



General Assembly

Amendment

February Session, 2016

LCO No. 5351



Offered by:
REP. WALKER, 93rd Dist.

To: Subst. House Bill No. 5642 File No. 616 Cal. No. 382

**"AN ACT CONCERNING THE RECOMMENDATIONS OF THE
JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 46b-133 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2017*):

5 (a) Nothing in this part shall be construed as preventing the arrest of
6 a child, with or without a warrant, as may be provided by law, or as
7 preventing the issuance of warrants by judges in the manner provided
8 by section 54-2a, except that no child shall be taken into custody on
9 such process except on apprehension in the act, or on speedy
10 information, or in other cases when the use of such process appears
11 imperative. Whenever a child is arrested and charged with a [crime]
12 delinquent act, such child may be required to submit to the taking of
13 his photograph, physical description and fingerprints.
14 Notwithstanding the provisions of section 46b-124, the name,
15 photograph and custody status of any child arrested for the

16 commission of a capital felony under the provisions of section 53a-54b
17 in effect prior to April 25, 2012, or class A felony may be disclosed to
18 the public.

19 (b) Whenever a child is brought before a judge of the Superior
20 Court, which court shall be the court that has jurisdiction over juvenile
21 matters where the child resides if the residence of such child can be
22 determined, such judge shall immediately have the case proceeded
23 upon as a juvenile matter. Such judge may admit the child to bail or
24 release the child in the custody of the child's parent or parents, the
25 child's guardian or some other suitable person to appear before the
26 Superior Court when ordered. If detention becomes necessary, such
27 detention shall be in the manner prescribed by this chapter, provided
28 the child shall be placed in the least restrictive environment possible in
29 a manner consistent with public safety.

30 (c) Upon the arrest of any child by an officer, such officer may (1)
31 release the child to the custody of the child's parent or parents,
32 guardian or some other suitable person or agency, (2) at the discretion
33 of the officer, release the child to the child's own custody, or (3) seek a
34 court order to detain the child in a juvenile detention center. No child
35 [shall] may be placed in detention unless [it appears from] a judge of
36 the Superior Court determines, based on the available facts, that (A)
37 there is probable cause to believe that the child has committed the acts
38 alleged, (B) there is no less restrictive alternative available, and (C)
39 there is [(A) a strong probability that the child will run away prior to
40 the court hearing or disposition, (B) a strong probability that the child
41 will commit or attempt to commit other offenses injurious to the child
42 or to the community prior to the court disposition, (C) probable cause
43 to believe that the child's continued residence in the child's home
44 pending disposition poses a risk to the child or the community because
45 of the serious and dangerous nature of the act or acts the child is
46 alleged to have committed, (D) a need to hold the child for another
47 jurisdiction, (E) a need to hold the child to assure the child's
48 appearance before the court, in view of the child's previous failure to
49 respond to the court process, or (F) a finding by the court that the child

50 has violated one or more of the conditions of a suspended detention
51 order] (i) probable cause to believe that the child will pose a risk to
52 public safety if released to the community prior to the court hearing or
53 disposition, (ii) a need to hold the child in order to ensure the child's
54 appearance before the court, as demonstrated by the child's previous
55 failure to respond to the court process, or (iii) a need to hold the child
56 for another jurisdiction. No child shall be held in any detention center
57 unless an order to detain is issued by a judge of the Superior Court.

58 (d) (1) When a child is arrested for the commission of a delinquent
59 act and the child is not placed in detention or referred to a
60 diversionary program, an officer shall serve a written complaint and
61 summons on the child and the child's parent, guardian or some other
62 suitable person or agency. If such child is released to the child's own
63 custody, the officer shall make reasonable efforts to notify, and to
64 provide a copy of a written complaint and summons to, the parent or
65 guardian or some other suitable person or agency prior to the court
66 date on the summons. If any person so summoned wilfully fails to
67 appear in court at the time and place so specified, the court may issue a
68 warrant for the child's arrest or a *capias* to assure the appearance in
69 court of such parent, guardian or other person. If a child wilfully fails
70 to appear in response to such a summons, the court may order such
71 child taken into custody and such child may be charged with the
72 delinquent act of wilful failure to appear under section 46b-120, as
73 amended by this act. The court may punish for contempt, as provided
74 in section 46b-121, as amended by this act, any parent, guardian or
75 other person so summoned who wilfully fails to appear in court at the
76 time and place so specified.

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

81 (e) [The court or detention supervisor may turn such child over to a
82 youth service program created for such purpose, if such course is

83 practicable, or] When a child is arrested for the commission of a
84 delinquent act and is placed in detention pursuant to subsection (c) of
85 this section, such child may be detained pending a hearing which shall
86 be held on the business day next following the child's arrest. No child
87 [shall] may be detained after such hearing [or held in detention
88 pursuant to a court order unless it appears from] unless the court
89 determines, based on the available facts, that (A) there is probable
90 cause to believe that the child has committed the acts alleged, (B) there
91 is no less restrictive alternative available, and [that] (C) through the
92 use of the detention risk assessment instrument developed pursuant to
93 section 2 of this act, that there is [(1) a strong probability that the child
94 will run away prior to the court hearing or disposition, (2) a strong
95 probability that the child will commit or attempt to commit other
96 offenses injurious to the child or to the community prior to the court
97 disposition, (3) probable cause to believe that the child's continued
98 residence in the child's home pending disposition poses a risk to the
99 child or the community because of the serious and dangerous nature of
100 the act or acts the child is alleged to have committed, (4) a need to hold
101 the child for another jurisdiction, (5) a need to hold the child to assure
102 the child's appearance before the court, in view of the child's previous
103 failure to respond to the court process, or (6) a finding by the court that
104 the child has violated one or more of the conditions of a suspended
105 detention order] (i) probable cause to believe that the child will pose a
106 risk to public safety if released to the community prior to the court
107 hearing or disposition; (ii) a need to hold the child in order to ensure
108 the child's appearance before the court, as demonstrated by the child's
109 previous failure to respond to the court process, or (iii) a need to hold
110 the child for another jurisdiction. Such probable cause may be shown
111 by sworn affidavit in lieu of testimony. No child shall be released from
112 detention who is alleged to have committed a serious juvenile offense
113 except by order of a judge of the Superior Court. The court may, in its
114 discretion, consider as an alternative to detention a suspended
115 detention order with graduated sanctions to be imposed based on the
116 detention risk assessment for such child, using the instrument
117 developed pursuant to section 2 of this act. Any child confined in a

118 community correctional center or lockup shall be held in an area
119 separate and apart from any adult detainee, except in the case of a
120 nursing infant, and no child shall at any time be held in solitary
121 confinement. When a female child is held in custody, she shall, as far
122 as possible, be in the charge of a woman attendant.

