



General Assembly

February Session, 2016

**Governor's Bill No. 18**

LCO No. 656



Referred to Committee on JUDICIARY

Introduced by:

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. DUFF, 25<sup>th</sup> Dist.

REP. SHARKEY, 88<sup>th</sup> Dist.

REP. ARESIMOWICZ, 30<sup>th</sup> Dist.

***AN ACT CONCERNING A SECOND CHANCE SOCIETY.***

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

1 Section 1. Section 46b-120 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 The terms used in this chapter shall, in its interpretation and in the  
4 interpretation of other statutes, be defined as follows:

5 (1) "Child" means any person under eighteen years of age who has  
6 not been legally emancipated, except that (A) for purposes of  
7 delinquency matters and proceedings, "child" means any person who  
8 (i) is at least seven years of age at the time of the alleged commission of  
9 a delinquent act and who is (I) under eighteen years of age and has not  
10 been legally emancipated, or (II) eighteen years of age or older and  
11 committed a delinquent act prior to attaining eighteen years of age, or  
12 (ii) is subsequent to attaining eighteen years of age, and (I) violates any

13 order of the Superior Court or any condition of probation ordered by  
14 the Superior Court with respect to a delinquency proceeding, or (II)  
15 wilfully fails to appear in response to a summons under section 46b-  
16 133, as amended by this act, or at any other court hearing in a  
17 delinquency proceeding of which the child had notice, and (B) for  
18 purposes of family with service needs matters and proceedings, child  
19 means a person who is at least seven years of age and is under  
20 eighteen years of age;

21 (2) "Youth" means any person sixteen [or seventeen] years of age or  
22 older but under eighteen years of age who has not been legally  
23 emancipated;

24 (3) "Young adult" means, for purposes of delinquency matters and  
25 proceedings, any person who (A) on or after July 1, 2017, (i) allegedly  
26 committed a delinquent act while eighteen years of age or older but  
27 under nineteen years of age, or (ii) committed a delinquent act while  
28 eighteen years of age or older but under nineteen years of age, and (I)  
29 subsequent to attaining nineteen years of age, violates any order of the  
30 Superior Court or any condition of probation ordered by the Superior  
31 Court with respect to a delinquency proceeding, or (II) wilfully fails to  
32 appear in response to a summons under section 46b-133, as amended  
33 by this act, or at any other court hearing in a delinquency proceeding  
34 of which such person had notice, (B) on or after July 1, 2018, (i)  
35 allegedly committed a delinquent act while eighteen years of age or  
36 older but under twenty years of age, or (ii) committed a delinquent act  
37 while eighteen years of age or older but under twenty years of age, and  
38 (I) subsequent to attaining twenty years of age, violates any order of  
39 the Superior Court or any condition of probation ordered by the  
40 Superior Court with respect to a delinquency proceeding, or (II)  
41 wilfully fails to appear in response to a summons under section 46b-  
42 133, as amended by this act, or at any other court hearing in a  
43 delinquency proceeding of which such person had notice, and (C) on  
44 or after July 1, 2019, (i) allegedly committed a delinquent act while  
45 eighteen years of age or older but under twenty-one years of age, or (ii)

46 committed a delinquent act while eighteen years of age or older but  
47 under twenty-one years of age, and (I) subsequent to attaining twenty-  
48 one years of age, violates any order of the Superior Court or any  
49 condition of probation ordered by the Superior Court with respect to a  
50 delinquency proceeding, or (II) wilfully fails to appear in response to a  
51 summons under section 46b-133, as amended by this act, or at any  
52 other court hearing in a delinquency proceeding of which such person  
53 had notice;

54 [(3)] (4) A child or young adult may be found "mentally deficient"  
55 who, by reason of a deficiency of intelligence that has existed from  
56 birth or from early age, requires, or will require, for such child's  
57 protection or for the protection of others, special care, supervision and  
58 control;

59 [(4)] (5) (A) A child may be [convicted] adjudicated as "delinquent"  
60 who has, while under sixteen years of age, (i) violated any federal or  
61 state law, except section 53a-172, 53a-173, 53a-222, as amended by this  
62 act, 53a-222a, as amended by this act, 53a-223 or 53a-223a, or violated  
63 a municipal or local ordinance, except an ordinance regulating  
64 behavior of a child in a family with service needs, (ii) wilfully failed to  
65 appear in response to a summons under section 46b-133, as amended  
66 by this act, or at any other court hearing in a delinquency proceeding  
67 of which the child had notice, (iii) violated any order of the Superior  
68 Court in a delinquency proceeding, except as provided in section 46b-  
69 148, or (iv) violated conditions of probation in a delinquency  
70 proceeding as ordered by the court;

71 (B) A [child] youth or young adult may be [convicted] adjudicated  
72 as "delinquent" who has (i) [while sixteen or seventeen years of age,]  
73 violated any federal or state law, other than (I) an infraction, except an  
74 infraction under subsection (d) of section 21a-267, (II) a violation,  
75 except a violation under subsection (a) of section 21a-279a, (III) a motor  
76 vehicle offense or violation under title 14, (IV) a violation of a  
77 municipal or local ordinance, or (V) a violation of section 51-164r, 53a-

172, 53a-173, 53a-222, as amended by this act, 53a-222a, as amended by this act, 53a-223 or 53a-223a, (ii) [while sixteen years of age or older,] wilfully failed to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing in a delinquency proceeding of which the [child] youth or young adult had notice, (iii) [while sixteen years of age or older,] violated any order of the Superior Court in a delinquency proceeding, except as provided in section 46b-148, or (iv) [while sixteen years of age or older,] violated conditions of probation in a delinquency proceeding as ordered by the court;

[(5)] (6) "Family with service needs" means a family that includes a child who is [at least] (A) seven years of age [and] or older but is under eighteen years of age who [(A)] (i) has without just cause run away from the parental home or other properly authorized and lawful place of abode, [(B)] (ii) is beyond the control of the child's [or youth's] parent, parents, guardian or other custodian, [(C)] (iii) has engaged in indecent or immoral conduct, [(D)] or (iv) is a truant or habitual truant or who, while in school, has been continuously and overtly defiant of school rules and regulations, or [(E) is] (B) thirteen years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child; [or youth;]

[(6)] (7) A child or youth may be found "neglected" who, for reasons other than being impoverished, (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally or morally, or (C) is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child or youth;

[(7)] (8) A child or youth may be found "abused" who (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment,

110 including, but not limited to, malnutrition, sexual molestation or  
111 exploitation, deprivation of necessities, emotional maltreatment or  
112 cruel punishment;

113 [(8)] (9) A child or youth may be found "uncared for" (A) who is  
114 homeless, (B) whose home cannot provide the specialized care that the  
115 physical, emotional or mental condition of the child or youth requires,  
116 or (C) who has been identified as a victim of trafficking, as defined in  
117 section 46a-170. For the purposes of this section, the treatment of any  
118 child or youth by an accredited Christian Science practitioner, in lieu of  
119 treatment by a licensed practitioner of the healing arts, shall not of  
120 itself constitute neglect or maltreatment;

121 [(9)] (10) "Delinquent act" means (A) the violation by a child under  
122 [the age of] sixteen years of age of any federal or state law, except the  
123 violation of section 53a-172, 53a-173, 53a-222, as amended by this act,  
124 53a-222a, as amended by this act, 53a-223 or 53a-223a, or the violation  
125 of a municipal or local ordinance, except an ordinance regulating  
126 behavior of a child in a family with service needs, (B) the violation by a  
127 [child sixteen or seventeen years of age] youth or young adult of any  
128 federal or state law, other than (i) an infraction, except an infraction  
129 under subsection (d) of section 21a-267, (ii) a violation, except a  
130 violation under subsection (a) of section 21a-279a, (iii) a motor vehicle  
131 offense or violation under title 14, (iv) the violation of a municipal or  
132 local ordinance, or (v) the violation of section 51-164r, 53a-172, 53a-173,  
133 53a-222, as amended by this act, 53a-222a, as amended by this act, 53a-  
134 223 or 53a-223a, (C) the wilful failure of a child, including a child who  
135 has attained the age of eighteen, or young adult to appear in response  
136 to a summons under section 46b-133, as amended by this act, or at any  
137 other court hearing in a delinquency proceeding of which the child has  
138 notice, (D) the violation of any order of the Superior Court in a  
139 delinquency proceeding by a child [, including a child who has  
140 attained the age of eighteen] or young adult, except as provided in  
141 section 46b-148, or (E) the violation of [conditions of probation] any  
142 condition of probation ordered by the court in a delinquency

143 proceeding by a child, including a child who has attained the age of  
144 eighteen, as ordered by the court, or by a young adult;

145 [(10)] (11) "Serious juvenile offense" means (A) the violation of,  
146 including attempt or conspiracy to violate, section 21a-277, 21a-278, 29-  
147 33, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21,  
148 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57,  
149 inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to  
150 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95,  
151 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,  
152 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of  
153 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or  
154 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211,  
155 53a-212, 53a-216 or 53a-217b, or (B) running away, without just cause,  
156 from any secure placement other than home while referred as a  
157 delinquent child to the Court Support Services Division or committed  
158 as a delinquent child to the Commissioner of Children and Families for  
159 a serious juvenile offense;

160 [(11)] (12) "Serious juvenile offender" means any child [convicted] or  
161 young adult adjudicated as delinquent for the commission of a serious  
162 juvenile offense;

163 [(12)] (13) "Serious juvenile repeat offender" means any child or  
164 young adult charged with the commission of any felony if such child  
165 or young adult has previously been [convicted] adjudicated as  
166 delinquent or [otherwise] convicted at any age for two violations of  
167 any provision of title 21a, 29, 53 or 53a that is designated as a felony;

168 [(13)] (14) "Alcohol-dependent" means a psychoactive substance  
169 dependence on alcohol as that condition is defined in the most recent  
170 edition of the American Psychiatric Association's "Diagnostic and  
171 Statistical Manual of Mental Disorders"; [and]

172 [(14)] (15) "Drug-dependent" means a psychoactive substance  
173 dependence on drugs as that condition is defined in the most recent

174 edition of the American Psychiatric Association's "Diagnostic and  
175 Statistical Manual of Mental Disorders", [ No child shall be classified  
176 as drug-dependent who is dependent (A) upon a] except in the case of  
177 a dependency upon a (A) morphine-type substance as an incident to  
178 current medical treatment of a demonstrable physical disorder other  
179 than drug dependence, or (B) [upon] amphetamine-type, ataractic,  
180 barbiturate-type, hallucinogenic or other stimulant and depressant  
181 substances as an incident to current medical treatment of a  
182 demonstrable physical or psychological disorder, or both, other than  
183 drug dependence; [.] and

184 (16) "Age for adult jurisdiction" means (A) on and after July 1, 2017,  
185 but not later than June 30, 2018, nineteen years of age and older, (B) on  
186 and after July 1, 2018, but not later than June 30, 2019, twenty years of  
187 age and older, and (C) on and after July 1, 2019, twenty-one years of  
188 age and older.

189 Sec. 2. Section 46b-121 of the general statutes is repealed and the  
190 following is substituted in lieu thereof (*Effective July 1, 2017*):

191 (a) (1) Juvenile matters in the civil session include all proceedings  
192 concerning uncared-for, neglected or abused children and youths  
193 within this state, termination of parental rights of children committed  
194 to a state agency, adoption proceedings pursuant to section 46b-129b,  
195 matters concerning families with service needs, contested matters  
196 involving termination of parental rights or removal of guardian  
197 transferred from the Probate Court and the emancipation of minors,  
198 but does not include matters of guardianship and adoption or matters  
199 affecting property rights of any child or youth over which the Probate  
200 Court has jurisdiction, except that appeals from probate concerning  
201 adoption, termination of parental rights and removal of a parent as  
202 guardian shall be included.

203 (2) Juvenile matters in the criminal session include all proceedings  
204 concerning delinquent children or young adults within this state and

205 persons eighteen years of age [and] or older who are under the  
206 supervision of a juvenile probation officer while on probation or a  
207 suspended commitment to the Department of Children and Families,  
208 for purposes of enforcing any court orders entered as part of such  
209 probation or suspended commitment.

210 (b) (1) In juvenile matters, the Superior Court shall have authority to  
211 make and enforce such orders directed to parents, including any  
212 person who acknowledges before the court paternity of a child born  
213 out of wedlock, guardians, custodians or other adult persons owing  
214 some legal duty to [a child or youth therein] the child, as the court  
215 deems necessary or appropriate to secure the welfare, protection,  
216 proper care and suitable support of a child [or youth] subject to the  
217 court's jurisdiction or otherwise committed to or in the custody of the  
218 Commissioner of Children and Families. The Superior Court may  
219 order a local or regional board of education to provide to the court  
220 educational records of a child [or youth] or young adult for the  
221 purpose of determining the need for services or placement of the child  
222 [or youth] or young adult. In proceedings concerning a child or young  
223 adult charged with a delinquent act or [with being] a child from a  
224 family with service needs, records produced subject to such an order  
225 shall be maintained under seal by the court and shall be released only  
226 after a hearing or with the consent of the child or young adult.  
227 Educational records obtained pursuant to this section shall be used  
228 only for dispositional purposes. In addition, with respect to  
229 proceedings concerning delinquent children or young adults, the  
230 Superior Court shall have authority to make and enforce such orders  
231 as the court deems necessary or appropriate to punish the child or  
232 young adult, deter the child or young adult from the commission of  
233 further delinquent acts, assure that the safety of any other person will  
234 not be endangered and provide restitution to any victim. The Superior  
235 Court shall also have authority to grant and enforce temporary and  
236 permanent injunctive relief in all proceedings concerning juvenile  
237 matters.

238 (2) If any order for the payment of money is issued by the Superior  
239 Court, including any order assessing costs issued under section  
240 46b-134, as amended by this act, or 46b-136, as amended by this act, the  
241 collection of such money shall be made by the court, except orders for  
242 support of children committed to any state agency or department,  
243 which orders shall be made payable to and collected by the  
244 Department of Administrative Services. If the Superior Court after due  
245 diligence is unable to collect such moneys within six months, the court  
246 shall refer such case to the Department of Administrative Services for  
247 collection as a delinquent account. In juvenile matters, the Superior  
248 Court shall have authority to make and enforce orders directed to  
249 persons liable hereunder on petition of the Department of  
250 Administrative Services made to the court in the same manner as is  
251 provided in section 17b-745, in accordance with the provisions of  
252 section 17b-81 or 17b-223, subsection (b) of section 17b-179 or section  
253 17a-90, 46b-129 or 46b-130, and all of the provisions of section 17b-745  
254 shall be applicable to such proceedings. Any judge hearing a juvenile  
255 matter may make any other order in connection therewith that a judge  
256 of the Superior Court is authorized to grant and such order shall have  
257 the same force and effect as any other order of the Superior Court. No  
258 commitment to the Department of Children and Families may be  
259 ordered or continued for a delinquent child who has attained the age  
260 of twenty. Notwithstanding the terms of any order in effect on October  
261 1, 2011, any commitment to the Department of Children and Families  
262 in a delinquency proceeding pursuant to this chapter shall terminate  
263 not later than the date the child attains the age of twenty.

264 (3) In the enforcement of the court's orders, in connection with any  
265 juvenile matter, the court may issue process for the arrest of any  
266 person, compel attendance of witnesses and punish for contempt by a  
267 fine not exceeding one hundred dollars or imprisonment not exceeding  
268 six months.

269 Sec. 3. Section 46b-121n of the 2016 supplement to the general  
270 statutes is repealed and the following is substituted in lieu thereof

271 (Effective from passage):

272 (a) There is established a Juvenile Justice Policy and Oversight  
273 Committee. The committee shall evaluate policies related to the  
274 juvenile justice system and the expansion of juvenile jurisdiction to  
275 include persons [sixteen and seventeen] eighteen years of age or older  
276 but under twenty-one years of age.

277 (b) The committee shall consist of the following members:

278 (1) Two members of the General Assembly, one of whom shall be  
279 appointed by the speaker of the House of Representatives, and one of  
280 whom shall be appointed by the president pro tempore of the Senate;

281 (2) The chairpersons and ranking members of the joint standing  
282 committees of the General Assembly having cognizance of matters  
283 relating to the judiciary, children, human services and appropriations,  
284 or their designees;

285 (3) The Chief Court Administrator, or the Chief Court  
286 Administrator's designee;

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

289 (5) The executive director of the Court Support Services Division of  
290 the Judicial Department, or the executive director's designee;

291 (6) The executive director of the Superior Court Operations  
292 Division, or the executive director's designee;

293 (7) The Chief Public Defender, or the Chief Public Defender's  
294 designee;

295 (8) The Chief State's Attorney, or the Chief State's Attorney's  
296 designee;

297 (9) The Commissioner of Children and Families, or the

298 commissioner's designee;

299 (10) The Commissioner of Correction, or the commissioner's  
300 designee;

301 (11) The Commissioner of Education, or the commissioner's  
302 designee;

303 (12) The Commissioner of Mental Health and Addiction Services, or  
304 the commissioner's designee;

305 (13) The Labor Commissioner, or the commissioner's designee;

306 (14) The Commissioner of Social Services, or the commissioner's  
307 designee;

308 (15) The Commissioner of Public Health, or the commissioner's  
309 designee;

310 (16) The president of the Connecticut Police Chiefs Association, or  
311 the president's designee;

312 (17) The chief of police of a municipality with a population in excess  
313 of one hundred thousand, appointed by the president of the  
314 Connecticut Police Chiefs Association;

315 (18) Two child or youth advocates, one of whom shall be appointed  
316 by one chairperson of the Juvenile Justice Policy and Oversight  
317 Committee, and one of whom shall be appointed by the other  
318 chairperson of the Juvenile Justice Policy and Oversight Committee;

319 (19) Two parents or parent advocates, at least one of whom is the  
320 parent of a child who has been involved with the juvenile justice  
321 system, one of whom shall be appointed by the minority leader of the  
322 House of Representatives, and one of whom shall be appointed by the  
323 minority leader of the Senate;

324 (20) The Child Advocate, or the Child Advocate's designee; and

325 (21) The Secretary of the Office of Policy and Management, or the  
326 secretary's designee.

327 (c) Any vacancy shall be filled by the appointing authority.

328 (d) The Secretary of the Office of Policy and Management, or the  
329 secretary's designee, and a member of the General Assembly selected  
330 jointly by the speaker of the House of Representatives and the  
331 president pro tempore of the Senate from among the members serving  
332 pursuant to subdivision (1) or (2) of subsection (b) of this section shall  
333 be cochairpersons of the committee. Such cochairpersons shall  
334 schedule the first meeting of the committee, which shall be held not  
335 later than sixty days after June 13, 2014.

336 (e) Members of the committee shall serve without compensation,  
337 except for necessary expenses incurred in the performance of their  
338 duties.

