



**Substitute House Bill No. 5041**

**Public Act No. 18-31**

**AN ACT CONCERNING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE AND CONCERNING THE TRANSFER OF JUVENILE SERVICES FROM THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE COURT SUPPORT SERVICES DIVISION OF THE JUDICIAL BRANCH.**

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

Section 1. (NEW) (*Effective from passage*) There shall be a community-based diversion system developed pursuant to subsection (k) of section 46b-121n of the general statutes, as amended by this act.

Sec. 2. (NEW) (*Effective from passage*) There shall be a school-based diversion plan developed pursuant to section 11 of public act 16-147.

Sec. 3. Subsection (g) of section 10-253 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective August 1, 2018*):

(g) (1) For purposes of this subsection, "juvenile detention facility" means a juvenile detention facility operated by, or under contract with, the Judicial Department.

(2) The local or regional board of education for the school district in which a juvenile detention facility is located shall be responsible for the provision of general education and special education and related

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services to children detained in such facility. The provision of general education and special education and related services shall be in accordance with all applicable state and federal laws concerning the provision of educational services. Such board may provide such educational services directly or may contract with public or private educational service providers for the provision of such services. Tuition may be charged to the local or regional board of education under whose jurisdiction the child would otherwise be attending school for the provision of general education and special education and related services. Responsibility for the provision of educational services to the child shall begin on the date of the child's placement in the juvenile detention facility and financial responsibility for the provision of such services shall begin upon the receipt by the child of such services.

(3) The local or regional board of education under whose jurisdiction the child would otherwise be attending school or, if no such board can be identified, the local or regional board of education for the school district in which the juvenile detention facility is located shall be financially responsible for the tuition charged for the provision of educational services to the child in such juvenile detention facility. The State Board of Education shall pay, on a current basis, any costs in excess of such local or regional board of education's prior year's average per pupil costs. If the local or regional board of education under whose jurisdiction the child would otherwise be attending school cannot be identified, the local or regional board of education for the school district in which the juvenile detention facility is located shall be eligible to receive on a current basis from the State Board of Education any costs in excess of such local or regional board of education's prior year's average per pupil costs. Application for the grant to be paid by the state for costs in excess of the local or regional board of education's basic contribution shall be made in accordance with the provisions of subdivision (5) of subsection (e) of section 10-

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(4) The local or regional board of education under whose jurisdiction the child would otherwise be attending school shall be financially responsible for the provision of educational services to the child placed in a juvenile detention facility as provided in subdivision (3) of this subsection notwithstanding that the child has been suspended from school pursuant to section 10-233c, has been expelled from school pursuant to section 10-233d, as amended by this act, or has withdrawn, dropped out or otherwise terminated enrollment from school. Upon notification of such board of education by the educational services provider for the juvenile detention facility, the child shall be reenrolled in the school district where the child would otherwise be attending school or, if no such district can be identified, in the school district in which the juvenile detention facility is located, and provided with educational services in accordance with the provisions of this subsection.

(5) The local or regional board of education under whose jurisdiction the child would otherwise be attending school or, if no such board can be identified, the local or regional board of education for the school district in which the juvenile detention facility is located shall be notified in writing by the Judicial Branch of the child's placement at the juvenile detention facility not later than one business day after the child's placement, notwithstanding any provision of the general statutes. [to the contrary.] The notification shall include the child's name and date of birth, the address of the child's parents or guardian, placement location and contact information, and such other information as is necessary to provide educational services to the child.

(6) Notwithstanding any provision of the general statutes, a child who is enrolled in a school district at the time of placement in a juvenile detention facility shall remain enrolled in that same school district for the duration of his or her detention, unless the child

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voluntarily terminates enrollment, and shall have the right to return to such school district immediately upon discharge from detention into the community.

(7) When a child is not enrolled in a school at the time of placement in a juvenile detention facility:

(A) The child shall be enrolled in the school district where the child would otherwise be attending school not later than three business days after notification is given pursuant to subdivision (4) of this subsection.

(B) If no such district can be identified, the child shall be enrolled in the school district in which the juvenile detention facility is located not later than three business days after the determination is made that no such district can be identified.

(8) Upon learning that a child is to be discharged from a juvenile detention facility, the educational services provider for the juvenile detention facility shall immediately notify the jurisdiction in which the child will continue his or her education after discharge.

[[6]] (9) Prior to the child's discharge from the juvenile detention facility, [an assessment of the school work completed by the child shall be conducted by] the local or regional board of education responsible for the provision of educational services to children in the juvenile detention facility shall conduct an assessment of the school work completed by the child to determine an assignment of academic credit for the work completed. Credit assigned shall be the credit of the local or regional board of education responsible for the provision of the educational services. Credit assigned for work completed by the child shall be accepted in transfer by the local or regional board of education for the school district in which the child continues his or her education after discharge from the juvenile detention facility.

Sec. 4. Section 10-253 of the 2018 supplement to the general statutes

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is amended by adding subsection (h) as follows (*Effective from passage*):

(NEW) (h) (1) On or before August 1, 2018, each eligible school district shall designate and maintain at least one employee as a liaison to facilitate transitions between the school district and the juvenile and criminal justice systems.

(2) The designation required under subdivision (1) of this subsection shall be made by providing the Court Support Services Division of the Judicial Branch with written notice, on or before August first annually, of the name and professional title of and the contact information for such liaison.

(3) In each district, the liaison shall assist the school district, the Court Support Services Division of the Judicial Branch and any relevant educational service providers in ensuring that:

(A) All persons under twenty-two years of age in justice system custody are promptly evaluated for eligibility for special education services, pursuant to section 17a-65 and any other applicable law;

(B) Students in justice system custody and returning to the community from justice system custody are promptly enrolled in school pursuant to this section and section 10-186;

(C) Students in justice system custody and returning to the community from justice system custody receive appropriate credit for school work completed in custody, pursuant to this section or section 10-220h;

(D) All relevant school records for students who enter justice system custody and who return to the community from justice system custody are promptly transferred to the appropriate school district or educational service provider, pursuant to section 10-220h.

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(4) For purposes of this subsection:

(A) An "eligible school district" means a school district that enrolled at least six thousand students during the school year ending June 30, 2017.

(B) "Justice system custody" means physical or legal custody or control of a child in a facility or program run by or contracted with the Department of Correction, or the Court Support Services Division of the Judicial Branch, either pending or pursuant to an adjudication or conviction for a delinquent act or criminal offense.

(C) "Child" means child, as defined in section 46b-120, as amended by this act, or any other person under eighteen years of age.

Sec. 5. (NEW) (*Effective from passage*) (a) Not later than January 1, 2019, the board of the technical high school system and the superintendent of the technical high school system shall develop and submit a plan to address vocational, technical and technological education, training and work experience for children in post-conviction justice system custody. The plan shall provide that the education, training and work experience provided shall, at a minimum, ensure that each such child has the opportunity to earn at least one credit to meet high school graduation requirements under section 10-221a of the general statutes. The plan may be incorporated into the biennial report required under section 10-95k of the general statutes, and shall be separately submitted to the joint standing committee of the General Assembly having cognizance of matters relating to education in accordance with the provisions of section 11-4a of the general statutes and to the Juvenile Justice Policy and Oversight Committee established pursuant to section 46b-121n of the general statutes, as amended by this act.

(b) For the purposes of this section:

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(1) "Post-conviction justice system custody" means physical or legal custody or control of a child in a facility or program run by or contracted with the Department of Correction, or the Court Support Services Division of the Judicial Branch, pursuant to an adjudication or conviction for a delinquent act or criminal offense; and

(2) "Child" means child, as defined in section 10-253 of the general statutes, as amended by this act.

Sec. 6. (NEW) (*Effective from passage*) (a) Not later than January 1, 2020, the Department of Education shall develop and implement a plan to incentivize and support school district participation in a state-wide information technology platform that allows real-time sharing of educational records among schools and school districts state wide.

(b) Not later than February 1, 2019, the Commissioner of Education shall provide information on progress made towards the development and implementation of the plan required under subsection (a) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes, and to the Juvenile Justice Policy and Oversight Committee established pursuant to section 46b-121n of the general statutes, as amended by this act.

Sec. 7. Section 46b-121n of the general statutes is amended by adding subsections (m) to (q), inclusive, as follows (*Effective from passage*):

(NEW) (m) (1) The committee shall periodically request, receive and review information regarding conditions of confinement, including services available, for persons under eighteen years of age detained at the John R. Manson Youth Institution, Cheshire.

(2) Not later than October 1, 2018, the committee shall submit a report, in accordance with section 11-4a, to the joint standing

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committees of the General Assembly having cognizance of matters relating to appropriations, the judiciary, human services and children and the Secretary of the Office of Policy and Management on current conditions of confinement, including services available, for persons under eighteen years of age who are detained or incarcerated in correctional facilities, juvenile secure facilities and other out-of-home placements in the juvenile and criminal justice systems. The report shall include, but need not be limited to, a description of any gaps in services and the continued availability and utilization of mental health, education, rehabilitative and family engagement services.

