



General Assembly

**Bill No. 505**

*May Special Session, 2016*

LCO No. 6374



Referred to Committee on No Committee

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 Section 46b-120 of the general statutes is repealed and the  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 a  
63 municipal or local ordinance, except an ordinance regulating behavior  
64 of a child in a family with service needs, (ii) wilfully failed to appear in  
65 response to a summons under section 46b-133, as amended by this act,  
66 or at any other court hearing in a delinquency proceeding of which the  
67 child had notice, (iii) violated any order of the Superior Court in a  
68 delinquency proceeding, except as provided in section 46b-148, or (iv)  
69 violated conditions of probation in a delinquency proceeding as  
70 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-

78 172, 53a-173, 53a-222, as amended by this act, 53a-222a, as amended by  
79 this act, 53a-223 or 53a-223a, (ii) [while sixteen years of age or older,]  
80 wilfully failed to appear in response to a summons under section 46b-  
81 133, as amended by this act, or at any other court hearing in a  
82 delinquency proceeding of which the [child] youth or young adult had  
83 notice, (iii) [while sixteen years of age or older,] violated any order of  
84 the Superior Court in a delinquency proceeding, except as provided in  
85 section 46b-148, or (iv) [while sixteen years of age or older,] violated  
86 conditions of probation in a delinquency proceeding as ordered by the  
87 court;

88 [(5)] (6) "Family with service needs" means a family that includes a  
89 child who is [at least] (A) seven years of age [and] or older but is under  
90 eighteen years of age who [(A)] (i) has without just cause run away  
91 from the parental home or other properly authorized and lawful place  
92 of abode, [(B)] (ii) is beyond the control of the child's [or youth's]  
93 parent, parents, guardian or other custodian, [(C)] (iii) has engaged in  
94 indecent or immoral conduct, [(D)] or (iv) is a truant or habitual truant  
95 or who, while in school, has been continuously and overtly defiant of  
96 school rules and regulations, or [(E) is] (B) thirteen years of age or  
97 older and has engaged in sexual intercourse with another person and  
98 such other person is thirteen years of age or older and not more than  
99 two years older or younger than such child; [or youth;]

100 [(6)] (7) A child or youth may be found "neglected" who, for reasons  
101 other than being impoverished, (A) has been abandoned, (B) is being  
102 denied proper care and attention, physically, educationally,  
103 emotionally or morally, or (C) is being permitted to live under  
104 conditions, circumstances or associations injurious to the well-being of  
105 the child or youth;

106 [(7)] (8) A child or youth may be found "abused" who (A) has been  
107 inflicted with physical injury or injuries other than by accidental  
108 means, (B) has injuries that are at variance with the history given of  
109 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 (22) An advocate on behalf of victims of family violence crimes,  
328 appointed by the Governor; and

329 (23) An advocate on behalf of victims of sexual assault, appointed  
330 by the Governor.

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

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

340 (e) Members of the committee shall serve without compensation,  
341 except for necessary expenses incurred in the performance of their  
342 duties.

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

349 (1) Any statutory changes concerning the juvenile justice system  
350 that the committee recommends to (A) improve public safety; (B)  
351 promote the best interests of children and youths who are under the  
352 supervision, care or custody of the Commissioner of Children and  
353 Families or the Court Support Services Division of the Judicial

354 Department; (C) improve transparency and accountability with respect  
355 to state-funded services for children and youths in the juvenile justice  
356 system with an emphasis on goals identified by the committee for  
357 community-based programs and facility-based interventions; and (D)  
358 promote the efficient sharing of information between the Department  
359 of Children and Families and the Judicial Department to ensure the  
360 regular collection and reporting of recidivism data and promote public  
361 welfare and public safety outcomes related to the juvenile justice  
362 system;

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

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

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

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

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

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

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

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

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

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

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

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

409 (4) An examination of how the state Department of Education and  
410 local boards of education, the Department of Children and Families,  
411 the Department of Mental Health and Addiction Services, the Court  
412 Support Services Division of the Judicial Department, and other  
413 appropriate agencies can work collaboratively through school-based

414 efforts and other processes to reduce the number of children and  
415 youths who enter the juvenile justice system as a result of being a  
416 member of a family with service needs or [convicted] adjudicated as  
417 delinquent;

418 (5) An examination of practices and procedures that result in  
419 disproportionate minority contact, as defined in section 4-68y, within  
420 the juvenile justice system;

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

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

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

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

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

442 [(i)] (j) The committee shall establish a time frame for review and

443 reporting regarding the responsibilities outlined in subdivision (5) of  
444 subsection (f) of this section, and subdivisions (1) to (7), inclusive, of  
445 subsection (g) of this section. Each report submitted by the committee  
446 shall include specific recommendations to improve outcomes and a  
447 timeline by which specific tasks or outcomes must be achieved.

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

466 [(k)] (l) The committee shall assess the juvenile justice system and  
467 make recommendations, if any, to improve the system. Not later than  
468 July 1, 2016, July 1, 2017, and July 1, 2018, the committee shall report  
469 such assessment and recommendations, in accordance with section 11-  
470 4a, to the joint standing committees of the General Assembly having  
471 cognizance of matters relating to appropriations, the judiciary, human  
472 services and children, and the Secretary of the Office of Policy and  
473 Management, regarding the following:

474 (1) Mental health and substance abuse treatment programs and

475 services for children and youths involved with, or at risk of  
476 involvement with, the juvenile justice system;

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

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

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

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

485 (6) Recidivism tracking and policies and procedures to reduce  
486 recidivism;

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

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

493 (9) Oversight and the reduction in the use of restraints for children  
494 and youths, and the reduction in the use of seclusion and room  
495 confinement in juvenile justice facilities;

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

499 (11) Programs and facilities using restraints or seclusion for children  
500 or youths and any data regarding such uses, including, but not limited  
501 to, the rate and duration of use for children and youths with

502 disabilities.

503 [(l)] (m) Not later than July 1, 2015, and quarterly thereafter until  
504 January 1, 2017, and annually thereafter, the committee shall submit a  
505 report, in accordance with section 11-4a, to the joint standing  
506 committees of the General Assembly having cognizance of matters  
507 relating to appropriations, the judiciary, human services and children,  
508 and the Secretary of the Office of Policy and Management, regarding  
509 progress made to achieve goals and measures identified by the  
510 committee pursuant to this section.

511 (n) The committee shall plan for the implementation of any changes  
512 required pursuant to chapter 815t and sections 54-76b to 54-76q,  
513 inclusive, as amended by this act, to the juvenile justice system in  
514 order to extend jurisdiction in delinquency matters and proceedings  
515 within the Superior Court for juvenile matters to include persons who  
516 are (1) eighteen years of age or older but under nineteen years of age,  
517 beginning July 1, 2017, (2) nineteen years of age or older but under  
518 twenty years of age, beginning July 1, 2018, and (3) twenty years of age  
519 or older but under twenty-one years of age, beginning July 1, 2019. The  
520 committee shall make recommendations including, but not limited to,  
521 (A) recommendations on the appropriate processes required for  
522 adjudication of young adults in juvenile court charged with sexual  
523 assault, strangulation or a crime involving family violence as may be  
524 so designated under section 46b-38h, including recommendations on  
525 whether such crimes shall be excluded from juvenile court and  
526 recommendations on the services needed to support the victims of the  
527 young adults in such cases, (B) recommendations on the appropriate  
528 facilities for both the pretrial and post-adjudication confinement of the  
529 young adult population, and (C) recommendations on opening  
530 juvenile court proceedings to the public in matters in which a young  
531 adult is before the court. On or before January 1, 2017, the committee  
532 shall submit a report, in accordance with section 11-4a, on the  
533 committee's findings, together with any recommendations for  
534 legislation, to the Governor, the speaker of the House of

535 Representatives, the majority leader of the House of Representatives,  
536 the president pro tempore of the Senate, the majority leader of the  
537 Senate, the minority leader of the House of Representatives, the  
538 minority leader of the Senate and the joint standing committees of the  
539 General Assembly having cognizance of matters relating to the  
540 judiciary, human services, children and appropriations.

541       Sec. 4. Section 46b-127 of the 2016 supplement to the general statutes  
542 is repealed and the following is substituted in lieu thereof (*Effective July*  
543 *1, 2017*):

544       (a) (1) The court shall automatically transfer from the docket for  
545 juvenile matters to the regular criminal docket of the Superior Court  
546 the case of any child or young adult charged with the commission of a  
547 capital felony under the provisions of section 53a-54b in effect prior to  
548 April 25, 2012, a class A felony, or a class B felony, except as provided  
549 in [subdivision (3) of this] subsection (b) of this section, or a violation  
550 of section 53a-54d, provided such offense was committed [after such  
551 child attained the age of fifteen years] by a child when such child was  
552 at least fifteen years of age or by a young adult and counsel has been  
553 appointed for such child or young adult if such child or young adult is  
554 indigent. Such counsel may appear with the child or young adult but  
555 shall not be permitted to make any argument or file any motion in  
556 opposition to the transfer. The child or young adult shall be arraigned  
557 in the regular criminal docket of the Superior Court at the next court  
558 date following such transfer. [ , provided any] Any proceedings held  
559 prior to the finalization of such transfer shall be private and shall be  
560 conducted in such parts of the courthouse or the building in which the  
561 court is located that are separate and apart from the other parts of the  
562 court which are then being used for proceedings pertaining to [adults]  
563 persons charged with crimes on the regular criminal docket.

564       (2) A state's attorney may, at any time after such arraignment, file a  
565 motion to transfer the case of any child or young adult charged with  
566 the commission of a class B felony or a violation of subdivision (2) of

567 subsection (a) of section 53a-70 to the docket for juvenile matters for  
568 proceedings in accordance with the provisions of this chapter.

569 [(3) No case of any child charged with the commission of a violation  
570 of section 53a-55, 53a-59b, 53a-71 or 53a-94, subdivision (2) of  
571 subsection (a) of section 53a-101, section 53a-112, 53a-122 or 53a-129b,  
572 subdivision (1), (3) or (4) of subsection (a) of section 53a-134, section  
573 53a-196c, 53a-196d or 53a-252 or subsection (a) of section 53a-301 shall  
574 be transferred from the docket for juvenile matters to the regular  
575 criminal docket of the Superior Court, except as provided in this  
576 subdivision. Upon motion of a prosecutorial official, the superior court  
577 for juvenile matters shall conduct a hearing to determine whether the  
578 case of any child charged with the commission of any such offense  
579 shall be transferred from the docket for juvenile matters to the regular  
580 criminal docket of the Superior Court. The court shall not order that  
581 the case be transferred under this subdivision unless the court finds  
582 that (A) such offense was committed after such child attained the age  
583 of fifteen years, (B) there is probable cause to believe the child has  
584 committed the act for which the child is charged, and (C) the best  
585 interests of the child and the public will not be served by maintaining  
586 the case in the superior court for juvenile matters. In making such  
587 findings, the court shall consider (i) any prior criminal or juvenile  
588 offenses committed by the child, (ii) the seriousness of such offenses,  
589 (iii) any evidence that the child has intellectual disability or mental  
590 illness, and (iv) the availability of services in the docket for juvenile  
591 matters that can serve the child's needs. Any motion under this  
592 subdivision shall be made, and any hearing under this subdivision  
593 shall be held, not later than thirty days after the child is arraigned in  
594 the superior court for juvenile matters.]

595 (b) (1) Upon motion of a prosecutorial official, the superior court for  
596 juvenile matters shall conduct a hearing to determine whether the case  
597 of any child or young adult charged with the commission of a violation  
598 of section 53a-122 or a class C, D or E felony or an unclassified felony  
599 shall be transferred from the docket for juvenile matters to the regular

600 criminal docket of the Superior Court. The court shall not order that  
601 the case be transferred under this subdivision unless the court finds  
602 that (A) such offense was committed [after such child attained the age  
603 of fifteen years] by a child when such child was at least fifteen years of  
604 age or by a young adult, (B) there is probable cause, based on either  
605 sworn affidavits or testimony, to believe the child or young adult has  
606 committed the act for which the child or young adult is charged, and  
607 (C) [the best interests of the child and the public will not be served by  
608 maintaining the case in the superior court for juvenile matters] public  
609 safety can best be served by transferring the case to the regular  
610 criminal docket of the Superior Court. In making such findings, the  
611 court shall consider (i) any prior criminal or juvenile offenses  
612 committed by the child or young adult, (ii) the seriousness of such  
613 offenses, (iii) any evidence that the child or young adult has  
614 intellectual disability or mental illness, and (iv) the best interests of the  
615 child or young adult, including the sophistication, maturity and  
616 mental status of the child or young adult by consideration of his or her  
617 social, environmental and mental health history and the availability of  
618 services in the docket for juvenile matters that can serve the [child's]  
619 needs of the child or young adult. Any motion under this subdivision  
620 shall be made, and any hearing under this subdivision shall be held,  
621 not later than thirty days after the child or young adult is arraigned in  
622 the superior court for juvenile matters.

623 (2) If a case is transferred to the regular criminal docket pursuant to  
624 subdivision (1) of this subsection, [or subdivision (3) of subsection (a)  
625 of this section,] the court sitting for the regular criminal docket may  
626 return the case to the docket for juvenile matters at any time prior to a  
627 jury rendering a verdict or the entry of a guilty plea for good cause  
628 shown for proceedings in accordance with the provisions of this  
629 chapter.

630 (c) [Upon] (1) Except as provided in subdivision (2) of this  
631 subsection, upon the effectuation of the transfer, such child or young  
632 adult shall stand trial and be sentenced, if convicted, as if such child

633 [were eighteen years of age] or young adult were an age for adult  
634 jurisdiction, subject to the provisions of section 54-91g. Such child or  
635 young adult shall receive credit against any sentence imposed for time  
636 served in a juvenile or detention facility prior to the effectuation of the  
637 transfer. A child or young adult who has been transferred may enter a  
638 guilty plea to a lesser offense if the court finds that such plea is made  
639 knowingly and voluntarily. Any child or young adult transferred to  
640 the regular criminal docket who pleads guilty to a lesser offense shall  
641 not resume such [child's] person's status as a juvenile regarding such  
642 offense. If the action is dismissed or nolleed or if such child or young  
643 adult is found not guilty of the charge for which such child or young  
644 adult was transferred or of any lesser included offenses, the child or  
645 young adult shall resume such [child's] person's status as a juvenile  
646 until such [child] person attains the age [of eighteen years] for adult  
647 jurisdiction.

648 (2) Notwithstanding any provision of the general statutes, when  
649 sentencing a person whose case has been transferred to the regular  
650 criminal docket of the Superior Court pursuant to this section and who  
651 is convicted of an offense for which there is a mandatory minimum  
652 sentence which shall not be suspended, the court may suspend the  
653 execution of such mandatory minimum sentence if such person was  
654 under eighteen years of age at the time of the offense.

655 (d) Any child or young adult whose case is transferred to the  
656 regular criminal docket of the Superior Court who is detained  
657 pursuant to such case shall be in the custody of the Commissioner of  
658 Correction upon the finalization of such transfer. A transfer shall be  
659 final (1) upon the arraignment on the regular criminal docket until a  
660 motion filed by the state's attorney pursuant to subsection (a) of this  
661 section is granted by the court, or (2) upon the arraignment on the  
662 regular criminal docket of a transfer ordered pursuant to subsection (b)  
663 of this section until the court sitting for the regular criminal docket  
664 orders the case returned to the docket for juvenile matters for good  
665 cause shown. Any child or young adult whose case is returned to the

666 docket for juvenile matters who is detained pursuant to such case shall  
667 be in the custody of the Judicial Department.

668 (e) The transfer of a child or young adult to a Department of  
669 Correction facility shall be limited as provided in subsection (d) of this  
670 section and said subsection shall not be construed to permit the  
671 transfer of or otherwise reduce or eliminate any other population of  
672 juveniles in detention or confinement within the Judicial Department  
673 or the Department of Children and Families.