339 (f) Not later than January 1, 2015, the committee shall report, in  
340 accordance with section 11-4a, to the joint standing committees of the  
341 General Assembly having cognizance of matters relating to  
342 appropriations, the judiciary, human services and children, and the  
343 Secretary of the Office of Policy and Management, regarding the  
344 following:

345 (1) Any statutory changes concerning the juvenile justice system  
346 that the committee recommends to (A) improve public safety; (B)  
347 promote the best interests of children and youths who are under the  
348 supervision, care or custody of the Commissioner of Children and  
349 Families or the Court Support Services Division of the Judicial  
350 Department; (C) improve transparency and accountability with respect  
351 to state-funded services for children and youths in the juvenile justice  
352 system with an emphasis on goals identified by the committee for  
353 community-based programs and facility-based interventions; and (D)  
354 promote the efficient sharing of information between the Department  
355 of Children and Families and the Judicial Department to ensure the

356 regular collection and reporting of recidivism data and promote public  
357 welfare and public safety outcomes related to the juvenile justice  
358 system;

359 (2) A definition of "recidivism" that the committee recommends to  
360 be used by state agencies with responsibilities with respect to the  
361 juvenile justice system, and recommendations to reduce recidivism for  
362 children and youths in the juvenile justice system;

363 (3) Short-term goals to be met within six months, medium-term  
364 goals to be met within twelve months and long-term goals to be met  
365 within eighteen months, for the Juvenile Justice Policy and Oversight  
366 Committee and state agencies with responsibilities with respect to the  
367 juvenile justice system to meet, after considering existing relevant  
368 reports related to the juvenile justice system and any related state  
369 strategic plan;

370 (4) The impact of legislation that expanded the jurisdiction of the  
371 juvenile court to include persons sixteen and seventeen years of age, as  
372 measured by the following:

373 (A) Any change in the average age of children and youths involved  
374 in the juvenile justice system;

375 (B) The types of services used by designated age groups and the  
376 outcomes of those services;

377 (C) The types of delinquent acts or criminal offenses that children  
378 and youths have been charged with since the enactment and  
379 implementation of such legislation; and

380 (D) The gaps in services identified by the committee with respect to  
381 children and youths involved in the juvenile justice system, including,  
382 but not limited to, children and youths who have attained the age of  
383 eighteen after being involved in the juvenile justice system, and  
384 recommendations to address such gaps in services; and

385 (5) Strengths and barriers identified by the committee that support  
386 or impede the educational needs of children and youths in the juvenile  
387 justice system, with specific recommendations for reforms.

388 (g) Not later than July 1, 2015, the committee shall report, in  
389 accordance with section 11-4a, to the joint standing committees of the  
390 General Assembly having cognizance of matters relating to  
391 appropriations, the judiciary, human services and children, and the  
392 Secretary of the Office of Policy and Management, regarding the  
393 following:

394 (1) The quality and accessibility of diversionary programs available  
395 to children and youths in this state, including juvenile review boards  
396 and services for a child or youth who is a member of a family with  
397 service needs;

398 (2) An assessment of the system of community-based services for  
399 children and youths who are under the supervision, care or custody of  
400 the Commissioner of Children and Families or the Court Support  
401 Services Division of the Judicial Department;

402 (3) An assessment of the congregate care settings that are operated  
403 privately or by the state and have housed children and youths  
404 involved in the juvenile justice system in the past twelve months;

405 (4) An examination of how the state Department of Education and  
406 local boards of education, the Department of Children and Families,  
407 the Department of Mental Health and Addiction Services, the Court  
408 Support Services Division of the Judicial Department, and other  
409 appropriate agencies can work collaboratively through school-based  
410 efforts and other processes to reduce the number of children and  
411 youths who enter the juvenile justice system as a result of being a  
412 member of a family with service needs or [convicted] adjudicated as  
413 delinquent;

414 (5) An examination of practices and procedures that result in

415 disproportionate minority contact, as defined in section 4-68y, within  
416 the juvenile justice system;

417 (6) A plan to provide that all facilities and programs that are part of  
418 the juvenile justice system and are operated privately or by the state  
419 provide results-based accountability;

420 (7) An assessment of the number of children and youths who, after  
421 being under the supervision of the Department of Children and  
422 Families, are ~~[convicted]~~ adjudicated as delinquent; and

423 (8) An assessment of the overlap between the juvenile justice system  
424 and the mental health care system for children.

425 (h) The committee may form working groups to solicit feedback  
426 from persons identified by the members of each such group as  
427 stakeholders in policies related to the juvenile justice system and the  
428 expansion of the juvenile jurisdiction to enable the committee to fulfill  
429 its duties pursuant to this section.

430 ~~[(h)]~~ (i) The committee shall complete its duties under this section  
431 after consultation with one or more organizations that focus on  
432 relevant issues regarding children and youths, such as the University  
433 of New Haven and any of the university's institutes. The committee  
434 may accept administrative support and technical and research  
435 assistance from any such organization. The committee shall work in  
436 collaboration with any results first initiative implemented pursuant to  
437 section 2-111 or any public or special act.

438 ~~[(i)]~~ (j) The committee shall establish a time frame for review and  
439 reporting regarding the responsibilities outlined in subdivision (5) of  
440 subsection (f) of this section, and subdivisions (1) to (7), inclusive, of  
441 subsection (g) of this section. Each report submitted by the committee  
442 shall include specific recommendations to improve outcomes and a  
443 timeline by which specific tasks or outcomes must be achieved.

444        [(j)] (k) The committee shall implement a strategic plan that  
445 integrates the short-term, medium-term and long-term goals identified  
446 pursuant to subdivision (3) of subsection (f) of this section. As part of  
447 the implementation of such plan, the committee shall collaborate with  
448 any state agency with responsibilities with respect to the juvenile  
449 justice system, including, but not limited to, the Departments of  
450 Education, Mental Health and Addiction Services, Correction and  
451 Children and Families and the Labor Department and Judicial  
452 Department, and municipal police departments. Not later than January  
453 1, 2016, the committee shall report such plan, in accordance with  
454 section 11-4a, to the joint standing committees of the General  
455 Assembly having cognizance of matters relating to appropriations, the  
456 judiciary, human services and children, and the Secretary of the Office  
457 of Policy and Management, regarding progress toward the full  
458 implementation of such plan and any recommendations concerning  
459 the implementation of such identified goals by any state agency with  
460 responsibilities with respect to the juvenile justice system or municipal  
461 police departments.

462        [(k)] (l) The committee shall assess the juvenile justice system and  
463 make recommendations, if any, to improve the system. Not later than  
464 July 1, 2016, July 1, 2017, and July 1, 2018, the committee shall report  
465 such assessment and recommendations, in accordance with section 11-  
466 4a, to the joint standing committees of the General Assembly having  
467 cognizance of matters relating to appropriations, the judiciary, human  
468 services and children, and the Secretary of the Office of Policy and  
469 Management, regarding the following:

470        (1) Mental health and substance abuse treatment programs and  
471 services for children and youths involved with, or at risk of  
472 involvement with, the juvenile justice system;

473        (2) Educational outcomes for children and youths involved with, or  
474 at risk of involvement with, the juvenile justice system;

475 (3) Disproportionate minority contact, as defined in section 4-68y,  
476 with children and youths involved with the juvenile justice system;

477 (4) Training on the juvenile justice system for state agencies and  
478 municipal police departments;

479 (5) Diversion of at-risk children and youths from the juvenile justice  
480 system;

481 (6) Recidivism tracking and policies and procedures to reduce  
482 recidivism;

483 (7) Data sharing among public and private juvenile justice and other  
484 child services agencies, including the Department of Education, to  
485 evaluate the effectiveness and efficiency of the juvenile justice system;

486 (8) Vocational educational opportunities for children and youths in  
487 the juvenile justice system until the child or youth reaches the age of  
488 twenty-one years of age;

489 (9) Oversight and the reduction in the use of restraints for children  
490 and youths, and the reduction in the use of seclusion and room  
491 confinement in juvenile justice facilities;

492 (10) Use of evidence-based positive behavioral support strategies  
493 and other evidence-based or research-informed strategies for reducing  
494 the reliance on restraints and seclusion; and

495 (11) Programs and facilities using restraints or seclusion for children  
496 or youths and any data regarding such uses, including, but not limited  
497 to, the rate and duration of use for children and youths with  
498 disabilities.

499 [(l)] (m) Not later than July 1, 2015, and quarterly thereafter until  
500 January 1, 2017, and annually thereafter, the committee shall submit a  
501 report, in accordance with section 11-4a, to the joint standing  
502 committees of the General Assembly having cognizance of matters

503 relating to appropriations, the judiciary, human services and children,  
504 and the Secretary of the Office of Policy and Management, regarding  
505 progress made to achieve goals and measures identified by the  
506 committee pursuant to this section.

507 (n) The committee shall plan for the implementation of any changes  
508 required pursuant to chapter 815t and sections 54-76b to 54-76q,  
509 inclusive, as amended by this act, to the juvenile justice system in  
510 order to extend jurisdiction in delinquency matters and proceedings  
511 within the superior court for juvenile matters to include persons who  
512 are (1) eighteen years of age or older but under nineteen years of age,  
513 beginning July 1, 2017, (2) nineteen years of age or older but under  
514 twenty years of age, beginning July 1, 2018, and (3) twenty years of age  
515 or older but under twenty-one years of age, beginning July 1, 2019. On  
516 or before January 1, 2017, the committee shall submit a report, in  
517 accordance with section 11-4a, on the committee's findings, together  
518 with any recommendations for legislation, to the Governor, the  
519 speaker of the House of Representatives, the majority leader of the  
520 House of Representatives, the president pro tempore of the Senate, the  
521 majority leader of the Senate and the joint standing committees of the  
522 General Assembly having cognizance of matters relating to the  
523 judiciary, human services, children and appropriations.

524 Sec. 4. Section 46b-127 of the 2016 supplement to the general statutes  
525 is repealed and the following is substituted in lieu thereof (*Effective July*  
526 *1, 2017*):

527 (a) (1) The court shall automatically transfer from the docket for  
528 juvenile matters to the regular criminal docket of the Superior Court  
529 the case of any child or young adult charged with the commission of a  
530 capital felony under the provisions of section 53a-54b in effect prior to  
531 April 25, 2012, a class A felony, or a class B felony, except as provided  
532 in subdivision (3) of this subsection, or a violation of section 53a-54d,  
533 provided such offense was committed [after such child attained the  
534 age of fifteen years] when such person was at least fifteen years of age

535 and counsel has been appointed for such child or young adult if such  
536 child or young adult is indigent. Such counsel may appear with the  
537 child or young adult but shall not be permitted to make any argument  
538 or file any motion in opposition to the transfer. The child or young  
539 adult shall be arraigned in the regular criminal docket of the Superior  
540 Court at the next court date following such transfer. [ , provided any]  
541 Any proceedings held prior to the finalization of such transfer shall be  
542 private and shall be conducted in such parts of the courthouse or the  
543 building in which the court is located that are separate and apart from  
544 the other parts of the court which are then being used for proceedings  
545 pertaining to [adults] persons charged with crimes on the regular  
546 criminal docket.

547 (2) A state's attorney may, at any time after such arraignment, file a  
548 motion to transfer the case of any child or young adult charged with  
549 the commission of a class B felony or a violation of subdivision (2) of  
550 subsection (a) of section 53a-70 to the docket for juvenile matters for  
551 proceedings in accordance with the provisions of this chapter.

552 (3) No case of any child or young adult charged with the  
553 commission of a violation of section 53a-55, 53a-59b, 53a-71 or 53a-94,  
554 subdivision (2) of subsection (a) of section 53a-101, section 53a-112,  
555 53a-122 or 53a-129b, subdivision (1), (3) or (4) of subsection (a) of  
556 section 53a-134, section 53a-196c, 53a-196d or 53a-252 or subsection (a)  
557 of section 53a-301 shall be transferred from the docket for juvenile  
558 matters to the regular criminal docket of the Superior Court, except as  
559 provided in this subdivision. Upon motion of a prosecutorial official,  
560 the superior court for juvenile matters shall conduct a hearing to  
561 determine whether the case of any child or young adult charged with  
562 the commission of any such offense shall be transferred from the  
563 docket for juvenile matters to the regular criminal docket of the  
564 Superior Court. The court shall not order that the case be transferred  
565 under this subdivision unless the court finds that (A) such offense was  
566 committed [after such child attained the age of fifteen years] by a child  
567 when such child was at least fifteen years of age or by a young adult,

568 (B) there is probable cause to believe the child or young adult has  
569 committed the act for which the child or young adult is charged, and  
570 (C) the best interests of the child or young adult and the public will not  
571 be served by maintaining the case in the superior court for juvenile  
572 matters. In making such findings, the court shall consider (i) any prior  
573 criminal or juvenile offenses committed by the child or young adult,  
574 (ii) the seriousness of such offenses, (iii) any evidence that the child or  
575 young adult has intellectual disability or mental illness, and (iv) the  
576 availability of services in the docket for juvenile matters that can serve  
577 the [child's] needs of the child or young adult. Any motion under this  
578 subdivision shall be made, and any hearing under this subdivision  
579 shall be held, not later than thirty days after the child or young adult is  
580 arraigned in the superior court for juvenile matters.

581 (b) (1) Upon motion of a prosecutorial official, the superior court for  
582 juvenile matters shall conduct a hearing to determine whether the case  
583 of any child or young adult charged with the commission of a class C,  
584 D or E felony or an unclassified felony shall be transferred from the  
585 docket for juvenile matters to the regular criminal docket of the  
586 Superior Court. The court shall not order that the case be transferred  
587 under this subdivision unless the court finds that (A) such offense was  
588 committed [after such child attained the age of fifteen years] by a child  
589 when such child was at least fifteen years of age or by a young adult,  
590 (B) there is probable cause to believe the child or young adult has  
591 committed the act for which the child or young adult is charged, and  
592 (C) the best interests of the child or young adult and the public will not  
593 be served by maintaining the case in the superior court for juvenile  
594 matters. In making such findings, the court shall consider (i) any prior  
595 criminal or juvenile offenses committed by the child or young adult,  
596 (ii) the seriousness of such offenses, (iii) any evidence that the child or  
597 young adult has intellectual disability or mental illness, and (iv) the  
598 availability of services in the docket for juvenile matters that can serve  
599 the [child's] needs of the child or young adult. Any motion under this  
600 subdivision shall be made, and any hearing under this subdivision

601 shall be held, not later than thirty days after the child or young adult is  
602 arraigned in the superior court for juvenile matters.

603 (2) If a case is transferred to the regular criminal docket pursuant to  
604 subdivision (1) of this subsection or subdivision (3) of subsection (a) of  
605 this section, the court sitting for the regular criminal docket may return  
606 the case to the docket for juvenile matters at any time prior to a jury  
607 rendering a verdict or the entry of a guilty plea for good cause shown  
608 for proceedings in accordance with the provisions of this chapter.

609 (c) Upon the effectuation of the transfer, such child or young adult  
610 shall stand trial and be sentenced, if convicted, as if such child [were  
611 eighteen years of age] or young adult were an age for adult  
612 jurisdiction, subject to the provisions of section 54-91g. Such child or  
613 young adult shall receive credit against any sentence imposed for time  
614 served in a juvenile facility prior to the effectuation of the transfer. A  
615 child or young adult who has been transferred may enter a guilty plea  
616 to a lesser offense if the court finds that such plea is made knowingly  
617 and voluntarily. Any child or young adult transferred to the regular  
618 criminal docket who pleads guilty to a lesser offense shall not resume  
619 such [child's] person's status as a juvenile regarding such offense. If the  
620 action is dismissed or nolleed or if such child or young adult is found  
621 not guilty of the charge for which such child or young adult was  
622 transferred or of any lesser included offenses, the child or young adult  
623 shall resume such [child's] person's status as a juvenile until such  
624 [child] person attains the age [of eighteen years] for adult jurisdiction.

625 (d) Any child or young adult whose case is transferred to the  
626 regular criminal docket of the Superior Court who is detained  
627 pursuant to such case shall be in the custody of the Commissioner of  
628 Correction upon the finalization of such transfer. A transfer shall be  
629 final (1) upon the arraignment on the regular criminal docket until a  
630 motion filed by the state's attorney pursuant to subsection (a) of this  
631 section is granted by the court, or (2) upon the arraignment on the  
632 regular criminal docket of a transfer ordered pursuant to subsection (b)

633 of this section until the court sitting for the regular criminal docket  
634 orders the case returned to the docket for juvenile matters for good  
635 cause shown. Any child or young adult whose case is returned to the  
636 docket for juvenile matters who is detained pursuant to such case shall  
637 be in the custody of the Judicial Department.

638 (e) The transfer of a child or young adult to a Department of  
639 Correction facility shall be limited as provided in subsection (d) of this  
640 section and said subsection shall not be construed to permit the  
641 transfer of or otherwise reduce or eliminate any other population of  
642 juveniles in detention or confinement within the Judicial Department  
643 or the Department of Children and Families.

644 (f) Upon the motion of any party or upon the court's own motion,  
645 the case of any youth [age sixteen or seventeen] or young adult, except  
646 a case that has been transferred to the regular criminal docket of the  
647 Superior Court pursuant to subsection (a) or (b) of this section, which  
648 is pending on the youthful offender docket, regular criminal docket of  
649 the Superior Court or any docket for the presentment of defendants in  
650 motor vehicle matters, where the youth or young adult is charged with  
651 committing any offense or violation for which a term of imprisonment  
652 may be imposed, other than a violation of section 14-227a or 14-227g,  
653 may, before trial or before the entry of a guilty plea, be transferred to  
654 the docket for juvenile matters if (1) [the] (A) a youth is alleged to have  
655 committed such offense or violation on or after January 1, 2010, while  
656 sixteen years of age or older but under seventeen years of age, or is  
657 alleged to have committed such offense or violation on or after July 1,  
658 2012, while seventeen years of age or older but under eighteen years of  
659 age, or (B) a young adult is alleged to have committed such offense or  
660 violation on or after July 1, 2017, while younger than the age for adult  
661 jurisdiction, and (2) after a hearing considering the facts and  
662 circumstances of the case and the prior history of the youth or young  
663 adult, the court determines that the programs and services available  
664 pursuant to a proceeding in the superior court for juvenile matters  
665 would more appropriately address the needs of the youth or young

666 adult and that the youth or young adult and the community would be  
667 better served by treating the youth or young adult as a delinquent.  
668 Upon ordering such transfer, the court shall vacate any pleas entered  
669 in the matter and advise the youth or young adult of the youth's or  
670 young adult's rights, and the youth or young adult shall (A) enter  
671 pleas on the docket for juvenile matters in the jurisdiction where the  
672 youth or young adult resides, and (B) be subject to prosecution as a  
673 delinquent [child] youth or young adult. The decision of the court  
674 concerning the transfer of [a youth's case] the case of a youth or young  
675 adult, from the youthful offender docket, regular criminal docket of  
676 the Superior Court or any docket for the presentment of defendants in  
677 motor vehicle matters shall not be a final judgment for purposes of  
678 appeal.

679 Sec. 5. Section 46b-133 of the general statutes is repealed and the  
680 following is substituted in lieu thereof (*Effective July 1, 2017*):

681 (a) Nothing in this part shall be construed as preventing the arrest of  
682 a child or young adult, with or without a warrant, as may be provided  
683 by law, or as preventing the issuance of warrants by judges in the  
684 manner provided by section 54-2a, except that no child or young adult  
685 shall be taken into custody on such process except on apprehension in  
686 the act, or on speedy information, or in other cases when the use of  
687 such process appears imperative. Whenever a child or young adult is  
688 arrested and charged with a crime, such child or young adult may be  
689 required to submit to the taking of his or her photograph, physical  
690 description and fingerprints. Notwithstanding the provisions of  
691 section 46b-124, as amended by this act, the name, photograph and  
692 custody status of any child or young adult arrested for the commission  
693 of a capital felony under the provisions of section 53a-54b in effect  
694 prior to April 25, 2012, or class A felony may be disclosed to the public.