(NEW) (n) Not later than January 1, 2020, the committee shall submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations, the judiciary, human services and children and the Secretary of the Office of Policy and Management regarding a juvenile justice reinvestment plan. The report shall include a study and make recommendations for the reinvestment of savings realized from the decreased use of incarceration and congregate care towards strategic investments in home-based, school-based and community-based behavioral health services and supports for children diverted from, or involved with, the juvenile justice system.

(NEW) (o) Not later than January 1, 2019, and annually thereafter, the Department of Correction and the Court Support Services Division of the Judicial Branch shall report to the committee on compliance with the provisions of section 46b-126a. Such reports shall present indicia of compliance in both state facilities and those facilities managed by a private provider under contract with the state, and shall include data on all persons under eighteen years of age who have been removed or excluded from educational settings as a result of alleged behavior occurring in those educational settings.

(NEW) (p) Not later than January 1, 2019, and annually thereafter,



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all state agencies that detain or otherwise hold in custody a person under eighteen years of age involved with the juvenile justice or criminal justice system, or that contract for the housing of any person involved with the juvenile justice or criminal justice system under eighteen years of age, shall report to committee on compliance with the provisions of section 46b-121p. Such reports shall include indicia of compliance in both direct-run and contract facilities, and shall include data on all rearrests and uses of confinements and restraints for youth in justice system custody, as defined in section 10-253, as amended by this act.

(NEW) (q) Not later than July 1, 2018, the committee shall convene a subcommittee to develop a detailed plan concerning the overall coordination, oversight, supervision, and direction of all vocational and academic education services and programs for children in justice system custody, and the provision of education-related transitional support services for children returning to the community from justice system custody. The subcommittee shall consist of:

- (1) One person designated by the Commissioner of Education;
- (2) One person designated by the executive director of the Court Support Services Division of the Judicial Branch;
- (3) One person designated by the Bridgeport School District;
- (4) One person designated by the Hartford School District;
- (5) One person designated by the Commissioner of Correction;
- (6) One person who is an expert in state budgeting and who can assist the subcommittee in obtaining data on relevant expenditures and available resources, designated by the Secretary of the Office of Policy and Management;

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(7) Three persons, who are experts with significant career experience in providing and coordinating education in justice-system settings and who are not employees of the state of Connecticut, designated by the chairpersons of the Juvenile Justice Oversight and Planning Committee; and

(8) Two persons representing the interests of students and families, one designated by the executive director of an organization in this state with the mission of stopping the criminalization of this state's children and one designated by the executive director of an organization in this state that advocates for legal rights for the most vulnerable children in this state.

(A) The plan developed pursuant to this subsection shall include, but need not be limited to:

(i) Identification of a single state agency and designation of a program manager within that agency who will be responsible for planning, coordination, oversight, supervision, quality control, legal compliance and allocation of relevant federal and state funds for children in justice system custody;

(ii) A detailed description of how educational services will be provided to children in justice system custody and how education-related supports will be provided to children during transition out of justice system custody, either directly by the single state agency identified by the plan pursuant to clause (i) of this subparagraph or through a state-wide contract with a single nonprofit provider;

(iii) An analysis of resources expended for educating children in justice system custody and for supporting educational success during transitions out of justice system custody, and recommendations for consolidating and reallocating resources towards the oversight, accountability, services and supports provided for in the plan

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pursuant to this subsection;

(iv) Provisions for ensuring that a range of pathways to educational and economic opportunity are available for children in justice system custody, including at a minimum a traditional high school diploma program, an accelerated credit recovery program, vocational training programs and access to post-secondary educational options;

(v) Specifications for a state-wide accountability and quality control system for schools that serve children in justice system custody. The accountability and quality control system shall include, but need not be limited to:

(I) A specialized school profile and performance report, to be produced annually for each school that serves children in justice system custody. The profiles and performance reports shall be consistent with other accountability systems required by law and shall include criteria and metrics tailored to measuring the quality of schools that serve children in justice system custody. Such metrics shall include, but need not be limited to: Student growth in reading and math; credit accumulation; modified graduation rates and high school equivalent passage rates; school attendance, defined as the percentage of children who are actually physically present in classrooms for school and educational programs; the percentage of students pursuing a high school diploma, an industry-based certification, a recognized high school diploma equivalent, credits for advanced courses and post-secondary education programs; performance in educating children with exceptionalities, including identification of special education needs, the development of best-practices for individualized education programs and the provision of services and supports mandated by individualized education programs; student reenrollment in school or other educational or vocational training programs after leaving justice system custody; student success in post-release high school, post-secondary education,

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or job-training programs; and compliance with the protocols for support of educational transitions delineated in clause (vi) of this subparagraph;

(II) Identifying achievement benchmarks for each measurement of school quality;

(III) Written standards for educational quality for schools that serve children in custody;

(IV) A program for quality control and evaluation of schools serving children in custody. The program shall include, but need not be limited to, in-person observation and monitoring of each school serving children in justice system custody. The monitoring shall occur at least annually, and shall be conducted by experts in special education and education in justice-system settings;

(V) Provisions for ensuring that each school serving children in justice system custody seeks and obtains external accreditation by a recognized accrediting agency; and

(VI) A set of supports, interventions and remedies that shall be implemented when a school serving children in justice system custody falls consistently or significantly short of quality benchmarks;

(vi) Provisions for ensuring that the state-wide education system for children in justice system custody includes:

(I) The engagement of one or more curriculum development specialists to support learning in schools serving children in justice system custody and to develop a flexible, high-interest, modular curriculum that is aligned with state standards and adapted to the context of educating children in justice system custody;

(II) The engagement of one or more professional development and

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teacher training specialists to support teachers in schools that serve children in justice system custody; and

(III) The engagement of professional reentry coordinators to support educational success in children returning to the community from justice system custody;

(vii) A protocol for educational support of children transitioning into, and out of, justice system custody. The protocol shall include, but need not be limited to:

(I) Team-based reentry planning for every child in justice system custody;

(II) Clear and ambitious timelines for transfer of educational records at intake and release from justice system custody; and

(III) Timelines for reenrollment and credit transfer;

(viii) Recommendations for any legislation that may be necessary or appropriate to implement the provisions of the plan developed pursuant to this subsection; and

(ix) A timeline for implementation of the plan developed pursuant to this subsection.

(B) The plan developed pursuant to this subsection shall be submitted on or before January 1, 2020, to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

(C) For purposes of this subsection: "Justice system custody" means justice system custody, as defined in section 10-253, as amended by this act; "school" means any program or institution, or any project or unit thereof, that provides any academic or vocational education programming for any children in justice system custody; and "child"

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means child, as defined in section 10-253, as amended by this act.

Sec. 8. (NEW) (*Effective July 1, 2018*) (a) On July 1, 2018, the Judicial Branch shall assume legal authority over any child, as defined in section 46b-120 of the general statutes, as amended by this act, who is committed to the Department of Children and Families as a delinquent child, as described in subdivision (4) of section 46b-120 of the general statutes, as amended by this act, as of June 30, 2018, pursuant to an order of the superior court for juvenile matters entered prior to July 1, 2018. Notwithstanding any provision of the general statutes or regulations adopted thereunder or any public or special act, the Court Support Services Division of the Judicial Branch shall thereupon assume the responsibility for the supervision of each such child, and may exercise such powers, duties and functions regarding each such child as set forth in chapter 815t of the general statutes.

(b) Until further order of the court pursuant to subsection (c) of this section, any such child described in subsection (a) of this section shall be deemed to be on probation pursuant to section 46b-140 of the general statutes, as amended by this act, for a maximum period not to exceed the period remaining under the delinquency commitment to the Commissioner of Children and Families as of June 30, 2018, and the conditions of parole supervision that the child was subject to on that date shall become interim conditions of probation supervision.

(c) Not later than October 1, 2018, the superior court for juvenile matters shall conduct an in-court review to determine whether the interim conditions of probation supervision shall continue or be modified for the remainder of the period of probation supervision. The court shall give notice to any identified victim of the time and date of any such in-court review. Following the in-court review, the court may order that the interim conditions of probation supervision remain in effect without modification until the end of the period of probation supervision or it may modify such conditions for good cause shown

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pursuant to section 46b-140a of the general statutes, as amended by this act. Notwithstanding any provision of the general statutes, such period of probation shall not extend beyond the period remaining under the commitment to the Commissioner of Children and Families as of June 30, 2018.

Sec. 9. (NEW) (*Effective July 1, 2018*) The Chief Court Administrator, or his or her designee, shall act as administrator of the Interstate Compact for Juveniles under section 46b-151h of the general statutes.