123 (f) The police officer who brings a child into detention shall have
124 first notified, or made a reasonable effort to notify, the parents or
125 guardian of the child in question of the intended action and shall file at
126 the detention center a signed statement setting forth the alleged
127 delinquent conduct of the child [. Unless the arrest was] and the order
128 to detain such child. Upon admission, the child shall be administered
129 the detention risk assessment instrument developed pursuant to
130 section 2 of this act, and unless the child was arrested for a serious
131 juvenile offense or unless an order not to release is noted on the take
132 into custody order, arrest warrant or order to detain, the child may be
133 released [by a detention supervisor] to the custody of the child's parent
134 or parents, guardian or some other suitable person or agency in
135 accordance with policies adopted by the Court Support Services
136 Division of the Judicial Department pursuant to section 3 of this act.

137 (g) In conjunction with any order of release from detention, the
138 court may, when it has reason to believe a child is alcohol-dependent
139 or drug-dependent as defined in section 46b-120, as amended by this
140 act, and where necessary, reasonable and appropriate, order the child
141 to participate in a program of periodic alcohol or drug testing and
142 treatment as a condition of such release. The results of any such
143 alcohol or drug test shall be admissible only for the purposes of
144 enforcing the conditions of release from detention.

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

150 (i) Whenever a child is subject to a court order to take such child
151 into custody, or other process issued pursuant to this section or section
152 46b-140a, the Judicial Branch may cause the order or process to be
153 entered into a central computer system in accordance with policies and
154 procedures established by the Chief Court Administrator. The
155 existence of the order or process in the computer system shall
156 constitute prima facie evidence of the issuance of the order or process.
157 Any child named in the order or process may be arrested or taken into
158 custody based on the existence of the order or process in the computer
159 system and, if the order or process directs that such child be detained,
160 the child shall be held in a juvenile detention center.

161 (j) In the case of any child held in detention, the order to detain such
162 child shall be for a period that does not exceed seven days or until the
163 dispositional hearing is held, whichever is shorter, unless, following a
164 detention review hearing, such order is renewed for a period that does
165 not exceed seven days or until the dispositional hearing is held,
166 whichever is shorter.

167 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than January 1,
168 2017, the Court Support Services Division of the Judicial Department
169 shall develop and implement a detention risk assessment instrument
170 to be used to determine, based on the risk level, whether there is: (1)
171 Probable cause to believe that a child will pose a risk to public safety if
172 released to the community prior to the court hearing or disposition, or
173 (2) a need to hold the child in order to ensure the child's appearance
174 before the court, as demonstrated by the child's previous failure to
175 respond to the court process. Such instrument shall be used when
176 assessing whether a child should be detained pursuant to section 46b-
177 133 of the general statutes, as amended by this act. Any detention
178 screening shall be subject to the protections of subsection (l) of section
179 46b-124 of the general statutes, as amended by this act.

180 (b) When a child is presented before the court and it appears from
181 the available facts there is probable cause to believe the child has
182 violated a valid court order, the court, after administering the

183 detention risk assessment instrument, may order the child to
184 participate in nonresidential programs for intensive wraparound
185 services, community-based residential services for short-term respite
186 or other services and interventions the court deems appropriate.

187 Sec. 3. (NEW) (*Effective from passage*) Not later than January 1, 2017,
188 the Court Support Services Division of the Judicial Department shall
189 adopt policies and procedures setting out the parameters under which
190 Court Support Services Division staff may release a child from
191 detention pursuant to subsection (f) of section 46b-133 of the general
192 statutes, as amended by this act. The division may update such
193 parameters at such times as the division deems necessary.

194 Sec. 4. Subsection (l) of section 46b-124 of the general statutes is
195 repealed and the following is substituted in lieu thereof (*Effective*
196 *January 1, 2017*):

197 (l) Notwithstanding the provisions of subsection (d) of this section,
198 any information concerning a child that is obtained during any
199 detention screening or mental health screening or assessment of such
200 child, during the provision of services pursuant to subsection (b) of
201 section 46b-149, or during the performance of an educational
202 evaluation pursuant to subsection (e) of section 46b-149, shall be used
203 solely for planning and treatment purposes and shall otherwise be
204 confidential and retained in the files of the entity providing such
205 services or performing such screening, assessment or evaluation. Such
206 information may be further disclosed only for the purposes of any
207 court-ordered evaluation or treatment of the child or provision of
208 services to the child, or pursuant to sections 17a-101 to 17a-101e,
209 inclusive, 17b-450, 17b-451 or 51-36a. Any information concerning a
210 child that is obtained during the administration of the detention
211 screening instrument in accordance with section 46b-133, as amended
212 by this act, shall be used solely for the purpose of making a
213 recommendation to the court regarding the detention of the child. Such
214 information shall not be subject to subpoena or other court process for
215 use in any other proceeding or for any other purpose.

216 Sec. 5. (NEW) (*Effective from passage*) (a) Not later than October 1,
217 2016, the executive director of the Court Support Services Division of
218 the Judicial Department and the Commissioner of Children and
219 Families shall jointly develop a plan for the provision of community-
220 based services to children who are diverted or released from detention
221 under the provisions of chapter 815t of the general statutes. Such plan
222 shall be informed by the comprehensive behavioral health
223 implementation plan developed pursuant to section 17a-22bb of the
224 general statutes, and shall address the needs of the child, concerning
225 (1) behavioral health, (2) intervention in the case of family violence, as
226 defined in section 46b-38a of the general statutes, and (3) identification
227 and means of resolution of precipitating behavioral factors that may be
228 exhibited by a child who may run away. Such services may include,
229 but need not be limited to, assessment centers, intensive care
230 coordination and respite beds. The executive director and the
231 commissioner shall jointly implement such plan not later than July 1,
232 2017.

233 (b) Not later than January 1, 2017, the executive director and the
234 commissioner shall jointly report, in accordance with the provisions of
235 section 11-4a of the general statutes, on the implementation of the plan
236 pursuant to subsection (a) of this section, to the Juvenile Justice Policy
237 and Oversight Committee established pursuant to section 46b-121n of
238 the general statutes, as amended by this act.