674 (f) Upon the motion of any party or upon the court's own motion,  
675 the case of any youth [age sixteen or seventeen] or young adult, except  
676 a case that has been transferred to the regular criminal docket of the  
677 Superior Court pursuant to subsection (a) or (b) of this section, which  
678 is pending on the youthful offender docket, regular criminal docket of  
679 the Superior Court or any docket for the presentment of defendants in  
680 motor vehicle matters, where the youth or young adult is charged with  
681 committing any offense or violation for which a term of imprisonment  
682 may be imposed, other than a violation of section 14-227a or 14-227g,  
683 may, before trial or before the entry of a guilty plea, be transferred to  
684 the docket for juvenile matters if (1) [the] (A) a youth is alleged to have  
685 committed such offense or violation on or after January 1, 2010, while  
686 sixteen years of age or older but under seventeen years of age, or is  
687 alleged to have committed such offense or violation on or after July 1,  
688 2012, while seventeen years of age or older but under eighteen years of  
689 age, or (B) a young adult is alleged to have committed such offense or  
690 violation on or after July 1, 2017, while younger than the age for adult  
691 jurisdiction, and (2) after a hearing considering the facts and  
692 circumstances of the case and the prior history of the youth or young  
693 adult, the court determines that the programs and services available  
694 pursuant to a proceeding in the superior court for juvenile matters  
695 would more appropriately address the needs of the youth or young  
696 adult and that the youth or young adult and the community would be  
697 better served by treating the youth or young adult as a delinquent.  
698 Upon ordering such transfer, the court shall vacate any pleas entered

699 in the matter and advise the youth or young adult of the youth's or  
700 young adult's rights, and the youth or young adult shall (A) enter  
701 pleas on the docket for juvenile matters in the jurisdiction where the  
702 youth or young adult resides, and (B) be subject to prosecution as a  
703 delinquent [child] youth or young adult. The decision of the court  
704 concerning the transfer of [a youth's case] the case of a youth or young  
705 adult, from the youthful offender docket, regular criminal docket of  
706 the Superior Court or any docket for the presentment of defendants in  
707 motor vehicle matters shall not be a final judgment for purposes of  
708 appeal.

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

711 (a) Nothing in this part shall be construed as preventing the arrest of  
712 a child or young adult, with or without a warrant, as may be provided  
713 by law, or as preventing the issuance of warrants by judges in the  
714 manner provided by section 54-2a, except that no child or young adult  
715 shall be taken into custody on such process except on apprehension in  
716 the act, or on speedy information, or in other cases when the use of  
717 such process appears imperative. Whenever a child or young adult is  
718 arrested and charged with a crime, such child or young adult may be  
719 required to submit to the taking of his or her photograph, physical  
720 description and fingerprints. Notwithstanding the provisions of  
721 section 46b-124, as amended by this act, the name, photograph and  
722 custody status of any child or young adult arrested for the commission  
723 of a capital felony under the provisions of section 53a-54b in effect  
724 prior to April 25, 2012, or class A felony may be disclosed to the public.

725 (b) Whenever a child or young adult is brought before a judge of the  
726 Superior Court, such judge shall immediately have the case proceeded  
727 upon as a juvenile matter. Such judge may admit the child or young  
728 adult to bail or, in the case of a child, release the child in the custody of  
729 the child's parent or parents, the child's guardian or some other  
730 suitable person to appear before the Superior Court when ordered. If

731 detention becomes necessary, such detention shall be in the manner  
732 prescribed by this chapter, provided the child or young adult shall be  
733 placed in the least restrictive environment possible in a manner  
734 consistent with public safety.

735 (c) Upon the arrest of any child or young adult by an officer, such  
736 officer may (1) in the case of a child, release the child to the custody of  
737 the child's parent or parents, guardian or some other suitable person or  
738 agency, (2) at the discretion of the officer, release the child or young  
739 adult to the child's or young adult's own custody, or (3) seek a court  
740 order to detain the child or young adult in a juvenile detention center.  
741 No child or young adult shall be [placed in detention] detained unless  
742 it appears from the available facts that there is probable cause to  
743 believe that the child or young adult has committed the acts alleged,  
744 there is no less restrictive alternative available and there is (A) a strong  
745 probability that the child or young adult will run away prior to the  
746 court hearing or disposition, (B) a strong probability that the child or  
747 young adult will commit or attempt to commit other offenses injurious  
748 to the child or young adult or to the community prior to the court  
749 disposition, (C) probable cause, in the case of a child, to believe that  
750 the child's continued residence in the child's home pending disposition  
751 poses a risk to the child or the community because of the serious and  
752 dangerous nature of the act or acts the child is alleged to have  
753 committed, (D) a need to hold the child or young adult for another  
754 jurisdiction, (E) a need to hold the child or young adult to assure the  
755 [child's] appearance of the child or young adult before the court, in  
756 view of [the child's] any previous failure to respond to the court  
757 process, or (F) a finding by the court that the child or young adult has  
758 violated one or more of the conditions of a suspended detention order.  
759 No child or young adult shall be [held in any detention center]  
760 detained unless an order to detain is issued by a judge of the Superior  
761 Court.

762 (d) (1) When a child or young adult is arrested for the commission  
763 of a delinquent act and the child or young adult is not [placed in

764 detention] detained or referred to a diversionary program, an officer  
765 shall serve a written complaint and summons on the child or young  
766 adult and, in the case of a child, the child's parent, guardian or some  
767 other suitable person or agency. [If] In the case of a child, if such child  
768 is released to the child's own custody, the officer shall make reasonable  
769 efforts to notify, and to provide a copy of a written complaint and  
770 summons to, the parent or guardian or some other suitable person or  
771 agency prior to the court date on the summons. If any person so  
772 summoned wilfully fails to appear in court at the time and place so  
773 specified, the court may issue a warrant for the [child's arrest or] arrest  
774 of the child or young adult or in the case of a child, a capias to assure  
775 the appearance in court of such child's parent, guardian or other  
776 person. If a child or young adult wilfully fails to appear in response to  
777 such a summons, the court may order such child or young adult taken  
778 into custody and such child or young adult may be charged with the  
779 delinquent act of wilful failure to appear under section 46b-120, as  
780 amended by this act. [The] In the case of a child, the court may punish  
781 for contempt, as provided in section 46b-121, as amended by this act,  
782 any parent, guardian or other person so summoned who wilfully fails  
783 to appear in court at the time and place so specified.

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

788 (e) The court or detention supervisor may, in the case of a child,  
789 turn such child over to a youth service program created for such  
790 purpose, if such course is practicable, or such child and any young  
791 adult may be detained pending a hearing which shall be held on the  
792 business day next following the [child's] arrest of the child or young  
793 adult. No child or young adult shall be detained after such hearing [or  
794 held in detention pursuant to a court order] unless it appears from the  
795 available facts there is probable cause to believe that the child or young  
796 adult has committed the acts alleged, there is no less restrictive

797 alternative available and that there is (1) a strong probability that the  
798 child or young adult will run away prior to the court hearing or  
799 disposition, (2) a strong probability that the child or young adult will  
800 commit or attempt to commit other offenses injurious to the child or  
801 young adult or to the community prior to the court disposition, (3)  
802 probable cause in the case of a child, to believe that the child's  
803 continued residence in the child's home pending disposition poses a  
804 risk to the child or the community because of the serious and  
805 dangerous nature of the act or acts the child is alleged to have  
806 committed, (4) a need to hold the child or young adult for another  
807 jurisdiction, (5) a need to hold the child or young adult to assure the  
808 [child's] appearance of the child or young adult before the court, in  
809 view of [the child's] any previous failure to respond to the court  
810 process, or (6) a finding by the court that the child or young adult has  
811 violated one or more of the conditions of a suspended detention order.  
812 Such probable cause may be shown by sworn affidavit in lieu of  
813 testimony. No child or young adult shall be released from detention  
814 who is alleged to have committed a serious juvenile offense except by  
815 order of a judge of the Superior Court. Any child confined in a  
816 community correctional center or lockup shall be held in an area  
817 separate and apart from any adult detainee, except in the case of a  
818 nursing infant, and no child shall at any time be held in solitary  
819 confinement. When a female child or young adult is held in custody,  
820 she shall, as far as possible, be in the charge of a woman attendant.

821 (f) The police officer who brings a child into detention shall have  
822 first notified, or made a reasonable effort to notify, the parents or  
823 guardian of the child in question of the intended action and shall file at  
824 the detention center a signed statement setting forth the alleged  
825 delinquent conduct of the child. Unless the arrest was for a serious  
826 juvenile offense or unless an order not to release is noted on the take  
827 into custody order, arrest warrant or order to detain, the child may be  
828 released by a detention supervisor to the custody of the child's parent  
829 or parents, guardian or some other suitable person or agency.

830 (g) In conjunction with any order of release from detention, the  
831 court may, when it has reason to believe a child or young adult is  
832 alcohol-dependent or drug-dependent as defined in section 46b-120, as  
833 amended by this act, and where necessary, reasonable and  
834 appropriate, order the child or young adult to participate in a program  
835 of periodic alcohol or drug testing and treatment as a condition of such  
836 release. The results of any such alcohol or drug test shall be admissible  
837 only for the purposes of enforcing the conditions of release from  
838 detention.

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

844 (i) Whenever a child or young adult is subject to a court order to  
845 take such child or young adult into custody, or other process issued  
846 pursuant to this section or section 46b-140a, as amended by this act, the  
847 Judicial Branch may cause the order or process to be entered into a  
848 central computer system in accordance with policies and procedures  
849 established by the Chief Court Administrator. The existence of the  
850 order or process in the computer system shall constitute prima facie  
851 evidence of the issuance of the order or process. Any child or young  
852 adult named in the order or process may be arrested or taken into  
853 custody based on the existence of the order or process in the computer  
854 system and, if the order or process directs that such child be detained,  
855 the child shall be held in a juvenile detention center.

856 Sec. 6. Section 46b-133c of the 2016 supplement to the general  
857 statutes is repealed and the following is substituted in lieu thereof  
858 (*Effective July 1, 2017*):

859 (a) Whenever a child or young adult is referred for the commission  
860 of a felony committed [after such child attained the age of fourteen

861 years] by a child when such child was at least fifteen years of age or by  
862 a young adult and such child or young adult is a serious juvenile  
863 repeat offender, as defined in section 46b-120, as amended by this act,  
864 the prosecutorial official may request the court to designate the  
865 proceeding as a serious juvenile repeat offender prosecution.

866 (b) If a prosecutorial official requests that a proceeding be  
867 designated a serious juvenile repeat offender prosecution, the court  
868 shall hold a hearing not later than thirty days after the filing of such  
869 request unless good cause is shown by the prosecutorial official or by  
870 the child or young adult as to why the hearing should not be held  
871 within such period. If good cause is shown, the hearing shall be held  
872 not later than ninety days after the filing of such request. The court  
873 shall decide whether to designate the proceeding as a serious juvenile  
874 repeat offender prosecution not later than thirty days after the  
875 completion of such hearing. The court shall grant the request to  
876 designate the proceeding as a serious juvenile repeat offender  
877 prosecution if the prosecutorial official shows by clear and convincing  
878 evidence that such designation will serve the public safety. The  
879 decision to designate the proceeding as a serious juvenile repeat  
880 offender prosecution shall not be a final judgment for purposes of  
881 appeal.

882 (c) A proceeding designated as a serious juvenile repeat offender  
883 prosecution pursuant to subsection (b) of this section shall be held  
884 before the court without a jury provided the child or young adult has  
885 waived his or her right to a trial by jury. If a child or young adult is  
886 convicted of or pleads guilty to a felony in such proceeding, the court  
887 shall: (1) Sentence the child or young adult in accordance with section  
888 46b-140, as amended by this act, or 46b-141a, as amended by this act,  
889 and (2) sentence the child or young adult in accordance with section  
890 53a-28 with the execution of such sentence stayed on the condition that  
891 the child or young adult not violate the conditions of the sentence  
892 imposed pursuant to subdivision (1) of this subsection or commit a  
893 subsequent crime.

894 (d) If a child or young adult is convicted of or pleads guilty to a  
895 misdemeanor in a proceeding designated as a serious juvenile repeat  
896 offender prosecution pursuant to subsection (b) of this section, the  
897 court shall sentence the child or young adult in accordance with  
898 section 46b-140, as amended by this act, or 46b-141a, as amended by  
899 this act.

900 (e) Whenever it appears that a child or young adult who has been  
901 sentenced pursuant to subsection (c) of this section has violated the  
902 conditions of the sentence imposed pursuant to subdivision (1) of said  
903 subsection (c) or has committed a subsequent crime, the court may,  
904 without notice, order that the child or young adult be immediately  
905 taken into custody in accordance with the provisions of section 46b-  
906 125. The court shall notify the child or young adult and, in the case of a  
907 child, such child's parent or guardian, and the attorney of record for  
908 such child or young adult, if any, in writing of the reasons alleged to  
909 exist for the lifting of the stay of execution of the sentence imposed  
910 pursuant to subdivision (2) of said subsection (c). If the child or young  
911 adult challenges such reasons, the court shall hold a hearing at which  
912 the child or young adult shall be entitled to be heard and be  
913 represented by counsel. After such hearing, if the court finds that the  
914 child or young adult has violated the conditions of the sentence  
915 imposed pursuant to subdivision (1) of said subsection (c) or  
916 committed a subsequent crime, it shall order the child or young adult  
917 to serve a sentence not to exceed that imposed pursuant to subdivision  
918 (2) of said subsection (c) unless it determines there are mitigating  
919 circumstances that justify continuing the stay of execution and  
920 specifically states such mitigating circumstances in writing for the  
921 record. The child or young adult shall receive credit against any  
922 sentence imposed pursuant to subdivision (2) of said subsection (c) for  
923 time served in a juvenile or detention facility pursuant to the sentence  
924 imposed pursuant to subdivision (1) of said subsection (c).

925 (f) Whenever a proceeding has been designated a serious juvenile  
926 repeat offender prosecution pursuant to subsection (b) of this section

927 and the child or young adult does not waive such child's or young  
928 adult's right to a trial by jury, the court shall transfer the case from the  
929 docket for juvenile matters to the regular criminal docket of the  
930 Superior Court. Upon transfer, such child or young adult shall stand  
931 trial and be sentenced, if convicted, as if such child or young adult  
932 were [eighteen years of age] an age for adult jurisdiction, subject to the  
933 provisions of section 54-91g, except that no such child shall be placed  
934 in a correctional facility but shall be maintained in a facility for  
935 children and youths until such child attains eighteen years of age or  
936 until such child is sentenced, whichever occurs first. Such child or  
937 young adult shall receive credit against any sentence imposed for time  
938 served in a juvenile or detention facility prior to the effectuation of the  
939 transfer. A child or young adult who has been transferred may enter a  
940 guilty plea to a lesser offense if the court finds that such plea is made  
941 knowingly and voluntarily. Any child or young adult transferred to  
942 the regular criminal docket who pleads guilty to a lesser offense shall  
943 not resume such [child's] person's status as a juvenile regarding such  
944 offense. If the action is dismissed or nolleed or if such child or young  
945 adult is found not guilty of the charge for which such child or young  
946 adult was transferred, the child or young adult shall resume such  
947 [child's] person's status as a juvenile until such [child] person attains  
948 [eighteen years of age] the age for adult jurisdiction.

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

952 (a) For the purposes of this section, "special juvenile probation"  
953 means a period of probation imposed by the superior court for juvenile  
954 matters upon a child or young adult in a proceeding designated as a  
955 serious sexual offender prosecution during which the child or young  
956 adult is supervised by a juvenile probation officer prior to such [child]  
957 person attaining [eighteen years of age] the age for adult jurisdiction  
958 and by an adult probation officer after such child attains [eighteen  
959 years of age] the age for adult jurisdiction.

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

965 (c) If a prosecutorial official requests that a proceeding be  
966 designated a serious sexual offender prosecution, the court shall hold a  
967 hearing not later than thirty days after the filing of such request unless  
968 good cause is shown by the prosecutorial official or by the child or  
969 young adult as to why the hearing should not be held within such  
970 period. If good cause is shown, the hearing shall be held not later than  
971 ninety days after the filing of such request. The court shall decide  
972 whether to designate the proceeding as a serious sexual offender  
973 prosecution not later than thirty days after the completion of such  
974 hearing. The court shall grant the request to designate the proceeding  
975 as a serious sexual offender prosecution if the prosecutorial official  
976 shows by a preponderance of the evidence that such designation will  
977 serve the public safety. The decision to designate the proceeding as a  
978 serious sexual offender prosecution shall not be a final judgment for  
979 purposes of appeal.

