



General Assembly

February Session, 2016

Raised Bill No. 5629

LCO No. 3039



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING A DIVERSIONARY PROGRAM FOR PERSONS UNDER AGE TWENTY-ONE FOR MOTOR VEHICLE VIOLATIONS AND CRIMES RELATED TO UNDERAGE DRINKING.

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

1 Section 1. Subsection (d) of section 54-56e of the 2016 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2016*):

4 (d) Except as provided in subsection (e) of this section, any
5 defendant who enters such program shall pay to the court a
6 participation fee of one hundred dollars. Any defendant who enters
7 such program shall agree to the tolling of any statute of limitations
8 with respect to such crime and to a waiver of the right to a speedy trial.
9 Any such defendant shall appear in court and shall, under such
10 conditions as the court shall order, be released to the custody of the
11 Court Support Services Division, except that, if a criminal docket for
12 drug-dependent persons has been established pursuant to section 51-
13 181b in the judicial district, such defendant may be transferred, under
14 such conditions as the court shall order, to the court handling such

15 docket for supervision by such court. If the defendant refuses to
16 accept, or, having accepted, violates such conditions, the defendant's
17 case shall be brought to trial. The period of such probation or
18 supervision, or both, shall not exceed two years. If the defendant has
19 reached the age of sixteen years but has not reached the age of eighteen
20 years, the court may order that as a condition of such probation the
21 defendant be referred for services to a youth service bureau
22 established pursuant to section 10-19m, provided the court finds,
23 through an assessment by a youth service bureau or its designee, that
24 the defendant is in need of and likely to benefit from such services.
25 When determining any conditions of probation to order for a person
26 entering such program who was charged with a misdemeanor that did
27 not involve the use, attempted use or threatened use of physical force
28 against another person or a motor vehicle violation, the court shall
29 consider ordering the person to perform community service in the
30 community in which the offense or violation occurred. If the court
31 determines that community service is appropriate, such community
32 service may be implemented by a community court established in
33 accordance with section 51-181c if the offense or violation occurred
34 within the jurisdiction of a community court established by said
35 section. If the defendant is charged with a violation of section 46a-58,
36 53-37a, 53a-181j, 53a-181k or 53a-181l, the court may order that as a
37 condition of such probation the defendant participate in a hate crimes
38 diversion program as provided in subsection (e) of this section. If a
39 defendant is charged with a violation of section 53-247, the court may
40 order that as a condition of such probation the defendant undergo
41 psychiatric or psychological counseling or participate in an animal
42 cruelty prevention and education program provided such a program
43 exists and is available to the defendant. If a defendant who is under
44 twenty-one years of age is charged with a motor vehicle violation or a
45 violation of section 30-88a or subsection (b) of section 30-89, or who is
46 the subject of a hearing of truancy matters and petitions and motions
47 filed pursuant to section 46b-149, the court may order that as a
48 condition of probation, the defendant participate in an underage

49 drinking, motor vehicle violation and truancy prevention program
50 approved by the Court Support Services Division of the Judicial
51 Branch. Such program shall provide a forum for such offenders to hear
52 from persons who have been affected by underage drinking, drunk
53 driving, distracted driving or other motor vehicle violations or truancy
54 and share experiences of the impact of such incidents or matters on
55 their lives. Such program shall be conducted by a nonprofit
56 organization that advocates on behalf of victims of accidents caused by
57 persons who operated a motor vehicle while under the influence of
58 alcohol.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	54-56e(d)

Statement of Purpose:

To permit courts to refer persons under the age of twenty-one who are charged with underage drinking or motor vehicle offenses to a program that will educate them in the dangers and consequences of underage drinking and other risky behavior.

[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.]