



General Assembly

January Session, 2011

**Raised Bill No. 6345**

LCO No. 3076

\*03076\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING DISCLOSURE OF INFORMATION TO A  
PARENT OR GUARDIAN OF A YOUTHFUL OFFENDER IN THE  
CUSTODY OF THE DEPARTMENT OF CORRECTION.**

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

1 Section 1. Section 54-76l of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The records or other information of a youth, other than a youth  
4 arrested for or charged with the commission of a crime which is a class  
5 A felony or a violation of section 14-222a, subsection (a) of section 14-  
6 224, section 14-227a or 14-227g, subdivision (2) of subsection (a) of  
7 section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-  
8 72b, except a violation involving consensual sexual intercourse or  
9 sexual contact between the youth and another person who is thirteen  
10 years of age or older but under sixteen years of age, including  
11 fingerprints, photographs and physical descriptions, shall be  
12 confidential and shall not be open to public inspection or be disclosed  
13 except as provided in this section, but such fingerprints, photographs  
14 and physical descriptions submitted to the State Police Bureau of  
15 Identification of the Division of State Police within the Department of

16 Public Safety at the time of the arrest of a person subsequently  
17 adjudged, or subsequently presumed or determined to be eligible to be  
18 adjudged, a youthful offender shall be retained as confidential matter  
19 in the files of the bureau and be opened to inspection only as provided  
20 in this section. Other data ordinarily received by the bureau, with  
21 regard to persons arrested for a crime, shall be forwarded to the  
22 bureau to be filed, in addition to such fingerprints, photographs and  
23 physical descriptions, and be retained in the division as confidential  
24 information, open to inspection only as provided in this section.

25 (b) The records of any such youth, or any part thereof, may be  
26 disclosed to and between individuals and agencies, and employees of  
27 such agencies, providing services directly to the youth, including law  
28 enforcement officials, state and federal prosecutorial officials, school  
29 officials in accordance with section 10-233h, court officials, the Division  
30 of Criminal Justice, the Court Support Services Division and a victim  
31 advocate under section 54-220 for a victim of a crime committed by the  
32 youth. Such records shall also be available to the attorney representing  
33 the youth, in any proceedings in which such records are relevant, to  
34 the parents or guardian of such youth, until such time as the youth  
35 reaches the age of majority or is emancipated, and to the youth upon  
36 his or her emancipation or attainment of the age of majority, provided  
37 proof of the identity of such youth is submitted in accordance with  
38 guidelines prescribed by the Chief Court Administrator. Such records  
39 shall also be available to members and employees of the Board of  
40 Pardons and Paroles and employees of the Department of Correction  
41 who, in the performance of their duties, require access to such records,  
42 provided the subject of the record has been adjudged a youthful  
43 offender and sentenced to a term of imprisonment or been convicted of  
44 a crime in the regular criminal docket of the Superior Court, and such  
45 records are relevant to the performance of a risk and needs assessment  
46 of such person while such person is incarcerated, the determination of  
47 such person's suitability for release from incarceration or for a pardon,  
48 or the determination of the supervision and treatment needs of such

49 person while on parole or other supervised release. Such records shall  
50 also be available to law enforcement officials and prosecutorial officials  
51 conducting legitimate criminal investigations. Such records disclosed  
52 pursuant to this subsection shall not be further disclosed.

53 (c) The records of any such youth, or any part thereof, may be  
54 disclosed upon order of the court to any person who has a legitimate  
55 interest in the information and is identified in such order. Records or  
56 information disclosed pursuant to this subsection shall not be further  
57 disclosed.

58 (d) The records of any such youth, or any part thereof, shall be  
59 available to the victim of the crime committed by such youth to the  
60 same extent as the record of the case of a defendant in a criminal  
61 proceeding in the regular criminal docket of the Superior Court is  
62 available to a victim of the crime committed by such defendant. The  
63 court shall designate an official from whom such victim may request  
64 such information. Information disclosed pursuant to this subsection  
65 shall not be further disclosed.

66 (e) Any reports and files held by the Court Support Services  
67 Division regarding any such youth who served a period of probation  
68 may be accessed and disclosed by employees of the division for the  
69 purpose of performing the duties contained in section 54-63b.

70 (f) Information concerning any such youth who has escaped from an  
71 institution to which such youth has been committed or for whom an  
72 arrest warrant has been issued may be disclosed by law enforcement  
73 officials.

74 (g) Information concerning any such youth in the custody of the  
75 Department of Correction may be disclosed by the department to the  
76 parents or guardian of such youth.

77 [(g)] (h) The information contained in and concerning the issuance  
78 of any protective order issued in a case in which a person is presumed

79 or determined to be eligible to be adjudged a youthful offender shall  
80 be entered in the registry of protective orders pursuant to section 51-5c  
81 and may be further disclosed as specified in said section.

82 [(h)] (i) The records of any youth adjudged a youthful offender for a  
83 violation of section 14-215 or 14-222, subsection (b) of section 14-223 or  
84 subsection (b) or (c) of section 14-224 shall be disclosed to the  
85 Department of Motor Vehicles for administrative use in determining  
86 whether suspension of such person's motor vehicle operator's license is  
87 warranted. The commissioner shall suspend the motor vehicle  
88 operator's license of such youth for six months for a first offense and  
89 one year for a second or subsequent offense. Such records disclosed  
90 pursuant to this subsection shall not be further disclosed.

91 [(i)] (j) The provisions of this section, as amended by public act 05-  
92 232, apply to offenses committed after January 1, 2006, and do not  
93 affect any cases pending on said date or any investigations involving  
94 offenses committed prior to said date.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	54-76l

**Statement of Purpose:**

To allow the disclosure of information concerning a youth in the custody of the Department of Correction to the youth's parents or guardian.

*[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.]*