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COMMITTEE ON THE JUDICIARY
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RAISED BILL 6638: AN ACT CONCERNING JUVENILE JUSTICE

The Office of Chief Public Defender supports **Raised Bill 6638: AN ACT CONCERNING JUVENILE JUSTICE.** This proposal represents the continued collaborative efforts of the Legislative Workgroup of the Juvenile Jurisdiction Planning and Operations Coordinating Council or JJPOCC. The Workgroup is made up of representatives from DCF, the Judicial Branch, the attorney General's Office, prosecutors, local law enforcement and public defenders, who continue to meet to find common ground on legislative proposals that will continue to reform and improve our juvenile justice system in Connecticut. The proposals in Raised Bill 6638 are necessary to continue implementation of the Raise the Age legislation. Since January 1, 2010, over 4000 16 year olds have been successfully integrated in to the juvenile courts. As the law has been implemented it has become clear that some statutory changes are necessary. While many of the amendments are technical, a few substantive changes are proposed. Passage of this law is essential to ensure the most fair and efficient processing of juvenile matters.

Section 1 will increase the maximum age that a child can be declared missing from 15 to 18. This makes it consistent with the age the child would be eligible for services as a child from a family with services needs under C.G.S. §46b-149 once the Raise the Age law is fully implemented in 2012.

Section 2 amends C.G.S. §10-233h which currently authorizes law enforcement to notify the school where a child resides of a felony arrest. This proposal would allow law enforcement to also notify the school where a child attends; recognizing that many children attend magnet or charter schools or are in an out of district special education placement.

Section 3 amends the definition sections of Title 17a to make clear that the definition of child and youth shall be consistent with the definition contained in C.G.S. §46b-120.

Sections 4, 5 and 6 clarify an ambiguity in the law relating a children and youth who are committed as delinquent to the Department of Children and Families. There is a tension in current law relating to when DCF jurisdiction over children ends. This will clarify that delinquency commitments and DCFs authority and responsibility end at the child's twentieth birthday.

Sections 7 and 8 address the DCF Commissioner's ability to move some youth to the Manson Youth Institution under the jurisdiction of the Department of Corrections. These sections make clear that the authority to hold the child in the custody of the DOC ends with the expiration of the commitment period and the end of the child's sentence.

Sections 9 through 13 apply the changes in the juvenile code enacted last session to 17 year olds when the Raise the Age legislation goes in to full effect in July, 2012. This includes some additions to the list of serious juvenile offenses, a clarification that the adult criminal court maintains jurisdiction over failure to appear and violation of probation charges that began as adult offenses. It also includes the provision that DCF has authority over committed delinquent children up to their twentieth birthday.

Section 14 gives a juvenile court judge the authority to order redisclosure of released juvenile records.

Sections 15-18 address the issue of the age at which the Department of Children and Families ends jurisdiction over committed delinquent children and are similar to provisions found earlier in this proposal.

Section 19 addresses the rules for the use of a statement taken from a 16 or 17 year old in a case that has transferred back to juvenile court under the provisions of C.G. S. §46b-137 (b) and (c).

Section 20 allows school districts and the schools run by the juvenile detention centers to share educational information when needed to provide education to a child.

Section 21 makes clear that delinquent acts are not defined as family violence crimes. This is important, since the juvenile court has a set of supervisory procedures that do not mimic the restraining order process in adult court. Children under orders in juvenile court are actually more highly supervised than adult domestic violence defendants and can be more easily taken into custody. This will ensure both that public safety is maintained and that children can receive the most appropriate treatment.

The Office of Chief Public Defender requests that this Committee support this bill. Thank you.