Sec. 10. Section 4b-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

As used in this section, section 4b-1 and sections 4b-56 to 4b-59, inclusive, unless the context clearly requires otherwise:

(1) "Commissioner" means the Commissioner of Administrative Services;

(2) "Consultant" means (A) any architect, professional engineer, landscape architect, land surveyor, accountant, interior designer, environmental professional or construction administrator, who is registered or licensed to practice such person's profession in accordance with the applicable provisions of the general statutes, or (B) any planner or financial specialist;

(3) "Consultant services" includes those professional services rendered by architects, professional engineers, landscape architects, land surveyors, accountants, interior designers, environmental professionals, construction administrators, planners or financial specialists, as well as incidental services that members of these professions and those in their employ are authorized to perform;

(4) "Firm" means any individual, partnership, corporation, joint venture, association or other legal entity (A) authorized by law to

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practice the profession of architecture, landscape architecture, engineering, land surveying, accounting, interior design, environmental or construction administration, or (B) practicing the profession of planning or financial specialization;

(5) "Priority higher education facility project" means any project which is part of a state program to repair, renovate, enlarge, equip, purchase or construct (A) instructional facilities, (B) academic core facilities, including library, research and laboratory facilities, (C) student residential or related student dining facilities, or (D) utility systems related to such projects, which are or will be operated under the jurisdiction of the board of trustees of any constituent unit of the state system of higher education, except The University of Connecticut provided the project is included in the comprehensive facilities master plan of the constituent unit in the most recent state facility plan of the Office of Policy and Management pursuant to section 4b-23;

(6) "Project" means any state program requiring consultant services if the cost of such services is estimated to exceed five hundred thousand dollars;

(7) "Selection panel" or "panel" means the State Construction Services Selection Panel established pursuant to subsection (a) of section 4b-56 or, in the case of a Connecticut Health and Education Facilities Authority project pursuant to section 10a-186a, means the Connecticut Health and Education Facilities Authority Construction Services Panel established pursuant to subsection (c) of section 4b-56;

(8) "User agency" means the state department or agency requesting the project or the agency for which such project is being undertaken pursuant to law;

(9) "Community court project" means (A) any project to renovate and improve a facility designated for the community court established



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pursuant to section 51-181c, and (B) the renovation and improvement of other state facilities required for the relocation of any state agency resulting from the placement of the community court;

[(10) "Connecticut Juvenile Training School project" means a project (A) to develop on a designated site new facilities for a Connecticut Juvenile Training School in Middletown including, but not limited to, preparing a feasibility study for, designing, constructing, reconstructing, improving or equipping said facility for use by the Department of Children and Families, which is an emergency project because there is an immediate need for completion of said project to remedy overcrowding at Long Lane School; said school shall have an annual average daily population of not more than two hundred forty residents; or (B) to develop a separate facility for girls including, but not limited to, acquiring of land or buildings, designing, constructing, reconstructing, improving or equipping said facility for use by the Department of Children and Families;]

[(11)] (10) "Downtown Hartford higher education center project" means a project to develop a higher education center, as defined in subparagraph (B) of subdivision (2) of section 32-600, and as described in subsection (a) of section 32-612, for the regional community-technical college system;

[(12)] (11) "Correctional facility project" means any project (A) which is part of a state program to repair, renovate, enlarge or construct facilities which are or will be operated by the Department of Correction, and (B) for which there is an immediate need for completion in order to remedy prison and jail overcrowding; and

[(13)] (12) "Juvenile detention center project" means any project (A) which is part of a state program to repair, renovate, enlarge or construct juvenile detention centers which are or will be operated by the Judicial Department, and (B) for which there is an immediate need

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for completion in order to remedy overcrowding.

Sec. 11. Subsection (a) of section 4b-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) (1) Except in the case of a project, a priority higher education facility project, a project, as defined in subdivision (16) of section 10a-109c, undertaken by The University of Connecticut, a community court project, a correctional facility project, a juvenile detention center project, and the downtown Hartford higher education center project, the commissioner shall negotiate a contract for consultant services with the firm most qualified, in the commissioner's judgment, at compensation which the commissioner determines is both fair and reasonable to the state. (2) In the case of a project, the commissioner shall negotiate a contract for such services with the most qualified firm from among the list of firms submitted by the panel at compensation which the commissioner determines in writing to be fair and reasonable to the state. If the commissioner is unable to conclude a contract with any of the firms recommended by the panel, the commissioner shall, after issuing written findings of fact documenting the reasons for such inability, negotiate with those firms which the commissioner determines to be most qualified, at fair and reasonable compensation, to render the particular consultant services under consideration. (3) Whenever consultant services are required for a priority higher education facility project, a project involving the construction, repair or alteration of a building or premises under the supervision of the Office of the Chief Court Administrator or property where the Judicial Department is the primary occupant, a community court project, a correctional facility project, a juvenile detention center project, or the downtown Hartford higher education center project, the commissioner shall select and interview at least three consultants or firms and shall negotiate a contract for consultant services with the

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firm most qualified, in the commissioner's judgment, at compensation which the commissioner determines is both fair and reasonable to the state. [ , except that if, in the opinion of the commissioner, the Connecticut Juvenile Training School project needs to be expedited in order to meet the needs of the Department of Children and Families, the commissioner may waive such selection requirement.] Except for the downtown Hartford higher education center project, the commissioner shall notify the State Properties Review Board of the commissioner's action not later than five business days after such action for its approval or disapproval in accordance with subsection (i) of section 4b-23, except that if, not later than fifteen days after such notice, a decision has not been made, the board shall be deemed to have approved such contract.

Sec. 12. Subsection (l) of section 10-233d of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(l) (1) Any student who commits an expellable offense and is subsequently [committed to] placed in a juvenile detention center [ , the Connecticut Juvenile Training School] or any other residential placement for such offense may be expelled by a local or regional board of education in accordance with the provisions of this section. The period of expulsion shall run concurrently with the period of [commitment to] placement in a juvenile detention center [ , the Connecticut Juvenile Training School or any] or other residential placement.

(2) If a student who committed an expellable offense seeks to return to a school district after participating in a diversionary program or having been [detained] placed in a juvenile detention center [ , the Connecticut Juvenile Training School] or any other residential placement and such student has not been expelled by the local or regional board of education for such offense under subdivision (1) of

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this subsection, the local or regional board of education for the school district to which the student is returning shall allow such student to return and may not expel the student for additional time for such offense.

Sec. 13. Subsection (b) of section 10-233k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(b) The Department of Children and Families and the Judicial Department or the local or regional board of education shall provide to the superintendent of schools any educational records within their custody of a child seeking to enter or return to a school district from a juvenile detention center [, the Connecticut Juvenile Training School,] or any other residential placement [.] prior to the child's entry or return. The agencies shall also require any contracting entity that holds custody of such records to provide them to the superintendent of schools prior to the child's entry or return. Receipt of the educational records shall not delay a child from enrolling in school. The superintendent of schools shall provide such information to the principal at the school the child will be attending. The principal shall disclose such information to appropriate staff as is necessary to the education or care of the child.

Sec. 14. Subsection (a) of section 12-19a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) Until the fiscal year commencing July 1, 2016, on or before January first, annually, the Secretary of the Office of Policy and Management shall determine the amount due, as a state grant in lieu of taxes, to each town in this state wherein state-owned real property, reservation land held in trust by the state for an Indian tribe, a municipally owned airport, or any airport owned by the Connecticut

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Airport Authority, other than Bradley International Airport, except that which was acquired and used for highways and bridges, but not excepting property acquired and used for highway administration or maintenance purposes, is located. The grant payable to any town under the provisions of this section in the state fiscal year commencing July 1, 1999, and each fiscal year thereafter, shall be equal to the total of (1) (A) one hundred per cent of the property taxes which would have been paid with respect to any facility designated by the Commissioner of Correction, on or before August first of each year, to be a correctional facility administered under the auspices of the Department of Correction or a juvenile detention center under direction of the [Department of Children and Families] Court Support Services Division of the Judicial Branch that was used for incarcerative purposes during the preceding fiscal year. If a list containing the name and location of such designated facilities and information concerning their use for purposes of incarceration during the preceding fiscal year is not available from the Secretary of the State on the first day of August of any year, said commissioner shall, on said first day of August, certify to the Secretary of the Office of Policy and Management a list containing such information, (B) one hundred per cent of the property taxes which would have been paid with respect to that portion of the John Dempsey Hospital located at The University of Connecticut Health Center in Farmington that is used as a permanent medical ward for prisoners under the custody of the Department of Correction. Nothing in this section shall be construed as designating any portion of The University of Connecticut Health Center John Dempsey Hospital as a correctional facility, and (C) in the state fiscal year commencing July 1, 2001, and each fiscal year thereafter, one hundred per cent of the property taxes which would have been paid on any land designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation on or after June 8, 1999, (2) subject to the provisions of subsection (c) of this section, sixty-five per cent of the