980 (d) A proceeding designated as a serious sexual offender  
981 prosecution pursuant to subsection (c) of this section shall be held  
982 before the court without a jury provided the child or young adult has  
983 waived the right to a trial by jury. If a child or young adult is convicted  
984 of or pleads guilty or nolo contendere to a charge in a proceeding that  
985 has been designated as a serious sexual offender prosecution, the court  
986 shall: (1) Sentence the child or young adult in accordance with section  
987 46b-140, as amended by this act, or 46b-141a, as amended by this act,  
988 (2) sentence the child or young adult to a period of special juvenile  
989 probation of at least five years, to commence upon the release of the  
990 child or young adult from the institution, agency or program in whose  
991 care the child or young adult had been placed, and (3) sentence the  
992 child or young adult in accordance with section 53a-28 with the

993 execution of such sentence stayed on the condition that the child or  
994 young adult not violate the conditions of the sentence imposed  
995 pursuant to subdivisions (1) and (2) of this subsection or commit a  
996 subsequent crime.

997 (e) Whenever it appears that a child or young adult who has been  
998 sentenced pursuant to subsection (d) of this section has violated the  
999 conditions of the sentence imposed pursuant to subdivision (2) of said  
1000 subsection or has committed a subsequent crime, the court may,  
1001 without notice, order that the child or young adult be immediately  
1002 taken into custody in accordance with the provisions of sections 46b-  
1003 125 and 53a-32. If such violation of probation or subsequent crime  
1004 occurs prior to the person attaining [eighteen years of age] the age for  
1005 adult jurisdiction, the matter shall be handled by the superior court for  
1006 juvenile matters. If such violation of probation or subsequent crime  
1007 occurs after the person has attained [eighteen years of age] the age for  
1008 adult jurisdiction, the matter shall be handled by the regular criminal  
1009 docket of the Superior Court. Whenever such matter is handled by the  
1010 superior court for juvenile matters, the court shall notify the child or  
1011 young adult and, in the case of a child, such child's parent or guardian,  
1012 and the attorney of record for such child or young adult, if any, in  
1013 writing of the reasons alleged to exist for the lifting of the stay of  
1014 execution of the sentence imposed pursuant to subdivision (3) of  
1015 subsection (d) of this section. If the child or young adult challenges  
1016 such reasons, the court shall hold a hearing at which the child or  
1017 young adult shall be entitled to be heard and be represented by  
1018 counsel. After such hearing, if the court finds that the child or young  
1019 adult has violated the conditions of the sentence imposed pursuant to  
1020 subdivision (2) of subsection (d) of this section or committed a  
1021 subsequent crime, it shall order the child or young adult to serve a  
1022 sentence not to exceed that imposed pursuant to subdivision (3) of  
1023 subsection (d) of this section unless it determines there are mitigating  
1024 circumstances that justify continuing the stay of execution and  
1025 specifically states such mitigating circumstances in writing for the

1026 record. The child or young adult shall receive credit against any  
1027 sentence imposed pursuant to subdivision (3) of subsection (d) of this  
1028 section for time served in a juvenile or detention facility pursuant to  
1029 the sentence imposed pursuant to subdivision (1) of said subsection.

1030 (f) When a proceeding has been designated a serious sexual  
1031 offender prosecution pursuant to subsection (c) of this section and the  
1032 child or young adult does not waive the right to a trial by jury, the  
1033 court shall transfer the case from the docket for juvenile matters to the  
1034 regular criminal docket of the Superior Court. Upon transfer, such  
1035 child or young adult shall stand trial and be sentenced, if convicted, as  
1036 if such child or young adult were [eighteen years of age] an age for  
1037 adult jurisdiction, subject to the provisions of section 54-91g, except  
1038 that no such child or young adult shall be placed in a correctional  
1039 facility but shall be maintained in a facility for children and youths  
1040 until such child attains eighteen years of age or until such child is  
1041 sentenced, whichever occurs first. Such child or young adult shall  
1042 receive credit against any sentence imposed for time served in a  
1043 juvenile or detention facility prior to the effectuation of the transfer. A  
1044 child or young adult who has been transferred may enter a guilty plea  
1045 to a lesser offense if the court finds that such plea is made knowingly  
1046 and voluntarily. Any child or young adult transferred to the regular  
1047 criminal docket who pleads guilty to a lesser offense shall not resume  
1048 such [child's] person's status as a juvenile regarding such offense. If the  
1049 action is dismissed or nolleed or if such child or young adult is found  
1050 not guilty of the charge for which such child or young adult was  
1051 transferred, the child or young adult shall resume such [child's]  
1052 person's status as a juvenile until such [child] person attains [eighteen  
1053 years of age] the age for adult jurisdiction.

1054 Sec. 8. Subsections (d) and (e) of section 4-68m of the 2016  
1055 supplement to the general statutes are repealed and the following is  
1056 substituted in lieu thereof (*Effective from passage*):

1057 (d) In the performance of its duties under this section, the division

1058 shall collaborate with the Department of Correction, the Board of  
1059 Pardons and Paroles, the Department of Mental Health and Addiction  
1060 Services and the Department of Emergency Services and Public  
1061 Protection and consult with the Chief Court Administrator, the  
1062 executive director of the Court Support Services Division of the  
1063 Judicial Branch, the Chief State's Attorney, [and] the Chief Public  
1064 Defender, the Department of Children and Families and the Office of  
1065 the Chief Medical Examiner.

1066 (e) (1) At the request of the division, the Department of Correction,  
1067 the Board of Pardons and Paroles, the Department of Mental Health  
1068 and Addiction Services, the Department of Emergency Services and  
1069 Public Protection, the Chief Court Administrator, the executive  
1070 director of the Court Support Services Division of the Judicial Branch,  
1071 the Chief State's Attorney, [and] the Chief Public Defender, the  
1072 Department of Children and Families and the Office of the Chief  
1073 Medical Examiner shall provide the division with information and  
1074 data needed by the division to perform its duties under subsection (b)  
1075 of this section.

1076 (2) The division shall have access to individualized records  
1077 maintained by the Judicial Branch and the agencies specified in  
1078 subdivision (1) of this subsection as needed for research purposes. The  
1079 division, in collaboration with the Judicial Branch and the agencies  
1080 specified in subdivision (1) of this subsection, shall develop protocols  
1081 to protect the privacy of such individualized records consistent with  
1082 state and federal law. The division shall use such individualized  
1083 records for statistical analyses only and shall not use such records in  
1084 any other manner that would disclose the identity of individuals to  
1085 whom the records pertain.

1086 (3) Any information or data provided to the division pursuant to  
1087 this subsection that is confidential in accordance with state or federal  
1088 law shall remain confidential while in the custody of the division and  
1089 shall not be disclosed.

1090 Sec. 9. Section 46b-124 of the general statutes is repealed and the  
1091 following is substituted in lieu thereof (*Effective July 1, 2017*):

1092 (a) For the purposes of this section, "records of cases of juvenile  
1093 matters" includes, but is not limited to, court records, records  
1094 regarding juveniles maintained by the Court Support Services  
1095 Division, records regarding juveniles maintained by an organization or  
1096 agency that has contracted with the Judicial Branch to provide services  
1097 to juveniles, records of law enforcement agencies including  
1098 fingerprints, photographs and physical descriptions, and medical,  
1099 psychological, psychiatric and social welfare studies and reports by  
1100 juvenile probation officers, public or private institutions, social  
1101 agencies and clinics.

1102 (b) All records of cases of juvenile matters, as provided in section  
1103 46b-121, as amended by this act, except delinquency proceedings, or  
1104 any part thereof, and all records of appeals from probate brought to  
1105 the superior court for juvenile matters pursuant to section 45a-186,  
1106 shall be confidential and for the use of the court in juvenile matters,  
1107 and open to inspection or disclosure to any third party, including bona  
1108 fide researchers commissioned by a state agency, only upon order of  
1109 the Superior Court, except that: (1) Such records shall be available to  
1110 (A) the attorney representing the child or [youth] young adult,  
1111 including the Division of Public Defender Services, in any proceeding  
1112 in which such records are relevant, (B) the parents or guardian of the  
1113 child [or youth] until such time as the child [or youth] reaches the age  
1114 of majority or becomes emancipated, (C) an [adult] adopted person  
1115 eighteen years of age or older in accordance with the provisions of  
1116 sections 45a-736, 45a-737 and 45a-743 to 45a-757, inclusive, (D)  
1117 employees of the Division of Criminal Justice who, in the performance  
1118 of their duties, require access to such records, (E) employees of the  
1119 Judicial Branch who, in the performance of their duties, require access  
1120 to such records, (F) another court under the provisions of subsection  
1121 (d) of section 46b-115j, (G) the subject of the record, upon submission  
1122 of satisfactory proof of the subject's identity, pursuant to guidelines

1123 prescribed by the Office of the Chief Court Administrator, provided  
1124 the subject has reached the age of majority or has been emancipated,  
1125 (H) the Department of Children and Families, (I) the employees of the  
1126 Division of Public Defender Services who, in the performance of their  
1127 duties related to Division of Public Defender Services assigned  
1128 counsel, require access to such records, and (J) judges and employees  
1129 of the Probate Court who, in the performance of their duties, require  
1130 access to such records; and (2) all or part of the records concerning a  
1131 youth in crisis with respect to whom a court order was issued prior to  
1132 January 1, 2010, may be made available to the Department of Motor  
1133 Vehicles, provided such records are relevant to such order. Any  
1134 records of cases of juvenile matters, or any part thereof, provided to  
1135 any persons, governmental or private agencies, or institutions  
1136 pursuant to this section shall not be disclosed, directly or indirectly, to  
1137 any third party not specified in subsection (d) of this section, except as  
1138 provided by court order, in the report required under section 54-76d or  
1139 54-91a or as otherwise provided by law.

1140 (c) All records of cases of juvenile matters involving delinquency  
1141 proceedings, or any part thereof, shall be confidential and for the use  
1142 of the court in juvenile matters and shall not be disclosed except as  
1143 provided in this section.

1144 (d) Records of cases of juvenile matters involving delinquency  
1145 proceedings shall be available to (1) Judicial Branch employees who, in  
1146 the performance of their duties, require access to such records, (2)  
1147 judges and employees of the Probate Court who, in the performance of  
1148 their duties, require access to such records, and (3) employees and  
1149 authorized agents of state or federal agencies involved in (A) the  
1150 delinquency proceedings, (B) the provision of services directly to the  
1151 child or young adult, (C) the design and delivery of treatment  
1152 programs pursuant to section 46b-121j, or (D) the delivery of court  
1153 diversionary programs. Such employees and authorized agents  
1154 include, but are not limited to, law enforcement officials, community-  
1155 based youth service bureau officials, state and federal prosecutorial

1156 officials, school officials in accordance with section 10-233h, court  
1157 officials including officials of both the regular criminal docket and the  
1158 docket for juvenile matters and officials of the Division of Criminal  
1159 Justice, the Division of Public Defender Services, the Department of  
1160 Children and Families, the Court Support Services Division and  
1161 agencies under contract with the Judicial Branch. Such records shall  
1162 also be available to (i) the attorney representing the child or young  
1163 adult, including the Division of Public Defender Services, in any  
1164 proceeding in which such records are relevant, (ii) in the case of a  
1165 child, the parents or guardian of the child, until such time as the  
1166 subject of the record reaches the age of majority, (iii) the subject of the  
1167 record, upon submission of satisfactory proof of the subject's identity,  
1168 pursuant to guidelines prescribed by the Office of the Chief Court  
1169 Administrator, provided the subject has reached the age of majority,  
1170 (iv) law enforcement officials and prosecutorial officials conducting  
1171 legitimate criminal investigations, (v) a state or federal agency  
1172 providing services related to the collection of moneys due or funding  
1173 to support the service needs of eligible juveniles, provided such  
1174 disclosure shall be limited to that information necessary for the  
1175 collection of and application for such moneys, and (vi) members and  
1176 employees of the Board of Pardons and Paroles and employees of the  
1177 Department of Correction who, in the performance of their duties,  
1178 require access to such records, provided the subject of the record has  
1179 been convicted of a crime in the regular criminal docket of the Superior  
1180 Court and such records are relevant to the performance of a risk and  
1181 needs assessment of such person while such person is incarcerated, the  
1182 determination of such person's suitability for release from  
1183 incarceration or for a pardon, or the determination of the supervision  
1184 and treatment needs of such person while on parole or other  
1185 supervised release. Records disclosed pursuant to this subsection shall  
1186 not be further disclosed, except that information contained in such  
1187 records may be disclosed in connection with bail or sentencing reports  
1188 in open court during criminal proceedings involving the subject of  
1189 such information, or as otherwise provided by law.

1190 (e) Records of cases of juvenile matters involving delinquency  
1191 proceedings, or any part thereof, may be disclosed upon order of the  
1192 court to any person who has a legitimate interest in the information  
1193 and is identified in such order. Records disclosed pursuant to this  
1194 subsection shall not be further disclosed, except as specifically  
1195 authorized by a subsequent order of the court.

1196 (f) Records of cases of juvenile matters involving delinquency  
1197 proceedings, or any part thereof, shall be available to the victim of the  
1198 crime committed by such child or young adult to the same extent as  
1199 the record of the case of a defendant in a criminal proceeding in the  
1200 regular criminal docket of the Superior Court is available to a victim of  
1201 the crime committed by such defendant. The court shall designate an  
1202 official from whom such victim may request such information. Records  
1203 disclosed pursuant to this subsection shall not be further disclosed,  
1204 except as specifically authorized by a subsequent order of the court.

1205 (g) Information concerning a child or young adult who is the subject  
1206 of an order to take such child or young adult into custody or other  
1207 process that has been entered into a central computer system pursuant  
1208 to subsection (i) of section 46b-133, as amended by this act, may be  
1209 disclosed to employees and authorized agents of the Judicial Branch,  
1210 law enforcement agencies and the Department of Children and  
1211 Families in accordance with policies and procedures established by the  
1212 Chief Court Administrator.

1213 (h) Information concerning a child or young adult who has escaped  
1214 from a detention center or from a facility to which the child or young  
1215 adult has been committed by the court or for whom an arrest warrant  
1216 has been issued with respect to the commission of a felony may be  
1217 disclosed by law enforcement officials.

1218 (i) Nothing in this section shall be construed to prohibit any person  
1219 employed by the Judicial Branch from disclosing any records,  
1220 information or files in such employee's possession to any person

1221 employed by the Division of Criminal Justice as a prosecutorial official,  
1222 inspector or investigator who, in the performance of his or her duties,  
1223 requests such records, information or files, or to prohibit any such  
1224 employee of said division from disclosing any records, information or  
1225 files in such employee's possession to any such employee of the  
1226 Judicial Branch who, in the performance of his or her duties, requests  
1227 such records, information or files.

1228 (j) Nothing in this section shall be construed to prohibit a party from  
1229 making a timely objection to the admissibility of evidence consisting of  
1230 records of cases of juvenile matters, or any part thereof, in any  
1231 Superior Court or Probate Court proceeding, or from making a timely  
1232 motion to seal any such record pursuant to the rules of the Superior  
1233 Court or the rules of procedure adopted under section 45a-78.

1234 (k) A state's attorney shall disclose to the defendant or such  
1235 defendant's counsel in a criminal prosecution, without the necessity of  
1236 a court order, exculpatory information and material contained in any  
1237 record disclosed to such state's attorney pursuant to this section and  
1238 may disclose, without a court order, information and material  
1239 contained in any such record which could be the subject of a disclosure  
1240 order.

1241 (l) Notwithstanding the provisions of subsection (d) of this section,  
1242 any information concerning a child or young adult that is obtained  
1243 during any mental health screening or assessment of such child or  
1244 young adult, during the provision of services pursuant to subsection  
1245 (b) of section 46b-149, or during the performance of an educational  
1246 evaluation pursuant to subsection (e) of section 46b-149, shall be used  
1247 solely for planning and treatment purposes and shall otherwise be  
1248 confidential and retained in the files of the entity providing such  
1249 services or performing such screening, assessment or evaluation. Such  
1250 information may be further disclosed only for the purposes of any  
1251 court-ordered evaluation or treatment of the child or young adult or  
1252 provision of services to the child or young adult, or pursuant to

1253 sections 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a. Such  
1254 information shall not be subject to subpoena or other court process for  
1255 use in any other proceeding or for any other purpose.