239 Sec. 6. Subdivision (1) of subsection (b) of section 46b-121 of the
240 general statutes is repealed and the following is substituted in lieu
241 thereof (*Effective October 1, 2016*):

242 (b) (1) In juvenile matters, the Superior Court shall have authority to
243 make and enforce such orders directed to parents, including any
244 person who acknowledges before the court paternity of a child born
245 out of wedlock, guardians, custodians or other adult persons owing
246 some legal duty to a child [or youth] therein, as the court deems
247 necessary or appropriate to secure the welfare, protection, proper care
248 and suitable support of a child [or youth] subject to the court's

249 jurisdiction or otherwise committed to or in the custody of the
250 Commissioner of Children and Families. The Superior Court may
251 order a local or regional board of education to provide to the court
252 educational records of a child [or youth] for the purpose of
253 determining the need for services or placement of the child [or youth].
254 In proceedings concerning a child charged with a delinquent act or
255 with being from a family with service needs, records produced subject
256 to such an order shall be maintained under seal by the court and shall
257 be released only after a hearing or with the consent of the child.
258 Educational records obtained pursuant to this section shall be used
259 only for dispositional purposes. In addition, with respect to
260 proceedings concerning delinquent children, the Superior Court shall
261 have authority to make and enforce such orders as the court deems
262 necessary or appropriate to [~~punish the child~~] provide individualized
263 supervision, care, accountability and treatment to such child in a
264 manner consistent with public safety, deter the child from the
265 commission of further delinquent acts, [~~assure~~] ensure that the child is
266 responsive to the court process, ensure that the safety of any other
267 person will not be endangered and provide restitution to any victim.
268 The Superior Court shall also have authority to grant and enforce
269 temporary and permanent injunctive relief in all proceedings
270 concerning juvenile matters.

271 Sec. 7. Subdivision (5) of section 46b-120 of the general statutes is
272 repealed and the following is substituted in lieu thereof (*Effective*
273 *August 15, 2017*):

274 (5) "Family with service needs" means a family that includes a child
275 who is at least seven years of age and is under eighteen years of age
276 who (A) has without just cause run away from the parental home or
277 other properly authorized and lawful place of abode, (B) is beyond the
278 control of the child's or youth's parent, parents, guardian or other
279 custodian, (C) has engaged in indecent or immoral conduct, or (D) [is a
280 truant or habitual truant or who, while in school, has been
281 continuously and overtly defiant of school rules and regulations, or
282 (E)] is thirteen years of age or older and has engaged in sexual

283 intercourse with another person and such other person is thirteen
284 years of age or older and not more than two years older or younger
285 than such child [or youth];

286 Sec. 8. Section 10-198a of the 2016 supplement to the general statutes
287 is repealed and the following is substituted in lieu thereof (*Effective*
288 *August 15, 2017*):

289 (a) For purposes of this section and sections 10-198c and 10-220,
290 "truant" means a child age five to eighteen, inclusive, who is enrolled
291 in a public or private school and has four unexcused absences from
292 school in any one month or ten unexcused absences from school in any
293 school year.

294 (b) Each local and regional board of education shall adopt and
295 implement policies and procedures concerning truants who are
296 enrolled in schools under the jurisdiction of such board of education.
297 Such policies and procedures shall include, but need not be limited to,
298 the following: (1) The holding of a meeting with the parent of each
299 child who is a truant, or other person having control of such child, and
300 appropriate school personnel to review and evaluate the reasons for
301 the child being a truant, provided such meeting shall be held not later
302 than ten school days after the child's fourth unexcused absence in a
303 month or tenth unexcused absence in a school year, (2) coordinating
304 services with and referrals of children to community agencies
305 providing child and family services, (3) annually at the beginning of
306 the school year and upon any enrollment during the school year,
307 notifying the parent or other person having control of each child
308 enrolled in a grade from kindergarten to eight, inclusive, in the public
309 schools in writing of the obligations of the parent or such other person
310 pursuant to section 10-184, (4) annually at the beginning of the school
311 year and upon any enrollment during the school year, obtaining from
312 the parent or other person having control of each child in a grade from
313 kindergarten to eight, inclusive, a telephone number or other means of
314 contacting such parent or such other person during the school day, (5)
315 on or before August 15, 2018, the implementation of a truancy

316 intervention model identified by the Department of Education
317 pursuant to section 9 of this act for any school under its jurisdiction
318 that has a disproportionately high rate of truancy, as determined by
319 the Commissioner of Education, and [(5)] (6) a system of monitoring
320 individual unexcused absences of children in grades kindergarten to
321 eight, inclusive, which shall provide that whenever a child enrolled in
322 school in any such grade fails to report to school on a regularly
323 scheduled school day and no indication has been received by school
324 personnel that the child's parent or other person having control of the
325 child is aware of the pupil's absence, a reasonable effort to notify, by
326 telephone and by mail, the parent or such other person shall be made
327 by school personnel or volunteers under the direction of school
328 personnel. [Such mailed notice shall include a warning that two
329 unexcused absences from school in a month or five unexcused
330 absences in a school year may result in a complaint filed with the
331 Superior Court pursuant to section 46b-149 alleging the belief that the
332 acts or omissions of the child are such that the child's family is a family
333 with service needs.] Any person who, in good faith, gives or fails to
334 give notice pursuant to subdivision [(5)] (6) of this subsection shall be
335 immune from any liability, civil or criminal, which might otherwise be
336 incurred or imposed and shall have the same immunity with respect to
337 any judicial proceeding which results from such notice or failure to
338 give such notice.

339 [(c) If the parent or other person having control of a child who is a
340 truant fails to attend the meeting held pursuant to subdivision (1) of
341 subsection (b) of this section or if such parent or other person
342 otherwise fails to cooperate with the school in attempting to solve the
343 truancy problem, such policies and procedures shall require the
344 superintendent of schools to file, not later than fifteen calendar days
345 after such failure to attend such meeting or such failure to cooperate
346 with the school attempting to solve the truancy problem, for each such
347 truant enrolled in the schools under his jurisdiction a written
348 complaint with the Superior Court pursuant to section 46b-149 alleging
349 the belief that the acts or omissions of the child are such that the child's

350 family is a family with service needs.]

351 [(d)] (c) Nothing in subsections (a) [to (c), inclusive,] and (b) of this
352 section shall preclude a local or regional board of education from
353 adopting policies and procedures pursuant to this section which
354 exceed the requirements of said subsections.

355 [(e)] (d) The provisions of this section shall not apply to any child
356 receiving equivalent instruction pursuant to section 10-184.

357 [(f)] (e) A child, age five to eighteen, inclusive, who is enrolled in a
358 public or private school and whose parent or legal guardian is an
359 active duty member of the armed forces, as defined in section 27-103,
360 and has been called to duty for, is on leave from or has immediately
361 returned from deployment to a combat zone or combat support
362 posting, shall be granted ten days of excused absences in any school
363 year and, at the discretion of the local or regional board of education,
364 additional excused absences to visit such child's parent or legal
365 guardian with respect to such leave or deployment of the parent or
366 legal guardian. In the case of excused absences pursuant to this
367 subsection, such child and parent or legal guardian shall be
368 responsible for obtaining assignments from the student's teacher prior
369 to any period of excused absence, and for ensuring that such
370 assignments are completed by such child prior to his or her return to
371 school from such period of excused absence.