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property taxes which would have been paid with respect to the buildings and grounds comprising Connecticut Valley Hospital in Middletown. Such grant shall commence with the fiscal year beginning July 1, 2000, and continuing each year thereafter, (3) notwithstanding the provisions of subsections (b) and (c) of this section, with respect to any town in which more than fifty per cent of the property is state-owned real property, one hundred per cent of the property taxes which would have been paid with respect to such state-owned property. Such grant shall commence with the fiscal year beginning July 1, 1997, and continuing each year thereafter, (4) subject to the provisions of subsection (c) of this section, forty-five per cent of the property taxes which would have been paid with respect to all other state-owned real property, (5) forty-five per cent of the property taxes which would have been paid with respect to all municipally owned airports or any airport owned by the Connecticut Airport Authority, other than Bradley International Airport, except for the exemption applicable to such property, on the assessment list in such town for the assessment date two years prior to the commencement of the state fiscal year in which such grant is payable. The grant provided pursuant to this section for any municipally owned airport or any airport owned by the Connecticut Airport Authority, other than Bradley International Airport, shall be paid to any municipality in which the airport is located, except that the grant applicable to Sikorsky Airport shall be paid half to the town of Stratford and half to the city of Bridgeport, and (6) forty-five per cent of the property taxes which would have been paid with respect to any land designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation prior to June 8, 1999, or taken into trust by the federal government for the Mohegan Tribe of Indians of Connecticut, provided (A) the real property subject to this subdivision shall be the land only, and shall not include the assessed value of any structures, buildings or other improvements on such land, and (B) said forty-five per cent grant shall

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be phased in as follows: (i) In the fiscal year commencing July 1, 2012, an amount equal to ten per cent of said forty-five per cent grant, (ii) in the fiscal year commencing July 1, 2013, thirty-five per cent of said forty-five per cent grant, (iii) in the fiscal year commencing July 1, 2014, sixty per cent of said forty-five per cent grant, (iv) in the fiscal year commencing July 1, 2015, eighty-five per cent of said forty-five per cent grant, and (v) in the fiscal year commencing July 1, 2016, one hundred per cent of said forty-five per cent grant.

Sec. 15. Subdivision (6) of section 17a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(6) "Youth" means [a youth, as defined in section 46b-120] any person sixteen or seventeen years of age who has not been legally emancipated;

Sec. 16. Subsection (a) of section 17a-3 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) The department shall plan, create, develop, operate or arrange for, administer and evaluate a comprehensive and integrated state-wide program of services, including preventive services, for children and youths whose behavior does not conform to the law or to acceptable community standards, or who are mentally ill, including deaf and hard of hearing children and youths who are mentally ill, emotionally disturbed, substance abusers, [delinquent,] abused, neglected or uncared for, including all children and youths who are or may be committed to it by any court, and all children and youths voluntarily admitted to, or remaining voluntarily under the supervision of, the commissioner for services of any kind. Services shall not be denied to any such child or youth solely because of other complicating or multiple disabilities. The department shall work in

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cooperation with other child-serving agencies and organizations to provide or arrange for preventive programs, including, but not limited to, teenage pregnancy and youth suicide prevention, for children and youths and their families. The program shall provide services and placements that are clinically indicated and appropriate to the needs of the child or youth. [, except that such services and placements shall not commence or continue for a delinquent child who has attained the age of twenty.] In furtherance of this purpose, the department shall: (1) [Maintain the Connecticut Juvenile Training School and other appropriate facilities exclusively for delinquents; (2) develop] Develop a comprehensive program for prevention of problems of children and youths and provide a flexible, innovative and effective program for the placement, care and treatment of children and youths committed by any court to the department, transferred to the department by other departments, or voluntarily admitted to the department; [(3)] (2) provide appropriate services to families of children and youths as needed to achieve the purposes of sections 17a-1 to 17a-26, inclusive, as amended by this act, 17a-28 to 17a-49, inclusive, as amended by this act, and 17a-51; [(4)] (3) establish incentive paid work programs for children and youths under the care of the department and the rates to be paid such children and youths for work done in such programs and may provide allowances to children and youths in the custody of the department; [(5)] (4) be responsible to collect, interpret and publish statistics relating to children and youths within the department; [(6)] (5) conduct studies of any program, service or facility developed, operated, contracted for or supported by the department in order to evaluate its effectiveness; [(7)] (6) establish staff development and other training and educational programs designed to improve the quality of departmental services and programs, which shall include, but not be limited to, training in the prevention, identification and effects of family violence, provided no social worker trainee shall be assigned a case load prior to completing training, and may establish educational or training programs for children, youths, parents or other



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interested persons on any matter related to the promotion of the well-being of children, or the prevention of mental illness, emotional disturbance [, delinquency] and other disabilities in children and youths; [(8)] (7) develop and implement aftercare and follow-up services appropriate to the needs of any child or youth under the care of the department; [(9)] (8) establish a case audit unit to monitor each regional office's compliance with regulations and procedures; [(10)] (9) develop and maintain a database listing available community service programs funded by the department; [(11)] (10) provide outreach and assistance to persons caring for children whose parents are unable to do so by informing such persons of programs and benefits for which they may be eligible; and [(12)] (11) collect data sufficient to identify the housing needs of children served by the department and share such data with the Department of Housing.

Sec. 17. Subsection (a) of section 17a-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) There shall be a State Advisory Council on Children and Families which shall consist of nineteen members as follows: (1) Thirteen members appointed by the Governor, including two persons who are child care professionals, two persons eighteen to twenty-five years of age, inclusive, served by the Department of Children and Families, one child psychiatrist licensed to practice medicine in this state and one attorney who has expertise in legal issues related to children and youth and seven persons who shall be representative of young persons, parents and others interested in the delivery of services to children and youths, including child protection, behavioral health [, juvenile justice] and prevention services, at least four of whom shall be parents, foster parents or family members of children who have received, or are receiving, behavioral health services [,] or child welfare services; [or juvenile services;] and (2) six members representing the

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regional advisory councils established pursuant to section 17a-30, appointed one each by the members of each council. On and after October 1, 2014, no more than half the members of the council shall be persons who receive income from a private practice or any public or private agency that delivers mental health, substance abuse, child abuse prevention and treatment [ ] or child welfare services. [or juvenile services.] Members of the council shall serve without compensation, except for necessary expenses incurred in the performance of their duties. The Department of Children and Families shall provide the council with funding to facilitate the participation of those members representing families and youth, as well as for other administrative support services. Members shall serve on the council for terms of two years each and no member shall serve for more than three consecutive terms. The commissioner shall be an ex-officio member of the council without vote and shall attend its meetings. Any member who fails to attend three consecutive meetings or fifty per cent of all meetings during any calendar year shall be deemed to have resigned. The council shall elect a chairperson and vice-chairperson to act in the chairperson's absence.

Sec. 18. Section 17a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

The commissioner, or the commissioner's designee, shall:

(a) Establish or contract for the use of a variety of facilities and services for identification, evaluation, discipline, rehabilitation, aftercare, treatment and care of children and youths in need of the department's services;

(b) Administer in a coordinated and integrated manner all institutions and facilities which are or may come under the jurisdiction of the department and shall appoint advisory groups for any such institution or facility;

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(c) Encourage the development of programs and the establishment of facilities for children and youths by public or private agencies and groups;

(d) Enter into cooperative arrangements with public or private agencies outside the state;

(e) Insure that all children under the commissioner's supervision have adequate food, clothing, shelter and adequate medical, dental, psychiatric, psychological, social, religious and other services;

(f) Provide, in the commissioner's discretion, needed service to any municipality, agency, or person, whether or not such person is committed to the commissioner;

(g) Adopt and enforce regulations and establish rules for the internal operation and administration of the department in accordance with chapter 54;

(h) Undertake, contract for or otherwise stimulate research concerning children and youths;

(i) Subject to the provisions of chapter 67, appoint such professional, technical and other personnel as may be necessary for the efficient operation of the department;

(j) Coordinate the activities of the department with those of other state departments, municipalities and private agencies concerned with providing services for children and youths and their families;

[(k) Act as administrator of the Interstate Compact for Juveniles under section 46b-151h;]

[(l)] (k) Provide or arrange for the provision of suitable education for every child under the commissioner's supervision, either in public schools, special educational programs, private schools, educational

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programs within the institutions or facilities under the commissioner's jurisdiction, or work and training programs otherwise provided by law. The suitability of educational programs provided by the commissioner shall be subject to review by the Department of Education;

[(m)] (l) Submit to the state advisory council for its comment proposals for new policies or programs and the proposed budget for the department;

[(n)] (m) Have any and all other powers and duties as are necessary to administer the department and implement the purposes of sections 17a-1 to 17a-26, inclusive, as amended by this act, and 17a-28 to 17a-49, inclusive, as amended by this act; and

[(o)] (n) Conduct and render a final decision in administrative hearings. [; and]

[(p) Provide programs for juvenile offenders that are gender specific in that they comprehensively address the unique needs of a targeted gender group.]