1256 (m) Records of cases of juvenile matters involving delinquency  
1257 proceedings, or any part thereof, containing information that a child or  
1258 young adult has been [convicted] adjudicated as delinquent for a  
1259 violation of subdivision (e) of section 1-1h, subsection (c) of section 14-  
1260 147, subsection (a) of section 14-215, section 14-222, subsection (b) of  
1261 section 14-223, subsection (a), (b) or (c) of section 14-224, section 30-88a  
1262 or subsection (b) of section 30-89, shall be disclosed to the Department  
1263 of Motor Vehicles for administrative use in determining whether  
1264 administrative sanctions regarding [such child's] the motor vehicle  
1265 operator's license of such child or young adult are warranted. Records  
1266 disclosed pursuant to this subsection shall not be further disclosed.

1267 (n) Records of cases of juvenile matters involving adoption  
1268 proceedings, or any part thereof, shall be confidential and may only be  
1269 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

1270 Sec. 10. Section 46b-128 of the general statutes is repealed and the  
1271 following is substituted in lieu thereof (*Effective July 1, 2017*):

1272 (a) Whenever the Superior Court is in receipt of any written  
1273 complaint filed by any person, any public or private agency or any  
1274 federal, state, city or town department maintaining that [a child's]  
1275 conduct of a child or young adult constitutes delinquency within the  
1276 meaning of section 46b-120, as amended by this act, it shall make a  
1277 preliminary investigation to determine whether the facts, if true,  
1278 would be sufficient to be a juvenile matter and whether the interests of  
1279 the public or the child or young adult require that further action be  
1280 taken. If so, the court may authorize the filing of a verified petition of  
1281 alleged delinquency or it may make without such petition whatever  
1282 nonjudicial disposition is practicable, including the ordering of such  
1283 child or young adult to do work of which he is capable in public

1284 buildings or on public property, particularly in cases in which the  
1285 complaint alleges that the conduct of such child or young adult  
1286 resulted in the wilful destruction of property, provided the facts  
1287 establishing jurisdiction are admitted and that a competent acceptance  
1288 of such a disposition has been given by the child or young adult and  
1289 [his] in the case of a child, such child's parent or guardian. If a  
1290 nonjudicial disposition is made, the term of any nonjudicial  
1291 supervision shall be established by the juvenile probation supervisor  
1292 provided such period of supervision shall not exceed one hundred  
1293 eighty days. Each verified petition of delinquency filed by the court  
1294 shall set forth plainly (1) the facts which bring the child or young adult  
1295 within the jurisdiction of the court, (2) the name, date of birth, sex and  
1296 residence of the child or young adult, (3) in the case of a child, the  
1297 names and residence of his parent or parents, guardian or other person  
1298 having control of the child, and (4) a prayer for appropriate action by  
1299 the court in conformity with the provisions of this chapter.

1300 (b) Upon the filing of a delinquency petition, the court may, either  
1301 forthwith or after investigation, cause a summons, which summons  
1302 shall have a copy of said verified petition attached thereto, signed by  
1303 the judge or by the clerk or assistant clerk of such court, to be issued,  
1304 requiring the young adult, or in the case of a child, the child and the  
1305 parent or parents, guardian or other person having control of the child  
1306 to appear in court at the time and place therein specified. Whenever in  
1307 the case of a child it appears to the judge that orders addressed to an  
1308 adult, as set forth in section 46b-121, as amended by this act, are  
1309 necessary for the welfare of such child, a similar summons shall be  
1310 issued and served upon such adult if such adult is not already in court.  
1311 Service of summons, together with a copy of the verified petition, may  
1312 be made by any one of the following methods: (1) By the delivery of a  
1313 true and attested copy thereof to the person summoned, or at such  
1314 person's usual place of abode; (2) by restricted delivery addressed to  
1315 the person summoned, return receipt requested; or (3) by first class  
1316 mail addressed to the person summoned. Any notice sent by first class

1317 mail shall include a provision informing the party that appearance in  
1318 court as a result of the notice may subject the appearing party to the  
1319 jurisdiction of the court. If service is made by first class mail and the  
1320 party does not appear, no order may be entered by the court in the  
1321 case. If, after reasonable effort, personal service has not been made,  
1322 such substitute service, by publication or otherwise, as the judge may  
1323 order, shall be sufficient. Service may be made by any officer  
1324 authorized by law to serve process, or by a probation officer, probation  
1325 aide or indifferent person, and the court may allow suitable expenses  
1326 and a reasonable fee therefor. [The] In the case of a child, the court may  
1327 punish for contempt, as provided in section 46b-121, as amended by  
1328 this act, any parent, guardian or other person so summoned who fails  
1329 to appear in court at the time and place so specified.

1330 Sec. 11. Section 46b-128a of the general statutes is repealed and the  
1331 following is substituted in lieu thereof (*Effective July 1, 2017*):

1332 (a) In any juvenile matter, as defined in section 46b-121, as amended  
1333 by this act, in which a child or [youth] young adult is alleged to have  
1334 committed a delinquent act or an act or omission for which a petition  
1335 may be filed under section 46b-149, the child or [youth] young adult  
1336 shall not be tried, [convicted,] adjudicated or subject to any disposition  
1337 pursuant to section 46b-140, as amended by this act, or 46b-149 while  
1338 the child or [youth] young adult is not competent. For the purposes of  
1339 this section, a transfer to the regular criminal docket of the Superior  
1340 Court pursuant to section 46b-127, as amended by this act, shall not be  
1341 considered a disposition. A child or [youth] young adult is not  
1342 competent if the child or [youth] young adult is unable to understand  
1343 the proceedings against him or her or to assist in his or her own  
1344 defense.

1345 (b) If, at any time during a proceeding on a juvenile matter, it  
1346 appears that the child or [youth] young adult is not competent, counsel  
1347 for the child or [youth] young adult, the prosecutorial official, or the  
1348 court, on its own motion, may request an examination to determine the

1349 child's or [youth's] young adult's competency. Whenever a request for  
1350 a competency examination is under consideration by the court, the  
1351 child or [youth] young adult shall be represented by counsel in  
1352 accordance with the provisions of sections 46b-135, as amended by this  
1353 act, and 46b-136, as amended by this act.

1354 (c) A child or [youth] young adult alleged to have committed an  
1355 offense is presumed to be competent. The age of the child or [youth]  
1356 young adult is not a per se determinant of incompetency. The burden  
1357 of going forward with the evidence and proving that the child or  
1358 [youth] young adult is not competent by a preponderance of the  
1359 evidence shall be on the party raising the issue of competency, except  
1360 that if the court raises the issue of competency, the burden of going  
1361 forward with the evidence shall be on the state. The court may call its  
1362 own witnesses and conduct its own inquiry.

1363 (d) If the court finds that the request for a competency examination  
1364 is justified and that there is probable cause to believe that the child or  
1365 [youth] young adult has committed the alleged offense, the court shall  
1366 order a competency examination of the child or [youth] young adult.  
1367 Competency examinations shall be conducted, within available  
1368 appropriations, by (1) a clinical team constituted under policies and  
1369 procedures established by the Chief Court Administrator, or (2) if  
1370 agreed to by all parties, a physician specializing in psychiatry who has  
1371 experience in conducting forensic interviews and in child and adult  
1372 psychiatry. Any clinical team constituted under this section shall  
1373 consist of three persons: A clinical psychologist with experience in  
1374 child and adolescent psychology, and two of the following three types  
1375 of professionals: (A) A clinical social worker licensed pursuant to  
1376 chapter 383b, (B) a child and adolescent psychiatric nurse clinical  
1377 specialist holding a master's degree in nursing, or (C) a physician  
1378 specializing in psychiatry. At least one member of the clinical team  
1379 shall have experience in conducting forensic interviews and at least  
1380 one member of the clinical team shall have experience in child and  
1381 adolescent psychology. The court may authorize a physician, a clinical

1382 psychologist, a child and adolescent psychiatric nurse specialist or a  
1383 clinical social worker licensed pursuant to chapter 383b, selected by  
1384 the child or [youth] young adult, to observe the examination, at the  
1385 expense of the child or [youth] young adult or, if the child or [youth]  
1386 young adult is represented by counsel appointed through the Public  
1387 Defender Services Commission, the Office of the Chief Public  
1388 Defender. In addition, counsel for the child or [youth] young adult, his  
1389 or her designated representative and, if the child or [youth] young  
1390 adult is represented by a public defender, a social worker from the  
1391 Division of Public Defender Services, may observe the examination.

1392 (e) The examination shall be completed not later than fifteen  
1393 business days after the date it was ordered, unless the time for  
1394 completion is extended by the court for good cause shown. The  
1395 members of the clinical team or the examining physician shall prepare  
1396 and sign, without notarization, a written report and file such report  
1397 with the court not later than twenty-one business days after the date of  
1398 the order. The report shall address the [child's or youth's] ability of the  
1399 child or young adult to understand the proceedings against such child  
1400 or [youth] young adult and such [child's or youth's] ability of the child  
1401 or young adult to assist in his or her own defense. If the opinion of the  
1402 clinical team or the examining physician set forth in such report is that  
1403 the child or young adult cannot understand the proceedings against  
1404 such child or [youth] young adult or is not able to assist in his or her  
1405 own defense, the members of the team or the examining physician  
1406 must determine and address in their report: (1) Whether there is a  
1407 substantial probability that the child or [youth] young adult will attain  
1408 or regain competency [within ninety days of an intervention being] not  
1409 later than ninety days after an intervention is ordered by the court; and  
1410 (2) the nature and type of intervention, in the least restrictive setting  
1411 possible, recommended to attain or regain competency. On receipt of  
1412 the written report, the clerk of the court shall cause copies of such  
1413 written report to be delivered to counsel for the state and counsel for  
1414 the child or [youth] young adult at least forty-eight hours prior to the

1415 hearing held under subsection (f) of this section.

1416 (f) The court shall hold a hearing as to the competency of the child  
1417 or [youth] young adult not later than ten business days after the court  
1418 receives the written report of the clinical team or the examining  
1419 physician pursuant to subsection (e) of this section. A child or [youth]  
1420 young adult may waive such evidentiary hearing only if the clinical  
1421 team or examining physician has determined without qualification  
1422 that the child or [youth] young adult is competent. Any evidence  
1423 regarding the [child's or youth's] competency of the child or young  
1424 adult, including, but not limited to, the written report, may be  
1425 introduced in evidence at the hearing by either the child or [youth]  
1426 young adult or the state. If the written report is introduced as  
1427 evidence, at least one member of the clinical team or the examining  
1428 physician shall be present to testify as to the determinations in the  
1429 report, unless the clinical team's or the examining physician's presence  
1430 is waived by the child or [youth] young adult and the state. Any  
1431 member of the clinical team shall be considered competent to testify as  
1432 to the clinical team's determinations.

1433 (g) (1) If the court, after the competency hearing, finds by a  
1434 preponderance of the evidence that the child or [youth] young adult is  
1435 competent, the court shall continue with the prosecution of the  
1436 juvenile matter.

1437 (2) If the court, after the competency hearing, finds that the child or  
1438 [youth] young adult is not competent, the court shall determine: (A)  
1439 Whether there is a substantial probability that the child or [youth]  
1440 young adult will attain or regain competency [within ninety days of  
1441 an] not later than ninety days after an intervention being ordered by  
1442 the court; and (B) whether the recommended intervention to attain or  
1443 regain competency is appropriate. In making its determination on an  
1444 appropriate intervention, the court may consider: (i) The nature and  
1445 circumstances of the alleged offense; (ii) the length of time the clinical  
1446 team or examining physician estimates it will take for the child or

1447 [youth] young adult to attain or regain competency; (iii) whether the  
1448 child or [youth] young adult poses a substantial risk to reoffend; and  
1449 (iv) whether the child or [youth] young adult is able to receive  
1450 community-based services or treatment that would prevent the child  
1451 or [youth] young adult from reoffending.

1452 (h) If the court finds that there is not a substantial probability that  
1453 the child or [youth] young adult will attain or regain competency  
1454 [within ninety days] not later than ninety days after a court ordered  
1455 intervention or that the recommended intervention to attain or regain  
1456 competency is not appropriate, the court may issue an order in  
1457 accordance with subsection (k) of this section.

1458 (i) (1) If the court finds that there is a substantial probability that the  
1459 child or [youth] young adult will attain or regain competency [within  
1460 ninety days if provided] not later than ninety days after being  
1461 provided an appropriate intervention, the court shall schedule a  
1462 hearing on the implementation of such intervention [within five  
1463 business days] not later than five business days after such finding.

1464 (2) An intervention implemented for the purpose of restoring  
1465 competency shall comply with the following conditions: (A) The  
1466 period of intervention shall not exceed ninety days, unless extended  
1467 for an additional ninety days in accordance with the criteria set forth in  
1468 subsection (j) of this section; and (B) (i) in the case of a child, the  
1469 intervention services shall be provided by the Department of Children  
1470 and Families or, if the child's [or youth's] parent or guardian agrees to  
1471 pay for such services, by any appropriate person, agency, mental  
1472 health facility or treatment program that agrees to provide appropriate  
1473 intervention services in the least restrictive setting available to the  
1474 child [or youth] and comply with the requirements of this section, or  
1475 (ii) in the case of a young adult, the intervention services shall be  
1476 provided by the Department of Mental Health and Addiction Services,  
1477 of if the young adult agrees to pay for such services, by any  
1478 appropriate person, agency, mental health facility or treatment

1479 program that agrees to provide appropriate intervention services in the  
1480 least restrictive setting available to the young adult and comply with  
1481 the requirements of this section.

1482 (3) Prior to the hearing, the court shall notify the Commissioner of  
1483 Children and Families [.] or the commissioner's designee in the case of  
1484 a child, or the Commissioner of Mental Health and Addiction Services  
1485 or the commissioner's designee in the case of a young adult, or the  
1486 appropriate person, agency, mental health facility or treatment  
1487 program that has agreed to provide appropriate intervention services  
1488 to the child or [youth] young adult that an intervention to attain or  
1489 regain competency will be ordered. The commissioner, the  
1490 commissioner's designee or the appropriate person, agency, mental  
1491 health facility or treatment program shall be provided with a copy of  
1492 the report of the clinical team or examining physician and shall report  
1493 to the court on a proposed implementation of the intervention prior to  
1494 the hearing.

1495 (4) At the hearing, the court shall review the written report and  
1496 order an appropriate intervention for a period not to exceed ninety  
1497 days in the least restrictive setting available to restore competency. In  
1498 making its determination, the court shall use the criteria set forth in  
1499 subdivision (2) of subsection (g) of this section. Upon ordering an  
1500 intervention, the court shall set a date for a hearing, to be held at least  
1501 ten business days after the completion of the intervention period, for  
1502 the purpose of reassessing the [child's or youth's] competency of the  
1503 child or young adult.

1504 (j) (1) At least ten business days prior to the date of any scheduled  
1505 hearing on the issue of the reassessment of the [child's or youth's]  
1506 competency of the child or young adult, the Commissioner of Children  
1507 and Families [.] or the commissioner's designee in the case of a child,  
1508 or the Commissioner of Mental Health and Addiction Services or the  
1509 commissioner's designee in the case of a young adult, or other person,  
1510 agency, mental health facility or treatment program providing

1511 intervention services to restore a child or [youth] young adult to  
1512 competency shall report on the progress of such intervention services  
1513 to the clinical team or examining physician.

1514 (2) Upon receipt of the report on the progress of such intervention,  
1515 the child or [youth] young adult shall be reassessed by the original  
1516 clinical team or examining physician, except that if the original team or  
1517 examining physician is unavailable, the court may appoint a new  
1518 clinical team that, where possible, shall include at least one member of  
1519 the original team, or a new examining physician. The new clinical team  
1520 or examining physician shall have the same qualifications as the  
1521 original team or examining physician, as provided in subsection (d) of  
1522 this section, and shall have access to clinical information available from  
1523 the provider of the intervention services. Not less than two business  
1524 days prior to the date of any scheduled hearing on the reassessment of  
1525 the [child's or youth's] competency of the child or young adult, the  
1526 clinical team or examining physician shall submit a report to the court  
1527 that includes: (A) The clinical findings of the provider of the  
1528 intervention services and the facts upon which the findings are made;  
1529 (B) the clinical team's or the examining physician's opinion on whether  
1530 the child or [youth] young adult has attained or regained competency  
1531 or is making progress toward attaining or regaining competency  
1532 within the period covered by the intervention order; and (C) any other  
1533 information concerning the child or [youth] young adult requested by  
1534 the court, including, but not limited to, the method of intervention or  
1535 the type, dosage and effect of any medication the child or [youth]  
1536 young adult is receiving.