372 Sec. 9. (NEW) (*Effective from passage*) The Department of Education
373 shall identify effective truancy intervention models for implementation
374 by local and regional boards of education pursuant to subsection (b) of
375 section 10-198a of the general statutes, as amended by this act. Not
376 later than August 15, 2017, a listing of such approved models shall be
377 available for implementation by local and regional boards of education
378 pursuant to said subsection (b).

379 Sec. 10. Section 7-294h of the general statutes is repealed and the
380 following is substituted in lieu thereof (*Effective January 1, 2017*):

381 On and after ~~[July 1, 1990]~~ January 1, 2017: (1) Each police basic or
382 field training program conducted or administered by the Division of
383 State Police within the Department of Emergency Services and Public
384 Protection shall provide a minimum of twenty-seven hours of training
385 relative to the handling of juvenile matters which includes, but is not
386 limited to, the following: (A) Techniques for handling incidents
387 involving juveniles; (B) information relative to the processing and
388 disposition of juvenile matters; (C) applicable procedures in the
389 prosecution of cases involving juveniles; [and] (D) information
390 regarding resources of the juvenile justice system in the state; (E) the
391 use of graduated sanctions; (F) techniques for handling trauma; (G)
392 restorative justice practices; (H) adolescent development; (I) risk-
393 assessment and screening tools; and (J) emergency mobile psychiatric
394 services; (2) each police basic or field training program conducted or
395 administered by the Police Officer Standards and Training Council
396 established under section 7-294b or by a municipal police department
397 in the state shall provide a minimum of fourteen hours of training
398 relative to the handling of juvenile matters as provided in subdivision
399 (1) of this section; and (3) each police review training program
400 conducted or administered by the Division of State Police within the
401 Department of Emergency Services and Public Protection, by the Police
402 Officer Standards and Training Council established under section 7-
403 294b or by a municipal police department in the state shall provide a
404 minimum of one hour of training relative to the handling of juvenile
405 matters as provided in subdivision (1) of this section.

406 Sec. 11. (NEW) (*Effective from passage*) Not later than August 15,
407 2017, the Departments of Education, Children and Families and Mental
408 Health and Addiction Services and the Court Support Services of the
409 Judicial Department shall develop a plan that includes cost options for
410 school-based diversion initiatives to reduce juvenile justice
411 involvement among children with mental health needs to be
412 introduced into schools and school districts with high rates of school-
413 based arrests, disproportionate minority contact, as defined in section
414 4-68y of the general statutes, and a high number of juvenile justice

415 referrals, as determined by the Commissioner of Education.

416 Sec. 12. Section 10-233d of the 2016 supplement to the general
417 statutes is repealed and the following is substituted in lieu thereof
418 (*Effective August 15, 2017*):

419 (a) (1) Any local or regional board of education, at a meeting at
420 which three or more members of such board are present, or the
421 impartial hearing board established pursuant to subsection (b) of this
422 section, may expel, subject to the provisions of this subsection, any
423 pupil in grades three to twelve, inclusive, whose conduct on school
424 grounds or at a school-sponsored activity is violative of a publicized
425 policy of such board or is seriously disruptive of the educational
426 process or endangers persons or property or whose conduct off school
427 grounds is violative of such policy and is seriously disruptive of the
428 educational process, provided a majority of the board members sitting
429 in the expulsion hearing vote to expel and that at least three
430 affirmative votes for expulsion are cast. In making a determination as
431 to whether conduct is seriously disruptive of the educational process,
432 the board of education or impartial hearing board may consider, but
433 such consideration shall not be limited to: (A) Whether the incident
434 occurred within close proximity of a school; (B) whether other students
435 from the school were involved or whether there was any gang
436 involvement; (C) whether the conduct involved violence, threats of
437 violence or the unlawful use of a weapon, as defined in section 29-38,
438 and whether any injuries occurred; and (D) whether the conduct
439 involved the use of alcohol.

440 (2) Expulsion proceedings pursuant to this section, except as
441 provided in subsection (i) of this section, shall be required for any
442 pupil in grades kindergarten to twelve, inclusive, whenever there is
443 reason to believe that any pupil (A) on school grounds or at a school-
444 sponsored activity, was in possession of a firearm, as defined in 18
445 USC 921, as amended from time to time, or deadly weapon, dangerous
446 instrument or martial arts weapon, as defined in section 53a-3, (B) off
447 school grounds, did possess such a firearm in violation of section 29-35

448 or did possess and use such a firearm, instrument or weapon in the
449 commission of a crime under chapter 952, or (C) on or off school
450 grounds, offered for sale or distribution a controlled substance, as
451 defined in subdivision (9) of section 21a-240, whose manufacture,
452 distribution, sale, prescription, dispensing, transporting or possessing
453 with intent to sell or dispense, offering, or administering is subject to
454 criminal penalties under sections 21a-277 and 21a-278. Such a pupil
455 shall be expelled for one calendar year if the local or regional board of
456 education or impartial hearing board finds that the pupil did so
457 possess or so possess and use, as appropriate, such a firearm,
458 instrument or weapon or did so offer for sale or distribution such a
459 controlled substance, provided the board of education or the hearing
460 board may modify the period of expulsion for a pupil on a case-by-
461 case basis, and as provided for in subdivision (2) of subsection (c) of
462 this section.

463 (3) Unless an emergency exists, no pupil shall be expelled without a
464 formal hearing held pursuant to sections 4-176e to 4-180a, inclusive,
465 and section 4-181a, provided whenever such pupil is a minor, the
466 notice required by section 4-177 and section 4-180 shall also be given to
467 the parents or guardian of the pupil at least five business days before
468 such hearing. If an emergency exists, such hearing shall be held as
469 soon after the expulsion as possible. The notice shall include
470 information concerning the parent's or guardian's and the pupil's legal
471 rights and concerning legal services provided free of charge or at a
472 reduced rate that are available locally and how to access such services.
473 An attorney or other advocate may represent any pupil subject to
474 expulsion proceedings. The parent or guardian of the pupil shall have
475 the right to have the expulsion hearing postponed for up to one week
476 to allow time to obtain representation, except that if an emergency
477 exists, such hearing shall be held as soon after the expulsion as
478 possible.

479 (b) For purposes of conducting expulsion hearings as required by
480 subsection (a) of this section, any local or regional board of education
481 or any two or more of such boards in cooperation may establish an

482 impartial hearing board of one or more persons. No member of any
483 such board or boards shall be a member of the hearing board. The
484 hearing board shall have the authority to conduct the expulsion
485 hearing and render a final decision in accordance with the provisions
486 of sections 4-176e to 4-180a, inclusive, and section 4-181a.