695 (b) Whenever a child or young adult is brought before a judge of the  
696 Superior Court, such judge shall immediately have the case proceeded  
697 upon as a juvenile matter. Such judge may admit the child or young

698 adult to bail or, in the case of a child, release the child in the custody of  
699 the child's parent or parents, the child's guardian or some other  
700 suitable person to appear before the Superior Court when ordered. If  
701 detention becomes necessary, such detention shall be in the manner  
702 prescribed by this chapter, provided the child or young adult shall be  
703 placed in the least restrictive environment possible in a manner  
704 consistent with public safety.

705 (c) Upon the arrest of any child or young adult by an officer, such  
706 officer may (1) in the case of a child, release the child to the custody of  
707 the child's parent or parents, guardian or some other suitable person or  
708 agency, (2) at the discretion of the officer, release the child or young  
709 adult to the child's or young adult's own custody, or (3) seek a court  
710 order to detain the child or young adult. [in a juvenile detention  
711 center.] No child or young adult shall be [placed in detention] detained  
712 unless it appears from the available facts that there is probable cause to  
713 believe that the child or young adult has committed the acts alleged,  
714 there is no less restrictive alternative available and there is (A) a strong  
715 probability that the child or young adult will run away prior to the  
716 court hearing or disposition, (B) a strong probability that the child or  
717 young adult will commit or attempt to commit other offenses injurious  
718 to the child or young adult or to the community prior to the court  
719 disposition, (C) probable cause, in the case of a child, to believe that  
720 the child's continued residence in the child's home pending disposition  
721 poses a risk to the child or the community because of the serious and  
722 dangerous nature of the act or acts the child is alleged to have  
723 committed, (D) a need to hold the child or young adult for another  
724 jurisdiction, (E) a need to hold the child or young adult to assure the  
725 [child's] appearance of the child or young adult before the court, in  
726 view of [the child's] any previous failure to respond to the court  
727 process, or (F) a finding by the court that the child or young adult has  
728 violated one or more of the conditions of a suspended detention order.  
729 No child or young adult shall be [held in any detention center]  
730 detained unless an order to detain is issued by a judge of the Superior

731 Court.

732 (d) (1) When a child or young adult is arrested for the commission  
733 of a delinquent act and the child or young adult is not [placed in  
734 detention] detained or referred to a diversionary program, an officer  
735 shall serve a written complaint and summons on the child or young  
736 adult and, in the case of a child, the child's parent, guardian or some  
737 other suitable person or agency. [If] In the case of a child, if such child  
738 is released to the child's own custody, the officer shall make reasonable  
739 efforts to notify, and to provide a copy of a written complaint and  
740 summons to, the parent or guardian or some other suitable person or  
741 agency prior to the court date on the summons. If any person so  
742 summoned wilfully fails to appear in court at the time and place so  
743 specified, the court may issue a warrant for the [child's arrest or] arrest  
744 of the child or young adult or in the case of a child, a capias to assure  
745 the appearance in court of such child's parent, guardian or other  
746 person. If a child or young adult wilfully fails to appear in response to  
747 such a summons, the court may order such child or young adult taken  
748 into custody and such child or young adult may be charged with the  
749 delinquent act of wilful failure to appear under section 46b-120, as  
750 amended by this act. [The] In the case of a child, the court may punish  
751 for contempt, as provided in section 46b-121, as amended by this act,  
752 any parent, guardian or other person so summoned who wilfully fails  
753 to appear in court at the time and place so specified.

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

758 (e) The court or detention supervisor may, in the case of a child,  
759 turn such child over to a youth service program created for such  
760 purpose, if such course is practicable, or such child and any young  
761 adult may be detained pending a hearing which shall be held on the  
762 business day next following the [child's] arrest of the child or young

763 adult. No child or young adult shall be detained after such hearing [or  
764 held in detention pursuant to a court order] unless it appears from the  
765 available facts there is probable cause to believe that the child or young  
766 adult has committed the acts alleged, there is no less restrictive  
767 alternative available and that there is (1) a strong probability that the  
768 child or young adult will run away prior to the court hearing or  
769 disposition, (2) a strong probability that the child or young adult will  
770 commit or attempt to commit other offenses injurious to the child or  
771 young adult or to the community prior to the court disposition, (3)  
772 probable cause in the case of a child, to believe that the child's  
773 continued residence in the child's home pending disposition poses a  
774 risk to the child or the community because of the serious and  
775 dangerous nature of the act or acts the child is alleged to have  
776 committed, (4) a need to hold the child or young adult for another  
777 jurisdiction, (5) a need to hold the child or young adult to assure the  
778 [child's] appearance of the child or young adult before the court, in  
779 view of the [child's] any previous failure to respond to the court  
780 process, or (6) a finding by the court that the child or young adult has  
781 violated one or more of the conditions of a suspended detention order.  
782 Such probable cause may be shown by sworn affidavit in lieu of  
783 testimony. No child or young adult shall be released from detention  
784 who is alleged to have committed a serious juvenile offense except by  
785 order of a judge of the Superior Court. Any child confined in a  
786 community correctional center or lockup shall be held in an area  
787 separate and apart from any adult detainee, except in the case of a  
788 nursing infant, and no child shall at any time be held in solitary  
789 confinement. When a female child or young adult is held in custody,  
790 she shall, as far as possible, be in the charge of a woman attendant.

791 (f) The police officer who brings a child into detention shall have  
792 first notified, or made a reasonable effort to notify, the parents or  
793 guardian of the child in question of the intended action and shall file at  
794 the detention center a signed statement setting forth the alleged  
795 delinquent conduct of the child. Unless the arrest was for a serious

796 juvenile offense or unless an order not to release is noted on the take  
797 into custody order, arrest warrant or order to detain, the child may be  
798 released by a detention supervisor to the custody of the child's parent  
799 or parents, guardian or some other suitable person or agency.

800 (g) In conjunction with any order of release from detention, the  
801 court may, when it has reason to believe a child or young adult is  
802 alcohol-dependent or drug-dependent as defined in section 46b-120, as  
803 amended by this act, and where necessary, reasonable and  
804 appropriate, order the child or young adult to participate in a program  
805 of periodic alcohol or drug testing and treatment as a condition of such  
806 release. The results of any such alcohol or drug test shall be admissible  
807 only for the purposes of enforcing the conditions of release from  
808 detention.

809 (h) The detention supervisor of a juvenile detention center in charge  
810 of intake shall admit only a child who: (1) Is the subject of an order to  
811 detain or an outstanding court order to take such child into custody,  
812 (2) is ordered by a court to be held in detention, or (3) is being  
813 transferred to such center to await a court appearance.

814 (i) Whenever a child or young adult is subject to a court order to  
815 take such child or young adult into custody, or other process issued  
816 pursuant to this section or section 46b-140a, as amended by this act, the  
817 Judicial Branch may cause the order or process to be entered into a  
818 central computer system in accordance with policies and procedures  
819 established by the Chief Court Administrator. The existence of the  
820 order or process in the computer system shall constitute prima facie  
821 evidence of the issuance of the order or process. Any child or young  
822 adult named in the order or process may be arrested or taken into  
823 custody based on the existence of the order or process in the computer  
824 system and, if the order or process directs that such child be detained,  
825 the child shall be held in a juvenile detention center.

826 Sec. 6. Section 46b-133c of the 2016 supplement to the general

827 statutes is repealed and the following is substituted in lieu thereof  
828 (*Effective July 1, 2017*):

829 (a) Whenever a child or young adult is referred for the commission  
830 of a felony committed by a child after such child attained the age of  
831 [fourteen] fifteen years or by a young adult and such child or young  
832 adult is a serious juvenile repeat offender, as defined in section 46b-  
833 120, as amended by this act, the prosecutorial official may request the  
834 court to designate the proceeding as a serious juvenile repeat offender  
835 prosecution.

836 (b) If a prosecutorial official requests that a proceeding be  
837 designated a serious juvenile repeat offender prosecution, the court  
838 shall hold a hearing not later than thirty days after the filing of such  
839 request unless good cause is shown by the prosecutorial official or by  
840 the child or young adult as to why the hearing should not be held  
841 within such period. If good cause is shown, the hearing shall be held  
842 not later than ninety days after the filing of such request. The court  
843 shall decide whether to designate the proceeding as a serious juvenile  
844 repeat offender prosecution not later than thirty days after the  
845 completion of such hearing. The court shall grant the request to  
846 designate the proceeding as a serious juvenile repeat offender  
847 prosecution if the prosecutorial official shows by clear and convincing  
848 evidence that such designation will serve the public safety. The  
849 decision to designate the proceeding as a serious juvenile repeat  
850 offender prosecution shall not be a final judgment for purposes of  
851 appeal.

852 (c) A proceeding designated as a serious juvenile repeat offender  
853 prosecution pursuant to subsection (b) of this section shall be held  
854 before the court without a jury provided the child or young adult has  
855 waived his or her right to a trial by jury. If a child or young adult is  
856 convicted of or pleads guilty to a felony in such proceeding, the court  
857 shall: (1) Sentence the child or young adult in accordance with section  
858 46b-140, as amended by this act, or 46b-141a, as amended by this act,

859 and (2) sentence the child or young adult in accordance with section  
860 53a-28 with the execution of such sentence stayed on the condition that  
861 the child or young adult not violate the conditions of the sentence  
862 imposed pursuant to subdivision (1) of this subsection or commit a  
863 subsequent crime.

864 (d) If a child or young adult is convicted of or pleads guilty to a  
865 misdemeanor in a proceeding designated as a serious juvenile repeat  
866 offender prosecution pursuant to subsection (b) of this section, the  
867 court shall sentence the child or young adult in accordance with  
868 section 46b-140, as amended by this act, or 46b-141a, as amended by  
869 this act.

870 (e) Whenever it appears that a child or young adult who has been  
871 sentenced pursuant to subsection (c) of this section has violated the  
872 conditions of the sentence imposed pursuant to subdivision (1) of said  
873 subsection (c) or has committed a subsequent crime, the court may,  
874 without notice, order that the child or young adult be immediately  
875 taken into custody in accordance with the provisions of section 46b-  
876 125. The court shall notify the child or young adult and, in the case of a  
877 child, such child's parent or guardian and the attorney of record, if  
878 any, in writing of the reasons alleged to exist for the lifting of the stay  
879 of execution of the sentence imposed pursuant to subdivision (2) of  
880 said subsection (c). If the child or young adult challenges such reasons,  
881 the court shall hold a hearing at which the child or young adult shall  
882 be entitled to be heard and be represented by counsel. After such  
883 hearing, if the court finds that the child or young adult has violated the  
884 conditions of the sentence imposed pursuant to subdivision (1) of said  
885 subsection (c) or committed a subsequent crime, it shall order the child  
886 or young adult to serve a sentence not to exceed that imposed  
887 pursuant to subdivision (2) of said subsection (c) unless it determines  
888 there are mitigating circumstances that justify continuing the stay of  
889 execution and specifically states such mitigating circumstances in  
890 writing for the record. The child or young adult shall receive credit  
891 against any sentence imposed pursuant to subdivision (2) of said

892 subsection (c) for time served in a juvenile or detention facility  
893 pursuant to the sentence imposed pursuant to subdivision (1) of said  
894 subsection (c).

895 (f) Whenever a proceeding has been designated a serious juvenile  
896 repeat offender prosecution pursuant to subsection (b) of this section  
897 and the child or young adult does not waive such child's or young  
898 adult's right to a trial by jury, the court shall transfer the case from the  
899 docket for juvenile matters to the regular criminal docket of the  
900 Superior Court. Upon transfer, such child or young adult shall stand  
901 trial and be sentenced, if convicted, as if such child or young adult  
902 were [eighteen years of age] an age for adult jurisdiction, subject to the  
903 provisions of section 54-91g, except that no such child shall be placed  
904 in a correctional facility but shall be maintained in a facility for  
905 children and youths until such child attains eighteen years of age or  
906 until such child is sentenced, whichever occurs first. Such child or  
907 young adult shall receive credit against any sentence imposed for time  
908 served in a juvenile or detention facility prior to the effectuation of the  
909 transfer. A child or young adult who has been transferred may enter a  
910 guilty plea to a lesser offense if the court finds that such plea is made  
911 knowingly and voluntarily. Any child or young adult transferred to  
912 the regular criminal docket who pleads guilty to a lesser offense shall  
913 not resume such [child's] person's status as a juvenile regarding such  
914 offense. If the action is dismissed or nolleed or if such child or young  
915 adult is found not guilty of the charge for which such child or young  
916 adult was transferred, the child or young adult shall resume such  
917 [child's] person's status as a juvenile until such [child] person attains  
918 [eighteen years of age] the age for adult jurisdiction.

919 Sec. 7. Section 46b-133d of the 2016 supplement to the general  
920 statutes is repealed and the following is substituted in lieu thereof  
921 (*Effective July 1, 2017*):

922 (a) For the purposes of this section, "special juvenile probation"  
923 means a period of probation imposed by the superior court for juvenile

924 matters upon a child or young adult in a proceeding designated as a  
925 serious sexual offender prosecution during which the child or young  
926 adult is supervised by a juvenile probation officer prior to such [child]  
927 person attaining [eighteen years of age] the age for adult jurisdiction  
928 and by an adult probation officer after such child attains [eighteen  
929 years of age] the age for adult jurisdiction.

930 (b) Whenever a child or young adult is referred for the commission  
931 of any crime of a sexual nature, and such case is not transferred to the  
932 regular criminal docket pursuant to section 46b-127, as amended by  
933 this act, the prosecutorial official may request the court to designate  
934 the proceeding as a serious sexual offender prosecution.

935 (c) If a prosecutorial official requests that a proceeding be  
936 designated a serious sexual offender prosecution, the court shall hold a  
937 hearing not later than thirty days after the filing of such request unless  
938 good cause is shown by the prosecutorial official or by the child or  
939 young adult as to why the hearing should not be held within such  
940 period. If good cause is shown, the hearing shall be held not later than  
941 ninety days after the filing of such request. The court shall decide  
942 whether to designate the proceeding as a serious sexual offender  
943 prosecution not later than thirty days after the completion of such  
944 hearing. The court shall grant the request to designate the proceeding  
945 as a serious sexual offender prosecution if the prosecutorial official  
946 shows by a preponderance of the evidence that such designation will  
947 serve the public safety. The decision to designate the proceeding as a  
948 serious sexual offender prosecution shall not be a final judgment for  
949 purposes of appeal.

950 (d) A proceeding designated as a serious sexual offender  
951 prosecution pursuant to subsection (c) of this section shall be held  
952 before the court without a jury provided the child or young adult has  
953 waived the right to a trial by jury. If a child or young adult is convicted  
954 of or pleads guilty or nolo contendere to a charge in a proceeding that  
955 has been designated as a serious sexual offender prosecution, the court

956 shall: (1) Sentence the child or young adult in accordance with section  
957 46b-140, as amended by this act, or 46b-141a, as amended by this act,  
958 (2) sentence the child or young adult to a period of special juvenile  
959 probation of at least five years, to commence upon the release of the  
960 child or young adult from the institution, agency or program in whose  
961 care the child or young adult had been placed, and (3) sentence the  
962 child or young adult in accordance with section 53a-28 with the  
963 execution of such sentence stayed on the condition that the child or  
964 young adult not violate the conditions of the sentence imposed  
965 pursuant to subdivisions (1) and (2) of this subsection or commit a  
966 subsequent crime.

967 (e) Whenever it appears that a child or young adult who has been  
968 sentenced pursuant to subsection (d) of this section has violated the  
969 conditions of the sentence imposed pursuant to subdivision (2) of said  
970 subsection or has committed a subsequent crime, the court may,  
971 without notice, order that the child or young adult be immediately  
972 taken into custody in accordance with the provisions of sections 46b-  
973 125 and 53a-32. If such violation of probation or subsequent crime  
974 occurs prior to the person attaining [eighteen years of age] the age for  
975 adult jurisdiction, the matter shall be handled by the superior court for  
976 juvenile matters. If such violation of probation or subsequent crime  
977 occurs after the person has attained [eighteen years of age] the age for  
978 adult jurisdiction, the matter shall be handled by the regular criminal  
979 docket of the Superior Court. Whenever such matter is handled by the  
980 superior court for juvenile matters, the court shall notify the child or  
981 young adult and, in the case of a child, such child's parent or guardian,  
982 and the attorney of record for such child or young adult, if any, in  
983 writing of the reasons alleged to exist for the lifting of the stay of  
984 execution of the sentence imposed pursuant to subdivision (3) of  
985 subsection (d) of this section. If the child or young adult challenges  
986 such reasons, the court shall hold a hearing at which the child or  
987 young adult shall be entitled to be heard and be represented by  
988 counsel. After such hearing, if the court finds that the child or young

989 adult has violated the conditions of the sentence imposed pursuant to  
990 subdivision (2) of subsection (d) of this section or committed a  
991 subsequent crime, it shall order the child or young adult to serve a  
992 sentence not to exceed that imposed pursuant to subdivision (3) of  
993 subsection (d) of this section unless it determines there are mitigating  
994 circumstances that justify continuing the stay of execution and  
995 specifically states such mitigating circumstances in writing for the  
996 record. The child or young adult shall receive credit against any  
997 sentence imposed pursuant to subdivision (3) of subsection (d) of this  
998 section for time served in a juvenile or detention facility pursuant to  
999 the sentence imposed pursuant to subdivision (1) of said subsection.

1000 (f) When a proceeding has been designated a serious sexual  
1001 offender prosecution pursuant to subsection (c) of this section and the  
1002 child or young adult does not waive the right to a trial by jury, the  
1003 court shall transfer the case from the docket for juvenile matters to the  
1004 regular criminal docket of the Superior Court. Upon transfer, such  
1005 child or young adult shall stand trial and be sentenced, if convicted, as  
1006 if such child or young adult were [eighteen years of age] an age for  
1007 adult jurisdiction, subject to the provisions of section 54-91g, except  
1008 that no such child or young adult shall be placed in a correctional  
1009 facility but shall be maintained in a facility for children and youths  
1010 until such child attains eighteen years of age or until such child is  
1011 sentenced, whichever occurs first. Such child or young adult shall  
1012 receive credit against any sentence imposed for time served in a  
1013 juvenile or detention facility prior to the effectuation of the transfer. A  
1014 child or young adult who has been transferred may enter a guilty plea  
1015 to a lesser offense if the court finds that such plea is made knowingly  
1016 and voluntarily. Any child or young adult transferred to the regular  
1017 criminal docket who pleads guilty to a lesser offense shall not resume  
1018 such [child's] person's status as a juvenile regarding such offense. If the  
1019 action is dismissed or nolleed or if such child or young adult is found  
1020 not guilty of the charge for which such child or young adult was  
1021 transferred, the child or young adult shall resume such [child's]

1022 person's status as a juvenile until such [child] person attains [eighteen  
1023 years of age] the age for adult jurisdiction.

1024 Sec. 8. Subsections (d) and (e) of section 4-68m of the 2016  
1025 supplement to the general statutes are repealed and the following is  
1026 substituted in lieu thereof (*Effective from passage*):

1027 (d) In the performance of its duties under this section, the division  
1028 shall collaborate with the Department of Correction, the Board of  
1029 Pardons and Paroles, the Department of Mental Health and Addiction  
1030 Services and the Department of Emergency Services and Public  
1031 Protection and consult with the Chief Court Administrator, the  
1032 executive director of the Court Support Services Division of the  
1033 Judicial Branch, the Chief State's Attorney, [and] the Chief Public  
1034 Defender, the Department of Children and Families and the Office of  
1035 the Chief Medical Examiner.