Sec. 19. Subsection (b) of section 17a-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(b) A child or youth voluntarily admitted to the department shall be deemed to be within the care of the commissioner until such admission is terminated. The commissioner shall terminate the admission of any child or youth voluntarily admitted to the department within ten days after receipt of a written request for termination from a parent or guardian of any child under fourteen years of age or from a child if such child is fourteen years of age or older, or youth, unless prior to the expiration of that time the commissioner has sought and received from the Superior Court an order of temporary custody as provided by

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law. Except as provided in subsection (i) of this section, the commissioner may terminate the admission of any child or youth voluntarily admitted to the department after (1) giving reasonable notice in writing to (A) the parent or guardian of any child or youth, and (B) the child, if such child is fourteen years of age or older, or youth, and (2) if the commissioner has previously petitioned the Probate Court pursuant to subsection (c) of this section, providing notice to the Probate Court of such petition. Any child or youth admitted voluntarily to the department may be placed in, or transferred to, any resource, facility or institution within the department or available to the commissioner, [except the Connecticut Juvenile Training School,] provided the commissioner shall give written notice to such child or youth and to the parent or guardian of the child of the commissioner's intention to make a transfer at least ten days prior to any actual transfer, unless written notice is waived by those entitled to receive it, or unless an emergency commitment of such child or youth is made pursuant to section 17a-502. Any child or youth admitted voluntarily to the department may be transferred to the supervision of the Department of Mental Health and Addiction Services or the Department of Developmental Services, in collaboration with the commissioner of the department to which the child is transferred. The Commissioner of Children and Families shall provide written notice of his or her intention to make a transfer at least ten days prior to any actual transfer to a child fourteen years of age or older, or youth, and to the parent or guardian of the child or youth being transferred. If the department has previously filed a petition with the Probate Court under subsection (c) of this section, the commissioner shall provide notice of such petition to the court. The Commissioner of Children and Families may continue to provide services to the child or youth in collaboration with the department to which the child or youth has been transferred or may terminate the voluntary services if, in the commissioner's discretion, the department to which the child or youth has been transferred provides adequate

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services. The commissioner shall provide written notice of his or her intention to terminate services following a transfer to another department to a child fourteen years of age or older, or youth, and to the parent or guardian of such child or youth. If the department has previously filed a petition with the Probate Court under subsection (c) of this section, the commissioner shall provide notice of such petition to the court.

Sec. 20. Section 17a-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) When the commissioner, or the commissioner's designee, determines that a change of program is in the best interest of any child or youth committed or transferred to the department, the commissioner or the commissioner's designee may transfer such person to any appropriate resource or program administered by or available to the department, to any other state department or agency, or to any private agency or organization within or without the state under contract with the department. [; provided no child or youth voluntarily admitted to the department under section 17a-11 shall be placed or subsequently transferred to the Connecticut Juvenile Training School; and further provided no transfer shall be made to any institution, hospital or facility under the jurisdiction of the Department of Correction, except as authorized by section 18-87, unless it is so ordered by the Superior Court after a hearing. When, in the opinion of the commissioner, or the commissioner's designee, a person fourteen years of age or older is dangerous to himself or herself or others or cannot be safely held at the Connecticut Juvenile Training School, if a male, or at any other facility within the state available to the Commissioner of Children and Families, the commissioner, or the commissioner's designee, may request an immediate hearing before the Superior Court on the docket for juvenile matters where such person was originally committed to determine whether such person

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shall be transferred to the John R. Manson Youth Institution, Cheshire, if a male, or the York Correctional Institution, if a female. The court shall, within three days of the hearing, make such determination. If the court orders such transfer, the transfer shall be reviewed by the court every six months thereafter to determine whether it should be continued or terminated, unless the commissioner has already exercised the powers granted to the commissioner under section 17a-13 by removing such person from the John R. Manson Youth Institution, Cheshire or the York Correctional Institution. Such transfer shall terminate upon the expiration of the commitment in such juvenile matter.]

(b) [Any delinquent child, if a male, may be placed at any time in the Connecticut Juvenile Training School.] The commissioner may transfer any child or youth committed to the commissioner to any institution, hospital or facility for mentally ill children under the commissioner's jurisdiction for a period not to exceed fifteen days if the need for such emergency treatment is certified by a psychiatrist licensed to practice medicine by the state.

Sec. 21. Section 17a-32 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) The name of the Department of Children and Families facility at Connecticut Valley Hospital in the city of Middletown shall be the Albert J. Solnit Children's Center - South Campus.

[(b) The name of the Department of Children and Families facility in the city of Middletown shall be the Connecticut Juvenile Training School.]

[(c)] (b) The name of the Department of Children and Families facility in the town of East Windsor shall be the Albert J. Solnit Children's Center - North Campus.

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[(d)] (c) The name of the Department of Children and Families facility in the town of Hartland shall be the Wilderness School.

Sec. 22. Section 17a-185 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

Any officer of the state police or of an organized municipal police department may transport, with the sole written consent of the person transported, any person over sixteen years of age and less than eighteen years of age who appears to be away from home without permission of such person's parents or guardian or who appears to be suffering from lack of food, shelter or medical care to any public or private facility, provided institutions of the Department of Correction [the Connecticut Juvenile Training School] and local police detention facilities shall not be used for such purpose. The person or organization to whom such person is transported shall, if practicable, inform such person's parent or guardian of such person's whereabouts within twelve hours. Such procedure shall be civil in nature, shall not constitute an arrest and shall be made solely for the purpose of safeguarding the interests and welfare of such person.

Sec. 23. Section 18-87 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

The Commissioner of Correction may transfer any inmate of any of the institutions of the Department of Correction to any other appropriate state institution with the concurrence of the superintendent of such institution or to the [Department of Children and Families] Court Support Services Division of the Judicial Branch when the Commissioner of Correction finds that the welfare or health of the inmate requires it. When an inmate, after the expiration of his or her sentence, is committed to or otherwise remains in the institution to which he or she was transferred, the expense of his or her treatment and support shall be paid as provided by sections 17b-122, 17b-124 to



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17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b, and 17b-743 to 17b-747, inclusive. No transfer of any person who has attained the age of eighteen years shall be made to the [Department of Children and Families] Court Support Services Division of the Judicial Branch. No transfer of any person who has not attained the age of eighteen years shall be made to the [Department of Children and Families unless the Commissioner of Children and Families] Court Support Services Division of the Judicial Branch unless the executive director of the Court Support Services Division of the Judicial Branch finds that such person would benefit from a transfer to the [Department of Children and Families] Court Support Services Division of the Judicial Branch and agrees to accept such person and such person has given [his] such person's written consent to such transfer. Such person transferred to the [Department of Children and Families] Court Support Services Division of the Judicial Branch shall be deemed to be committed to the custody of the [Commissioner of Children and Families. The Commissioner of Children and Families] executive director of the Court Support Services Division of the Judicial Branch. The executive director of the Court Support Services Division of the Judicial Branch shall have the power to terminate the commitment and release such person at any time [he] the executive director of the Court Support Services Division of the Judicial Branch determines such termination and release would be in such person's best interest, and shall have the power to return such person to the jurisdiction of the Commissioner of Correction. The transfer of any person under this section to the [Department of Children and Families] the Court Support Services Division of the Judicial Branch shall not result in the person so transferred being in the custody of the Commissioner of Correction and the [Commissioner of Children and Families] executive director of the Court Support Services Division of the Judicial Branch for a total of less than the minimum or more than the maximum term [he] such person would

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have been in the custody of the Commissioner of Correction had [he] such person not been so transferred.

Sec. 24. Subsection (b) of section 22a-1f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(b) Environmental impact evaluations shall not be required for [the Connecticut Juvenile Training School project, as defined in section 4b-55, and] the extension of [such] the project otherwise known as the Connecticut River Interceptor Sewer Project, or a project, as defined in subdivision (16) of section 10a-109c, which involves the conversion of an existing structure for educational rather than office or commercial use.