1537 (3) [Within] Not later than two business days [of] after the filing of a  
1538 reassessment report, the court shall hold a hearing to determine if the  
1539 child or [youth] young adult has attained or regained competency  
1540 within the period covered by the intervention order. If the court finds  
1541 that the child or [youth] young adult has attained or regained  
1542 competency, the court shall continue with the prosecution of the  
1543 juvenile matter. If the court finds that the child or [youth] young adult

1544 has not attained or regained competency within the period covered by  
1545 the intervention order, the court shall determine whether further  
1546 efforts to attain or regain competency are appropriate. The court shall  
1547 make its determination of whether further efforts to attain or regain  
1548 competency are appropriate in accordance with the criteria set forth in  
1549 subdivision (2) of subsection (g) of this section. If the court finds that  
1550 further intervention to attain or regain competency is appropriate, the  
1551 court shall order a new period for restoration of competency not to  
1552 exceed ninety days. If the court finds that further intervention to attain  
1553 or regain competency is not appropriate or the child or [youth] young  
1554 adult has not attained or regained competency after an additional  
1555 intervention of ninety days, the court shall issue an order in  
1556 accordance with subsection (k) of this section.

1557 (k) (1) If the court determines after the period covered by the  
1558 intervention order that the child or [youth] young adult has not  
1559 attained or regained competency and that there is not a substantial  
1560 probability that the child or [youth] young adult will attain or regain  
1561 competency, or that further intervention to attain or regain  
1562 competency is not appropriate based on the criteria set forth in  
1563 subdivision (2) of subsection (g) of this section, the court shall: (A)  
1564 Dismiss the petition if it is a delinquency or family with service needs  
1565 petition; (B) in the case of a child, vest temporary custody of the child  
1566 [or youth] in the Commissioner of Children and Families and notify  
1567 the Office of the Chief Public Defender, which shall assign an attorney  
1568 to serve as guardian ad litem for the child [or youth] and investigate  
1569 whether a petition should be filed under section 46b-129; or (C) order  
1570 that the Department of Children and Families in the case of a child, the  
1571 Department of Mental Health and Addiction Services in the case of a  
1572 young adult, or some other person, agency, mental health facility or  
1573 treatment program, or [such child's or youth's probation officer] the  
1574 probation officer of such child or young adult, conduct or obtain an  
1575 appropriate assessment and, where appropriate, propose a plan for  
1576 services that can appropriately address the [child's or youth's] needs of

1577 the child or young adult in the least restrictive setting available and  
1578 appropriate. Any plan for services may include a plan for interagency  
1579 collaboration for the provision of appropriate services after the child  
1580 [or youth] attains the age of eighteen or the young adult attains the age  
1581 for adult jurisdiction.

1582 (2) Not later than ten business days after the issuance of an order  
1583 pursuant to subparagraph (B) or (C) of subdivision (1) of this  
1584 subsection, the court shall hold a hearing to review the order of  
1585 temporary custody or any recommendations of the Department of  
1586 Children and Families [ , such] in the case of a child, or any  
1587 recommendations of the Department of Mental Health and Addiction  
1588 Services in the case of a young adult, and of the probation officer or  
1589 [such] attorney for such child or young adult or guardian ad litem for  
1590 the child. [or youth.]

1591 (3) If the child [or youth] is adjudicated neglected, uncared-for or  
1592 abused subsequent to such a petition being filed, or if a plan for  
1593 services pursuant to subparagraph (C) of subdivision (1) of this  
1594 subsection has been approved by the court and implemented, the court  
1595 may dismiss the delinquency or family with service needs petition, or,  
1596 in the discretion of the court, order that the prosecution of the case be  
1597 suspended for a period not to exceed eighteen months. During the  
1598 period of suspension, the court may order the Department of Children  
1599 and Families to provide periodic reports to the court to ensure that  
1600 appropriate services are being provided to the child. [or youth.] If  
1601 during the period of suspension, the child [or youth] or the parent or  
1602 guardian of the child [or youth] does not comply with the  
1603 requirements set forth in the plan for services, the court may hold a  
1604 hearing to determine whether the court should follow the procedure  
1605 under subparagraph (B) of subdivision (1) of this subsection for  
1606 instituting a petition alleging that a child is neglected, uncared for or  
1607 abused. Whenever the court finds that the need for the suspension of  
1608 prosecution is no longer necessary, but not later than the expiration of  
1609 such period of suspension, the delinquency or family with service

1610 needs petition shall be dismissed.

1611 Sec. 12. Section 46b-133a of the general statutes is repealed and the  
1612 following is substituted in lieu thereof (*Effective July 1, 2017*):

1613 (a) A nolle prosequi may not be entered as to any count of  
1614 delinquency if the child or young adult objects to the nolle prosequi  
1615 and demands either a trial or dismissal, except with respect to  
1616 prosecutions in which a nolle prosequi is entered upon a  
1617 representation to the court by the prosecutorial official that a material  
1618 witness has died, disappeared or become disabled or that material  
1619 evidence has disappeared or has been destroyed and that a further  
1620 investigation is therefore necessary.

1621 (b) Whenever a nolle prosequi has been entered as to any count of  
1622 delinquency, or whenever any count of delinquency has been  
1623 dismissed without prejudice, if at least thirteen months have elapsed  
1624 since such nolle or dismissal without prejudice, all police and court  
1625 records pertaining to such count shall be erased. Whenever any such  
1626 count has been continued at the request of the prosecutorial official  
1627 and a period of thirteen months has elapsed since the granting of such  
1628 continuance during which period there has been no prosecution or  
1629 other disposition of the matter, the count shall be construed to have  
1630 been nolle as of the date of termination of such thirteen-month period  
1631 and such erasure may thereafter be effected as provided in this  
1632 subsection for nolle cases.

1633 Sec. 13. Section 46b-133b of the general statutes is repealed and the  
1634 following is substituted in lieu thereof (*Effective July 1, 2017*):

1635 (a) The court, on motion of a child or young adult charged with a  
1636 delinquency offense, but not yet [convicted] adjudicated as delinquent,  
1637 may order that such child or young adult be examined to determine  
1638 whether the child or young adult is alcohol-dependent or drug-  
1639 dependent as defined in section 46b-120, as amended by this act. Such  
1640 motion shall be filed with the court [within] not later than ten days

1641 after a plea is entered, except if waived by the court or pursuant to an  
1642 agreement by the parties. The results of any examination ordered  
1643 pursuant to this subsection shall be utilized only for the purposes of  
1644 determining whether the delinquency proceeding should be  
1645 suspended under this section.

1646 (b) The court, upon motion of the child or young adult charged with  
1647 a delinquency offense but not yet [convicted] adjudicated as  
1648 delinquent, may order the suspension of the delinquency proceedings  
1649 for a period of up to one year, order periodic alcohol and drug testing  
1650 of such child or young adult during the period of suspension and  
1651 order treatment for alcohol or drug dependency if the court, after  
1652 consideration of information before it concerning the alcohol or drug  
1653 dependency of the child or young adult, finds that (1) the child or  
1654 young adult is alcohol-dependent or drug-dependent as defined in  
1655 section 46b-120, as amended by this act, (2) the child or young adult  
1656 presently needs and is likely to benefit from treatment for the  
1657 dependency, and (3) the suspension of the delinquency proceedings  
1658 will advance the interests of justice. During the period of suspension, a  
1659 child or young adult shall be placed under the supervision of a  
1660 juvenile probation officer for treatment for alcohol or drug  
1661 dependency and such officer shall monitor the compliance of the child  
1662 or young adult with the orders of the court.

1663 (c) If the court denies the motion for suspension of the delinquency  
1664 proceedings, the prosecutorial official may proceed with the  
1665 delinquency proceedings. Any order of the court granting or denying a  
1666 motion for suspension of the delinquency proceedings shall not be  
1667 deemed a final order for purposes of appeal.

1668 (d) At any time before the end of the period of the suspension of the  
1669 delinquency proceedings, but not later than one month before the end  
1670 of the period of suspension, a juvenile probation officer shall notify the  
1671 court of the impending conclusion of the suspension and submit a  
1672 report on whether the child or young adult has completed the

1673 treatment program and has complied with all other conditions of the  
1674 suspension order imposed by the court.

1675 (e) If the court, on motion of the child or young adult or on its own  
1676 motion, finds that the child or young adult has completed the  
1677 treatment program and has complied with all other conditions of  
1678 suspension, it may dismiss the charge for which the delinquency  
1679 proceedings had been suspended. If the court denies the motion and  
1680 terminates the suspension of the delinquency proceedings, the  
1681 prosecutorial official may proceed with such proceedings.

1682 (f) The provisions of this section shall not apply to any child or  
1683 young adult charged with a serious juvenile offense as defined in  
1684 section 46b-120, as amended by this act, or any child or young adult  
1685 who was previously ordered treated under this section.

1686 Sec. 14. Section 46b-134 of the general statutes is repealed and the  
1687 following is substituted in lieu thereof (*Effective July 1, 2017*):

1688 Prior to the disposition of the case of any child [convicted of a  
1689 delinquent act] or young adult adjudicated as delinquent, investigation  
1690 shall be made of the facts as specified in this section by the probation  
1691 officer, and until such investigation has been completed and the results  
1692 thereof placed before the judge, no disposition of the [child's] case shall  
1693 be made. Such investigation shall consist of an examination of the  
1694 parentage and surroundings of the child or young adult and the  
1695 [child's] age, habits and history [, and] of the child or young adult, and,  
1696 in the case of a child, shall include also an inquiry into the home  
1697 conditions, habits and character of the child's parents or guardians.  
1698 Such investigation shall include an inquiry into the circumstances of  
1699 the offense, the attitude of the complainant or victim, the criminal  
1700 record, the present condition of the child or young adult and any  
1701 damages suffered by the victim including medical expenses, loss of  
1702 earnings and property loss. If the child or young adult is or legally  
1703 should be in attendance at school, such investigation shall further

1704 contain a report of the [child's] school attendance of the child or young  
1705 adult, adjustment and behavior [, the child's] of the child or young  
1706 adult, any individualized education program if, [the child has been] as  
1707 a child, such person was identified pursuant to sections 10-76a to 10-  
1708 76gg, inclusive, as requiring special education and related services and  
1709 any recommendations from school officials on conditions of probation  
1710 if the child or young adult is placed on probation pursuant to section  
1711 46b-140, as amended by this act, which shall be furnished by the school  
1712 officials to the court upon its request. The court shall, when it is found  
1713 necessary to the disposition, cause a complete physical or mental  
1714 examination, or both, to be made of the child or young adult by  
1715 persons professionally qualified to do so. Such examination may  
1716 include testing to determine whether the child or young adult is  
1717 alcohol-dependent or drug-dependent as defined in section 46b-120, as  
1718 amended by this act. If the court causes a complete physical or mental  
1719 examination, or both, to be made of a young adult who is found able to  
1720 pay in whole or part the cost of any such examination, or a child whose  
1721 parents, guardian or custodian is found able to pay in whole or in part  
1722 the cost [thereof, it] of any such examination, the court shall assess as  
1723 costs against such young adult, or, in the case of a child, such child's  
1724 parents, guardian or custodian, including any agency vested with the  
1725 legal custody of the child, the expense so incurred and paid for by the  
1726 court in having such examination performed. [, to the extent of their  
1727 financial ability to do so.] Prior to the disposition of the case of any  
1728 child [convicted of a delinquent act] or young adult adjudicated as  
1729 delinquent, the court may cause a complete diagnostic examination to  
1730 be made, unless such information is otherwise available. Such  
1731 information shall include physical and psychological diagnoses and  
1732 may include medical, psychiatric, neurological, learning disability  
1733 diagnoses and such other diagnoses as the court deems necessary. If  
1734 such child is committed to the Department of Children and Families,  
1735 such information shall be shared with the Department of Children and  
1736 Families.

1737 Sec. 15. Section 46b-135 of the general statutes is repealed and the  
1738 following is substituted in lieu thereof (*Effective July 1, 2017*):

1739 (a) At the commencement of any proceeding concerning the alleged  
1740 delinquency of a child or young adult, the child or young adult shall  
1741 have the right to counsel and be so informed by the judge, and that if  
1742 the child and the parent or parents or guardian of the child are unable  
1743 to afford counsel or if the young adult is unable to afford counsel,  
1744 counsel will be provided for the child or young adult. Such counsel  
1745 and the child or young adult shall have the rights of confrontation and  
1746 cross-examination. If a parent fails to comply with a court order  
1747 entered in the best interests of the alleged or adjudicated delinquent  
1748 child and is facing potential imprisonment for contempt of court, such  
1749 parent, if unable to afford counsel, shall be entitled to have counsel  
1750 provided for such parent pursuant to this subsection.

1751 (b) At the commencement of any proceeding on behalf of a  
1752 neglected, uncared-for or abused child, [or youth,] the parent or  
1753 parents or guardian of the child [or youth] shall have the right to  
1754 counsel, and shall be so informed by the judge, and that if they are  
1755 unable to afford counsel, counsel will be provided for them. Such  
1756 parent or guardian of the child [or youth] shall have the rights of  
1757 confrontation and cross-examination.

1758 Sec. 16. Section 46b-136 of the general statutes is repealed and the  
1759 following is substituted in lieu thereof (*Effective July 1, 2017*):

1760 In any proceeding in a juvenile matter, the judge before whom such  
1761 proceeding is pending shall, even in the absence of a request to do so,  
1762 provide an attorney to represent the child or [youth] young adult, or,  
1763 in the case of a child, the child's [or youth's] parent or parents or  
1764 guardian [,] or other person or custodian having control of the child,  
1765 [or youth,] if such judge determines that the interests of justice so  
1766 require, and in any proceeding in which the custody of a child is at  
1767 issue, such judge shall provide an attorney to represent the child and

1768 may authorize such attorney or appoint another attorney to represent  
1769 such child or [youth, parent, guardian or other person] the child's  
1770 parent or parents or guardian or other person having control or  
1771 custodian of the child on an appeal from a decision in such proceeding.  
1772 Where, under the provisions of this section, the court so appoints  
1773 counsel for any such party who is found able to pay, in whole or in  
1774 part, the cost [thereof] of such counsel, the court shall assess as costs  
1775 against such young adult, or, in the case of a child, such child's parent  
1776 or parents [,] or guardian or [custodian] other person or custodian  
1777 having control of the child, including any agency vested with the legal  
1778 custody of the child, [or youth,] the expense so incurred and paid by  
1779 the Division of Public Defender Services in providing such counsel. [,  
1780 to the extent of their financial ability to do so.] The Division of Public  
1781 Defender Services shall establish the rate at which counsel provided  
1782 pursuant to this section shall be compensated.

1783 Sec. 17. Section 46b-137 of the general statutes is repealed and the  
1784 following is substituted in lieu thereof (*Effective July 1, 2017*):

1785 (a) Any admission, confession or statement, written or oral, made by  
1786 a child under the age of sixteen to a police officer or Juvenile Court  
1787 official shall be inadmissible in any proceeding concerning the alleged  
1788 delinquency of the child making such admission, confession or  
1789 statement unless made by such child in the presence of the child's  
1790 parent or parents or guardian and after the parent or parents or  
1791 guardian and child have been advised (1) of the child's right to retain  
1792 counsel, or if unable to afford counsel, to have counsel appointed on  
1793 the child's behalf, (2) of the child's right to refuse to make any  
1794 statements, and (3) that any statements the child makes may be  
1795 introduced into evidence against the child.

1796 (b) Any admission, confession or statement, written or oral, made  
1797 by a [child sixteen or seventeen years of age] youth to a police officer  
1798 or Juvenile Court official, except an admission, confession or  
1799 statement, written or oral, made by a [child sixteen or seventeen years

1800 of age] youth to a police officer in connection with a case transferred to  
1801 the Juvenile Court from the youthful offender docket, regular criminal  
1802 docket of the Superior Court or any docket for the presentment of  
1803 defendants in motor vehicle matters, shall be inadmissible in any  
1804 proceeding concerning the alleged delinquency of the [child] youth  
1805 making such admission, confession or statement, unless (1) the police  
1806 or Juvenile Court official has made reasonable efforts to contact a  
1807 parent or guardian of the [child] youth, and (2) such [child] youth has  
1808 been advised that (A) the [child] youth has the right to contact a parent  
1809 or guardian and to have a parent or guardian present during any  
1810 interview, (B) the [child] youth has the right to retain counsel or, if  
1811 unable to afford counsel, to have counsel appointed on behalf of the  
1812 [child] youth, (C) the [child] youth has the right to refuse to make any  
1813 statement, and (D) any statement the [child] youth makes may be  
1814 introduced into evidence against the [child] youth.