1036 (e) (1) At the request of the division, the Department of Correction,  
1037 the Board of Pardons and Paroles, the Department of Mental Health  
1038 and Addiction Services, the Department of Emergency Services and  
1039 Public Protection, the Chief Court Administrator, the executive  
1040 director of the Court Support Services Division of the Judicial Branch,  
1041 the Chief State's Attorney, [and] the Chief Public Defender, the  
1042 Department of Children and Families and the Office of the Chief  
1043 Medical Examiner shall provide the division with information and  
1044 data needed by the division to perform its duties under subsection (b)  
1045 of this section.

1046 (2) The division shall have access to individualized records  
1047 maintained by the Judicial Branch and the agencies specified in  
1048 subdivision (1) of this subsection as needed for research purposes. The  
1049 division, in collaboration with the Judicial Branch and the agencies  
1050 specified in subdivision (1) of this subsection, shall develop protocols  
1051 to protect the privacy of such individualized records consistent with  
1052 state and federal law. The division shall use such individualized

1053 records for statistical analyses only and shall not use such records in  
1054 any other manner that would disclose the identity of individuals to  
1055 whom the records pertain.

1056 (3) Any information or data provided to the division pursuant to  
1057 this subsection that is confidential in accordance with state or federal  
1058 law shall remain confidential while in the custody of the division and  
1059 shall not be disclosed.

1060 Sec. 9. Section 46b-124 of the general statutes is repealed and the  
1061 following is substituted in lieu thereof (*Effective July 1, 2017*):

1062 (a) For the purposes of this section, "records of cases of juvenile  
1063 matters" includes, but is not limited to, court records, records  
1064 regarding juveniles maintained by the Court Support Services  
1065 Division, records regarding juveniles maintained by an organization or  
1066 agency that has contracted with the Judicial Branch to provide services  
1067 to juveniles, records of law enforcement agencies including  
1068 fingerprints, photographs and physical descriptions, and medical,  
1069 psychological, psychiatric and social welfare studies and reports by  
1070 juvenile probation officers, public or private institutions, social  
1071 agencies and clinics.

1072 (b) All records of cases of juvenile matters, as provided in section  
1073 46b-121, as amended by this act, except delinquency proceedings, or  
1074 any part thereof, and all records of appeals from probate brought to  
1075 the superior court for juvenile matters pursuant to section 45a-186,  
1076 shall be confidential and for the use of the court in juvenile matters,  
1077 and open to inspection or disclosure to any third party, including bona  
1078 fide researchers commissioned by a state agency, only upon order of  
1079 the Superior Court, except that: (1) Such records shall be available to  
1080 (A) the attorney representing the child or [youth] young adult,  
1081 including the Division of Public Defender Services, in any proceeding  
1082 in which such records are relevant, (B) the parents or guardian of the  
1083 child [or youth] until such time as the child [or youth] reaches the age

1084 of majority or becomes emancipated, (C) an [adult] adopted person  
1085 eighteen years of age or older in accordance with the provisions of  
1086 sections 45a-736, 45a-737 and 45a-743 to 45a-757, inclusive, (D)  
1087 employees of the Division of Criminal Justice who, in the performance  
1088 of their duties, require access to such records, (E) employees of the  
1089 Judicial Branch who, in the performance of their duties, require access  
1090 to such records, (F) another court under the provisions of subsection  
1091 (d) of section 46b-115j, (G) the subject of the record, upon submission  
1092 of satisfactory proof of the subject's identity, pursuant to guidelines  
1093 prescribed by the Office of the Chief Court Administrator, provided  
1094 the subject has reached the age of majority or has been emancipated,  
1095 (H) the Department of Children and Families, (I) the employees of the  
1096 Division of Public Defender Services who, in the performance of their  
1097 duties related to Division of Public Defender Services assigned  
1098 counsel, require access to such records, and (J) judges and employees  
1099 of the Probate Court who, in the performance of their duties, require  
1100 access to such records; and (2) all or part of the records concerning a  
1101 youth in crisis with respect to whom a court order was issued prior to  
1102 January 1, 2010, may be made available to the Department of Motor  
1103 Vehicles, provided such records are relevant to such order. Any  
1104 records of cases of juvenile matters, or any part thereof, provided to  
1105 any persons, governmental or private agencies, or institutions  
1106 pursuant to this section shall not be disclosed, directly or indirectly, to  
1107 any third party not specified in subsection (d) of this section, except as  
1108 provided by court order, in the report required under section 54-76d or  
1109 54-91a or as otherwise provided by law.

1110 (c) All records of cases of juvenile matters involving delinquency  
1111 proceedings, or any part thereof, shall be confidential and for the use  
1112 of the court in juvenile matters and shall not be disclosed except as  
1113 provided in this section.

1114 (d) Records of cases of juvenile matters involving delinquency  
1115 proceedings shall be available to (1) Judicial Branch employees who, in  
1116 the performance of their duties, require access to such records, (2)

1117 judges and employees of the Probate Court who, in the performance of  
1118 their duties, require access to such records, and (3) employees and  
1119 authorized agents of state or federal agencies involved in (A) the  
1120 delinquency proceedings, (B) the provision of services directly to the  
1121 child or young adult, (C) the design and delivery of treatment  
1122 programs pursuant to section 46b-121j, or (D) the delivery of court  
1123 diversionary programs. Such employees and authorized agents  
1124 include, but are not limited to, law enforcement officials, community-  
1125 based youth service bureau officials, state and federal prosecutorial  
1126 officials, school officials in accordance with section 10-233h, court  
1127 officials including officials of both the regular criminal docket and the  
1128 docket for juvenile matters and officials of the Division of Criminal  
1129 Justice, the Division of Public Defender Services, the Department of  
1130 Children and Families, the Court Support Services Division and  
1131 agencies under contract with the Judicial Branch. Such records shall  
1132 also be available to (i) the attorney representing the child or young  
1133 adult, including the Division of Public Defender Services, in any  
1134 proceeding in which such records are relevant, (ii) in the case of a  
1135 child, the parents or guardian of the child, until such time as the  
1136 subject of the record reaches the age of majority, (iii) the subject of the  
1137 record, upon submission of satisfactory proof of the subject's identity,  
1138 pursuant to guidelines prescribed by the Office of the Chief Court  
1139 Administrator, provided the subject has reached the age of majority,  
1140 (iv) law enforcement officials and prosecutorial officials conducting  
1141 legitimate criminal investigations, (v) a state or federal agency  
1142 providing services related to the collection of moneys due or funding  
1143 to support the service needs of eligible juveniles, provided such  
1144 disclosure shall be limited to that information necessary for the  
1145 collection of and application for such moneys, and (vi) members and  
1146 employees of the Board of Pardons and Paroles and employees of the  
1147 Department of Correction who, in the performance of their duties,  
1148 require access to such records, provided the subject of the record has  
1149 been convicted of a crime in the regular criminal docket of the Superior  
1150 Court and such records are relevant to the performance of a risk and

1151 needs assessment of such person while such person is incarcerated, the  
1152 determination of such person's suitability for release from  
1153 incarceration or for a pardon, or the determination of the supervision  
1154 and treatment needs of such person while on parole or other  
1155 supervised release. Records disclosed pursuant to this subsection shall  
1156 not be further disclosed, except that information contained in such  
1157 records may be disclosed in connection with bail or sentencing reports  
1158 in open court during criminal proceedings involving the subject of  
1159 such information, or as otherwise provided by law.

1160 (e) Records of cases of juvenile matters involving delinquency  
1161 proceedings, or any part thereof, may be disclosed upon order of the  
1162 court to any person who has a legitimate interest in the information  
1163 and is identified in such order. Records disclosed pursuant to this  
1164 subsection shall not be further disclosed, except as specifically  
1165 authorized by a subsequent order of the court.

1166 (f) Records of cases of juvenile matters involving delinquency  
1167 proceedings, or any part thereof, shall be available to the victim of the  
1168 crime committed by such child or young adult to the same extent as  
1169 the record of the case of a defendant in a criminal proceeding in the  
1170 regular criminal docket of the Superior Court is available to a victim of  
1171 the crime committed by such defendant. The court shall designate an  
1172 official from whom such victim may request such information. Records  
1173 disclosed pursuant to this subsection shall not be further disclosed,  
1174 except as specifically authorized by a subsequent order of the court.

1175 (g) Information concerning a child or young adult who is the subject  
1176 of an order to take such child or young adult into custody or other  
1177 process that has been entered into a central computer system pursuant  
1178 to subsection (i) of section 46b-133, as amended by this act, may be  
1179 disclosed to employees and authorized agents of the Judicial Branch,  
1180 law enforcement agencies and the Department of Children and  
1181 Families in accordance with policies and procedures established by the  
1182 Chief Court Administrator.

1183 (h) Information concerning a child or young adult who has escaped  
1184 from a detention center or from a facility to which the child or young  
1185 adult has been committed by the court or for whom an arrest warrant  
1186 has been issued with respect to the commission of a felony may be  
1187 disclosed by law enforcement officials.

1188 (i) Nothing in this section shall be construed to prohibit any person  
1189 employed by the Judicial Branch from disclosing any records,  
1190 information or files in such employee's possession to any person  
1191 employed by the Division of Criminal Justice as a prosecutorial official,  
1192 inspector or investigator who, in the performance of his or her duties,  
1193 requests such records, information or files, or to prohibit any such  
1194 employee of said division from disclosing any records, information or  
1195 files in such employee's possession to any such employee of the  
1196 Judicial Branch who, in the performance of his or her duties, requests  
1197 such records, information or files.

1198 (j) Nothing in this section shall be construed to prohibit a party from  
1199 making a timely objection to the admissibility of evidence consisting of  
1200 records of cases of juvenile matters, or any part thereof, in any  
1201 Superior Court or Probate Court proceeding, or from making a timely  
1202 motion to seal any such record pursuant to the rules of the Superior  
1203 Court or the rules of procedure adopted under section 45a-78.

1204 (k) A state's attorney shall disclose to the defendant or such  
1205 defendant's counsel in a criminal prosecution, without the necessity of  
1206 a court order, exculpatory information and material contained in any  
1207 record disclosed to such state's attorney pursuant to this section and  
1208 may disclose, without a court order, information and material  
1209 contained in any such record which could be the subject of a disclosure  
1210 order.

1211 (l) Notwithstanding the provisions of subsection (d) of this section,  
1212 any information concerning a child or young adult that is obtained  
1213 during any mental health screening or assessment of such child or

1214 young adult, during the provision of services pursuant to subsection  
1215 (b) of section 46b-149, or during the performance of an educational  
1216 evaluation pursuant to subsection (e) of section 46b-149, shall be used  
1217 solely for planning and treatment purposes and shall otherwise be  
1218 confidential and retained in the files of the entity providing such  
1219 services or performing such screening, assessment or evaluation. Such  
1220 information may be further disclosed only for the purposes of any  
1221 court-ordered evaluation or treatment of the child or young adult or  
1222 provision of services to the child or young adult, or pursuant to  
1223 sections 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a. Such  
1224 information shall not be subject to subpoena or other court process for  
1225 use in any other proceeding or for any other purpose.

1226 (m) Records of cases of juvenile matters involving delinquency  
1227 proceedings, or any part thereof, containing information that a child or  
1228 young adult has been [convicted] adjudicated as delinquent for a  
1229 violation of subdivision (e) of section 1-1h, subsection (c) of section 14-  
1230 147, subsection (a) of section 14-215, section 14-222, subsection (b) of  
1231 section 14-223, subsection (a), (b) or (c) of section 14-224, section 30-88a  
1232 or subsection (b) of section 30-89, shall be disclosed to the Department  
1233 of Motor Vehicles for administrative use in determining whether  
1234 administrative sanctions regarding [such child's] the motor vehicle  
1235 operator's license of such child or young adult are warranted. Records  
1236 disclosed pursuant to this subsection shall not be further disclosed.

1237 (n) Records of cases of juvenile matters involving adoption  
1238 proceedings, or any part thereof, shall be confidential and may only be  
1239 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

1240 Sec. 10. Section 46b-128 of the general statutes is repealed and the  
1241 following is substituted in lieu thereof (*Effective July 1, 2017*):

1242 (a) Whenever the Superior Court is in receipt of any written  
1243 complaint filed by any person, any public or private agency or any  
1244 federal, state, city or town department maintaining that [a child's]

1245 conduct of a child or young adult constitutes delinquency within the  
1246 meaning of section 46b-120, as amended by this act, it shall make a  
1247 preliminary investigation to determine whether the facts, if true,  
1248 would be sufficient to be a juvenile matter and whether the interests of  
1249 the public or the child or young adult require that further action be  
1250 taken. If so, the court may authorize the filing of a verified petition of  
1251 alleged delinquency or it may make without such petition whatever  
1252 nonjudicial disposition is practicable, including the ordering of such  
1253 child or young adult to do work of which he is capable in public  
1254 buildings or on public property, particularly in cases in which the  
1255 complaint alleges that the conduct of such child or young adult  
1256 resulted in the wilful destruction of property, provided the facts  
1257 establishing jurisdiction are admitted and that a competent acceptance  
1258 of such a disposition has been given by the child or young adult and  
1259 [his] in the case of a child, such child's parent or guardian. If a  
1260 nonjudicial disposition is made, the term of any nonjudicial  
1261 supervision shall be established by the juvenile probation supervisor  
1262 provided such period of supervision shall not exceed one hundred  
1263 eighty days. Each verified petition of delinquency filed by the court  
1264 shall set forth plainly (1) the facts which bring the child or young adult  
1265 within the jurisdiction of the court, (2) the name, date of birth, sex and  
1266 residence of the child or young adult, (3) in the case of a child, the  
1267 names and residence of his parent or parents, guardian or other person  
1268 having control of the child, and (4) a prayer for appropriate action by  
1269 the court in conformity with the provisions of this chapter.

1270 (b) Upon the filing of a delinquency petition, the court may, either  
1271 forthwith or after investigation, cause a summons, which summons  
1272 shall have a copy of said verified petition attached thereto, signed by  
1273 the judge or by the clerk or assistant clerk of such court, to be issued,  
1274 requiring the young adult, or in the case of a child, the child and the  
1275 parent or parents, guardian or other person having control of the child  
1276 to appear in court at the time and place therein specified. Whenever in  
1277 the case of a child it appears to the judge that orders addressed to an

1278 adult, as set forth in section 46b-121, as amended by this act, are  
1279 necessary for the welfare of such child, a similar summons shall be  
1280 issued and served upon such adult if such adult is not already in court.  
1281 Service of summons, together with a copy of the verified petition, may  
1282 be made by any one of the following methods: (1) By the delivery of a  
1283 true and attested copy thereof to the person summoned, or at such  
1284 person's usual place of abode; (2) by restricted delivery addressed to  
1285 the person summoned, return receipt requested; or (3) by first class  
1286 mail addressed to the person summoned. Any notice sent by first class  
1287 mail shall include a provision informing the party that appearance in  
1288 court as a result of the notice may subject the appearing party to the  
1289 jurisdiction of the court. If service is made by first class mail and the  
1290 party does not appear, no order may be entered by the court in the  
1291 case. If, after reasonable effort, personal service has not been made,  
1292 such substitute service, by publication or otherwise, as the judge may  
1293 order, shall be sufficient. Service may be made by any officer  
1294 authorized by law to serve process, or by a probation officer, probation  
1295 aide or indifferent person, and the court may allow suitable expenses  
1296 and a reasonable fee therefor. [The] In the case of a child, the court may  
1297 punish for contempt, as provided in section 46b-121, as amended by  
1298 this act, any parent, guardian or other person so summoned who fails  
1299 to appear in court at the time and place so specified.

1300 Sec. 11. Section 46b-128a of the general statutes is repealed and the  
1301 following is substituted in lieu thereof (*Effective July 1, 2017*):

1302 (a) In any juvenile matter, as defined in section 46b-121, as amended  
1303 by this act, in which a child or [youth] young adult is alleged to have  
1304 committed a delinquent act or an act or omission for which a petition  
1305 may be filed under section 46b-149 the child or [youth] young adult  
1306 shall not be tried, [convicted,] adjudicated or subject to any disposition  
1307 pursuant to section 46b-140, as amended by this act, or 46b-149 while  
1308 the child or [youth] young adult is not competent. For the purposes of  
1309 this section, a transfer to the regular criminal docket of the Superior  
1310 Court pursuant to section 46b-127, as amended by this act, shall not be

1311 considered a disposition. A child or [youth] young adult is not  
1312 competent if the child or [youth] young adult is unable to understand  
1313 the proceedings against him or her or to assist in his or her own  
1314 defense.

1315 (b) If, at any time during a proceeding on a juvenile matter, it  
1316 appears that the child or [youth] young adult is not competent, counsel  
1317 for the child or [youth] young adult, the prosecutorial official, or the  
1318 court, on its own motion, may request an examination to determine the  
1319 child's or [youth's] young adult's competency. Whenever a request for  
1320 a competency examination is under consideration by the court, the  
1321 child or [youth] young adult shall be represented by counsel in  
1322 accordance with the provisions of sections 46b-135, as amended by this  
1323 act, and 46b-136, as amended by this act.

1324 (c) A child or [youth] young adult alleged to have committed an  
1325 offense is presumed to be competent. The age of the child or [youth]  
1326 young adult is not a per se determinant of incompetency. The burden  
1327 of going forward with the evidence and proving that the child or  
1328 [youth] young adult is not competent by a preponderance of the  
1329 evidence shall be on the party raising the issue of competency, except  
1330 that if the court raises the issue of competency, the burden of going  
1331 forward with the evidence shall be on the state. The court may call its  
1332 own witnesses and conduct its own inquiry.

1333 (d) If the court finds that the request for a competency examination  
1334 is justified and that there is probable cause to believe that the child or  
1335 [youth] young adult has committed the alleged offense, the court shall  
1336 order a competency examination of the child or [youth] young adult.  
1337 Competency examinations shall be conducted, within available  
1338 appropriations, by (1) a clinical team constituted under policies and  
1339 procedures established by the Chief Court Administrator, or (2) if  
1340 agreed to by all parties, a physician specializing in psychiatry who has  
1341 experience in conducting forensic interviews and in child and adult  
1342 psychiatry. Any clinical team constituted under this section shall

1343 consist of three persons: A clinical psychologist with experience in  
1344 child and adolescent psychology, and two of the following three types  
1345 of professionals: (A) A clinical social worker licensed pursuant to  
1346 chapter 383b, (B) a child and adolescent psychiatric nurse clinical  
1347 specialist holding a master's degree in nursing, or (C) a physician  
1348 specializing in psychiatry. At least one member of the clinical team  
1349 shall have experience in conducting forensic interviews and at least  
1350 one member of the clinical team shall have experience in child and  
1351 adolescent psychology. The court may authorize a physician, a clinical  
1352 psychologist, a child and adolescent psychiatric nurse specialist or a  
1353 clinical social worker licensed pursuant to chapter 383b, selected by  
1354 the child or [youth] young adult, to observe the examination, at the  
1355 expense of the child or [youth] young adult or, if the child or [youth]  
1356 young adult is represented by counsel appointed through the Public  
1357 Defender Services Commission, the Office of the Chief Public  
1358 Defender. In addition, counsel for the child or [youth] young adult, his  
1359 or her designated representative and, if the child or [youth] young  
1360 adult is represented by a public defender, a social worker from the  
1361 Division of Public Defender Services, may observe the examination.