487 (c) (1) In determining the length of an expulsion and the nature of
488 the alternative educational opportunity to be offered under subsection
489 (d) of this section, the local or regional board of education, or the
490 impartial hearing board established pursuant to subsection (b) of this
491 section, may receive and consider evidence of past disciplinary
492 problems that have led to removal from a classroom, suspension or
493 expulsion of such pupil.

494 (2) For any pupil expelled for the first time pursuant to this section
495 and who has never been suspended pursuant to section 10-233c, except
496 for a pupil who has been expelled based on possession of a firearm or
497 deadly weapon as described in subsection (a) of this section, the local
498 or regional board of education may shorten the length of or waive the
499 expulsion period if the pupil successfully completes a board-specified
500 program and meets any other conditions required by the board. Such
501 board-specified program shall not require the pupil or the parent or
502 guardian of the pupil to pay for participation in the program.

503 (d) [Notwithstanding the provisions of subsection (a) of section 10-
504 220, local and regional boards of education shall only be required to
505 offer an alternative educational opportunity in accordance with this
506 section.] Any pupil under sixteen years of age who is expelled shall be
507 offered an alternative educational opportunity, which shall be
508 equivalent to alternative education, as defined by section 10-74j, with
509 an individualized learning plan, during the period of expulsion,
510 provided any parent or guardian of such pupil who does not choose to
511 have his or her child enrolled in an alternative educational program
512 shall not be subject to the provisions of section 10-184. Any pupil
513 expelled for the first time who is between the ages of sixteen and
514 eighteen and who wishes to continue his or her education shall be

515 offered such an alternative educational opportunity if he or she
516 complies with conditions established by his or her local or regional
517 board of education. Such alternative educational opportunity may
518 include, but shall not be limited to, the placement of a pupil who is at
519 least seventeen years of age in an adult education program pursuant to
520 section 10-69. Any pupil participating in an adult education program
521 during a period of expulsion shall not be required to withdraw from
522 school under section 10-184. A local or regional board of education
523 shall count the expulsion of a pupil when he was under sixteen years
524 of age for purposes of determining whether an alternative educational
525 opportunity is required for such pupil when he is between the ages of
526 sixteen and eighteen. A local or regional board of education may offer
527 an alternative educational opportunity to a pupil for whom such
528 alternative educational opportunity is not required pursuant to this
529 section.

530 [(e) Notwithstanding the provisions of subsection (d) of this section
531 concerning the provision of an alternative educational opportunity for
532 pupils between the ages of sixteen and eighteen, local and regional
533 boards of education shall not be required to offer such alternative to
534 any pupil between the ages of sixteen and eighteen who is expelled
535 because of conduct which endangers persons if it is determined at the
536 expulsion hearing that the conduct for which the pupil is expelled
537 involved (1) possession of a firearm, as defined in 18 USC 921, as
538 amended from time to time, or deadly weapon, dangerous instrument
539 or martial arts weapon, as defined in section 53a-3, on school property
540 or at a school-sponsored activity, or (2) offering for sale or distribution
541 on school property or at a school-sponsored activity a controlled
542 substance, as defined in subdivision (9) of section 21a-240, whose
543 manufacture, distribution, sale, prescription, dispensing, transporting
544 or possessing with the intent to sell or dispense, offering, or
545 administration is subject to criminal penalties under sections 21a-277
546 and 21a-278.]

547 (e) If a pupil is expelled pursuant to this section for possession of a
548 firearm, [or deadly weapon] as defined in 18 USC 921, as amended

549 from time to time, or deadly weapon, dangerous instrument or martial
550 arts weapon, as defined in section 53a-3, the board of education shall
551 report the violation to the local police department or in the case of a
552 student enrolled in a technical high school to the state police. If a pupil
553 is expelled pursuant to this section for the sale or distribution of [such]
554 a controlled substance, as defined in subdivision (9) of section 21a-240,
555 whose manufacture, distribution, sale, prescription, dispensing,
556 transporting or possessing with the intent to sell or dispense, offering,
557 or administration is subject to criminal penalties under sections 21a-
558 277 and 21a-278, the board of education shall refer the pupil to an
559 appropriate state or local agency for rehabilitation, intervention or job
560 training, or any combination thereof, and inform the agency of its
561 action. [Whenever a local or regional board of education notifies a
562 pupil between the ages of sixteen and eighteen or the parents or
563 guardian of such pupil that an expulsion hearing will be held, the
564 notification shall include a statement that the board of education is not
565 required to offer an alternative educational opportunity to any pupil
566 who is found to have engaged in the conduct described in this
567 subsection.]

568 (f) Whenever a pupil is expelled pursuant to the provisions of this
569 section, notice of the expulsion and the conduct for which the pupil
570 was expelled shall be included on the pupil's cumulative educational
571 record. Such notice, except for notice of an expulsion of a pupil in
572 grades nine to twelve, inclusive, based on possession of a firearm or
573 deadly weapon as described in subsection (a) of this section, (1) shall
574 be expunged from the cumulative educational record by the local or
575 regional board of education if a pupil graduates from high school, or
576 (2) may be expunged from the cumulative educational record by the
577 local or regional board of education before a pupil graduates from
578 high school if (A) in the case of a pupil for which the length of the
579 expulsion period is shortened or the expulsion period is waived
580 pursuant to subdivision (2) of subsection (c) of this section, such board
581 determines that an expungement is warranted at the time such pupil
582 completes the board-specified program and meets any other

583 conditions required by such board pursuant to subdivision (2) of
584 subsection (c) of this section, or (B) such pupil has demonstrated to
585 such board that the conduct and behavior of such pupil in the years
586 following such expulsion warrants an expungement. A local or
587 regional board of education, in determining whether to expunge such
588 notice under subparagraph (B) of this subdivision, may receive and
589 consider evidence of any subsequent disciplinary problems that have
590 led to removal from a classroom, suspension or expulsion of such
591 pupil.

592 (g) A local or regional board of education may adopt the decision of
593 a pupil expulsion hearing conducted by another school district
594 provided such local or regional board of education or impartial
595 hearing board shall hold a hearing pursuant to the provisions of
596 subsection (a) of this section which shall be limited to a determination
597 of whether the conduct which was the basis for the expulsion would
598 also warrant expulsion under the policies of such board. The pupil
599 shall be excluded from school pending such hearing. The excluded
600 student shall be offered an alternative educational opportunity in
601 accordance with the provisions of subsections (d) and (e) of this
602 section.