1815 (c) The admissibility of any admission, confession or statement,  
1816 written or oral, made by a [child sixteen or seventeen years of age]  
1817 youth to a police officer or Juvenile Court official, except an admission,  
1818 confession or statement, written or oral, made by a [child sixteen or  
1819 seventeen years of age] youth to a police officer in connection with a  
1820 case transferred to the Juvenile Court from the youthful offender  
1821 docket, regular criminal docket of the Superior Court or any docket for  
1822 the presentment of defendants in motor vehicle matters, shall be  
1823 determined by considering the totality of the circumstances at the time  
1824 of the making of such admission, confession or statement. When  
1825 determining the admissibility of such admission, confession or  
1826 statement, the court shall consider (1) the age, experience, education,  
1827 background and intelligence of the [child] youth, (2) the capacity of the  
1828 [child] youth to understand the advice concerning rights and warnings  
1829 required under subdivision (2) of subsection (b) of this section, the  
1830 nature of the privilege against self-incrimination under the United  
1831 States and Connecticut Constitutions, and the consequences of waiving  
1832 such rights and privilege, (3) the opportunity the [child] youth had to

1833 speak with a parent, guardian or some other suitable individual prior  
1834 to or while making such admission, confession or statement, and (4)  
1835 the circumstances surrounding the making of the admission,  
1836 confession or statement, including, but not limited to, (A) when and  
1837 where the admission, confession or statement was made, (B) the  
1838 reasonableness of proceeding, or the need to proceed, without a parent  
1839 or guardian present, and (C) the reasonableness of efforts by the police  
1840 or Juvenile Court official to attempt to contact a parent or guardian.

1841 (d) Any confession, admission or statement, written or oral, made  
1842 by the parent or parents or guardian of the child or youth after the  
1843 filing of a petition alleging such child or youth to be neglected,  
1844 uncared for or abused shall be inadmissible in any proceeding held  
1845 upon such petition against the person making such admission or  
1846 statement unless such person shall have been advised of the person's  
1847 right to retain counsel, and that if the person is unable to afford  
1848 counsel, counsel will be appointed to represent the person, that the  
1849 person has a right to refuse to make any statement and that any  
1850 statements the person makes may be introduced in evidence against  
1851 the person, except that any statement made by the mother of any child,  
1852 or youth, upon inquiry by the court and under oath if necessary, as to  
1853 the identity of any person who might be the father of the child or  
1854 youth shall not be inadmissible if the mother was not so advised.

1855 Sec. 18. Section 46b-138 of the general statutes is repealed and the  
1856 following is substituted in lieu thereof (*Effective July 1, 2017*):

1857 For the purpose of hearing any juvenile matter, the court may  
1858 summon witnesses and compel their attendance. The conversations of  
1859 the judge with a child or [youth] young adult whose case is before the  
1860 court shall be privileged.

1861 Sec. 19. Section 46b-138b of the general statutes is repealed and the  
1862 following is substituted in lieu thereof (*Effective July 1, 2017*):

1863 In any proceeding concerning the alleged delinquency of a child or

1864 young adult, any victim of the alleged delinquent conduct, the parents  
1865 or guardian of such victim, a victim advocate for such victim under  
1866 section 54-220, or such victim's counsel shall have the right to appear  
1867 before the court for the purpose of making a statement to the court  
1868 concerning the disposition of the case.

1869 Sec. 20. Section 46b-140 of the 2016 supplement to the general  
1870 statutes is repealed and the following is substituted in lieu thereof  
1871 (*Effective July 1, 2017*):

1872 (a) In determining the appropriate disposition of a child [convicted]  
1873 or young adult adjudicated as delinquent, the court shall consider: (1)  
1874 The seriousness of the offense, including the existence of any  
1875 aggravating factors such as the use of a firearm in the commission of  
1876 the offense and the impact of the offense on any victim; (2) the [child's]  
1877 person's record of delinquency; (3) the [child's] person's willingness to  
1878 participate in available programs; (4) the existence of other mitigating  
1879 factors; and (5) the culpability of the child or young adult in  
1880 committing the offense including the level of [the child's] participation  
1881 by such person in the planning and carrying out of the offense.

1882 (b) Upon [conviction] adjudication of a child or young adult as  
1883 delinquent, the court: (1) May (A) order the child or young adult to  
1884 participate in an alternative incarceration program; (B) in the case of a  
1885 child, order the child to participate in a program at a wilderness school  
1886 facility operated by the Department of Children and Families; (C)  
1887 order the child to participate in a youth service bureau program; (D)  
1888 place the child or young adult on probation; (E) order the child or  
1889 young adult, or, in the case of a child, the parents or guardian of the  
1890 child, or both, to make restitution to the victim of the offense in  
1891 accordance with subsection (d) of this section; (F) order the child or  
1892 young adult to participate in a program of community service in  
1893 accordance with subsection (e) of this section; or (G) withhold or  
1894 suspend execution of any judgment; and (2) shall impose the penalty  
1895 established in subsection (b) of section 30-89 for any violation of said

1896 subsection (b).

1897 (c) The court may order, as a condition of probation, that the child  
1898 or young adult (1) in the case of a child, reside with a parent, relative  
1899 or guardian or in a suitable foster home or other residence approved  
1900 by the court, (2) in the case of a child, attend school and class on a  
1901 regular basis and comply with school policies on student conduct and  
1902 discipline, (3) refrain from violating any federal or state law or  
1903 municipal or local ordinance, (4) undergo any medical or psychiatric  
1904 evaluation or treatment deemed necessary by the court, (5) submit to  
1905 random drug or alcohol testing, or both, (6) participate in a program of  
1906 alcohol or drug treatment, or both, (7) make restitution to the victim of  
1907 the offense in accordance with subsection (d) of this section, (8)  
1908 participate in an alternative incarceration program or other program  
1909 established through the Court Support Services Division, (9)  
1910 participate in a program of community service, and (10) satisfy any  
1911 other conditions deemed appropriate by the court. The court shall  
1912 cause a copy of any such order to be delivered to the child [,] or young  
1913 adult, and, in the case of a child, to the child's parents or guardian and  
1914 the child's probation officer. If the child or young adult is [convicted]  
1915 adjudicated as delinquent for a violation of section 53-247, the court  
1916 may order, as a condition of probation, that the child or young adult  
1917 undergo psychiatric or psychological counseling or participate in an  
1918 animal cruelty prevention and education program provided such a  
1919 program exists and is available to the child or young adult.

1920 (d) If the child or young adult has engaged in conduct which results  
1921 in property damage or personal injury, the court may order the child  
1922 or young adult or, in the case of a child, the parent or parents or  
1923 guardian of the child, if such parent or parents or guardian had  
1924 knowledge of and condoned the conduct of the child, or both the child  
1925 and the parent or parents or guardian, to make restitution to the victim  
1926 of such offense, provided the liability of such parent or parents or  
1927 guardian shall be limited to an amount not exceeding the amount such  
1928 parent or parents or guardian would be liable for in an action under

1929 section 52-572. Restitution may consist of monetary reimbursement for  
1930 the damage or injury, based on the [child's or the parent's, parents' or  
1931 guardian's] person's ability to pay, [as the case may be,] in the form of  
1932 a lump sum or installment payments, paid to the court clerk or such  
1933 other official designated by the court for distribution to the victim.

1934 (e) The court may order the child or young adult to participate in a  
1935 program of community service under the supervision of the court or  
1936 any organization designated by the court. Such child or young adult  
1937 shall not be deemed to be an employee and the services of such child  
1938 or young adult shall not be deemed employment.

1939 (f) If the court further finds that its probation services or other  
1940 services available to the court are not adequate for such child or young  
1941 adult, the court shall commit such child or young adult to the  
1942 Department of Children and Families in accordance with the  
1943 provisions of section 46b-141, as amended by this act.

1944 (g) Any child [or youth] coming within the jurisdiction of the court,  
1945 who is found to be mentally ill, may be committed by said court to the  
1946 Commissioner of Children and Families and, if the court [convicts]  
1947 adjudicates a child as delinquent and finds such child to be mentally  
1948 deficient, the court may commit such child to an institution for  
1949 mentally deficient children [or youth or delinquents] or delinquent  
1950 children. No such commitment may be ordered or continued for any  
1951 child who has attained the age of twenty. Whenever it is found that a  
1952 child [convicted] adjudicated as delinquent or adjudged to be a  
1953 member of a family with service needs would benefit from a work-  
1954 study program or employment with or without continued school  
1955 attendance, the court may, as a condition of probation or supervision,  
1956 authorize such child to be employed for part or full-time at some  
1957 useful occupation that would be favorable to such child's welfare, and  
1958 the probation officer shall supervise such employment. For the  
1959 purposes of this section, the limitations of subsection (a) of section 31-  
1960 23 on the employment of minors under the age of sixteen years shall

1961 not apply for the duration of such probation or supervision.

1962 (h) Whenever the court commits a child to the Department of  
1963 Children and Families, there shall be delivered with the mittimus a  
1964 copy of the results of the investigations made as required by section  
1965 46b-134, as amended by this act. The court may, at any time, require  
1966 from the department in whose care a child has been placed such report  
1967 as to such child and such child's treatment.

1968 (i) If the delinquent act for which the child is committed to the  
1969 Department of Children and Families is a serious juvenile offense, the  
1970 court may set a minimum period of twelve months during which the  
1971 child shall be placed in a residential facility operated by or under  
1972 contract with said department, as determined by the Commissioner of  
1973 Children and Families. No such commitment may be ordered or  
1974 continued for any child who has attained the age of twenty. The setting  
1975 of such minimum period shall be in the form of an order of the court  
1976 included in the mittimus. For good cause shown in the form of an  
1977 affidavit annexed thereto, the Department of Children and Families,  
1978 the parent or guardian of the child or the child may petition the court  
1979 for modification of any such order.

1980 (j) Except as otherwise provided in this section, the court may order  
1981 that a child or young adult be (1) committed to the Department of  
1982 Children and Families and, after consultation with said department,  
1983 the court may order that the child or young adult be placed directly in  
1984 a residential facility within this state and under contract with said  
1985 department, or (2) committed to the Commissioner of Children and  
1986 Families for placement by the commissioner, in said commissioner's  
1987 discretion, (A) with respect to the juvenile offenders determined by the  
1988 Department of Children and Families to be the highest risk, in the  
1989 Connecticut Juvenile Training School, if the juvenile offender is a male,  
1990 or in another state facility, presumptively for a minimum period of  
1991 twelve months, or (B) in a private residential or day treatment facility  
1992 within or outside this state, or (C) on parole. No such commitment

1993 may be ordered or continued for any child or young adult who has  
1994 attained the age of twenty. The commissioner shall use a risk and  
1995 needs assessment classification system to ensure that children who are  
1996 in the highest risk level will be placed in an appropriate secure  
1997 treatment setting.

1998 (k) On or after May 21, 2004, no female child or female young adult  
1999 committed to the Department of Children and Families shall be placed  
2000 in the Connecticut Juvenile Training School. Any female child placed  
2001 in the Connecticut Juvenile Training School before May 21, 2004, shall  
2002 be transferred to another appropriate facility not later than ninety days  
2003 after May 21, 2004.

2004 (l) Notwithstanding any provisions of the general statutes  
2005 concerning the confidentiality of records and information, whenever a  
2006 child [convicted] adjudicated as delinquent is committed to the  
2007 Department of Children and Families, the Commissioner of Children  
2008 and Families shall have access to the following information: (1)  
2009 Educational records of such child; (2) records regarding such child's  
2010 past treatment for physical or mental illness, including substance  
2011 abuse; (3) records regarding such child's prior placement in a public or  
2012 private residential facility; (4) records created or obtained by the  
2013 Judicial Department regarding such child; and (5) records, as defined  
2014 in subsection (a) of section 17a-28. The Commissioner of Children and  
2015 Families shall review such information to determine the appropriate  
2016 services and placement which will be in the best interest of the child.

2017 Sec. 21. Section 46b-140a of the general statutes is repealed and the  
2018 following is substituted in lieu thereof (*Effective July 1, 2017*):

2019 (a) At any time during the period of probation or suspended  
2020 commitment, after hearing and for good cause shown, the court may  
2021 modify or enlarge the conditions, whether originally imposed by the  
2022 court under this section or otherwise, and may extend the period as  
2023 deemed appropriate by the court. The court shall cause a copy of any

2024 such order to be delivered to the child or [youth and to such child's or  
2025 youth's parent or guardian and probation officer] young adult, the  
2026 probation officer of the child or young adult, and, in the case of a child,  
2027 the child's parent or guardian.

2028 (b) The period of participation in an alternative incarceration  
2029 program, as a condition of probation or suspended commitment,  
2030 unless terminated sooner, shall not exceed the original period of  
2031 probation or suspended commitment.

2032 (c) At any time during the period of probation or suspended  
2033 commitment, the court may issue a warrant for the arrest of a child or  
2034 [youth] young adult for violation of any of the conditions of probation  
2035 or suspended commitment, or may issue a notice to appear to answer  
2036 to a charge of such violation, which notice shall be personally served  
2037 upon the child or [youth] young adult. Any such warrant shall  
2038 authorize all officers named [therein] in such warrant to return the  
2039 child or [youth] young adult to the custody of the court or to any  
2040 suitable [juvenile] detention facility designated by the court.

2041 (d) If such violation is established, the court may continue or revoke  
2042 the order of probation or suspended commitment or modify or enlarge  
2043 the conditions and, if such order of probation or suspended  
2044 commitment is revoked, require the child or [youth] young adult to  
2045 serve the commitment imposed or impose any lesser commitment. No  
2046 such revocation shall be ordered, except upon consideration of the  
2047 whole record and unless such violation is established by reliable and  
2048 probative evidence.

2049 (e) Upon a determination by the court that a child or [youth] young  
2050 adult has violated probation by failing to comply with the  
2051 requirements of electronic monitoring, the Court Support Services  
2052 Division shall notify the local law enforcement agency of such  
2053 violation.

2054 Sec. 22. Section 46b-141 of the 2016 supplement to the general

2055 statutes is repealed and the following is substituted in lieu thereof  
2056 (*Effective July 1, 2017*):

2057 (a) (1) Except as otherwise limited by subsection (i) of section 46b-  
2058 140, as amended by this act, and subdivision (2) of this subsection,  
2059 commitment of children [convicted] or young adults adjudicated as  
2060 delinquent by the Superior Court to the Department of Children and  
2061 Families shall be for (A) an indeterminate time up to a maximum of  
2062 eighteen months, or (B) when so [convicted] adjudicated for a serious  
2063 juvenile offense, up to a maximum of four years at the discretion of the  
2064 court, unless extended as [hereinafter] provided in this section.

2065 (2) Commitment of children [convicted] or young adults  
2066 adjudicated as delinquent by the Superior Court to the Department of  
2067 Children and Families shall terminate when the child or young adult  
2068 attains the age of twenty.

2069 (b) The Commissioner of Children and Families may file a motion  
2070 for an extension of the commitment as provided in subparagraph (A)  
2071 of subdivision (1) of subsection (a) of this section beyond the eighteen-  
2072 month period on the grounds that such extension is for the best  
2073 interest of the child or the community. The court shall give notice to  
2074 the parent or guardian and to the child at least fourteen days prior to  
2075 the hearing upon such motion. The court may, after hearing and upon  
2076 finding that such extension is in the best interest of the child or the  
2077 community, continue the commitment for an additional period of not  
2078 more than eighteen months, except that such additional period shall  
2079 not continue beyond the date the child attains the age of twenty. Not  
2080 later than twelve months after a child is committed to the Department  
2081 of Children and Families in accordance with subparagraph (A) of  
2082 subdivision (1) of subsection (a) of this section, the court shall hold a  
2083 permanency hearing in accordance with subsection (d) of this section.  
2084 After the initial permanency hearing, subsequent permanency hearings  
2085 shall be held not less frequently than every twelve months while the  
2086 child remains committed to the Department of Children and Families.