1362 (e) The examination shall be completed not later than fifteen  
1363 business days after the date it was ordered, unless the time for  
1364 completion is extended by the court for good cause shown. The  
1365 members of the clinical team or the examining physician shall prepare  
1366 and sign, without notarization, a written report and file such report  
1367 with the court not later than twenty-one business days after the date of  
1368 the order. The report shall address the [child's or youth's] ability of the  
1369 child or young adult to understand the proceedings against such child  
1370 or [youth] young adult and such [child's or youth's] ability of the child  
1371 or young adult to assist in his or her own defense. If the opinion of the  
1372 clinical team or the examining physician set forth in such report is that  
1373 the child or young adult cannot understand the proceedings against  
1374 such child or [youth] young adult or is not able to assist in his or her  
1375 own defense, the members of the team or the examining physician

1376 must determine and address in their report: (1) Whether there is a  
1377 substantial probability that the child or [youth] young adult will attain  
1378 or regain competency [within ninety days of an intervention being] not  
1379 later than ninety days after an intervention is ordered by the court; and  
1380 (2) the nature and type of intervention, in the least restrictive setting  
1381 possible, recommended to attain or regain competency. On receipt of  
1382 the written report, the clerk of the court shall cause copies of such  
1383 written report to be delivered to counsel for the state and counsel for  
1384 the child or [youth] young adult at least forty-eight hours prior to the  
1385 hearing held under subsection (f) of this section.

1386 (f) The court shall hold a hearing as to the competency of the child  
1387 or [youth] young adult not later than ten business days after the court  
1388 receives the written report of the clinical team or the examining  
1389 physician pursuant to subsection (e) of this section. A child or [youth]  
1390 young adult may waive such evidentiary hearing only if the clinical  
1391 team or examining physician has determined without qualification  
1392 that the child or [youth] young adult is competent. Any evidence  
1393 regarding the [child's or youth's] competency of the child or young  
1394 adult, including, but not limited to, the written report, may be  
1395 introduced in evidence at the hearing by either the child or [youth]  
1396 young adult or the state. If the written report is introduced as  
1397 evidence, at least one member of the clinical team or the examining  
1398 physician shall be present to testify as to the determinations in the  
1399 report, unless the clinical team's or the examining physician's presence  
1400 is waived by the child or [youth] young adult and the state. Any  
1401 member of the clinical team shall be considered competent to testify as  
1402 to the clinical team's determinations.

1403 (g) (1) If the court, after the competency hearing, finds by a  
1404 preponderance of the evidence that the child or [youth] young adult is  
1405 competent, the court shall continue with the prosecution of the  
1406 juvenile matter.

1407 (2) If the court, after the competency hearing, finds that the child or

1408 [youth] young adult is not competent, the court shall determine: (A)  
1409 Whether there is a substantial probability that the child or [youth]  
1410 young adult will attain or regain competency [within ninety days of  
1411 an] not later than ninety days after an intervention being ordered by  
1412 the court; and (B) whether the recommended intervention to attain or  
1413 regain competency is appropriate. In making its determination on an  
1414 appropriate intervention, the court may consider: (i) The nature and  
1415 circumstances of the alleged offense; (ii) the length of time the clinical  
1416 team or examining physician estimates it will take for the child or  
1417 [youth] young adult to attain or regain competency; (iii) whether the  
1418 child or [youth] young adult poses a substantial risk to reoffend; and  
1419 (iv) whether the child or [youth] young adult is able to receive  
1420 community-based services or treatment that would prevent the child  
1421 or [youth] young adult from reoffending.

1422 (h) If the court finds that there is not a substantial probability that  
1423 the child or [youth] young adult will attain or regain competency  
1424 [within ninety days] not later than ninety days after a court ordered  
1425 intervention or that the recommended intervention to attain or regain  
1426 competency is not appropriate, the court may issue an order in  
1427 accordance with subsection (k) of this section.

1428 (i) (1) If the court finds that there is a substantial probability that the  
1429 child or [youth] young adult will attain or regain competency [within  
1430 ninety days if provided] not later than ninety days after being  
1431 provided an appropriate intervention, the court shall schedule a  
1432 hearing on the implementation of such intervention [within five  
1433 business days] not later than five business days after such finding.

1434 (2) An intervention implemented for the purpose of restoring  
1435 competency shall comply with the following conditions: (A) The  
1436 period of intervention shall not exceed ninety days, unless extended  
1437 for an additional ninety days in accordance with the criteria set forth in  
1438 subsection (j) of this section; and (B) (i) in the case of a child, the  
1439 intervention services shall be provided by the Department of Children

1440 and Families or, if the child's [or youth's] parent or guardian agrees to  
1441 pay for such services, by any appropriate person, agency, mental  
1442 health facility or treatment program that agrees to provide appropriate  
1443 intervention services in the least restrictive setting available to the  
1444 child [or youth] and comply with the requirements of this section, or  
1445 (ii) in the case of a young adult, the intervention services shall be  
1446 provided by the Department of Mental Health and Addiction Services,  
1447 of if the young adult agrees to pay for such services, by any  
1448 appropriate person, agency, mental health facility or treatment  
1449 program that agrees to provide appropriate intervention services in the  
1450 least restrictive setting available to the young adult and comply with  
1451 the requirements of this section.

1452 (3) Prior to the hearing, the court shall notify the Commissioner of  
1453 Children and Families [,] or the commissioner's designee in the case of  
1454 a child, or the Commissioner of Mental Health and Addiction Services  
1455 or the commissioner's designee in the case of a young adult, or the  
1456 appropriate person, agency, mental health facility or treatment  
1457 program that has agreed to provide appropriate intervention services  
1458 to the child or [youth] young adult that an intervention to attain or  
1459 regain competency will be ordered. The commissioner, the  
1460 commissioner's designee or the appropriate person, agency, mental  
1461 health facility or treatment program shall be provided with a copy of  
1462 the report of the clinical team or examining physician and shall report  
1463 to the court on a proposed implementation of the intervention prior to  
1464 the hearing.

1465 (4) At the hearing, the court shall review the written report and  
1466 order an appropriate intervention for a period not to exceed ninety  
1467 days in the least restrictive setting available to restore competency. In  
1468 making its determination, the court shall use the criteria set forth in  
1469 subdivision (2) of subsection (g) of this section. Upon ordering an  
1470 intervention, the court shall set a date for a hearing, to be held at least  
1471 ten business days after the completion of the intervention period, for  
1472 the purpose of reassessing the [child's or youth's] competency of the

1473 child or young adult.

1474 (j) (1) At least ten business days prior to the date of any scheduled  
1475 hearing on the issue of the reassessment of the [child's or youth's]  
1476 competency of the child or young adult, the Commissioner of Children  
1477 and Families [,] or the commissioner's designee in the case of a child,  
1478 or the Commissioner of Mental Health and Addiction Services or the  
1479 commissioner's designee in the case of a young adult, or other person,  
1480 agency, mental health facility or treatment program providing  
1481 intervention services to restore a child or [youth] young adult to  
1482 competency shall report on the progress of such intervention services  
1483 to the clinical team or examining physician.

1484 (2) Upon receipt of the report on the progress of such intervention,  
1485 the child or [youth] young adult shall be reassessed by the original  
1486 clinical team or examining physician, except that if the original team or  
1487 examining physician is unavailable, the court may appoint a new  
1488 clinical team that, where possible, shall include at least one member of  
1489 the original team, or a new examining physician. The new clinical team  
1490 or examining physician shall have the same qualifications as the  
1491 original team or examining physician, as provided in subsection (d) of  
1492 this section, and shall have access to clinical information available from  
1493 the provider of the intervention services. Not less than two business  
1494 days prior to the date of any scheduled hearing on the reassessment of  
1495 the [child's or youth's] competency of the child or young adult, the  
1496 clinical team or examining physician shall submit a report to the court  
1497 that includes: (A) The clinical findings of the provider of the  
1498 intervention services and the facts upon which the findings are made;  
1499 (B) the clinical team's or the examining physician's opinion on whether  
1500 the child or [youth] young adult has attained or regained competency  
1501 or is making progress toward attaining or regaining competency  
1502 within the period covered by the intervention order; and (C) any other  
1503 information concerning the child or [youth] young adult requested by  
1504 the court, including, but not limited to, the method of intervention or  
1505 the type, dosage and effect of any medication the child or [youth]

1506 young adult is receiving.

1507 (3) [Within] Not later than two business days [of] after the filing of a  
1508 reassessment report, the court shall hold a hearing to determine if the  
1509 child or [youth] young adult has attained or regained competency  
1510 within the period covered by the intervention order. If the court finds  
1511 that the child or [youth] young adult has attained or regained  
1512 competency, the court shall continue with the prosecution of the  
1513 juvenile matter. If the court finds that the child or [youth] young adult  
1514 has not attained or regained competency within the period covered by  
1515 the intervention order, the court shall determine whether further  
1516 efforts to attain or regain competency are appropriate. The court shall  
1517 make its determination of whether further efforts to attain or regain  
1518 competency are appropriate in accordance with the criteria set forth in  
1519 subdivision (2) of subsection (g) of this section. If the court finds that  
1520 further intervention to attain or regain competency is appropriate, the  
1521 court shall order a new period for restoration of competency not to  
1522 exceed ninety days. If the court finds that further intervention to attain  
1523 or regain competency is not appropriate or the child or [youth] young  
1524 adult has not attained or regained competency after an additional  
1525 intervention of ninety days, the court shall issue an order in  
1526 accordance with subsection (k) of this section.

1527 (k) (1) If the court determines after the period covered by the  
1528 intervention order that the child or [youth] young adult has not  
1529 attained or regained competency and that there is not a substantial  
1530 probability that the child or [youth] young adult will attain or regain  
1531 competency, or that further intervention to attain or regain  
1532 competency is not appropriate based on the criteria set forth in  
1533 subdivision (2) of subsection (g) of this section, the court shall: (A)  
1534 Dismiss the petition if it is a delinquency or family with service needs  
1535 petition; (B) in the case of a child, vest temporary custody of the child  
1536 [or youth] in the Commissioner of Children and Families and notify  
1537 the Office of the Chief Public Defender, which shall assign an attorney  
1538 to serve as guardian ad litem for the child [or youth] and investigate

1539 whether a petition should be filed under section 46b-129; or (C) order  
1540 that the Department of Children and Families in the case of a child, the  
1541 Department of Mental Health and Addiction Services in the case of a  
1542 young adult, or some other person, agency, mental health facility or  
1543 treatment program, or [such child's or youth's probation officer] the  
1544 probation officer of such child or young adult, conduct or obtain an  
1545 appropriate assessment and, where appropriate, propose a plan for  
1546 services that can appropriately address the [child's or youth's] needs of  
1547 the child or young adult in the least restrictive setting available and  
1548 appropriate. Any plan for services may include a plan for interagency  
1549 collaboration for the provision of appropriate services after the child  
1550 [or youth] attains the age of eighteen, or a young adult attains the age  
1551 for adult jurisdiction.

1552 (2) Not later than ten business days after the issuance of an order  
1553 pursuant to subparagraph (B) or (C) of subdivision (1) of this  
1554 subsection, the court shall hold a hearing to review the order of  
1555 temporary custody or any recommendations of the Department of  
1556 Children and Families [ , such] in the case of a child, or any  
1557 recommendations of the Department of Mental Health and Addiction  
1558 Services in the case of a young adult, and of the probation officer or  
1559 [such] attorney for such child or young adult or guardian ad litem for  
1560 the child. [or youth.]

1561 (3) If the child [or youth] is adjudicated neglected, uncared-for or  
1562 abused subsequent to such a petition being filed, or if a plan for  
1563 services pursuant to subparagraph (C) of subdivision (1) of this  
1564 subsection has been approved by the court and implemented, the court  
1565 may dismiss the delinquency or family with service needs petition, or,  
1566 in the discretion of the court, order that the prosecution of the case be  
1567 suspended for a period not to exceed eighteen months. During the  
1568 period of suspension, the court may order the Department of Children  
1569 and Families to provide periodic reports to the court to ensure that  
1570 appropriate services are being provided to the child. [or youth.] If  
1571 during the period of suspension, the child [or youth] or the parent or

1572 guardian of the child [or youth] does not comply with the  
1573 requirements set forth in the plan for services, the court may hold a  
1574 hearing to determine whether the court should follow the procedure  
1575 under subparagraph (B) of subdivision (1) of this subsection for  
1576 instituting a petition alleging that a child is neglected, uncared for or  
1577 abused. Whenever the court finds that the need for the suspension of  
1578 prosecution is no longer necessary, but not later than the expiration of  
1579 such period of suspension, the delinquency or family with service  
1580 needs petition shall be dismissed.

1581 Sec. 12. Section 46b-133a of the general statutes is repealed and the  
1582 following is substituted in lieu thereof (*Effective July 1, 2017*):

1583 (a) A nolle prosequi may not be entered as to any count of  
1584 delinquency if the child or young adult objects to the nolle prosequi  
1585 and demands either a trial or dismissal, except with respect to  
1586 prosecutions in which a nolle prosequi is entered upon a  
1587 representation to the court by the prosecutorial official that a material  
1588 witness has died, disappeared or become disabled or that material  
1589 evidence has disappeared or has been destroyed and that a further  
1590 investigation is therefore necessary.

1591 (b) Whenever a nolle prosequi has been entered as to any count of  
1592 delinquency, or whenever any count of delinquency has been  
1593 dismissed without prejudice, if at least thirteen months have elapsed  
1594 since such nolle or dismissal without prejudice, all police and court  
1595 records pertaining to such count shall be erased. Whenever any such  
1596 count has been continued at the request of the prosecutorial official  
1597 and a period of thirteen months has elapsed since the granting of such  
1598 continuance during which period there has been no prosecution or  
1599 other disposition of the matter, the count shall be construed to have  
1600 been nolle as of the date of termination of such thirteen-month period  
1601 and such erasure may thereafter be effected as provided in this  
1602 subsection for nolle cases.

1603 Sec. 13. Section 46b-133b of the general statutes is repealed and the  
1604 following is substituted in lieu thereof (*Effective July 1, 2017*):

1605 (a) The court, on motion of a child or young adult charged with a  
1606 delinquency offense, but not yet [convicted] adjudicated as delinquent,  
1607 may order that such child or young adult be examined to determine  
1608 whether the child or young adult is alcohol-dependent or drug-  
1609 dependent as defined in section 46b-120, as amended by this act. Such  
1610 motion shall be filed with the court [within] not later than ten days  
1611 after a plea is entered, except if waived by the court or pursuant to an  
1612 agreement by the parties. The results of any examination ordered  
1613 pursuant to this subsection shall be utilized only for the purposes of  
1614 determining whether the delinquency proceeding should be  
1615 suspended under this section.

1616 (b) The court, upon motion of the child or young adult charged with  
1617 a delinquency offense but not yet [convicted] adjudicated as  
1618 delinquent, may order the suspension of the delinquency proceedings  
1619 for a period of up to one year, order periodic alcohol and drug testing  
1620 of such child or young adult during the period of suspension and  
1621 order treatment for alcohol or drug dependency if the court, after  
1622 consideration of information before it concerning the alcohol or drug  
1623 dependency of the child or young adult, finds that (1) the child or  
1624 young adult is alcohol-dependent or drug-dependent as defined in  
1625 section 46b-120, as amended by this act, (2) the child or young adult  
1626 presently needs and is likely to benefit from treatment for the  
1627 dependency, and (3) the suspension of the delinquency proceedings  
1628 will advance the interests of justice. During the period of suspension, a  
1629 child or young adult shall be placed under the supervision of a  
1630 juvenile probation officer for treatment for alcohol or drug  
1631 dependency and such officer shall monitor the compliance of the child  
1632 or young adult with the orders of the court.

1633 (c) If the court denies the motion for suspension of the delinquency  
1634 proceedings, the prosecutorial official may proceed with the

1635 delinquency proceedings. Any order of the court granting or denying a  
1636 motion for suspension of the delinquency proceedings shall not be  
1637 deemed a final order for purposes of appeal.

1638 (d) At any time before the end of the period of the suspension of the  
1639 delinquency proceedings, but not later than one month before the end  
1640 of the period of suspension, a juvenile probation officer shall notify the  
1641 court of the impending conclusion of the suspension and submit a  
1642 report on whether the child or young adult has completed the  
1643 treatment program and has complied with all other conditions of the  
1644 suspension order imposed by the court.

1645 (e) If the court, on motion of the child or young adult or on its own  
1646 motion, finds that the child or young adult has completed the  
1647 treatment program and has complied with all other conditions of  
1648 suspension, it may dismiss the charge for which the delinquency  
1649 proceedings had been suspended. If the court denies the motion and  
1650 terminates the suspension of the delinquency proceedings, the  
1651 prosecutorial official may proceed with such proceedings.

1652 (f) The provisions of this section shall not apply to any child or  
1653 young adult charged with a serious juvenile offense as defined in  
1654 section 46b-120, as amended by this act, or any child or young adult  
1655 who was previously ordered treated under this section.

1656 Sec. 14. Section 46b-134 of the general statutes is repealed and the  
1657 following is substituted in lieu thereof (*Effective July 1, 2017*):

1658 Prior to the disposition of the case of any child [convicted of a  
1659 delinquent act] or young adult adjudicated as delinquent, investigation  
1660 shall be made of the facts as specified in this section by the probation  
1661 officer, and until such investigation has been completed and the results  
1662 thereof placed before the judge, no disposition of the [child's] case shall  
1663 be made. Such investigation shall consist of an examination of the  
1664 parentage and surroundings of the child or young adult and the  
1665 [child's] age, habits and history [, and] of the child or young adult, and,

1666 in the case of a child, shall include also an inquiry into the home  
1667 conditions, habits and character of the child's parents or guardians.  
1668 Such investigation shall include an inquiry into the circumstances of  
1669 the offense, the attitude of the complainant or victim, the criminal  
1670 record, the present condition of the child or young adult and any  
1671 damages suffered by the victim including medical expenses, loss of  
1672 earnings and property loss. If the child or young adult is or legally  
1673 should be in attendance at school, such investigation shall further  
1674 contain a report of the [child's] school attendance of the child or young  
1675 adult, adjustment and behavior [, the child's] of the child or young  
1676 adult, any individualized education program if, [the child has been] as  
1677 a child, such person was identified pursuant to sections 10-76a to 10-  
1678 76gg, inclusive, as requiring special education and related services and  
1679 any recommendations from school officials on conditions of probation  
1680 if the child or young adult is placed on probation pursuant to section  
1681 46b-140, as amended by this act, which shall be furnished by the school  
1682 officials to the court upon its request. The court shall, when it is found  
1683 necessary to the disposition, cause a complete physical or mental  
1684 examination, or both, to be made of the child or young adult by  
1685 persons professionally qualified to do so. Such examination may  
1686 include testing to determine whether the child or young adult is  
1687 alcohol-dependent or drug-dependent as defined in section 46b-120, as  
1688 amended by this act. If the court causes a complete physical or mental  
1689 examination, or both, to be made of a young adult who is found able to  
1690 pay in whole or part the cost of any such examination, or a child whose  
1691 parents, guardian or custodian is found able to pay in whole or in part  
1692 the cost [thereof, it] of any such examination, the court shall assess as  
1693 costs against such young adult, or, in the case of a child, such child's  
1694 parents, guardian or custodian, including any agency vested with the  
1695 legal custody of the child, the expense so incurred and paid for by the  
1696 court in having such examination performed. [, to the extent of their  
1697 financial ability to do so.] Prior to the disposition of the case of any  
1698 child [convicted of a delinquent act] or young adult adjudicated as  
1699 delinquent, the court may cause a complete diagnostic examination to

1700 be made, unless such information is otherwise available. Such  
1701 information shall include physical and psychological diagnoses and  
1702 may include medical, psychiatric, neurological, learning disability  
1703 diagnoses and such other diagnoses as the court deems necessary. If  
1704 such child is committed to the Department of Children and Families,  
1705 such information shall be shared with the Department of Children and  
1706 Families.