603 (h) Whenever a pupil against whom an expulsion hearing is
604 pending withdraws from school after notification of such hearing but
605 before the hearing is completed and a decision rendered pursuant to
606 this section, (1) notice of the pending expulsion hearing shall be
607 included on the pupil's cumulative educational record, and (2) the
608 local or regional board of education or impartial hearing board shall
609 complete the expulsion hearing and render a decision. If such pupil
610 enrolls in school in another school district, such pupil shall not be
611 excluded from school in the other district pending completion of the
612 expulsion hearing pursuant to this subsection unless an emergency
613 exists, provided nothing in this subsection shall limit the authority of
614 the local or regional board of education for such district to suspend the
615 pupil or to conduct its own expulsion hearing in accordance with this
616 section.

617 (i) Prior to conducting an expulsion hearing for a child requiring
618 special education and related services described in subparagraph (A)
619 of subdivision (5) of section 10-76a, a planning and placement team
620 shall convene to determine whether the misconduct was caused by the
621 child's disability. If it is determined that the misconduct was caused by
622 the child's disability, the child shall not be expelled. The planning and
623 placement team shall reevaluate the child for the purpose of modifying
624 the child's individualized education program to address the
625 misconduct and to ensure the safety of other children and staff in the
626 school. If it is determined that the misconduct was not caused by the
627 child's disability, the child may be expelled in accordance with the
628 provisions of this section applicable to children who do not require
629 special education and related services. Notwithstanding the provisions
630 of subsections (d) and (e) of this section, whenever a child requiring
631 such special education and related services is expelled, an alternative
632 educational opportunity, consistent with such child's educational
633 needs shall be provided during the period of expulsion.

634 (j) An expelled pupil may apply for early readmission to school.
635 Except as provided in this subsection, such readmission shall be at the
636 discretion of the local or regional board of education. The board of
637 education may delegate authority for readmission decisions to the
638 superintendent of schools for the school district. If the board delegates
639 such authority, readmission shall be at the discretion of the
640 superintendent. Readmission decisions shall not be subject to appeal to
641 Superior Court. The board or superintendent, as appropriate, may
642 condition such readmission on specified criteria.

643 (k) Local and regional boards of education shall submit to the
644 Commissioner of Education such information on expulsions for the
645 possession of weapons as required for purposes of the Gun-Free
646 Schools Act of 1994, 20 USC 8921 et seq., as amended from time to
647 time.

648 (l) (1) Any student who commits an expellable offense and is
649 subsequently committed to a juvenile detention center, the Connecticut

650 Juvenile Training School or any other residential placement for such
651 offense may be expelled by a local or regional board of education in
652 accordance with the provisions of this section. The period of expulsion
653 shall run concurrently with the period of commitment to a juvenile
654 detention center, the Connecticut Juvenile Training School or any other
655 residential placement.

656 (2) If a student who committed an expellable offense seeks to return
657 to a school district after [having been] participating in a diversionary
658 program or having been detained in a juvenile detention center, the
659 Connecticut Juvenile Training School or any other residential
660 placement and such student has not been expelled by the local or
661 regional board of education for such offense under subdivision (1) of
662 this subsection, the local or regional board of education for the school
663 district to which the student is returning shall allow such student to
664 return and may not expel the student for additional time for such
665 offense.

666 Sec. 13. (NEW) (*Effective July 1, 2017*) No facility operated by the
667 Department of Children and Families, the Department of Correction or
668 the Court Support Services Division of the Judicial Department shall
669 impose an out-of-school suspension on any child residing in any such
670 facility, provided nothing in this section shall preclude the removal of
671 a child from a classroom for therapeutic purposes.

672 Sec. 14. (NEW) (*Effective from passage*) (a) Not later than August 15,
673 2017, the Departments of Education, Children and Families and
674 Correction and the Judicial Department shall collaborate to develop
675 and submit a plan with an implementation date of not later than
676 August 15, 2018, provided such implementation is within available
677 resources, to the Juvenile Justice Policy and Oversight Committee for
678 assessing and addressing the individualized educational needs and
679 deficiencies of children in the justice system and those reentering the
680 community from public and private juvenile justice and correctional
681 facilities.

682 (b) In developing such plan the departments shall: (1) Research
683 nationally recognized models for effective education programming
684 continuity for children in the justice system and incorporate such
685 models as appropriate into the implementation plan developed
686 pursuant to this section; and (2) consult with local and regional boards
687 of education to identify (A) appropriate assessment tools to be used
688 consistently to measure the educational performance of children who
689 are in the justice system and those transitioning into and out of
690 juvenile justice and correctional facilities, and (B) professional
691 development specifically designed for educators who work with
692 children in the justice system. The departments shall make an oral
693 report to the committee on the progress of such effort in January, 2017.

694 (c) The implementation plan developed pursuant to this section
695 shall include: (1) Increased collaboration, monitoring and
696 accountability among state agencies and between state agencies and
697 local and regional boards of education in order to improve educational
698 service delivery and outcomes for children in the justice system and
699 those transitioning from out-of-state and private juvenile justice and
700 correctional facilities, including the prompt sharing of education
701 records, (2) provide for children involved in the justice system and
702 those transitioning out of public and private juvenile justice and
703 correctional facilities, and a parent or guardian of such children, to
704 have input into education plans developed by the state and local
705 boards of education for such children, (3) the establishment of
706 transition teams to reintegrate children exiting residential facilities by
707 (A) assisting in a timely and effective reconnection with educational
708 and alternative education services provided by the local and regional
709 board of education for the community to which the child reenters, in
710 accordance with section 10-74j of the general statutes, and (B)
711 coordinating the identification and adequate provision of any special
712 education needs of the child, (4) the designation of a reentry liaison for
713 each local or regional board of education to serve the district under the
714 jurisdiction of such board for children returning to the district to
715 expedite the enrollment in the school district, who will provide that

716 any such child receives appropriate academic credit for work
717 performed while in the juvenile justice system pursuant to chapter 815t
718 of the general statutes, and (5) the costs for implementing an array of
719 academic and vocational transitional supports that are supported by
720 research that include, but are not limited to, tutors, educational
721 surrogates, coaches and advocates.

722 Sec. 15. (NEW) (*Effective from passage*) Not later than January 1, 2017,
723 the Department of Children and Families and the Judicial Department
724 shall work with private providers of services to adopt and adhere to an
725 empirically supported recidivism reduction framework for the juvenile
726 justice system pursuant to chapter 815t of the general statutes. Such
727 framework shall: (1) Include risk and needs assessment tools; (2)
728 employ treatment matching protocols that assess the needs of the child
729 and risks such child faces; (3) employ cross-agency measurements of
730 program outcomes and training and quality assurance processes; (4)
731 employ program and practice monitoring and accountability; (5) draw
732 from best and evidence-based practices from an inventory of such
733 practices updated by the departments annually; (6) ensure sufficient
734 contract and quality assurance capacity between agencies and private
735 providers; and (7) ensure shared training between agencies and private
736 providers.