Sec. 25. Section 46b-120 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

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

(1) "Child" means any person under eighteen years of age who has not been legally emancipated, except that (A) for purposes of delinquency matters and proceedings, "child" means any person who (i) is at least seven years of age at the time of the alleged commission of a delinquent act and who is (I) under eighteen years of age and has not been legally emancipated, or (II) eighteen years of age or older and committed a delinquent act prior to attaining eighteen years of age, or (ii) is subsequent to attaining eighteen years of age, (I) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to a delinquency proceeding, or (II) wilfully fails to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing in a

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delinquency proceeding of which the child had notice, and (B) for purposes of family with service needs matters and proceedings, child means a person who is at least seven years of age and is under eighteen years of age;

[(2) "Youth" means any person sixteen or seventeen years of age who has not been legally emancipated;

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

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

(B) A child may be [convicted] adjudicated as "delinquent" who has (i) while sixteen or seventeen years of age, violated any federal or state law, other than (I) an infraction, except an infraction under subsection (d) of section 21a-267, (II) a violation, except a violation under subsection (a) of section 21a-279a, (III) a motor vehicle offense or violation under title 14, (IV) a violation of a municipal or local ordinance, or (V) a violation of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, (ii) while sixteen years of age or

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older, wilfully failed to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing in a delinquency proceeding of which the child had notice, (iii) while sixteen years of age or older, violated any order of the Superior Court in a delinquency proceeding, except as provided in section 46b-148, or (iv) while sixteen years of age or older, violated conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court;

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

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

[(7)] (5) A child [or youth] may be found "abused" who (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment, including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment;

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

[(9)] (7) "Delinquent act" means (A) the violation by a child under the age of sixteen of any federal or state law, except the violation of section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or the violation of a municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (B) the violation by a child sixteen or seventeen years of age of any federal or state law, other than (i) an infraction, except an infraction under subsection (d) of section 21a-267, (ii) a violation, except a violation under subsection (a) of section 21a-279a, (iii) a motor vehicle offense or violation under title 14, (iv) the violation of a municipal or local ordinance, or (v) the violation of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, (C) the wilful failure of a child, including a child who has attained the age of eighteen, to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing in a delinquency proceeding of which the child has notice, (D) the violation of any order of the Superior Court in a delinquency proceeding by a child, including a child who has attained the age of eighteen, except as provided in section 46b-148, or (E) the violation of conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding by a child, including a child who has attained the age of eighteen, as ordered by the court;

[(10)] (8) "Serious juvenile offense" means (A) the violation of,

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including attempt or conspiracy to violate, section 21a-277, 21a-278, 29-33, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, or (B) absconding, escaping or running away, without just cause, from any secure [placement other than home while referred] residential facility in which the child has been placed by the court as a delinquent child; [to the Court Support Services Division or committed as a delinquent child to the Commissioner of Children and Families for a serious juvenile offense;]

[(11)] (9) "Serious juvenile offender" means any child [convicted] adjudicated as delinquent for the commission of a serious juvenile offense;

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

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

[(14)] (12) "Drug-dependent" means a psychoactive substance dependence on drugs as that condition is defined in the most recent edition of the American Psychiatric Association's "Diagnostic and

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Statistical Manual of Mental Disorders". No child shall be classified as drug-dependent who is dependent (A) upon a morphine-type substance as an incident to current medical treatment of a demonstrable physical disorder other than drug dependence, or (B) upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant substances as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence;

(13) "Pre-dispositional study" means a comprehensive written report prepared by a juvenile probation officer pursuant to section 46b-134, as amended by this act, regarding the child's social, medical, mental health, educational, risks and needs, and family history, as well as the events surrounding the offense to present a supported recommendation to the court;

(14) "Probation supervision" means a legal status whereby a juvenile who has been adjudicated delinquent is placed by the court under the supervision of juvenile probation for a specified period of time and upon such terms as the court determines;

(15) "Probation supervision with residential placement" means a legal status whereby a juvenile who has been adjudicated delinquent is placed by the court under the supervision of juvenile probation for a specified period of time, upon such terms as the court determines, that include a period of placement in a secure or staff-secure residential treatment facility, as ordered by the court, and a period of supervision in the community;

(16) "Risk and needs assessment" means a standardized tool that (A) assists juvenile probation officers in collecting and synthesizing information about a child to estimate the child's risk of recidivating and identify other factors that, if treated and changed, can reduce the child's likelihood of reoffending, and (B) provides a guide for

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intervention planning;

(17) "Secure-residential facility" means a hardware-secured residential facility that includes direct staff supervision, surveillance enhancements and physical barriers that allow for close supervision and controlled movement in a treatment setting; and

(18) "Staff-secure residential facility" means a residential facility that provides residential treatment for children in a structured setting where the children are monitored by staff.

Sec. 26. Subdivision (5) of section 46b-120 of the general statutes, as amended by section 146 of public act 17-2 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

[(5)] (3) "Family with service needs" means a family that includes a child who is at least seven years of age and is under eighteen years of age who, according to a petition lawfully filed on or before June 30, 2019, (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's [or youth's] parent, parents, guardian or other custodian, (C) has engaged in indecent or immoral conduct, or (D) is thirteen years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child; [or youth.]

Sec. 27. Section 46b-121 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) (1) Juvenile matters in the civil session include all proceedings concerning uncared-for, neglected or abused children [and youths] within this state, termination of parental rights of children committed to a state agency, adoption proceedings pursuant to section 46b-129b,



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matters concerning families with service needs, contested matters involving termination of parental rights or removal of guardian transferred from the Probate Court and the emancipation of minors, but does not include matters of guardianship and adoption or matters affecting property rights of any child [or youth] over which the Probate Court has jurisdiction, except that appeals from probate concerning adoption, termination of parental rights and removal of a parent as guardian shall be included.

(2) (A) Juvenile matters in the criminal session include all proceedings concerning delinquent children within this state and persons eighteen years of age and older who are under the supervision of a juvenile probation officer while on probation [or a suspended commitment to the Department of Children and Families] supervision or probation supervision with residential placement, for purposes of enforcing any court orders entered as part of such probation. [or suspended commitment.]

(B) A juvenile who has been placed on probation supervision is subject to the continuing jurisdiction of the court and may be subject to other reasonable court-ordered restrictions or conditions and required to participate in a variety of appropriate programmatic services.

(C) A juvenile who has been placed on probation supervision with residential placement is subject to the continuing jurisdiction of the court and may be subject to other reasonable court-ordered restrictions or conditions and required to participate in a variety of appropriate programmatic services.

(b) (1) In juvenile matters, the Superior Court shall have authority to make and enforce such orders directed to parents, including any person who acknowledges before the court paternity of a child born out of wedlock, guardians, custodians or other adult persons owing some legal duty to a child therein, as the court deems necessary or

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appropriate to secure the welfare, protection, proper care and suitable support of a child subject to the court's jurisdiction or otherwise committed to or in the custody of the Commissioner of Children and Families. The Superior Court may order a local or regional board of education to provide to the court educational records of a child for the purpose of determining the need for services or placement of the child. In proceedings concerning a child charged with a delinquent act or with being from a family with service needs, records produced subject to such an order shall be maintained under seal by the court and shall be released only after a hearing or with the consent of the child. Educational records obtained pursuant to this section shall be used only for dispositional purposes. In addition, with respect to proceedings concerning delinquent children, the Superior Court shall have authority to make and enforce such orders as the court deems necessary or appropriate to provide individualized supervision, care, accountability and treatment to such child in a manner consistent with public safety, deter the child from the commission of further delinquent acts, ensure that the child is responsive to the court process, ensure that the safety of any other person will not be endangered and provide restitution to any victim. The Superior Court shall also have authority to grant and enforce temporary and permanent injunctive relief in all proceedings concerning juvenile matters.

(2) If any order for the payment of money is issued by the Superior Court, including any order assessing costs issued under section 46b-134, as amended by this act, or 46b-136, the collection of such money shall be made by the court, except orders for support of children committed to any state agency or department, which orders shall be made payable to and collected by the Department of Administrative Services. If the Superior Court after due diligence is unable to collect such moneys within six months, the court shall refer such case to the Department of Administrative Services for collection as a delinquent account. In juvenile matters, the Superior Court shall have authority to

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make and enforce orders directed to persons liable hereunder on petition of the Department of Administrative Services made to the court in the same manner as is provided in section 17b-745, in accordance with the provisions of section 17b-81 or 17b-223, subsection (b) of section 17b-179 or section 17a-90, 46b-129 or 46b-130, and all of the provisions of section 17b-745 shall be applicable to such proceedings. [Any judge hearing a juvenile matter may make any other order in connection therewith that a judge of the Superior Court is authorized to grant and such order shall have the same force and effect as any other order of the Superior Court. No commitment to the Department of Children and Families may be ordered or continued for a delinquent child who has attained the age of twenty. Notwithstanding the terms of any order in effect on October 1, 2011, any commitment to the Department of Children and Families in a delinquency proceeding pursuant to this chapter shall terminate not later than the date the child attains the age of twenty.]

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

Sec. 28. Section 46b-121h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

It is the intent of the General Assembly that the juvenile justice system provide individualized supervision, care, accountability and treatment in a manner consistent with public safety to those juveniles who violate the law. The juvenile justice system shall also promote prevention efforts through the support of programs and services designed to [meet the needs of juveniles charged with the commission of a delinquent act] prevent re-offending. The goals of the juvenile justice system shall be to:

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- (1) Hold juveniles accountable for their unlawful behavior;
- (2) Provide secure and therapeutic confinement to those juveniles who present a danger to the community;
- (3) Adequately protect the community and juveniles;
- (4) Provide programs and services that are community-based and [are provided] in close proximity to the juvenile's community;
- (5) [Retain] Maintain and support juveniles within their homes whenever possible and appropriate;
- (6) Base probation [treatment] case planning upon individual [case management plans] risks and needs;
- (7) Include the juvenile's family in [the] case [management plan] planning;
- (8) Provide supervision and service coordination where appropriate and implement and monitor the case [management] plan in order to discourage reoffending;
- (9) Provide follow-up and [nonresidential postrelease] community-based services to juveniles who are returned to their families or communities;
- (10) Promote the development and implementation of community-based programs [including, but not limited to, mental health services,] designed to prevent [unlawful behavior] reoffending and to effectively minimize the depth and duration of the juvenile's involvement in the juvenile justice system; and
- (11) Create and maintain programs for [juvenile offenders that are gender specific in that they comprehensively address the unique needs of a targeted gender group] juveniles that (A) are developmentally

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appropriate, trauma informed and gender responsive, and (B) incorporate restorative principles and practices.

