abuse or neglect and is subject to penalties for failure to do so.

Under the bill's requirement for a report on a prostitution arrest, an officer must make an oral report as soon as practicable, but within 12 hours (presumably of the arrest), and a written report within 48 hours after making the oral report.

EFFECTIVE DATE: October 1, 2011

BACKGROUND***Legislative History***

On May 5, the Senate referred the bill (File 640) to the Human Services Committee, which reported a substitute bill that adds, by reference, a process for making the report of abuse or neglect that includes specific deadlines. It also broadens the standard for reporting abuse and neglect from an allegation to the officer's suspicion in order to more closely conform to the requirements of the mandated reporter law, which already covers police officers.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 12 Nay 0 (03/03/2011)

Judiciary Committee

Joint Favorable

Yea 44 Nay 0 (04/12/2011)

Human Services Committee

Joint Favorable Substitute

Yea 17 Nay 0 (05/10/2011)