737 Sec. 16. (NEW) (*Effective from passage*) Not later than January 1, 2017,
738 the Department of Children and Families and the Judicial Department
739 shall:

740 (1) Develop, provide and monitor the training of their staffs on
741 policies and practices in secure and congregate care settings that
742 promote deescalation and monitor and track successful and
743 unsuccessful deescalation efforts employed in such settings;

744 (2) Collect baseline data on the number and rate of arrests in secure
745 and congregate care settings based on a child's race and gender and
746 whether the child is considered to be at-risk for recidivism; and

747 (3) Track and analyze the recidivism rates of all children who have

748 involvement with the juvenile justice system.

749 Sec. 17. (NEW) (*Effective January 1, 2017*) The Secretary of the Office
750 of Policy and Management shall track and analyze the rates of
751 recidivism for children in this state.

752 Sec. 18. Section 46b-121n of the 2016 supplement to the general
753 statutes is repealed and the following is substituted in lieu thereof
754 (*Effective from passage*):

755 (a) There is established a Juvenile Justice Policy and Oversight
756 Committee. The committee shall evaluate policies related to the
757 juvenile justice system and the expansion of juvenile jurisdiction to
758 include persons sixteen and seventeen years of age.

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

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

763 (2) The chairpersons and ranking members of the joint standing
764 committees of the General Assembly having cognizance of matters
765 relating to the judiciary, children, human services and appropriations,
766 or their designees;

767 (3) The Chief Court Administrator, or the Chief Court
768 Administrator's designee;

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

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

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

775 (7) The Chief Public Defender, or the Chief Public Defender's

776 designee;

777 (8) The Chief State's Attorney, or the Chief State's Attorney's
778 designee;

779 (9) The Commissioner of Children and Families, or the
780 commissioner's designee;

781 (10) The Commissioner of Correction, or the commissioner's
782 designee;

783 (11) The Commissioner of Education, or the commissioner's
784 designee;

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

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

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

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

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

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

797 (18) Two child or youth advocates, one of whom shall be appointed
798 by one chairperson of the Juvenile Justice Policy and Oversight
799 Committee, and one of whom shall be appointed by the other
800 chairperson of the Juvenile Justice Policy and Oversight Committee;

801 (19) Two parents or parent advocates, at least one of whom is the
802 parent of a child who has been involved with the juvenile justice

803 system, one of whom shall be appointed by the minority leader of the
804 House of Representatives, and one of whom shall be appointed by the
805 minority leader of the Senate;

806 (20) The Victim Advocate, or the Victim Advocate's designee;

807 [(20)] (21) The Child Advocate, or the Child Advocate's designee;
808 and

809 [(21)] (22) The Secretary of the Office of Policy and Management, or
810 the secretary's designee.

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

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

820 (e) Members of the committee shall serve without compensation,
821 except for necessary expenses incurred in the performance of their
822 duties.

823 (f) Not later than January 1, 2015, the committee shall report, in
824 accordance with section 11-4a, to the joint standing committees of the
825 General Assembly having cognizance of matters relating to
826 appropriations, the judiciary, human services and children, and the
827 Secretary of the Office of Policy and Management, regarding the
828 following:

829 (1) Any statutory changes concerning the juvenile justice system
830 that the committee recommends to (A) improve public safety; (B)
831 promote the best interests of children and youths who are under the
832 supervision, care or custody of the Commissioner of Children and

833 Families or the Court Support Services Division of the Judicial
834 Department; (C) improve transparency and accountability with respect
835 to state-funded services for children and youths in the juvenile justice
836 system with an emphasis on goals identified by the committee for
837 community-based programs and facility-based interventions; and (D)
838 promote the efficient sharing of information between the Department
839 of Children and Families and the Judicial Department to ensure the
840 regular collection and reporting of recidivism data and promote public
841 welfare and public safety outcomes related to the juvenile justice
842 system;

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

847 (3) Short-term goals to be met within six months, medium-term
848 goals to be met within twelve months and long-term goals to be met
849 within eighteen months, for the Juvenile Justice Policy and Oversight
850 Committee and state agencies with responsibilities with respect to the
851 juvenile justice system to meet, after considering existing relevant
852 reports related to the juvenile justice system and any related state
853 strategic plan;

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

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

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

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

864 (D) The gaps in services identified by the committee with respect to
865 children and youths involved in the juvenile justice system, including,
866 but not limited to, children and youths who have attained the age of
867 eighteen after being involved in the juvenile justice system, and
868 recommendations to address such gaps in services; and

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

872 (g) Not later than July 1, 2015, the committee shall report, in
873 accordance with section 11-4a, to the joint standing committees of the
874 General Assembly having cognizance of matters relating to
875 appropriations, the judiciary, human services and children, and the
876 Secretary of the Office of Policy and Management, regarding the
877 following:

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

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

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

889 (4) An examination of how the state Department of Education and
890 local boards of education, the Department of Children and Families,
891 the Department of Mental Health and Addiction Services, the Court
892 Support Services Division of the Judicial Department, and other
893 appropriate agencies can work collaboratively through school-based
894 efforts and other processes to reduce the number of children and

895 youths who enter the juvenile justice system; [as a result of being a
896 member of a family with service needs or convicted as delinquent;]

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

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

903 (7) An assessment of the number of children and youths who, after
904 being under the supervision of the Department of Children and
905 Families, are convicted as delinquent; and

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

908 (h) The committee shall complete its duties under this section after
909 consultation with one or more organizations that focus on relevant
910 issues regarding children and youths, such as the University of New
911 Haven and any of the university's institutes. The committee may
912 accept administrative support and technical and research assistance
913 from any such organization. The committee shall work in collaboration
914 with any results first initiative implemented pursuant to section 2-111
915 or any public or special act.

916 (i) The committee shall establish a time frame for review and
917 reporting regarding the responsibilities outlined in subdivision (5) of
918 subsection (f) of this section, and subdivisions (1) to (7), inclusive, of
919 subsection (g) of this section. Each report submitted by the committee
920 shall include specific recommendations to improve outcomes and a
921 timeline by which specific tasks or outcomes must be achieved.