Sec. 29. Section 46b-121k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) (1) The Judicial Branch shall develop [constructive programs for the prevention and reduction of delinquency and crime among juvenile offenders. To develop such programs, the executive director of the Court Support Services Division within the Judicial Branch shall cooperate with other agencies to encourage the establishment of new programs and to provide a continuum of services for juvenile offenders who do not require secure placement, including, but not limited to, juveniles classified pursuant to the risk assessment instrument described in section 46b-121i, as those who may be released with structured supervision and those who may be released without supervision. When appropriate, the Judicial Branch shall coordinate such programs with the Department of Children and Families and the Department of Mental Health and Addiction Services] a continuum of community-based programs for the reduction of delinquency among juveniles. When appropriate, the Judicial Branch shall coordinate such programs with the Department of Children and Families, the State Department of Education, the Department of Mental Health and Addiction Services, the Department of Social Services and the Department of Developmental Services, and any other agencies as necessary.

[(2) The programs shall be tailored to the type of juvenile, including the juvenile's offense history, age, maturity and social development, gender, mental health, alcohol dependency or drug dependency, need for structured supervision and other characteristics, and shall be culturally appropriate, trauma-informed and provided in the least restrictive environment possible in a manner consistent with public safety. The Judicial Branch shall develop programs that provide: (A)

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Intensive general education, with an individualized remediation plan for each juvenile; (B) appropriate job training and employment opportunities; (C) counseling sessions in anger management and nonviolent conflict resolution; (D) treatment and prevention programs for alcohol dependency and drug dependency; (E) mental health screening, assessment and treatment; (F) sexual offender treatment; and (G) services for families of juveniles.

(b) The Judicial Branch may contract to establish regional secure residential facilities and regional highly supervised residential and nonresidential facilities for juveniles referred by the court. Such facilities shall operate within contracted-for capacity limits. Such facilities shall be exempt from the licensing requirements of section 17a-145.

(c) The Judicial Branch shall collaborate with private residential facilities providing residential programs and with community-based nonresidential postrelease programs.

(d) The Judicial Branch, as part of a publicly bid contract for an alternative incarceration program, may include a requirement that the contractor provide for space necessary for juvenile probation offices and other staff of the Court Support Services Division to perform their duties.

(e) Any program developed by the Judicial Branch that is designed to prevent or reduce delinquency and crime among juvenile offenders shall be gender specific, as necessary, and shall comprehensively address the unique needs of a targeted gender group.]

(2) The continuum of community-based programs shall be designed to address the individual risks and needs of juveniles, shall have the capacity to take into account each juvenile's history, age, maturity and social development, gender, mental health, alcohol or drug use, need

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for structured supervision and other characteristics, and shall be culturally appropriate, trauma-informed and provided in the least restrictive environment possible in a manner consistent with public safety. The Judicial Branch shall develop programs that provide research and evidence-based skills-training and assistance to promote independent living skills, positive activities and social connections in the juveniles' home communities and to address: (A) Anti-sociality, impulse control and behavioral problems; (B) anger management and nonviolent conflict resolution; (C) alcohol and drug use and dependency; (D) mental health needs; (E) inappropriate sexual behavior; (F) family engagement; (G) academic disengagement; and (H) technical and vocational training needs.

(b) The Judicial Branch may establish or contract to establish secure and staff-secure residential facilities for juveniles referred by the court. Such facilities shall be exempt from the licensing requirements of section 17a-145.

(c) The Judicial Branch, as part of a publicly bid contract, may include a requirement that the contractor provide for space necessary for juvenile probation offices and other staff of the Court Support Services Division to perform their duties.

[(f)] (d) The Judicial Branch [shall] may consult with the Commission on Racial and Ethnic Disparity in the Criminal Justice System established pursuant to section 51-10c to address the needs of minorities in the juvenile justice system.

Sec. 30. Section 46b-124 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) For the purposes of this section, "records of cases of juvenile matters" includes, but is not limited to, court records, records

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regarding juveniles maintained by the Court Support Services Division, records regarding juveniles maintained by an organization or agency that has contracted with the Judicial Branch to provide services to juveniles, records of law enforcement agencies including fingerprints, photographs and physical descriptions, and medical, psychological, psychiatric and social welfare studies and reports by juvenile probation officers, public or private institutions, social agencies and clinics.

(b) All records of cases of juvenile matters, as provided in section 46b-121, as amended by this act, except delinquency proceedings, or any part thereof, and all records of appeals from probate brought to the superior court for juvenile matters pursuant to section 45a-186, shall be confidential and for the use of the court in juvenile matters, and open to inspection or disclosure to any third party, including bona fide researchers commissioned by a state agency, only upon order of the Superior Court, except that: (1) Such records shall be available to (A) the attorney representing the child, [or youth,] including the Division of Public Defender Services, in any proceeding in which such records are relevant, (B) the parents or guardian of the child [or youth] until such time as the child [or youth] reaches the age of majority or becomes emancipated, (C) an adult adopted person in accordance with the provisions of sections 45a-736, 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the Division of Criminal Justice who, in the performance of their duties, require access to such records, (E) employees of the Judicial Branch who, in the performance of their duties, require access to such records, (F) another court under the provisions of subsection (d) of section 46b-115j, (G) the subject of the record, upon submission of satisfactory proof of the subject's identity, pursuant to guidelines prescribed by the Office of the Chief Court Administrator, provided the subject has reached the age of majority or has been emancipated, (H) the Department of Children and Families, (I) the employees of the Division of Public Defender Services who, in



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the performance of their duties related to Division of Public Defender Services assigned counsel, require access to such records, and (J) judges and employees of the Probate Court who, in the performance of their duties, require access to such records; and (2) all or part of the records concerning a youth in crisis with respect to whom a court order was issued prior to January 1, 2010, may be made available to the Department of Motor Vehicles, provided such records are relevant to such order. Any records of cases of juvenile matters, or any part thereof, provided to any persons, governmental or private agencies, or institutions pursuant to this section shall not be disclosed, directly or indirectly, to any third party not specified in subsection (d) of this section, except as provided by court order, in the report required under section 54-76d or 54-91a or as otherwise provided by law.

(c) All records of cases of juvenile matters involving delinquency proceedings, or any part thereof, shall be confidential and for the use of the court in juvenile matters and shall not be disclosed except as provided in this section and section 46b-124a.

(d) Records of cases of juvenile matters involving delinquency proceedings shall be available to (1) Judicial Branch employees who, in the performance of their duties, require access to such records, (2) judges and employees of the Probate Court who, in the performance of their duties, require access to such records, and (3) employees and authorized agents of state or federal agencies involved in (A) the delinquency proceedings, (B) the provision of services directly to the child, [(C) the design and delivery of treatment programs pursuant to section 46b-121j, or (D)] or (C) the delivery of court diversionary programs. Such employees and authorized agents include, but are not limited to, law enforcement officials, community-based youth service bureau officials, state and federal prosecutorial officials, school officials in accordance with section 10-233h, court officials including officials of both the regular criminal docket and the docket for juvenile

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matters and officials of the Division of Criminal Justice, the Division of Public Defender Services, the Department of Children and Families, if the child is committed pursuant to section 46b-129, provided such disclosure shall be limited to (i) information that identifies the child as the subject of the delinquency petition, or (ii) the records of the delinquency proceedings, when the juvenile court orders the department to provide services to said child, the Court Support Services Division and agencies under contract with the Judicial Branch. Such records shall also be available to [(i)] (I) the attorney representing the child, including the Division of Public Defender Services, in any proceeding in which such records are relevant, [(ii)] (II) the parents or guardian of the child, until such time as the subject of the record reaches the age of majority, [(iii)] (III) the subject of the record, upon submission of satisfactory proof of the subject's identity, pursuant to guidelines prescribed by the Office of the Chief Court Administrator, provided the subject has reached the age of majority, [(iv)] (IV) law enforcement officials and prosecutorial officials conducting legitimate criminal investigations, [(v)] (V) a state or federal agency providing services related to the collection of moneys due or funding to support the service needs of eligible juveniles, provided such disclosure shall be limited to that information necessary for the collection of and application for such moneys, and [(vi)] (VI) members and employees of the Board of Pardons and Paroles and employees of the Department of Correction who, in the performance of their duties, require access to such records, provided the subject of the record has been convicted of a crime in the regular criminal docket of the Superior Court and such records are relevant to the performance of a risk and needs assessment of such person while such person is incarcerated, the determination of such person's suitability for release from incarceration or for a pardon, or the determination of the supervision and treatment needs of such person while on parole or other supervised release. Records disclosed pursuant to this subsection shall not be further disclosed, except that information contained in such records may be disclosed in connection

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with bail or sentencing reports in open court during criminal proceedings involving the subject of such information, or as otherwise provided by law.