2087 (c) The court shall hold a permanency hearing in accordance with  
2088 subsection (d) of this section for each child [convicted] adjudicated as  
2089 delinquent for a serious juvenile offense as provided in subparagraph  
2090 (B) of subdivision (1) of subsection (a) of this section [within] not later  
2091 than twelve months [of] after commitment to the Department of  
2092 Children and Families and every twelve months thereafter if the child  
2093 remains committed to the Department of Children and Families. Such  
2094 hearing may include the submission of a motion to the court by the  
2095 commissioner to either (1) modify such commitment, or (2) extend the  
2096 commitment beyond such four-year period on the grounds that such  
2097 extension is for the best interest of the child or the community. The  
2098 court shall give notice to the parent or guardian and to the child at  
2099 least fourteen days prior to the hearing upon such motion. The court,  
2100 after hearing, may modify such commitment or, upon finding that  
2101 such extension is in the best interest of the child or the community,  
2102 continue the commitment for an additional period of not more than  
2103 eighteen months.

2104 (d) At least sixty days prior to each permanency hearing required  
2105 pursuant to subsection (b) or (c) of this section, the Commissioner of  
2106 Children and Families shall file a permanency plan with the court. At  
2107 each permanency hearing, the court shall review and approve a  
2108 permanency plan that is in the best interest of the child and takes into  
2109 consideration the child's need for permanency. Such permanency plan  
2110 may include the goal of: (1) Revocation of commitment and placement  
2111 of the child with the parent or guardian, (2) transfer of guardianship,  
2112 (3) adoption, or (4) for any child sixteen years of age or older, such  
2113 other planned permanent living arrangement ordered by the court,  
2114 provided the Commissioner of Children and Families has documented  
2115 a compelling reason why it would not be in the best interest of the  
2116 child for the permanency plan to include the goals in subdivisions (1)  
2117 to (3), inclusive, of this subsection. Such other planned permanent  
2118 living arrangement may include, but not be limited to, placement of  
2119 the child in an independent living program. At any such permanency

2120 hearing, the court shall also determine whether the Commissioner of  
2121 Children and Families has made reasonable efforts to achieve the  
2122 permanency plan.

2123 (e) (1) If the permanency plan for a child sixteen years of age or  
2124 older includes such other planned permanent living arrangement  
2125 pursuant to subdivision (4) of subsection (d) of this section, the  
2126 department shall document for the court: (A) The manner and  
2127 frequency of efforts made by the department to return the child home  
2128 or secure a placement for the child with a fit and willing relative, legal  
2129 guardian or an adoptive parent; and (B) the steps the department has  
2130 taken to ensure that (i) the child's foster family home or child care  
2131 institution is following a reasonable and prudent parent standard, as  
2132 defined in section 17a-114d; and (ii) the child has regular, ongoing  
2133 opportunities to engage in age appropriate or developmentally  
2134 appropriate activities, as defined in section 17a-114d.

2135 (2) At any such permanency hearing in which the plan for a child  
2136 sixteen years of age or older is such other planned permanent living  
2137 arrangement pursuant to subdivision (4) of subsection (d) of this  
2138 section, the court shall (A) (i) ask the child about his or her desired  
2139 permanency outcome, or (ii) if the child is unavailable to appear at  
2140 such hearing, require the attorney for the child to consult with the  
2141 child regarding the child's desired permanency outcome and report  
2142 the same to the court; (B) make a judicial determination that, as of the  
2143 date of hearing, such other planned permanent living arrangement is  
2144 the best permanency plan for the child; and (C) document the  
2145 compelling reasons why it is not in the best interest of the child to  
2146 return home or to be placed with a fit and willing relative, legal  
2147 guardian or adoptive parent.

2148 (f) All other commitments of delinquent, mentally deficient or  
2149 mentally ill children by the court pursuant to the provisions of section  
2150 46b-140, as amended by this act, may be for an indeterminate time,  
2151 except that no such commitment may be ordered or continued for any

2152 child who has attained the age of twenty. Commitments may be  
2153 reopened and terminated at any time by said court, provided the  
2154 Commissioner of Children and Families shall be given notice of such  
2155 proposed reopening and a reasonable opportunity to present the  
2156 commissioner's views thereon. The parents or guardian of such child  
2157 may apply not more than twice in any calendar year for such  
2158 reopening and termination of commitment. Any order of the court  
2159 made under the provisions of this section shall be deemed a final order  
2160 for purposes of appeal, except that no bond shall be required and no  
2161 costs shall be taxed on such appeal.

2162 Sec. 23. Section 46b-141a of the general statutes is repealed and the  
2163 following is substituted in lieu thereof (*Effective July 1, 2017*):

2164 (a) Whenever a child or young adult is [convicted] adjudicated as  
2165 delinquent, the court, in lieu of committing such child to the  
2166 Department of Children and Families or such child or young adult to a  
2167 [juvenile] detention center, may, in its discretion, order an assessment  
2168 for placement in an alternative incarceration program to be conducted  
2169 by the Court Support Services Division. If the Court Support Services  
2170 Division recommends placement in an alternative incarceration  
2171 program, it shall also submit to the court a proposed alternative  
2172 incarceration plan. Upon completion of the assessment, the court shall  
2173 determine whether such child or young adult shall be ordered to  
2174 participate in such program as an alternative to commitment. If the  
2175 court determines that the child or young adult shall participate in such  
2176 program, the court shall suspend any commitment to the Department  
2177 of Children and Families or to a juvenile detention center and shall  
2178 make participation in the alternative incarceration program a condition  
2179 of probation.

2180 (b) An alternative incarceration program shall include, but not be  
2181 limited to, fines, restitution, community service, halfway houses,  
2182 alternative incarceration centers, day incarceration centers, drug,  
2183 alcohol and mental health programs, electronic monitoring, intensive

2184 probation, vocational probation, boot camps, structured wilderness  
2185 programs, pretrial diversion options aimed at creating alternatives to  
2186 unnecessary detention, and school and job training programs.

2187 Sec. 24. Section 46b-141d of the general statutes is repealed and the  
2188 following is substituted in lieu thereof (*Effective July 1, 2017*):

2189 Any child or young adult who is arrested and held in a detention  
2190 center, an alternative detention center or a police station or courthouse  
2191 lockup prior to the disposition of a juvenile matter shall, if  
2192 subsequently [convicted] adjudicated as delinquent by the Superior  
2193 Court and sentenced to a period of probation, earn a reduction of such  
2194 [child's] period of probation, including any extensions thereof, equal to  
2195 the number of days that such child or young adult spent in such  
2196 detention center or lockup.

2197 Sec. 25. Section 46b-145 of the general statutes is repealed and the  
2198 following is substituted in lieu thereof (*Effective July 1, 2017*):

2199 No child or young adult shall be prosecuted for an offense before  
2200 the regular criminal docket of the Superior Court except as provided in  
2201 section 46b-127, as amended by this act, and subsection (f) of section  
2202 46b-133c, as amended by this act.

2203 Sec. 26. Section 46b-147 of the general statutes is repealed and the  
2204 following is substituted in lieu thereof (*Effective July 1, 2017*):

2205 The disposition and any order of such disposition of any child or  
2206 young adult under the provisions of this chapter, evidence given in  
2207 such cases, except evidence of crime which, if committed by a person  
2208 [of sufficient age, would be punishable by imprisonment in the  
2209 Connecticut Correctional Institution, Somers, and all orders therein]  
2210 who, at the time of the commission of the crime, attained the age for  
2211 adult jurisdiction, shall be inadmissible as evidence in any criminal  
2212 proceedings against such child or young adult.

2213        Sec. 27. (*Effective from passage*) The Court Support Services Division  
2214 of the Judicial Department shall study the feasibility of and  
2215 mechanisms for holding cash bail in an interest-bearing account and  
2216 using such interest and any forfeited cash bail for the delivery of legal  
2217 services to the poor. Not later than January 1, 2017, the division shall,  
2218 in accordance with the provisions of section 11-4a of the general  
2219 statutes, report on such study, including any recommendations for  
2220 legislation, to the joint standing committee of the General Assembly  
2221 having cognizance of matters relating to the judiciary and to the Office  
2222 of Policy and Management.

2223        Sec. 28. Section 54-64a of the general statutes is repealed and the  
2224 following is substituted in lieu thereof (*Effective October 1, 2016*):

2225        (a) (1) Except as provided in [subsection (b)] subsections (b) and (c)  
2226 of this section, when any arrested person is presented before the  
2227 Superior Court, said court shall, in bailable offenses, promptly order  
2228 the release of such person upon the first of the following conditions of  
2229 release found sufficient to reasonably ensure the appearance of the  
2230 arrested person in court: (A) Upon [his] such person's execution of a  
2231 written promise to appear without special conditions, (B) upon [his]  
2232 such person's execution of a written promise to appear with  
2233 nonfinancial conditions, (C) upon [his] such person's execution of a  
2234 bond without surety in no greater amount than necessary, or (D) upon  
2235 [his] such person's execution of a bond with surety in no greater  
2236 amount than necessary. In addition to or in conjunction with any of the  
2237 conditions enumerated in subparagraphs (A) to (D), inclusive, of this  
2238 subdivision, the court may, when it has reason to believe that the  
2239 person is drug-dependent and where necessary, reasonable and  
2240 appropriate, order the person to submit to a urinalysis drug test and to  
2241 participate in a program of periodic drug testing and treatment. The  
2242 results of any such drug test shall not be admissible in any criminal  
2243 proceeding concerning such person.

2244        (2) The court may, in determining what conditions of release will

2245 reasonably ensure the appearance of the arrested person in court,  
2246 consider the following factors: (A) The nature and circumstances of the  
2247 offense, (B) such person's record of previous convictions, (C) such  
2248 person's past record of appearance in court after being admitted to  
2249 bail, (D) such person's family ties, (E) such person's employment  
2250 record, (F) such person's financial resources, character and mental  
2251 condition, and (G) such person's community ties.

2252 (b) (1) When any arrested person charged with the commission of  
2253 (A) a class A felony, (B) a class B felony, except a violation of section  
2254 53a-86 or 53a-122, (C) a class C felony, except a violation of section 53a-  
2255 87, 53a-152 or 53a-153, [or] (D) a class D felony under sections 53a-60 to  
2256 53a-60c, inclusive, section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114,  
2257 53a-136 or 53a-216, or [a] (E) any family violence crime, as defined in  
2258 section 46b-38a, is presented before the Superior Court, said court  
2259 shall, in bailable offenses, promptly order the release of such person  
2260 upon the first of the following conditions of release found sufficient to  
2261 reasonably ensure the appearance of the arrested person in court and  
2262 that the safety of any other person will not be endangered: [(A)] (i)  
2263 Upon such person's execution of a written promise to appear without  
2264 special conditions, [(B)] (ii) upon such person's execution of a written  
2265 promise to appear with nonfinancial conditions, [(C)] (iii) upon such  
2266 person's execution of a bond without surety in no greater amount than  
2267 necessary, [(D)] or (iv) upon such person's execution of a bond with  
2268 surety in no greater amount than necessary. In addition to or in  
2269 conjunction with any of the conditions enumerated in [subparagraphs  
2270 (A) to (D), inclusive, of] this subdivision, the court may, when it has  
2271 reason to believe that the person is drug-dependent and where  
2272 necessary, reasonable and appropriate, order the person to submit to a  
2273 urinalysis drug test and to participate in a program of periodic drug  
2274 testing and treatment. The results of any such drug test shall not be  
2275 admissible in any criminal proceeding concerning such person.

2276 (2) The court may, in determining what conditions of release will  
2277 reasonably ensure the appearance of the arrested person in court and

2278 that the safety of any other person will not be endangered, consider the  
2279 following factors: (A) The nature and circumstances of the offense, (B)  
2280 such person's record of previous convictions, (C) such person's past  
2281 record of appearance in court after being admitted to bail, (D) such  
2282 person's family ties, (E) such person's employment record, (F) such  
2283 person's financial resources, character and mental condition, (G) such  
2284 person's community ties, (H) the number and seriousness of charges  
2285 pending against the arrested person, (I) the weight of the evidence  
2286 against the arrested person, (J) the arrested person's history of  
2287 violence, (K) whether the arrested person has previously been  
2288 convicted of similar offenses while released on bond, and (L) the  
2289 likelihood based upon the expressed intention of the arrested person  
2290 that such person will commit another crime while released.

2291 (3) When imposing conditions of release under this subsection, the  
2292 court shall state [for] on the record any factors under subdivision (2) of  
2293 this subsection that it considered and the findings that it made as to  
2294 the danger, if any, that the arrested person might pose to the safety of  
2295 any other person upon the arrested person's release that caused the  
2296 court to impose the specific conditions of release that it imposed.

2297 (c) Except in the case of an arrested person charged with failure to  
2298 appear pursuant to section 53a-173, or a family violence crime, as  
2299 defined in section 46b-38a, or if the court makes a finding on the record  
2300 that the arrested person would pose a risk to the safety of another  
2301 person upon release, when any arrested person, charged with no crime  
2302 other than a misdemeanor, is presented before the Superior Court, said  
2303 court shall promptly order the release of such person upon the first of  
2304 the following conditions of release found sufficient to reasonably  
2305 ensure the appearance of the arrested person in court: (1) Upon such  
2306 person's execution of a written promise to appear without special  
2307 conditions, (2) upon such person's execution of a written promise to  
2308 appear with nonfinancial conditions, or (3) upon such person's  
2309 execution of a bond without surety in no greater amount than  
2310 necessary. In addition to or in conjunction with any of the conditions

2311 enumerated in subdivisions (1) to (3), inclusive, of this subsection, the  
2312 court may, when it has reason to believe that the person is drug-  
2313 dependent and where necessary, reasonable and appropriate, order the  
2314 person to submit to a urinalysis drug test and to participate in a  
2315 program of periodic drug testing and treatment. The results of any  
2316 such drug test shall not be admissible in any criminal proceeding  
2317 concerning such person.

2318 [(c)] (d) If the court determines that a nonfinancial condition of  
2319 release should be imposed pursuant to [subparagraph (B) of  
2320 subdivision (1) of] subsection (a), [or (b)] (b) or (c) of this section, the  
2321 court shall order the pretrial release of the person subject to the least  
2322 restrictive condition or combination of conditions that the court  
2323 determines will reasonably ensure the appearance of the arrested  
2324 person in court and, with respect to the release of the person pursuant  
2325 to subsection (b) of this section, that the safety of any other person will  
2326 not be endangered, which conditions may include an order that the  
2327 arrested person do one or more of the following: (1) Remain under the  
2328 supervision of a designated person or organization; (2) comply with  
2329 specified restrictions on such person's travel, association or place of  
2330 abode; (3) not engage in specified activities, including the use or  
2331 possession of a dangerous weapon, an intoxicant or a controlled  
2332 substance; (4) provide sureties of the peace pursuant to section 54-56f  
2333 under supervision of a designated bail commissioner or intake,  
2334 assessment and referral specialist employed by the Judicial Branch; (5)  
2335 avoid all contact with an alleged victim of the crime and with a  
2336 potential witness who may testify concerning the offense; (6) maintain  
2337 employment or, if unemployed, actively seek employment; (7)  
2338 maintain or commence an educational program; (8) be subject to  
2339 electronic monitoring; or (9) satisfy any other condition that is  
2340 reasonably necessary to ensure the appearance of the person in court  
2341 and that the safety of any other person will not be endangered. The  
2342 court shall state on the record its reasons for imposing any such  
2343 nonfinancial condition.

2344 [(d)] (e) If the arrested person is not released, the court shall order  
2345 [him] such person committed to the custody of the Commissioner of  
2346 Correction until [he] such person is released or discharged in due  
2347 course of law.

2348 [(e)] (f) The court may require that the person subject to electronic  
2349 monitoring pursuant to subsection [(c)] (d) of this section pay directly  
2350 to the electronic monitoring service provider a fee for the cost of such  
2351 electronic monitoring services. If the court finds that the person subject  
2352 to electronic monitoring is indigent and unable to pay the costs of  
2353 electronic monitoring services, the court shall waive such costs. Any  
2354 contract entered into by the Judicial Branch and the electronic  
2355 monitoring service provider shall include a provision stating that the  
2356 total cost for electronic monitoring services shall not exceed five  
2357 dollars per day. Such amount shall be indexed annually to reflect the  
2358 rate of inflation.