922 (j) The committee shall implement a strategic plan that integrates
923 the short-term, medium-term and long-term goals identified pursuant
924 to subdivision (3) of subsection (f) of this section. As part of the

925 implementation of such plan, the committee shall collaborate with any
926 state agency with responsibilities with respect to the juvenile justice
927 system, including, but not limited to, the Departments of Education,
928 Mental Health and Addiction Services, Correction and Children and
929 Families and the Labor Department and Judicial Department, and
930 municipal police departments. Not later than January 1, 2016, the
931 committee shall report such plan, in accordance with section 11-4a, to
932 the joint standing committees of the General Assembly having
933 cognizance of matters relating to appropriations, the judiciary, human
934 services and children, and the Secretary of the Office of Policy and
935 Management, regarding progress toward the full implementation of
936 such plan and any recommendations concerning the implementation
937 of such identified goals by any state agency with responsibilities with
938 respect to the juvenile justice system or municipal police departments.

939 [(k) The committee shall assess the juvenile justice system and make
940 recommendations, if any, to improve the system. Not later than July 1,
941 2016, July 1, 2017, and July 1, 2018, the committee shall report such
942 assessment and recommendations, in accordance with section 11-4a, to
943 the joint standing committees of the General Assembly having
944 cognizance of matters relating to appropriations, the judiciary, human
945 services and children, and the Secretary of the Office of Policy and
946 Management, regarding the following:

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

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

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

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

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

958 (6) Recidivism tracking and policies and procedures to reduce
959 recidivism;

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

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

966 (9) Oversight and the reduction in the use of restraints for children
967 and youths, and the reduction in the use of seclusion and room
968 confinement in juvenile justice facilities;

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

972 (11) Programs and facilities using restraints or seclusion for children
973 or youths and any data regarding such uses, including, but not limited
974 to, the rate and duration of use for children and youths with
975 disabilities.]

976 (k) Not later than January 1, 2017, the committee shall submit a
977 report, in accordance with section 11-4a, to the joint standing
978 committees of the General Assembly having cognizance of matters
979 relating to appropriations, the judiciary, human services and children
980 and the Secretary of the Office of Policy and Management, regarding a
981 plan that includes cost options for the development of a community-
982 based diversion system. Such plan shall include recommendations to
983 address issues concerning mental health and juvenile justice. The plan
984 shall include recommendations regarding the following:

985 (1) Diversion of children who commit crimes, excluding serious

- 986 juvenile offenses, from the juvenile justice system;
- 987 (2) Identification of services that are evidence-based, trauma-
988 informed and culturally and linguistically appropriate;
- 989 (3) Expansion of the capacity of juvenile review boards to accept
990 referrals from municipal police departments and schools and
991 implement restorative practices;
- 992 (4) Expansion of the provision of prevention, intervention and
993 treatment services by youth service bureaus;
- 994 (5) Expansion of access to in-home and community-based services;
- 995 (6) Identification and expansion of services needed to support
996 children who are truant or exhibiting behaviors defiant of school rules
997 and enhance collaboration between school districts and community
998 providers in order to best serve such children;
- 999 (7) Expansion of the use of memoranda of understanding pursuant
1000 to section 10-233m between local law enforcement agencies and local
1001 and regional boards of education;
- 1002 (8) Expansion of the use of memoranda of understanding between
1003 local and regional boards of education and community providers for
1004 provision of community-based services;
- 1005 (9) Recommendations to ensure that children in the juvenile justice
1006 system have access to a full range of community-based behavioral
1007 health services;
- 1008 (10) Reinvestment of cost savings associated with reduced
1009 incarceration rates for children and increased accessibility to
1010 community-based behavioral health services;
- 1011 (11) Reimbursement policies that incentivize providers to deliver
1012 evidence-based practices to children in the juvenile justice system;
- 1013 (12) Recommendations to promote the use of common behavioral

1014 health screening tools in schools and communities;

1015 (13) Recommendations to ensure that secure facilities operated by
1016 the Department of Children and Families or the Court Support
1017 Services Division of the Judicial Department and private service
1018 providers contracting with said department or division to screen
1019 children in such facilities for behavioral health issues; and

1020 (14) Expansion of service capacities informed by an examination of
1021 grant funds and federal Medicaid reimbursement rates.

1022 (l) The committee shall establish a data working group to develop a
1023 plan for a data integration process to link data related to children
1024 across executive branch agencies, through the Office of Policy and
1025 Management's integrated data system, and the Judicial Department
1026 through the Court Support Services Division, for purposes of
1027 evaluation and assessment of programs, services and outcomes in the
1028 juvenile justice system. Membership of the working group shall
1029 include, but not be limited to, the Commissioners of Children and
1030 Families, Correction, Education and Mental Health and Addiction
1031 Services, or their designees; the Chief State's Attorney, or the Chief
1032 State's Attorney's designee; the Chief Public Defender, or the Chief
1033 Public Defender's designee; the Secretary of the Office of Policy and
1034 Management, or the secretary's designee; and the Chief Court
1035 Administrator of the Judicial Branch, or the Chief Court
1036 Administrator's designee. Such working group shall include persons
1037 with expertise in data development and research design. The plan shall
1038 include cost options and provisions to:

1039 (1) Access relevant data on juvenile justice populations;

1040 (2) Coordinate the handling of data and research requests;

1041 (3) Link the data maintained by executive branch agencies and the
1042 Judicial Department for the purposes of facilitating the sharing and
1043 analysis of data;

1044 (4) Establish provisions for protecting confidential information and
 1045 enforcing state and federal confidentiality protections and ensure
 1046 compliance with related state and federal laws and regulations;

1047 (5) Develop specific recommendations for the committee on the use
 1048 of limited releases of client specific data sharing across systems,
 1049 including with the Office of Policy and Management, the Division of
 1050 Criminal Justice, the Departments of Children and Families, Education
 1051 and Mental Health and Addiction Services, the Judicial Department
 1052 and other agencies; and

1053 (6) Develop a standard template for memoranda of understanding
 1054 for data-sharing between executive branch agencies, the Judicial
 1055 Department, and when necessary, researchers outside of state
 1056 government.

1057 [(l) Not later than July 1, 2015, and quarterly thereafter until
 1058 January 1, 2017, and annually thereafter, the committee shall submit a
 1059 report, in accordance with section 11-4a, to the joint standing
 1060 committees of the General Assembly having cognizance of matters
 1061 relating to appropriations, the judiciary, human services and children,
 1062 and the Secretary of the Office of Policy and Management, regarding
 1063 progress made to achieve goals and measures identified by the
 1064 committee pursuant to this section.]"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2017</i>	46b-133
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>January 1, 2017</i>	46b-124(l)
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2016</i>	46b-121(b)(1)
Sec. 7	<i>August 15, 2017</i>	46b-120(5)
Sec. 8	<i>August 15, 2017</i>	10-198a
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>January 1, 2017</i>	7-294h

Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>August 15, 2017</i>	10-233d
Sec. 13	<i>July 1, 2017</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>January 1, 2017</i>	New section
Sec. 18	<i>from passage</i>	46b-121n