1707 Sec. 15. Section 46b-135 of the general statutes is repealed and the  
1708 following is substituted in lieu thereof (*Effective July 1, 2017*):

1709 (a) At the commencement of any proceeding concerning the alleged  
1710 delinquency of a child, the child shall have the right to counsel and be  
1711 so informed by the judge, and that if the child and the parent or  
1712 parents or guardian of the child are unable to afford counsel, counsel  
1713 will be provided for the child. Such counsel and the child shall have  
1714 the rights of confrontation and cross-examination. If a parent fails to  
1715 comply with a court order entered in the best interests of the alleged or  
1716 adjudicated delinquent child and is facing potential imprisonment for  
1717 contempt of court, such parent, if unable to afford counsel, shall be  
1718 entitled to have counsel provided for such parent pursuant to this  
1719 subsection.

1720 (b) At the commencement of any proceeding on behalf of a  
1721 neglected, uncared-for or abused child, [or youth,] the parent or  
1722 parents or guardian of the child [or youth] shall have the right to  
1723 counsel, and shall be so informed by the judge, and that if they are  
1724 unable to afford counsel, counsel will be provided for them. Such  
1725 parent or guardian of the child [or youth] shall have the rights of  
1726 confrontation and cross-examination.

1727 Sec. 16. Section 46b-136 of the general statutes is repealed and the  
1728 following is substituted in lieu thereof (*Effective July 1, 2017*):

1729 In any proceeding in a juvenile matter, the judge before whom such  
1730 proceeding is pending shall, even in the absence of a request to do so,

1731 provide an attorney to represent the child or [youth] young adult, or,  
1732 in the case of a child, the child's [or youth's] parent or parents or  
1733 guardian [,] or other person or custodian having control of the child,  
1734 [or youth,] if such judge determines that the interests of justice so  
1735 require, and in any proceeding in which the custody of a child is at  
1736 issue, such judge shall provide an attorney to represent the child and  
1737 may authorize such attorney or appoint another attorney to represent  
1738 such child or [youth, parent, guardian or other person] young adult,  
1739 or, in the case of a child, the child's parent or parents or guardian or  
1740 other person having control or custodian of the child on an appeal  
1741 from a decision in such proceeding. Where, under the provisions of  
1742 this section, the court so appoints counsel for any such party who is  
1743 found able to pay, in whole or in part, the cost [thereof] of such  
1744 counsel, the court shall assess as costs against such young adult, or, in  
1745 the case of a child, such child's parent or parents [,] or guardian or  
1746 [custodian] other person or custodian having control of the child,  
1747 including any agency vested with the legal custody of the child, [or  
1748 youth,] the expense so incurred and paid by the Division of Public  
1749 Defender Services in providing such counsel. [, to the extent of their  
1750 financial ability to do so.] The Division of Public Defender Services  
1751 shall establish the rate at which counsel provided pursuant to this  
1752 section shall be compensated.

1753 Sec. 17. Section 46b-137 of the general statutes is repealed and the  
1754 following is substituted in lieu thereof (*Effective July 1, 2017*):

1755 (a) Any admission, confession or statement, written or oral, made by  
1756 a child under the age of sixteen to a police officer or Juvenile Court  
1757 official shall be inadmissible in any proceeding concerning the alleged  
1758 delinquency of the child making such admission, confession or  
1759 statement unless made by such child in the presence of the child's  
1760 parent or parents or guardian and after the parent or parents or  
1761 guardian and child have been advised (1) of the child's right to retain  
1762 counsel, or if unable to afford counsel, to have counsel appointed on  
1763 the child's behalf, (2) of the child's right to refuse to make any

1764 statements, and (3) that any statements the child makes may be  
1765 introduced into evidence against the child.

1766 (b) Any admission, confession or statement, written or oral, made  
1767 by a [child sixteen or seventeen years of age] youth to a police officer  
1768 or Juvenile Court official, except an admission, confession or  
1769 statement, written or oral, made by a [child sixteen or seventeen years  
1770 of age] youth to a police officer in connection with a case transferred to  
1771 the Juvenile Court from the youthful offender docket, regular criminal  
1772 docket of the Superior Court or any docket for the presentment of  
1773 defendants in motor vehicle matters, shall be inadmissible in any  
1774 proceeding concerning the alleged delinquency of the [child] youth  
1775 making such admission, confession or statement, unless (1) the police  
1776 or Juvenile Court official has made reasonable efforts to contact a  
1777 parent or guardian of the [child] youth, and (2) such [child] youth has  
1778 been advised that (A) the [child] youth has the right to contact a parent  
1779 or guardian and to have a parent or guardian present during any  
1780 interview, (B) the [child] youth has the right to retain counsel or, if  
1781 unable to afford counsel, to have counsel appointed on behalf of the  
1782 [child] youth, (C) the [child] youth has the right to refuse to make any  
1783 statement, and (D) any statement the [child] youth makes may be  
1784 introduced into evidence against the [child] youth.

1785 (c) The admissibility of any admission, confession or statement,  
1786 written or oral, made by a [child sixteen or seventeen years of age]  
1787 youth to a police officer or Juvenile Court official, except an admission,  
1788 confession or statement, written or oral, made by a [child sixteen or  
1789 seventeen years of age] youth to a police officer in connection with a  
1790 case transferred to the Juvenile Court from the youthful offender  
1791 docket, regular criminal docket of the Superior Court or any docket for  
1792 the presentment of defendants in motor vehicle matters, shall be  
1793 determined by considering the totality of the circumstances at the time  
1794 of the making of such admission, confession or statement. When  
1795 determining the admissibility of such admission, confession or  
1796 statement, the court shall consider (1) the age, experience, education,

1797 background and intelligence of the [child] youth, (2) the capacity of the  
1798 [child] youth to understand the advice concerning rights and warnings  
1799 required under subdivision (2) of subsection (b) of this section, the  
1800 nature of the privilege against self-incrimination under the United  
1801 States and Connecticut Constitutions, and the consequences of waiving  
1802 such rights and privilege, (3) the opportunity the [child] youth had to  
1803 speak with a parent, guardian or some other suitable individual prior  
1804 to or while making such admission, confession or statement, and (4)  
1805 the circumstances surrounding the making of the admission,  
1806 confession or statement, including, but not limited to, (A) when and  
1807 where the admission, confession or statement was made, (B) the  
1808 reasonableness of proceeding, or the need to proceed, without a parent  
1809 or guardian present, and (C) the reasonableness of efforts by the police  
1810 or Juvenile Court official to attempt to contact a parent or guardian.

1811 (d) Any confession, admission or statement, written or oral, made  
1812 by the parent or parents or guardian of the child or youth after the  
1813 filing of a petition alleging such child or youth to be neglected,  
1814 uncared for or abused shall be inadmissible in any proceeding held  
1815 upon such petition against the person making such admission or  
1816 statement unless such person shall have been advised of the person's  
1817 right to retain counsel, and that if the person is unable to afford  
1818 counsel, counsel will be appointed to represent the person, that the  
1819 person has a right to refuse to make any statement and that any  
1820 statements the person makes may be introduced in evidence against  
1821 the person, except that any statement made by the mother of any child,  
1822 or youth, upon inquiry by the court and under oath if necessary, as to  
1823 the identity of any person who might be the father of the child or  
1824 youth shall not be inadmissible if the mother was not so advised.

1825 Sec. 18. Section 46b-138 of the general statutes is repealed and the  
1826 following is substituted in lieu thereof (*Effective July 1, 2017*):

1827 For the purpose of hearing any juvenile matter, the court may  
1828 summon witnesses and compel their attendance. The conversations of

1829 the judge with a child or [youth] young adult whose case is before the  
1830 court shall be privileged.

1831 Sec. 19. Section 46b-138b of the general statutes is repealed and the  
1832 following is substituted in lieu thereof (*Effective July 1, 2017*):

1833 In any proceeding concerning the alleged delinquency of a child or  
1834 young adult, any victim of the alleged delinquent conduct, the parents  
1835 or guardian of such victim if such victim was a child at the time of the  
1836 alleged delinquent conduct, a victim advocate for such victim under  
1837 section 54-220, or such victim's counsel shall have the right to appear  
1838 before the court for the purpose of making a statement to the court  
1839 concerning the disposition of the case.

1840 Sec. 20. Section 46b-140 of the 2016 supplement to the general  
1841 statutes is repealed and the following is substituted in lieu thereof  
1842 (*Effective July 1, 2017*):

1843 (a) In determining the appropriate disposition of a child [convicted]  
1844 or young adult adjudicated as delinquent, the court shall consider: (1)  
1845 The seriousness of the offense, including the existence of any  
1846 aggravating factors such as the use of a firearm in the commission of  
1847 the offense and the impact of the offense on any victim; (2) the [child's]  
1848 person's record of delinquency; (3) the [child's] person's willingness to  
1849 participate in available programs; (4) the existence of other mitigating  
1850 factors; and (5) the culpability of the child or young adult in  
1851 committing the offense including the level of [the child's] participation  
1852 by such person in the planning and carrying out of the offense.

1853 (b) Upon [conviction] adjudication of a child or young adult as  
1854 delinquent, the court: (1) May (A) order the child or young adult to  
1855 participate in an alternative incarceration program; (B) in the case of a  
1856 child, order the child to participate in a program at a wilderness school  
1857 facility operated by the Department of Children and Families; (C)  
1858 order the child to participate in a youth service bureau program; (D)  
1859 place the child on probation; (E) order the child or young adult, or, in

1860 the case of a child, the parents or guardian of the child, or both, to  
1861 make restitution to the victim of the offense in accordance with  
1862 subsection (d) of this section; (F) order the child or young adult to  
1863 participate in a program of community service in accordance with  
1864 subsection (e) of this section; or (G) withhold or suspend execution of  
1865 any judgment; and (2) shall impose the penalty established in  
1866 subsection (b) of section 30-89 for any violation of said subsection (b).

1867 (c) The court may order, as a condition of probation, that the child  
1868 or young adult (1) in the case of a child, reside with a parent, relative  
1869 or guardian or in a suitable foster home or other residence approved  
1870 by the court, (2) in the case of a child, attend school and class on a  
1871 regular basis and comply with school policies on student conduct and  
1872 discipline, (3) refrain from violating any federal or state law or  
1873 municipal or local ordinance, (4) undergo any medical or psychiatric  
1874 evaluation or treatment deemed necessary by the court, (5) submit to  
1875 random drug or alcohol testing, or both, (6) participate in a program of  
1876 alcohol or drug treatment, or both, (7) make restitution to the victim of  
1877 the offense in accordance with subsection (d) of this section, (8)  
1878 participate in an alternative incarceration program or other program  
1879 established through the Court Support Services Division, (9)  
1880 participate in a program of community service, and (10) satisfy any  
1881 other conditions deemed appropriate by the court. The court shall  
1882 cause a copy of any such order to be delivered to the child [,] or young  
1883 adult, and, in the case of a child, to the child's parents or guardian and  
1884 the child's probation officer. If the child or young adult is [convicted]  
1885 adjudicated as delinquent for a violation of section 53-247, the court  
1886 may order, as a condition of probation, that the child or young adult  
1887 undergo psychiatric or psychological counseling or participate in an  
1888 animal cruelty prevention and education program provided such a  
1889 program exists and is available to the child or young adult.

1890 (d) If the child or young adult has engaged in conduct which results  
1891 in property damage or personal injury, the court may order the child  
1892 or young adult or, in the case of a child, the parent or parents or

1893 guardian of the child, if such parent or parents or guardian had  
1894 knowledge of and condoned the conduct of the child, or both the child  
1895 and the parent or parents or guardian, to make restitution to the victim  
1896 of such offense, provided the liability of such parent or parents or  
1897 guardian shall be limited to an amount not exceeding the amount such  
1898 parent or parents or guardian would be liable for in an action under  
1899 section 52-572. Restitution may consist of monetary reimbursement for  
1900 the damage or injury, based on the [child's or the parent's, parents' or  
1901 guardian's] person's ability to pay, [as the case may be,] in the form of  
1902 a lump sum or installment payments, paid to the court clerk or such  
1903 other official designated by the court for distribution to the victim.

1904 (e) The court may order the child or young adult to participate in a  
1905 program of community service under the supervision of the court or  
1906 any organization designated by the court. Such child or young adult  
1907 shall not be deemed to be an employee and the services of such child  
1908 or young adult shall not be deemed employment.

1909 (f) If the court further finds that its probation services or other  
1910 services available to the court are not adequate for such child, the court  
1911 shall commit such child to the Department of Children and Families in  
1912 accordance with the provisions of section 46b-141, as amended by this  
1913 act.

1914 (g) Any child [or youth] coming within the jurisdiction of the court,  
1915 who is found to be mentally ill, may be committed by said court to the  
1916 Commissioner of Children and Families and, if the court [convicts]  
1917 adjudicates a child as delinquent and finds such child to be mentally  
1918 deficient, the court may commit such child to an institution for  
1919 mentally deficient children [or youth or delinquents] or delinquent  
1920 children or youths. No such commitment may be ordered or continued  
1921 for any child who has attained the age of twenty. Whenever it is found  
1922 that a child [convicted] adjudicated as delinquent or adjudged to be a  
1923 member of a family with service needs would benefit from a work-  
1924 study program or employment with or without continued school

1925 attendance, the court may, as a condition of probation or supervision,  
1926 authorize such child to be employed for part or full-time at some  
1927 useful occupation that would be favorable to such child's welfare, and  
1928 the probation officer shall supervise such employment. For the  
1929 purposes of this section, the limitations of subsection (a) of section 31-  
1930 23 on the employment of minors under the age of sixteen years shall  
1931 not apply for the duration of such probation or supervision.

1932 (h) Whenever the court commits a child to the Department of  
1933 Children and Families, there shall be delivered with the mittimus a  
1934 copy of the results of the investigations made as required by section  
1935 46b-134, as amended by this act. The court may, at any time, require  
1936 from the department in whose care a child has been placed such report  
1937 as to such child and such child's treatment.

1938 (i) If the delinquent act for which the child is committed to the  
1939 Department of Children and Families is a serious juvenile offense, the  
1940 court may set a minimum period of twelve months during which the  
1941 child shall be placed in a residential facility operated by or under  
1942 contract with said department, as determined by the Commissioner of  
1943 Children and Families. No such commitment may be ordered or  
1944 continued for any child who has attained the age of twenty. The setting  
1945 of such minimum period shall be in the form of an order of the court  
1946 included in the mittimus. For good cause shown in the form of an  
1947 affidavit annexed thereto, the Department of Children and Families,  
1948 the parent or guardian of the child or the child may petition the court  
1949 for modification of any such order.

1950 (j) Except as otherwise provided in this section, the court may order  
1951 that a child be (1) committed to the Department of Children and  
1952 Families and, after consultation with said department, the court may  
1953 order that the child be placed directly in a residential facility within  
1954 this state and under contract with said department, or (2) committed to  
1955 the Commissioner of Children and Families for placement by the  
1956 commissioner, in said commissioner's discretion, (A) with respect to

1957 the juvenile offenders determined by the Department of Children and  
1958 Families to be the highest risk, in the Connecticut Juvenile Training  
1959 School, if the juvenile offender is a male, or in another state facility,  
1960 presumptively for a minimum period of twelve months, or (B) in a  
1961 private residential or day treatment facility within or outside this state,  
1962 or (C) on parole. No such commitment may be ordered or continued  
1963 for any child who has attained the age of twenty. The commissioner  
1964 shall use a risk and needs assessment classification system to ensure  
1965 that children who are in the highest risk level will be placed in an  
1966 appropriate secure treatment setting.

1967 (k) On or after May 21, 2004, no female child committed to the  
1968 Department of Children and Families shall be placed in the  
1969 Connecticut Juvenile Training School. Any female child placed in the  
1970 Connecticut Juvenile Training School before May 21, 2004, shall be  
1971 transferred to another appropriate facility not later than ninety days  
1972 after May 21, 2004.

1973 (l) Notwithstanding any provisions of the general statutes  
1974 concerning the confidentiality of records and information, whenever a  
1975 child [convicted] adjudicated as delinquent is committed to the  
1976 Department of Children and Families, the Commissioner of Children  
1977 and Families shall have access to the following information: (1)  
1978 Educational records of such child; (2) records regarding such child's  
1979 past treatment for physical or mental illness, including substance  
1980 abuse; (3) records regarding such child's prior placement in a public or  
1981 private residential facility; (4) records created or obtained by the  
1982 Judicial Department regarding such child; and (5) records, as defined  
1983 in subsection (a) of section 17a-28. The Commissioner of Children and  
1984 Families shall review such information to determine the appropriate  
1985 services and placement which will be in the best interest of the child.

1986 Sec. 21. Section 46b-140a of the general statutes is repealed and the  
1987 following is substituted in lieu thereof (*Effective July 1, 2017*):

1988 (a) At any time during the period of probation or suspended  
1989 commitment, after hearing and for good cause shown, the court may  
1990 modify or enlarge the conditions, whether originally imposed by the  
1991 court under this section or otherwise, and may extend the period as  
1992 deemed appropriate by the court. The court shall cause a copy of any  
1993 such order to be delivered to the child or [youth and to such child's or  
1994 youth's parent or guardian and probation officer] young adult, the  
1995 probation officer of the child or young adult, and, in the case of a child,  
1996 the child's parent or guardian.

1997 (b) The period of participation in an alternative incarceration  
1998 program, as a condition of probation or suspended commitment,  
1999 unless terminated sooner, shall not exceed the original period of  
2000 probation or suspended commitment.

2001 (c) At any time during the period of probation or suspended  
2002 commitment, the court may issue a warrant for the arrest of a child or  
2003 [youth] young adult for violation of any of the conditions of probation  
2004 or suspended commitment, or may issue a notice to appear to answer  
2005 to a charge of such violation, which notice shall be personally served  
2006 upon the child or [youth] young adult. Any such warrant shall  
2007 authorize all officers named [therein] in such warrant to return the  
2008 child or [youth] young adult to the custody of the court or to any  
2009 suitable [juvenile] detention facility designated by the court.

2010 (d) If such violation is established, the court may continue or revoke  
2011 the order of probation or suspended commitment or modify or enlarge  
2012 the conditions and, if such order of probation or suspended  
2013 commitment is revoked, require the child or [youth] young adult to  
2014 serve the commitment imposed or impose any lesser commitment. No  
2015 such revocation shall be ordered, except upon consideration of the  
2016 whole record and unless such violation is established by reliable and  
2017 probative evidence.