2359 Sec. 29. (NEW) (*Effective October 1, 2016*) Not later than January 1,  
2360 2017, the Court Support Services Division shall develop a pretrial  
2361 release eligibility notice containing written explanatory text of the  
2362 process of release following an arrest set forth in chapter 960 of the  
2363 general statutes. The division, in conjunction with the Judicial  
2364 Department, the Department of Correction, the Division of State Police  
2365 and municipal police departments, shall ensure that such notice is  
2366 provided to an arrested person at any time such person is presented  
2367 with conditions for such person's release. The division shall update  
2368 such notice as deemed necessary by the division.

2369 Sec. 30. Subsection (b) of section 53a-32 of the general statutes is  
2370 repealed and the following is substituted in lieu thereof (*Effective*  
2371 *October 1, 2016*):

2372 (b) When the defendant is presented for arraignment on the charge  
2373 of violation of any of the conditions of probation or conditional  
2374 discharge, the court shall review any conditions previously imposed

2375 on the defendant and may order, as a condition of the pretrial release  
2376 of the defendant, that the defendant comply with any or all of such  
2377 conditions in addition to any conditions imposed pursuant to section  
2378 54-64a, as amended by this act. Unless the court, pursuant to  
2379 subsection [(c)] (d) of section 54-64a, as amended by this act, orders  
2380 that the defendant remain under the supervision of a probation officer  
2381 or other designated person or organization, the defendant shall be  
2382 supervised by the Court Support Services Division of the Judicial  
2383 Branch in accordance with subsection (a) of section 54-63b.

2384 Sec. 31. Section 53a-222 of the general statutes is repealed and the  
2385 following is substituted in lieu thereof (*Effective October 1, 2016*):

2386 (a) A person is guilty of violation of conditions of release in the first  
2387 degree when, while charged with the commission of a felony, such  
2388 person is released pursuant to subsection (b) of section 54-63c,  
2389 subsection (c) of section 54-63d or subsection [(c)] (d) of section 54-64a,  
2390 as amended by this act, and intentionally violates one or more of the  
2391 imposed conditions of release.

2392 (b) Violation of conditions of release in the first degree is a class D  
2393 felony.

2394 Sec. 32. Section 53a-222a of the general statutes is repealed and the  
2395 following is substituted in lieu thereof (*Effective October 1, 2016*):

2396 (a) A person is guilty of violation of conditions of release in the  
2397 second degree when, while charged with the commission of a  
2398 misdemeanor or motor vehicle violation for which a sentence to a term  
2399 of imprisonment may be imposed, such person is released pursuant to  
2400 subsection (b) of section 54-63c, subsection (c) of section 54-63d or  
2401 subsection [(c)] (d) of section 54-64a, as amended by this act, and  
2402 intentionally violates one or more of the imposed conditions of release.

2403 (b) Violation of conditions of release in the second degree is a class  
2404 A misdemeanor.

2405 Sec. 33. Section 54-76b of the general statutes is repealed and the  
2406 following is substituted in lieu thereof (*Effective October 1, 2016*):

2407 (a) For the purposes of [sections 54-76b to 54-76n, inclusive] this  
2408 section and sections 54-76c to 54-76q, inclusive, as amended by this act:

2409 (1) "Youth" means (A) a [minor who has reached the age of sixteen  
2410 years but has not reached the age of eighteen years] person who is  
2411 sixteen years of age or older but under twenty-one years of age at the  
2412 time of the alleged offense, or (B) a [child] person who has been  
2413 transferred to the regular criminal docket of the Superior Court  
2414 pursuant to section 46b-127, as amended by this act; and

2415 (2) "Youthful offender" means a youth who (A) is charged with the  
2416 commission of a crime which is not a class A felony or a violation of  
2417 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of  
2418 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection  
2419 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a  
2420 or 53a-72b, except a violation involving consensual sexual intercourse  
2421 or sexual contact between [the youth] a person who is sixteen years of  
2422 age or older but under eighteen years of age and another person who  
2423 is thirteen years of age or older but under sixteen years of age, and (B)  
2424 has not previously been convicted of a felony in the regular criminal  
2425 docket of the Superior Court or been previously adjudged a serious  
2426 juvenile offender or serious juvenile repeat offender, as defined in  
2427 section 46b-120, as amended by this act.

2428 (b) The Interstate Compact for Adult Offender Supervision under  
2429 section 54-133 shall apply to youthful offenders.

2430 Sec. 34. Subsection (a) of section 54-76c of the general statutes is  
2431 repealed and the following is substituted in lieu thereof (*Effective*  
2432 *October 1, 2016*):

2433 (a) In any case where an information or complaint has been laid  
2434 charging a defendant with the commission of a crime, and where it

2435 appears that the defendant is a youth, such defendant shall be  
2436 presumed to be eligible to be adjudged a youthful offender and the  
2437 court having jurisdiction shall, but only as to the public, order the  
2438 court file sealed, unless such defendant (1) is charged with the  
2439 commission of a crime which is a class A felony or a violation of  
2440 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of  
2441 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection  
2442 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a  
2443 or 53a-72b, except a violation involving consensual sexual intercourse  
2444 or sexual contact between [the youth] a person who is sixteen years of  
2445 age or older but under eighteen years of age and another person who  
2446 is thirteen years of age or older but under sixteen years of age, or (2)  
2447 has been previously convicted of a felony in the regular criminal  
2448 docket of the Superior Court or been previously adjudged a serious  
2449 juvenile offender or serious juvenile repeat offender, as defined in  
2450 section 46b-120, as amended by this act. Except as provided in  
2451 subsection (b) of this section, upon motion of the prosecuting official,  
2452 the court may order that an investigation be made of such defendant  
2453 under section 54-76d, for the purpose of determining whether such  
2454 defendant is ineligible to be adjudged a youthful offender, provided  
2455 the court file shall remain sealed, but only as to the public, during such  
2456 investigation.

2457 Sec. 35. Subsection (a) of section 54-76h of the general statutes is  
2458 repealed and the following is substituted in lieu thereof (*Effective*  
2459 *October 1, 2016*):

2460 (a) All of the proceedings [had] under the provisions of sections 54-  
2461 76b to 54-76n, inclusive, as amended by this act, in which the  
2462 defendant is under eighteen years of age shall be private and [shall be]  
2463 conducted in [such] parts of the courthouse or the building [wherein]  
2464 in which the court is located [as shall be] that are separate and apart  
2465 from [the other parts] any other part of the court which are then being  
2466 held for proceedings pertaining to adults charged with crimes. If the  
2467 defendant is committed while any examination and investigation

2468 under section 54-76d is pending, before trial, during trial or after  
2469 judgment and before sentence, those persons in charge of the place of  
2470 detention shall segregate the defendant, to the extent of their facilities,  
2471 from defendants over the age of eighteen years charged with crime.

2472 Sec. 36. Subsection (b) of section 54-76j of the general statutes is  
2473 repealed and the following is substituted in lieu thereof (*Effective*  
2474 *October 1, 2016*):

2475 (b) If execution of the sentence is suspended under subdivision (6)  
2476 of subsection (a) of this section, the defendant may be placed on  
2477 probation or conditional discharge for a period not to exceed three  
2478 years, provided, at any time during the period of probation, after  
2479 hearing and for good cause shown, the court may extend the period as  
2480 deemed appropriate by the court. If the court places [the person] a  
2481 person who is under eighteen years of age and who is adjudicated to  
2482 be a youthful offender on probation, the court may order that, as a  
2483 condition of such probation, the person be referred for services to a  
2484 youth service bureau established pursuant to section 10-19m, provided  
2485 the court finds, through an assessment by a youth service bureau or its  
2486 designee, that the person is in need of and likely to benefit from such  
2487 services. If the court places a youthful offender on probation, school  
2488 and class attendance on a regular basis and satisfactory compliance  
2489 with school policies on student conduct and discipline may be a  
2490 condition of such probation and, in such a case, failure to so attend or  
2491 comply shall be a violation of probation. If the court has reason to  
2492 believe that the person adjudicated to be a youthful offender is or has  
2493 been an unlawful user of narcotic drugs, as defined in section 21a-240,  
2494 and the court places such youthful offender on probation, the  
2495 conditions of probation, among other things, shall include a  
2496 requirement that such person shall submit to periodic tests to  
2497 determine, by the use of "synthetic opiate antinarcotic in action",  
2498 nalline test or other detection tests, at a hospital or other facility,  
2499 equipped to make such tests, whether such person is using narcotic  
2500 drugs. A failure to report for such tests or a determination that such

2501 person is unlawfully using narcotic drugs shall constitute a violation of  
2502 probation. If the court places a person adjudicated as a youthful  
2503 offender for a violation of section 53-247 on probation, the court may  
2504 order that, as a condition of such probation, the person undergo  
2505 psychiatric or psychological counseling or participate in an animal  
2506 cruelty prevention and education program, provided such a program  
2507 exists and is available to the person.

2508 Sec. 37. Subsection (a) of section 54-76l of the general statutes is  
2509 repealed and the following is substituted in lieu thereof (*Effective*  
2510 *October 1, 2016*):

2511 (a) The records or other information of a youth, other than a youth  
2512 [arrested for or] charged with the commission of a crime which is a  
2513 class A felony or a violation of section 14-222a, subsection (a) or  
2514 subdivision (1) of subsection (b) of section 14-224, section 14-227a or  
2515 14-227g, subdivision (2) of subsection (a) of section 53-21 or section  
2516 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b, except a violation  
2517 involving consensual sexual intercourse or sexual contact between [the  
2518 youth] a person who is sixteen years of age or older but under eighteen  
2519 years of age and another person who is thirteen years of age or older  
2520 but under sixteen years of age, including fingerprints, photographs  
2521 and physical descriptions, shall be confidential and shall not be open  
2522 to public inspection or be disclosed except as provided in this section,  
2523 but such fingerprints, photographs and physical descriptions  
2524 submitted to the State Police Bureau of Identification of the Division of  
2525 State Police within the Department of Emergency Services and Public  
2526 Protection at the time of the arrest of a person subsequently adjudged,  
2527 or subsequently presumed or determined to be eligible to be adjudged,  
2528 a youthful offender shall be retained as confidential matter in the files  
2529 of the bureau and be opened to inspection only as provided in this  
2530 section. Other data ordinarily received by the bureau, with regard to  
2531 persons arrested for a crime, shall be forwarded to the bureau to be  
2532 filed, in addition to such fingerprints, photographs and physical  
2533 descriptions, and be retained in the division as confidential

2534 information, open to inspection only as provided in this section.

2535 Sec. 38. Section 54-760 of the general statutes is repealed and the  
2536 following is substituted in lieu thereof (*Effective October 1, 2016*):

2537 Whenever any person has been adjudicated a youthful offender and  
2538 has subsequently been discharged from the supervision of the court or  
2539 from the care of any institution or agency to whom [he] such person  
2540 has been committed by the court, all police and court records  
2541 pertaining to such youthful offender shall be automatically erased  
2542 [when such person attains twenty-one years of age] four years after  
2543 such person was sentenced as a youthful offender, provided such  
2544 person has not subsequent to being adjudged a youthful offender been  
2545 convicted of a felony, as defined in section 53a-25, prior to attaining  
2546 such age. Youthful offender status shall not be deemed conviction of a  
2547 crime for the purposes of this section. Upon the entry of such an  
2548 erasure order, all references including arrest, complaint, referrals,  
2549 petitions, reports and orders, shall be removed from all agency, official  
2550 and institutional files. The persons in charge of such records shall not  
2551 disclose to any person, except the subject of the record, upon  
2552 submission of satisfactory proof of the subject's identity in accordance  
2553 with guidelines prescribed by the Chief Court Administrator,  
2554 information pertaining to the record so erased. No [youth] person who  
2555 has been the subject of such an erasure order shall be deemed to have  
2556 been arrested ab initio, within the meaning of the general statutes, with  
2557 respect to proceedings so erased. Copies of the erasure order shall be  
2558 sent to all persons, agencies, officials or institutions known to have  
2559 information pertaining to the proceedings affecting such [youth]  
2560 person.

2561 Sec. 39. Section 18-100i of the general statutes is repealed and the  
2562 following is substituted in lieu thereof (*Effective from passage*):

2563 [(a)] The Commissioner of Correction, at the commissioner's  
2564 discretion, may release an inmate from the commissioner's custody,

2565 except an inmate convicted of a capital felony under the provisions of  
2566 section 53a-54b in effect prior to April 25, 2012, or murder with special  
2567 circumstances under the provisions of section 53a-54b in effect on or  
2568 after April 25, 2012, for placement in a licensed community-based  
2569 nursing home under contract with the state for the purpose of  
2570 providing palliative and end-of-life care to the inmate if the medical  
2571 director of the Department of Correction determines that the inmate is  
2572 suffering from a terminal condition, disease or syndrome, or is so  
2573 debilitated or incapacitated by a terminal condition, disease or  
2574 syndrome as to (1) require continuous palliative or end-of-life care, or  
2575 (2) be physically incapable of presenting a danger to society.

2576 [(b) The Commissioner of Correction may require as a condition of  
2577 release under subsection (a) of this section that the medical director  
2578 conduct periodic medical review and diagnosis of the inmate during  
2579 such release. An inmate released pursuant to subsection (a) of this  
2580 section shall be returned to the custody of the Commissioner of  
2581 Correction if the medical director determines that the inmate no longer  
2582 meets the criteria for release under subsection (a) of this section.]

2583 [(c)] Any inmate released from the custody of the Commissioner of  
2584 Correction pursuant to [subsection (a) of] this section shall be  
2585 supervised in the community by the Department of Correction.

2586 Sec. 40. (NEW) (*Effective from passage*) The Criminal Justice Policy  
2587 and Planning Division, established pursuant to section 4-68m of the  
2588 general statutes within the Office of Policy and Management, shall  
2589 publish monthly statistics on its Internet web site on the number and  
2590 types of transfers made from the docket for juvenile matters to the  
2591 regular criminal docket of the Superior Court pursuant to section 46b-  
2592 127 of the general statutes, as amended by this act.

2593 Sec. 41. (NEW) (*Effective from passage*) (a) There is established an  
2594 Eyewitness Identification Task Force to study issues concerning  
2595 eyewitness identification in criminal investigations and the use of

2596 sequential live and photo lineups. The task force shall examine: (1) The  
2597 science of sequential methods of conducting a live lineup and a photo  
2598 lineup, (2) the use of sequential lineups in other states, (3) the practical  
2599 implications of a state law mandating sequential lineups, (4) such other  
2600 topics as the task force deems appropriate relating to eyewitness  
2601 identification and the provision of sequential lineups, and (5) emerging  
2602 scientific, social and technical issues relating to law enforcement  
2603 agencies as determined by the task force.

2604 (b) The task force shall consist of the following members or their  
2605 designees: The chairpersons and ranking members of the joint  
2606 standing committee of the General Assembly on the judiciary; the  
2607 Chief State's Attorney; the Chief Public Defender; the Victim Advocate;  
2608 an active or retired judge appointed by the Chief Justice of the  
2609 Supreme Court; a municipal police chief appointed by the president of  
2610 the Connecticut Police Chiefs Association; a representative of the  
2611 Police Officer Standards and Training Council; a representative of the  
2612 State Police Training School appointed by the Commissioner of  
2613 Emergency Services and Public Protection; a representative of the  
2614 criminal defense bar appointed by the president of the Connecticut  
2615 Criminal Defense Lawyers Association; a representative from the  
2616 Connecticut Innocence Project; and six public members, including the  
2617 dean of a law school located in this state and a social scientist,  
2618 appointed one each by the president pro tempore of the Senate, the  
2619 speaker of the House of Representatives, the majority leader of the  
2620 Senate, the majority leader of the House of Representatives, the  
2621 minority leader of the Senate and the minority leader of the House of  
2622 Representatives.

2623 (c) The task force may solicit and accept gifts, donations, grants or  
2624 funds from any public or private source to assist the task force in  
2625 carrying out its duties.

2626 (d) The task force shall meet at such times and at such places as it  
2627 deems proper.

2628 (e) On or before January 1, 2017, and before each January first  
 2629 thereafter, the task force shall report its findings and recommendations  
 2630 to the joint standing committee of the General Assembly on the  
 2631 judiciary in accordance with section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2017</i>	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>from passage</i>	New section
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
Sec. 40	<i>from passage</i>	New section
Sec. 41	<i>from passage</i>	New section