2018 (e) Upon a determination by the court that a child or [youth] young

2019 adult has violated probation by failing to comply with the  
2020 requirements of electronic monitoring, the Court Support Services  
2021 Division shall notify the local law enforcement agency of such  
2022 violation.

2023 Sec. 22. Section 46b-141 of the 2016 supplement to the general  
2024 statutes is repealed and the following is substituted in lieu thereof  
2025 (*Effective July 1, 2017*):

2026 (a) (1) Except as otherwise limited by subsection (i) of section 46b-  
2027 140, as amended by this act, and subdivision (2) of this subsection,  
2028 commitment of children [convicted] or young adults adjudicated as  
2029 delinquent by the Superior Court to the Department of Children and  
2030 Families shall be for (A) an indeterminate time up to a maximum of  
2031 eighteen months, or (B) when so [convicted] adjudicated for a serious  
2032 juvenile offense, up to a maximum of four years at the discretion of the  
2033 court, unless extended as [hereinafter] provided in this section.

2034 (2) Commitment of children [convicted] adjudicated as delinquent  
2035 by the Superior Court to the Department of Children and Families  
2036 shall terminate when the child attains the age of twenty.

2037 (b) The Commissioner of Children and Families may file a motion  
2038 for an extension of the commitment as provided in subparagraph (A)  
2039 of subdivision (1) of subsection (a) of this section beyond the eighteen-  
2040 month period on the grounds that such extension is for the best  
2041 interest of the child or the community. The court shall give notice to  
2042 the parent or guardian and to the child at least fourteen days prior to  
2043 the hearing upon such motion. The court may, after hearing and upon  
2044 finding that such extension is in the best interest of the child or the  
2045 community, continue the commitment for an additional period of not  
2046 more than eighteen months, except that such additional period shall  
2047 not continue beyond the date the child attains the age of twenty. Not  
2048 later than twelve months after a child is committed to the Department  
2049 of Children and Families in accordance with subparagraph (A) of

2050 subdivision (1) of subsection (a) of this section, the court shall hold a  
2051 permanency hearing in accordance with subsection (d) of this section.  
2052 After the initial permanency hearing, subsequent permanency hearings  
2053 shall be held not less frequently than every twelve months while the  
2054 child remains committed to the Department of Children and Families.

2055 (c) The court shall hold a permanency hearing in accordance with  
2056 subsection (d) of this section for each child [~~convicted~~] adjudicated as  
2057 delinquent for a serious juvenile offense as provided in subparagraph  
2058 (B) of subdivision (1) of subsection (a) of this section [~~within~~] not later  
2059 than twelve months [~~of~~] after commitment to the Department of  
2060 Children and Families and every twelve months thereafter if the child  
2061 remains committed to the Department of Children and Families. Such  
2062 hearing may include the submission of a motion to the court by the  
2063 commissioner to either (1) modify such commitment, or (2) extend the  
2064 commitment beyond such four-year period on the grounds that such  
2065 extension is for the best interest of the child or the community. The  
2066 court shall give notice to the parent or guardian and to the child at  
2067 least fourteen days prior to the hearing upon such motion. The court,  
2068 after hearing, may modify such commitment or, upon finding that  
2069 such extension is in the best interest of the child or the community,  
2070 continue the commitment for an additional period of not more than  
2071 eighteen months.

2072 (d) At least sixty days prior to each permanency hearing required  
2073 pursuant to subsection (b) or (c) of this section, the Commissioner of  
2074 Children and Families shall file a permanency plan with the court. At  
2075 each permanency hearing, the court shall review and approve a  
2076 permanency plan that is in the best interest of the child and takes into  
2077 consideration the child's need for permanency. Such permanency plan  
2078 may include the goal of: (1) Revocation of commitment and placement  
2079 of the child with the parent or guardian, (2) transfer of guardianship,  
2080 (3) adoption, or (4) for any child sixteen years of age or older, such  
2081 other planned permanent living arrangement ordered by the court,  
2082 provided the Commissioner of Children and Families has documented

2083 a compelling reason why it would not be in the best interest of the  
2084 child for the permanency plan to include the goals in subdivisions (1)  
2085 to (3), inclusive, of this subsection. Such other planned permanent  
2086 living arrangement may include, but not be limited to, placement of  
2087 the child in an independent living program. At any such permanency  
2088 hearing, the court shall also determine whether the Commissioner of  
2089 Children and Families has made reasonable efforts to achieve the  
2090 permanency plan.

2091 (e) (1) If the permanency plan for a child sixteen years of age or  
2092 older includes such other planned permanent living arrangement  
2093 pursuant to subdivision (4) of subsection (d) of this section, the  
2094 department shall document for the court: (A) The manner and  
2095 frequency of efforts made by the department to return the child home  
2096 or secure a placement for the child with a fit and willing relative, legal  
2097 guardian or an adoptive parent; and (B) the steps the department has  
2098 taken to ensure that (i) the child's foster family home or child care  
2099 institution is following a reasonable and prudent parent standard, as  
2100 defined in section 17a-114d; and (ii) the child has regular, ongoing  
2101 opportunities to engage in age appropriate or developmentally  
2102 appropriate activities, as defined in section 17a-114d.

2103 (2) At any such permanency hearing in which the plan for a child  
2104 sixteen years of age or older is such other planned permanent living  
2105 arrangement pursuant to subdivision (4) of subsection (d) of this  
2106 section, the court shall (A) (i) ask the child about his or her desired  
2107 permanency outcome, or (ii) if the child is unavailable to appear at  
2108 such hearing, require the attorney for the child to consult with the  
2109 child regarding the child's desired permanency outcome and report  
2110 the same to the court; (B) make a judicial determination that, as of the  
2111 date of hearing, such other planned permanent living arrangement is  
2112 the best permanency plan for the child; and (C) document the  
2113 compelling reasons why it is not in the best interest of the child to  
2114 return home or to be placed with a fit and willing relative, legal  
2115 guardian or adoptive parent.

2116 (f) All other commitments of delinquent, mentally deficient or  
2117 mentally ill children by the court pursuant to the provisions of section  
2118 46b-140, as amended by this act, may be for an indeterminate time,  
2119 except that no such commitment may be ordered or continued for any  
2120 child who has attained the age of twenty. Commitments may be  
2121 reopened and terminated at any time by said court, provided the  
2122 Commissioner of Children and Families shall be given notice of such  
2123 proposed reopening and a reasonable opportunity to present the  
2124 commissioner's views thereon. The parents or guardian of such child  
2125 may apply not more than twice in any calendar year for such  
2126 reopening and termination of commitment. Any order of the court  
2127 made under the provisions of this section shall be deemed a final order  
2128 for purposes of appeal, except that no bond shall be required and no  
2129 costs shall be taxed on such appeal.

2130 Sec. 23. Section 46b-141a of the general statutes is repealed and the  
2131 following is substituted in lieu thereof (*Effective July 1, 2017*):

2132 (a) Whenever a child or young adult is [convicted] adjudicated as  
2133 delinquent, the court, in lieu of committing such child to the  
2134 Department of Children and Families or such child or young adult to a  
2135 [juvenile] detention center, may, in its discretion, order an assessment  
2136 for placement in an alternative incarceration program to be conducted  
2137 by the Court Support Services Division. If the Court Support Services  
2138 Division recommends placement in an alternative incarceration  
2139 program, it shall also submit to the court a proposed alternative  
2140 incarceration plan. Upon completion of the assessment, the court shall  
2141 determine whether such child or young adult shall be ordered to  
2142 participate in such program as an alternative to commitment. If the  
2143 court determines that the child or young adult shall participate in such  
2144 program, the court shall suspend any commitment to the Department  
2145 of Children and Families or to a juvenile detention center and shall  
2146 make participation in the alternative incarceration program a condition  
2147 of probation.

2148 (b) An alternative incarceration program shall include, but not be  
2149 limited to, fines, restitution, community service, halfway houses,  
2150 alternative incarceration centers, day incarceration centers, drug,  
2151 alcohol and mental health programs, electronic monitoring, intensive  
2152 probation, vocational probation, boot camps, structured wilderness  
2153 programs, pretrial diversion options aimed at creating alternatives to  
2154 unnecessary detention, and school and job training programs.

2155 Sec. 24. Section 46b-141d of the general statutes is repealed and the  
2156 following is substituted in lieu thereof (*Effective July 1, 2017*):

2157 Any child or young adult who is arrested and held in a detention  
2158 center, an alternative detention center or a police station or courthouse  
2159 lockup prior to the disposition of a juvenile matter shall, if  
2160 subsequently [convicted] adjudicated as delinquent by the Superior  
2161 Court and sentenced to a period of probation, earn a reduction of such  
2162 [child's] period of probation, including any extensions thereof, equal to  
2163 the number of days that such child or young adult spent in such  
2164 detention center or lockup.

2165 Sec. 25. Section 46b-145 of the general statutes is repealed and the  
2166 following is substituted in lieu thereof (*Effective July 1, 2017*):

2167 No child or young adult shall be prosecuted for an offense before  
2168 the regular criminal docket of the Superior Court except as provided in  
2169 section 46b-127, as amended by this act, and subsection (f) of section  
2170 46b-133c, as amended by this act.

2171 Sec. 26. Section 46b-147 of the general statutes is repealed and the  
2172 following is substituted in lieu thereof (*Effective July 1, 2017*):

2173 The disposition and any order of such disposition of any child or  
2174 young adult under the provisions of this chapter, evidence given in  
2175 such cases, except evidence of crime which, if committed by a person  
2176 [of sufficient age, would be punishable by imprisonment in the  
2177 Connecticut Correctional Institution, Somers, and all orders therein]

2178 who, at the time of the commission of the crime, attained the age for  
2179 adult jurisdiction, shall be inadmissible as evidence in any criminal  
2180 proceedings against such child or young adult.

2181 Sec. 27. Subsection (a) of section 51-81c of the general statutes is  
2182 repealed and the following is substituted in lieu thereof (*Effective*  
2183 *October 1, 2016*):

2184 (a) [A] There is established a program for the use of (1) interest  
2185 earned on lawyers' clients' funds accounts, [is hereby established] and  
2186 (2) interest earned in an account established pursuant to subdivision  
2187 (4) of subsection (a) of section 54-64a, as amended by this act, and any  
2188 cash bail forfeited pursuant to said subdivision (4). The organization  
2189 administering the program shall use such interest and forfeited funds  
2190 to provide funding for [(1)] (A) the delivery of legal services to the  
2191 poor by nonprofit corporations whose principal purpose is providing  
2192 legal services to the poor, and [(2)] (B) law school scholarships based  
2193 on financial need. Each lawyer and law firm having a clients' funds  
2194 account shall participate in the program. [On and after July 1, 2005,  
2195 each] Each entity, other than a borrower, having an account  
2196 established to receive loan proceeds from a mortgage lender, as  
2197 defined in this subsection, shall participate in the program. Under the  
2198 program, funds in accounts established to receive such loan proceeds,  
2199 regardless of the amount or period held, and a client's funds that the  
2200 client's lawyers and law firms determine, in good faith, cannot earn  
2201 income for the client in excess of the costs incurred to secure such  
2202 income, shall be deposited by participating lawyers, law firms and  
2203 entities in interest-bearing accounts specifically established pursuant to  
2204 the program. Funds deposited in such accounts shall be subject to  
2205 withdrawal upon request by the depositor and without delay. The  
2206 interest earned on such accounts shall be paid to an organization  
2207 qualified under Section 501(c)(3) of the Internal Revenue Code of 1986,  
2208 or any subsequent corresponding internal revenue code of the United  
2209 States, as from time to time amended, which shall be designated to  
2210 administer the program by the judges of the Superior Court pursuant

2211 to subsection (d) of this section. Nothing in this section shall prevent  
2212 [(A)] (i) a lawyer or law firm from depositing a client's funds,  
2213 regardless of the amount of such funds or the period for which such  
2214 funds are expected to be held, in a separate interest-bearing account  
2215 established on behalf of and for the benefit of the client, or [(B)] (ii) an  
2216 entity from depositing a person's loan proceeds, regardless of the  
2217 amount of such proceeds or the period for which such proceeds are  
2218 expected to be held, in a separate interest-bearing account established  
2219 on behalf of and for the benefit of the person. The organization  
2220 administering the program shall mail to each lawyer, law firm and  
2221 entity participating in the program a detailed annual report of all  
2222 funds disbursed under the program including the amount disbursed to  
2223 each recipient of funds. Any recipient of funds under the program  
2224 which, using program funds, represents a party in an action filed after  
2225 July 1, 1992, against the state or any officer or agency thereof and is  
2226 awarded attorney's fees in such action by the court, shall reimburse the  
2227 program for the amount of attorney's fees received in proportion to the  
2228 percentage of program funds used for the litigation. No recipient of  
2229 funds under the program may use such funds to pay the occupational  
2230 tax imposed pursuant to section 51-81b on behalf of any attorney. As  
2231 used in this section, "mortgage lender" means any person engaged in  
2232 the business of making mortgage loans, including, but not limited to, a  
2233 bank, out-of-state bank, Connecticut credit union, federal credit union,  
2234 out-of-state credit union, mortgage lender or mortgage correspondent  
2235 lender required to be licensed under sections 36a-485 to 36a-498a,  
2236 inclusive.

2237 Sec. 28. Section 54-64a of the general statutes is repealed and the  
2238 following is substituted in lieu thereof (*Effective October 1, 2016*):

2239 (a) (1) Except as provided in [subsection (b)] subsections (b) and (c)  
2240 of this section, when any arrested person is presented before the  
2241 Superior Court, said court shall, in bailable offenses, promptly order  
2242 the release of such person upon the first of the following conditions of  
2243 release found sufficient to reasonably ensure the appearance of the

2244 arrested person in court: (A) Upon [his] such person's execution of a  
2245 written promise to appear without special conditions, (B) upon [his]  
2246 such person's execution of a written promise to appear with  
2247 nonfinancial conditions, (C) upon [his] such person's execution of a  
2248 bond without surety in no greater amount than necessary, or (D) upon  
2249 [his] such person's execution of a bond with surety in no greater  
2250 amount than necessary. In addition to or in conjunction with any of the  
2251 conditions enumerated in subparagraphs (A) to (D), inclusive, of this  
2252 subdivision, the court may, when it has reason to believe that the  
2253 person is drug-dependent and where necessary, reasonable and  
2254 appropriate, order the person to submit to a urinalysis drug test and to  
2255 participate in a program of periodic drug testing and treatment. The  
2256 results of any such drug test shall not be admissible in any criminal  
2257 proceeding concerning such person.

2258 (2) The court may, in determining what conditions of release will  
2259 reasonably ensure the appearance of the arrested person in court,  
2260 consider the following factors: (A) The nature and circumstances of the  
2261 offense, (B) such person's record of previous convictions, (C) such  
2262 person's past record of appearance in court after being admitted to  
2263 bail, (D) such person's family ties, (E) such person's employment  
2264 record, (F) such person's financial resources, character and mental  
2265 condition, and (G) such person's community ties.

2266 (3) Whenever the court orders the release of any arrested person  
2267 pursuant to subparagraph (D) of subdivision (1) of this subsection,  
2268 such release shall be upon deposit with the court of cash bail in an  
2269 amount equal to ten per cent of the amount of the surety bond set,  
2270 which may be deposited on behalf of the arrested person by any  
2271 person other than a professional bondsman licensed under chapter 533  
2272 or a surety bail bond agent licensed under chapter 700f, unless the  
2273 court determines release upon such deposit is not appropriate based  
2274 on the court's review of factors under subdivision (2) of this  
2275 subsection. If a court makes such a determination, the court shall state  
2276 on the record any such factor that it considered to be the reason for

2277 such determination.

2278 (4) The court shall place the cash bail deposited pursuant to  
2279 subdivision (3) of this subsection into an interest-bearing account  
2280 specifically established for the purpose of this subdivision. If the  
2281 arrested person appears for each court date, the cash bail shall be  
2282 returned to the person who deposited the cash bail with the court  
2283 pursuant to said subdivision (3). If the arrested person fails to appear  
2284 for any court date, such cash bail shall be forfeited. The court shall  
2285 remit, at least quarterly, any forfeited cash bail and interest earned on  
2286 each deposit made pursuant to this subdivision to an organization  
2287 designated by the judges of the Superior Court for use in the program  
2288 established pursuant to section 51-81c, as amended by this act.

2289 (b) (1) When any arrested person charged with the commission of  
2290 (A) a class A felony, (B) a class B felony, except a violation of section  
2291 53a-86 or 53a-122, (C) a class C felony, except a violation of section 53a-  
2292 87, 53a-152 or 53a-153, [or] (D) a class D felony under sections 53a-60 to  
2293 53a-60c, inclusive, section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114,  
2294 53a-136 or 53a-216, or [a] (E) any family violence crime, as defined in  
2295 section 46b-38a, is presented before the Superior Court, said court  
2296 shall, in bailable offenses, promptly order the release of such person  
2297 upon the first of the following conditions of release found sufficient to  
2298 reasonably ensure the appearance of the arrested person in court and  
2299 that the safety of any other person will not be endangered: [(A)] (i)  
2300 Upon such person's execution of a written promise to appear without  
2301 special conditions, [(B)] (ii) upon such person's execution of a written  
2302 promise to appear with nonfinancial conditions, [(C)] (iii) upon such  
2303 person's execution of a bond without surety in no greater amount than  
2304 necessary, [(D)] or (iv) upon such person's execution of a bond with  
2305 surety in no greater amount than necessary. In addition to or in  
2306 conjunction with any of the conditions enumerated in [subparagraphs  
2307 (A) to (D), inclusive, of] this subdivision, the court may, when it has  
2308 reason to believe that the person is drug-dependent and where  
2309 necessary, reasonable and appropriate, order the person to submit to a

2310 urinalysis drug test and to participate in a program of periodic drug  
2311 testing and treatment. The results of any such drug test shall not be  
2312 admissible in any criminal proceeding concerning such person.

2313 (2) The court may, in determining what conditions of release will  
2314 reasonably ensure the appearance of the arrested person in court and  
2315 that the safety of any other person will not be endangered, consider the  
2316 following factors: (A) The nature and circumstances of the offense, (B)  
2317 such person's record of previous convictions, (C) such person's past  
2318 record of appearance in court after being admitted to bail, (D) such  
2319 person's family ties, (E) such person's employment record, (F) such  
2320 person's financial resources, character and mental condition, (G) such  
2321 person's community ties, (H) the number and seriousness of charges  
2322 pending against the arrested person, (I) the weight of the evidence  
2323 against the arrested person, (J) the arrested person's history of  
2324 violence, (K) whether the arrested person has previously been  
2325 convicted of similar offenses while released on bond, and (L) the  
2326 likelihood based upon the expressed intention of the arrested person  
2327 that such person will commit another crime while released.

2328 (3) When imposing conditions of release under this subsection, the  
2329 court shall state [for] on the record any factors under subdivision (2) of  
2330 this subsection that it considered and the findings that it made as to  
2331 the danger, if any, that the arrested person might pose to the safety of  
2332 any other person upon the arrested person's release that caused the  
2333 court to impose the specific conditions of release that it imposed.

2334 (c) Except in the case of an arrested person charged with failure to  
2335 appear pursuant to section 53a-173, or a family violence crime, as  
2336 defined in section 46b-38a, or if the court makes a finding on the record  
2337 that the arrested person would pose a risk to the safety of another  
2338 person upon release, when any arrested person, charged with no crime  
2339 other than a misdemeanor, is presented before the Superior Court, said  
2340 court shall promptly order the release of such person upon the first of  
2341 the following conditions of release found sufficient to reasonably

2342 ensure the appearance of the arrested person in court: (1) Upon such  
2343 person's execution of a written promise to appear without special  
2344 conditions, (2) upon such person's execution of a written promise to  
2345 appear with nonfinancial conditions, or (3) upon such person's  
2346 execution of a bond without surety in no greater amount than  
2347 necessary. In addition to or in conjunction with any of the conditions  
2348 enumerated in subdivisions (1) to (3), inclusive, of this subsection, the  
2349 court may, when it has reason to believe that the person is drug-  
2350 dependent and where necessary, reasonable and appropriate, order the  
2351 person to submit to a urinalysis drug test and to participate in a  
2352 program of periodic drug testing and treatment. The results of any  
2353 such drug test shall not be admissible in any criminal proceeding  
2354 concerning such person.

2355 [(c)] (d) If the court determines that a nonfinancial condition of  
2356 release should be imposed pursuant to [subparagraph (B) of  
2357 subdivision (1) of] subsection (a), [or (b)] (b) or (c) of this section, the  
2358 court shall order the pretrial release of the person subject to the least  
2359 restrictive condition or combination of conditions that the court  
2360 determines will reasonably ensure the appearance of the arrested  
2361 person in court and, with respect to the release of the person pursuant  
2362 to subsection (b) of this section, that the safety of any other person will  
2363 not be endangered, which conditions may include an order that the  
2364 arrested person do one or more of the following: (1) Remain under the  
2365 supervision of a designated person or organization; (2) comply with  
2366 specified restrictions on such person's travel, association or place of  
2367 abode; (3) not engage in specified activities, including the use or  
2368 possession of a dangerous weapon, an intoxicant or a controlled  
2369 substance; (4) provide sureties of the peace pursuant to section 54-56f  
2370 under supervision of a designated bail commissioner or intake,  
2371 assessment and referral specialist employed by the Judicial Branch; (5)  
2372 avoid all contact with an alleged victim of the crime and with a  
2373 potential witness who may testify concerning the offense; (6) maintain  
2374 employment or, if unemployed, actively seek employment; (7)

2375 maintain or commence an educational program; (8) be subject to  
2376 electronic monitoring; or (9) satisfy any other condition that is  
2377 reasonably necessary to ensure the appearance of the person in court  
2378 and that the safety of any other person will not be endangered. The  
2379 court shall state on the record its reasons for imposing any such  
2380 nonfinancial condition.

2381 [(d)] (e) If the arrested person is not released, the court shall order  
2382 [him] such person committed to the custody of the Commissioner of  
2383 Correction until [he] such person is released or discharged in due  
2384 course of law.

2385 [(e)] (f) The court may require that the person subject to electronic  
2386 monitoring pursuant to subsection [(c)] (d) of this section pay directly  
2387 to the electronic monitoring service provider a fee for the cost of such  
2388 electronic monitoring services. If the court finds that the person subject  
2389 to electronic monitoring is indigent and unable to pay the costs of  
2390 electronic monitoring services, the court shall waive such costs. Any  
2391 contract entered into by the Judicial Branch and the electronic  
2392 monitoring service provider shall include a provision stating that the  
2393 total cost for electronic monitoring services shall not exceed five  
2394 dollars per day. Such amount shall be indexed annually to reflect the  
2395 rate of inflation.

2396 Sec. 29. (NEW) (*Effective October 1, 2016*) Not later than January 1,  
2397 2017, the Court Support Services Division shall develop a pretrial  
2398 release eligibility notice containing written explanatory text of the  
2399 process of release following an arrest set forth in chapter 960 of the  
2400 general statutes. The division, in conjunction with the Judicial  
2401 Department, the Department of Correction, the Division of State Police  
2402 and municipal police departments, shall ensure that such notice is  
2403 provided to an arrested person at any time such person is presented  
2404 with conditions for such person's release. The division shall update  
2405 such notice as deemed necessary by the division.

2406 Sec. 30. Subsection (b) of section 53a-32 of the general statutes is  
2407 repealed and the following is substituted in lieu thereof (*Effective*  
2408 *October 1, 2016*):

2409 (b) When the defendant is presented for arraignment on the charge  
2410 of violation of any of the conditions of probation or conditional  
2411 discharge, the court shall review any conditions previously imposed  
2412 on the defendant and may order, as a condition of the pretrial release  
2413 of the defendant, that the defendant comply with any or all of such  
2414 conditions in addition to any conditions imposed pursuant to section  
2415 54-64a, as amended by this act. Unless the court, pursuant to  
2416 subsection [(c)] (d) of section 54-64a, as amended by this act, orders  
2417 that the defendant remain under the supervision of a probation officer  
2418 or other designated person or organization, the defendant shall be  
2419 supervised by the Court Support Services Division of the Judicial  
2420 Branch in accordance with subsection (a) of section 54-63b.

2421 Sec. 31. Section 53a-222 of the general statutes is repealed and the  
2422 following is substituted in lieu thereof (*Effective October 1, 2016*):

2423 (a) A person is guilty of violation of conditions of release in the first  
2424 degree when, while charged with the commission of a felony, such  
2425 person is released pursuant to subsection (b) of section 54-63c,  
2426 subsection (c) of section 54-63d or subsection [(c)] (d) of section 54-64a,  
2427 as amended by this act, and intentionally violates one or more of the  
2428 imposed conditions of release.

2429 (b) Violation of conditions of release in the first degree is a class D  
2430 felony.

2431 Sec. 32. Section 53a-222a of the general statutes is repealed and the  
2432 following is substituted in lieu thereof (*Effective October 1, 2016*):

2433 (a) A person is guilty of violation of conditions of release in the  
2434 second degree when, while charged with the commission of a  
2435 misdemeanor or motor vehicle violation for which a sentence to a term

2436 of imprisonment may be imposed, such person is released pursuant to  
2437 subsection (b) of section 54-63c, subsection (c) of section 54-63d or  
2438 subsection [(c)] (d) of section 54-64a, as amended by this act, and  
2439 intentionally violates one or more of the imposed conditions of release.

2440 (b) Violation of conditions of release in the second degree is a class  
2441 A misdemeanor.

2442 Sec. 33. Section 54-76b of the general statutes is repealed and the  
2443 following is substituted in lieu thereof (*Effective October 1, 2016*):

2444 (a) For the purposes of [sections 54-76b to 54-76n, inclusive] this  
2445 section and sections 54-76c to 54-76q, inclusive, as amended by this act:

2446 (1) "Youth" means (A) a [minor who has reached the age of sixteen  
2447 years but has not reached the age of eighteen years] person who is  
2448 sixteen years of age or older but under twenty-one years of age at the  
2449 time of the alleged offense, or (B) a [child] person who has been  
2450 transferred to the regular criminal docket of the Superior Court  
2451 pursuant to section 46b-127, as amended by this act; and

2452 (2) "Youthful offender" means a youth who (A) is charged with the  
2453 commission of a crime which is not a class A felony or a violation of  
2454 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of  
2455 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection  
2456 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a  
2457 or 53a-72b, except a violation involving consensual sexual intercourse  
2458 or sexual contact between [the youth] a person who is sixteen years of  
2459 age or older but under eighteen years of age and another person who  
2460 is thirteen years of age or older but under sixteen years of age, and (B)  
2461 has not previously been convicted of a felony in the regular criminal  
2462 docket of the Superior Court or been previously adjudged a serious  
2463 juvenile offender or serious juvenile repeat offender, as defined in  
2464 section 46b-120, as amended by this act.

2465 (b) The Interstate Compact for Adult Offender Supervision under

2466 section 54-133 shall apply to youthful offenders.

2467 Sec. 34. Subsection (a) of section 54-76c of the general statutes is  
2468 repealed and the following is substituted in lieu thereof (*Effective*  
2469 *October 1, 2016*):

2470 (a) In any case where an information or complaint has been laid  
2471 charging a defendant with the commission of a crime, and where it  
2472 appears that the defendant is a youth, such defendant shall be  
2473 presumed to be eligible to be adjudged a youthful offender and the  
2474 court having jurisdiction shall, but only as to the public, order the  
2475 court file sealed, unless such defendant (1) is charged with the  
2476 commission of a crime which is a class A felony or a violation of  
2477 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of  
2478 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection  
2479 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a  
2480 or 53a-72b, except a violation involving consensual sexual intercourse  
2481 or sexual contact between [the youth] a person who is sixteen years of  
2482 age or older but under eighteen years of age and another person who  
2483 is thirteen years of age or older but under sixteen years of age, or (2)  
2484 has been previously convicted of a felony in the regular criminal  
2485 docket of the Superior Court or been previously adjudged a serious  
2486 juvenile offender or serious juvenile repeat offender, as defined in  
2487 section 46b-120, as amended by this act. Except as provided in  
2488 subsection (b) of this section, upon motion of the prosecuting official,  
2489 the court may order that an investigation be made of such defendant  
2490 under section 54-76d, for the purpose of determining whether such  
2491 defendant is ineligible to be adjudged a youthful offender, provided  
2492 the court file shall remain sealed, but only as to the public, during such  
2493 investigation.

2494 Sec. 35. Subsection (a) of section 54-76h of the general statutes is  
2495 repealed and the following is substituted in lieu thereof (*Effective*  
2496 *October 1, 2016*):

2497 (a) All of the proceedings [had] under the provisions of sections 54-  
2498 76b to 54-76n, inclusive, as amended by this act, shall be private and  
2499 [shall be] conducted in [such] parts of the courthouse or the building  
2500 [wherein] in which the court is located [as shall be] that are separate  
2501 and apart from [the other parts] any other part of the court which are  
2502 then being held for proceedings pertaining to adults charged with  
2503 crimes. If the defendant is committed while any examination and  
2504 investigation under section 54-76d is pending, before trial, during trial  
2505 or after judgment and before sentence, those persons in charge of the  
2506 place of detention shall segregate the defendant, to the extent of their  
2507 facilities, from defendants [over the age of eighteen years] twenty-one  
2508 years of age or older charged with crime.

2509 Sec. 36. Subsection (b) of section 54-76j of the general statutes is  
2510 repealed and the following is substituted in lieu thereof (*Effective*  
2511 *October 1, 2016*):

2512 (b) If execution of the sentence is suspended under subdivision (6)  
2513 of subsection (a) of this section, the defendant may be placed on  
2514 probation or conditional discharge for a period not to exceed three  
2515 years, provided, at any time during the period of probation, after  
2516 hearing and for good cause shown, the court may extend the period as  
2517 deemed appropriate by the court. If the court places [the person] a  
2518 person who is under eighteen years of age and who is adjudicated to  
2519 be a youthful offender on probation, the court may order that, as a  
2520 condition of such probation, the person be referred for services to a  
2521 youth service bureau established pursuant to section 10-19m, provided  
2522 the court finds, through an assessment by a youth service bureau or its  
2523 designee, that the person is in need of and likely to benefit from such  
2524 services. If the court places a youthful offender on probation, school  
2525 and class attendance on a regular basis and satisfactory compliance  
2526 with school policies on student conduct and discipline may be a  
2527 condition of such probation and, in such a case, failure to so attend or  
2528 comply shall be a violation of probation. If the court has reason to  
2529 believe that the person adjudicated to be a youthful offender is or has

2530 been an unlawful user of narcotic drugs, as defined in section 21a-240,  
2531 and the court places such youthful offender on probation, the  
2532 conditions of probation, among other things, shall include a  
2533 requirement that such person shall submit to periodic tests to  
2534 determine, by the use of "synthetic opiate antinarcotic in action",  
2535 nalline test or other detection tests, at a hospital or other facility,  
2536 equipped to make such tests, whether such person is using narcotic  
2537 drugs. A failure to report for such tests or a determination that such  
2538 person is unlawfully using narcotic drugs shall constitute a violation of  
2539 probation. If the court places a person adjudicated as a youthful  
2540 offender for a violation of section 53-247 on probation, the court may  
2541 order that, as a condition of such probation, the person undergo  
2542 psychiatric or psychological counseling or participate in an animal  
2543 cruelty prevention and education program, provided such a program  
2544 exists and is available to the person.

2545 Sec. 37. Subsection (a) of section 54-76l of the general statutes is  
2546 repealed and the following is substituted in lieu thereof (*Effective*  
2547 *October 1, 2016*):

2548 (a) The records or other information of a youth, other than a youth  
2549 [arrested for or] charged with the commission of a crime which is a  
2550 class A felony or a violation of section 14-222a, subsection (a) or  
2551 subdivision (1) of subsection (b) of section 14-224, section 14-227a or  
2552 14-227g, subdivision (2) of subsection (a) of section 53-21 or section  
2553 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, except a violation  
2554 involving consensual sexual intercourse or sexual contact between [the  
2555 youth] a person who is sixteen years of age or older but under eighteen  
2556 years of age and another person who is thirteen years of age or older  
2557 but under sixteen years of age, including fingerprints, photographs  
2558 and physical descriptions, shall be confidential and shall not be open  
2559 to public inspection or be disclosed except as provided in this section,  
2560 but such fingerprints, photographs and physical descriptions  
2561 submitted to the State Police Bureau of Identification of the Division of  
2562 State Police within the Department of Emergency Services and Public

2563 Protection at the time of the arrest of a person subsequently adjudged,  
2564 or subsequently presumed or determined to be eligible to be adjudged,  
2565 a youthful offender shall be retained as confidential matter in the files  
2566 of the bureau and be opened to inspection only as provided in this  
2567 section. Other data ordinarily received by the bureau, with regard to  
2568 persons arrested for a crime, shall be forwarded to the bureau to be  
2569 filed, in addition to such fingerprints, photographs and physical  
2570 descriptions, and be retained in the division as confidential  
2571 information, open to inspection only as provided in this section.

2572 Sec. 38. Section 54-760 of the general statutes is repealed and the  
2573 following is substituted in lieu thereof (*Effective October 1, 2016*):

2574 Whenever any person has been adjudicated a youthful offender and  
2575 has subsequently been discharged from the supervision of the court or  
2576 from the care of any institution or agency to whom [he] such person  
2577 has been committed by the court, all police and court records  
2578 pertaining to such youthful offender shall be automatically erased  
2579 [when such person attains twenty-one years of age] four years after  
2580 such person was adjudged a youthful offender, provided such person  
2581 has not subsequent to being adjudged a youthful offender been  
2582 convicted of a felony, as defined in section 53a-25, prior to attaining  
2583 such age. Youthful offender status shall not be deemed conviction of a  
2584 crime for the purposes of this section. Upon the entry of such an  
2585 erasure order, all references including arrest, complaint, referrals,  
2586 petitions, reports and orders, shall be removed from all agency, official  
2587 and institutional files. The persons in charge of such records shall not  
2588 disclose to any person, except the subject of the record, upon  
2589 submission of satisfactory proof of the subject's identity in accordance  
2590 with guidelines prescribed by the Chief Court Administrator,  
2591 information pertaining to the record so erased. No [youth] person who  
2592 has been the subject of such an erasure order shall be deemed to have  
2593 been arrested ab initio, within the meaning of the general statutes, with  
2594 respect to proceedings so erased. Copies of the erasure order shall be  
2595 sent to all persons, agencies, officials or institutions known to have

2596 information pertaining to the proceedings affecting such [youth]  
2597 person.

2598 Sec. 39. Section 18-100i of the general statutes is repealed and the  
2599 following is substituted in lieu thereof (*Effective from passage*):

2600 [(a)] The Commissioner of Correction, at the commissioner's  
2601 discretion, may release an inmate from the commissioner's custody,  
2602 except an inmate convicted of a capital felony under the provisions of  
2603 section 53a-54b in effect prior to April 25, 2012, or murder with special  
2604 circumstances under the provisions of section 53a-54b in effect on or  
2605 after April 25, 2012, for placement in a licensed community-based  
2606 nursing home under contract with the state for the purpose of  
2607 providing palliative and end-of-life care to the inmate if the medical  
2608 director of the Department of Correction determines that the inmate is  
2609 suffering from a terminal condition, disease or syndrome, or is so  
2610 debilitated or incapacitated by a terminal condition, disease or  
2611 syndrome as to (1) require continuous palliative or end-of-life care, or  
2612 (2) be physically incapable of presenting a danger to society.

2613 [(b)] The Commissioner of Correction may require as a condition of  
2614 release under subsection (a) of this section that the medical director  
2615 conduct periodic medical review and diagnosis of the inmate during  
2616 such release. An inmate released pursuant to subsection (a) of this  
2617 section shall be returned to the custody of the Commissioner of  
2618 Correction if the medical director determines that the inmate no longer  
2619 meets the criteria for release under subsection (a) of this section.]

2620 [(c)] Any inmate released from the custody of the Commissioner of  
2621 Correction pursuant to [subsection (a) of] this section shall be  
2622 supervised in the community by the Department of Correction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	46b-120

Sec. 2	<i>July 1, 2017</i>	46b-121
Sec. 3	<i>from passage</i>	46b-121n
Sec. 4	<i>July 1, 2017</i>	46b-127
Sec. 5	<i>July 1, 2017</i>	46b-133
Sec. 6	<i>July 1, 2017</i>	46b-133c
Sec. 7	<i>July 1, 2017</i>	46b-133d
Sec. 8	<i>from passage</i>	4-68m(d) and (e)
Sec. 9	<i>July 1, 2017</i>	46b-124
Sec. 10	<i>July 1, 2017</i>	46b-128
Sec. 11	<i>July 1, 2017</i>	46b-128a
Sec. 12	<i>July 1, 2017</i>	46b-133a
Sec. 13	<i>July 1, 2017</i>	46b-133b
Sec. 14	<i>July 1, 2017</i>	46b-134
Sec. 15	<i>July 1, 2017</i>	46b-135
Sec. 16	<i>July 1, 2017</i>	46b-136
Sec. 17	<i>July 1, 2017</i>	46b-137
Sec. 18	<i>July 1, 2017</i>	46b-138
Sec. 19	<i>July 1, 2017</i>	46b-138b
Sec. 20	<i>July 1, 2017</i>	46b-140
Sec. 21	<i>July 1, 2017</i>	46b-140a
Sec. 22	<i>July 1, 2017</i>	46b-141
Sec. 23	<i>July 1, 2017</i>	46b-141a
Sec. 24	<i>July 1, 2017</i>	46b-141d
Sec. 25	<i>July 1, 2017</i>	46b-145
Sec. 26	<i>July 1, 2017</i>	46b-147
Sec. 27	<i>October 1, 2016</i>	51-81c(a)
Sec. 28	<i>October 1, 2016</i>	54-64a
Sec. 29	<i>October 1, 2016</i>	New section
Sec. 30	<i>October 1, 2016</i>	53a-32(b)
Sec. 31	<i>October 1, 2016</i>	53a-222
Sec. 32	<i>October 1, 2016</i>	53a-222a
Sec. 33	<i>October 1, 2016</i>	54-76b
Sec. 34	<i>October 1, 2016</i>	54-76c(a)
Sec. 35	<i>October 1, 2016</i>	54-76h(a)
Sec. 36	<i>October 1, 2016</i>	54-76j(b)
Sec. 37	<i>October 1, 2016</i>	54-76l(a)
Sec. 38	<i>October 1, 2016</i>	54-76o
Sec. 39	<i>from passage</i>	18-100i

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[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.]*