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

(f) Information concerning a child who is the subject of an order to take such child into custody or other process that has been entered into a central computer system pursuant to subsection (i) of section 46b-133 may be disclosed to employees and authorized agents of the Judicial Branch, law enforcement agencies and the Department of Children and Families, provided the information is limited to a child who has been committed pursuant to section 46b-129, in accordance with policies and procedures established by the Chief Court Administrator.

(g) Information concerning a child who has absconded, escaped or run away from, or failed to return from an authorized leave to, a detention center or [from a facility to] a residential treatment facility in which the child has been [committed by the court] placed by a court order in a delinquency case, or for whom an arrest warrant has been issued with respect to the commission of a felony may be disclosed by law enforcement officials.

(h) Nothing in this section shall be construed to prohibit any person employed by the Judicial Branch from disclosing any records, information or files in such employee's possession to any person employed by the Division of Criminal Justice as a prosecutorial official, inspector or investigator who, in the performance of his or her duties, requests such records, information or files, or to prohibit any such

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employee of said division from disclosing any records, information or files in such employee's possession to any such employee of the Judicial Branch who, in the performance of his or her duties, requests such records, information or files.

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

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

(k) (1) Notwithstanding the provisions of subsection (d) of this section, any information concerning a child that is obtained during any mental health screening or assessment of such child, during the provision of services pursuant to subsection (b) of section 46b-149, or during the performance of an educational evaluation pursuant to subsection (e) of section 46b-149, shall be used solely for planning and treatment purposes and shall otherwise be confidential and retained in the files of the entity providing such services or performing such screening, assessment or evaluation. Such information may be further disclosed only for the purposes of any court-ordered evaluation or treatment of the child or provision of services to the child, or pursuant to sections 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a. Such information shall not be subject to subpoena or other court process for use in any other proceeding or for any other purpose.

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(2) Notwithstanding the provisions of subsection (d) of this section, any information concerning a child that is obtained during any detention risk screening of such child shall be used solely for determining the child's risk to public safety as required by subsection (e) of section 46b-133, as amended by this act. The information obtained and results of the detention risk screening shall be used for the purpose of making a recommendation to the court regarding the detention of the child and shall otherwise be confidential and retained in the files of the person performing such screening, but shall be disclosed to any attorney of record upon motion and order of the court. Any information and results disclosed upon such motion and order shall be available to any attorney of record for such case. Such information and results shall otherwise not be subject to subpoena or other court process for use in any other proceeding or for any other purpose.

(l) Records of cases of juvenile matters involving delinquency proceedings, or any part thereof, containing information that a child has been [convicted] adjudicated as delinquent for a violation of subdivision (e) of section 1-1h, subsection (c) of section 14-147, subsection (a) of section 14-215, section 14-222, subsection (b) of section 14-223, subsection (a), (b) or (c) of section 14-224, section 14-227a, section 14-227g, subsection (d) of section 21a-267, section 21a-279a, section 30-88a or subsection (b) of section 30-89, shall be disclosed to the Department of Motor Vehicles for administrative use in determining whether administrative sanctions regarding such child's motor vehicle operator's license are warranted. Records disclosed pursuant to this subsection shall not be further disclosed.

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

(n) Records of cases of juvenile matters involving delinquency

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proceedings shall be available to a victim of the delinquent act in accordance with the provisions of section 46b-124a.

Sec. 31. Section 46b-125 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

[(a) All persons employed as full-time juvenile probation officers in service in this state on January 1, 1941, and appointed without examination in the first instance juvenile probation officers of this court, shall retain full rights in any pension system or retirement fund in which they participated or to which they contributed.

(b) Probation] Juvenile probation officers shall [make such investigations and] investigate and submit reports [as the court directs or the law requires] and recommendations to the court, including predispositional studies in accordance with section 46b-134, as amended by this act. Juvenile probation officers shall provide supervision and make referrals to preadjudication and postadjudication services based on the juvenile's risks and needs, as determined by the risk and needs assessment. Juvenile probation officers shall work collaboratively with treatment providers to ensure programs and services are adequately addressing the needs of juveniles under supervision. They shall execute the orders of the court; and, for that purpose, such probation officers, and any other employees specifically designated by the court to assist the probation officers in the enforcement of such orders, shall have the authority of a state marshal. They shall [preserve a record] keep records of all cases investigated or coming under their care, and shall keep informed concerning the conduct and condition of each [person] juvenile placed under supervision and report thereon to the court as [it] the court may direct. Any juvenile probation officer authorized by the Office of the Chief Court Administrator [, and any juvenile matters investigator authorized by the Office of the Chief State's Attorney,] may arrest any juvenile on probation without a warrant or may deputize any other

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officer with power to arrest to do so by giving such officer a written statement setting forth that the juvenile has, in the judgment of the juvenile probation officer, [or juvenile matters investigator,] violated the conditions of the juvenile's probation. When executing such orders of the court, except when using deadly physical force, juvenile probation officers and juvenile matters investigators shall be deemed to be acting in the capacity of a peace officer, as defined in subdivision (9) of section 53a-3.

Sec. 32. Subsection (a) of section 46b-128 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) Whenever the Superior Court is in receipt of any written complaint filed by any person, any public or private agency or any federal, state, city or town department maintaining that a child's conduct constitutes delinquency within the meaning of section 46b-120, as amended by this act, it shall make a preliminary investigation to determine whether the facts, if true, would be sufficient to be a juvenile matter and whether the interests of the public or the child require that further action be taken. If so, the court may authorize the filing of a verified petition of alleged delinquency or it may make without such petition whatever nonjudicial disposition is practicable, including the ordering of such child to do work of which he is capable in public buildings or on public property, particularly in cases in which the complaint alleges that the conduct of such child resulted in the wilful destruction of property, provided the facts establishing jurisdiction are admitted and that a competent acceptance of such a disposition has been given by the child and his parent or guardian. If a nonjudicial disposition is made, the term of any nonjudicial supervision shall be established by the juvenile probation supervisor or designee provided such period of supervision shall not exceed one hundred eighty days. Each verified petition of delinquency filed by the

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court shall set forth plainly (1) the facts which bring the child within the jurisdiction of the court, (2) the name, date of birth, sex and residence of the child, (3) the names and residence of his parent or parents, guardian or other person having control of the child, and (4) a prayer for appropriate action by the court in conformity with the provisions of this chapter.

Sec. 33. Subsections (c) to (f), inclusive, of section 46b-133 of the 2018 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(c) Upon the arrest of any child by an officer, such officer may (1) release the child to the custody of the child's parent or parents, guardian or some other suitable person or agency, (2) at the discretion of the officer, release the child to the child's own custody, or (3) seek a court order to detain the child in a juvenile detention center. No child may be placed in detention unless a judge of the Superior Court determines, based on the available facts, that (A) there is probable cause to believe that the child has committed the acts alleged, (B) there is no appropriate less restrictive alternative available, and (C) there is (i) probable cause to believe that the level of risk that the child [will pose a risk] poses to public safety if released to the community prior to the court hearing or disposition cannot be managed in a less restrictive setting, (ii) a need to hold the child in order to ensure the child's appearance before the court or compliance with court process, as demonstrated by the child's previous failure to respond to the court process, or (iii) a need to hold the child for another jurisdiction. No child shall be held in any detention center unless an order to detain is issued by a judge of the Superior Court.

(d) [(1)] When a child is arrested for the commission of a delinquent act and the child is not placed in detention or referred to a diversionary program, an officer shall serve a written complaint and summons on the child and the child's parent, guardian or some other



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suitable person or agency. If such child is released to the child's own custody, the officer shall make reasonable efforts to notify, and to provide a copy of a written complaint and summons to, the parent or guardian or some other suitable person or agency prior to the court date on the summons. If any person so summoned wilfully fails to appear in court at the time and place so specified, the court may issue a warrant for the child's arrest or a *capias* to assure the appearance in court of such parent, guardian or other person. If a child wilfully fails to appear in response to such a summons, the court may order such child taken into custody and such child may be charged with the delinquent act of wilful failure to appear under section 46b-120, as amended by this act. The court may punish for contempt, as provided in section 46b-121, as amended by this act, any parent, guardian or other person so summoned who wilfully fails to appear in court at the time and place so specified.

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

(e) When a child is arrested for the commission of a delinquent act and is placed in detention pursuant to subsection (c) of this section, such child may be detained pending a hearing which shall be held on the business day next following the child's arrest. No child may be detained after such hearing unless the court determines, based on the available facts, that (1) there is probable cause to believe that the child has committed the acts alleged, (2) there is no less restrictive alternative available, and (3) through the use of the detention risk [assessment] screening instrument developed pursuant to section 46b-133g, as amended by this act, that there is (A) probable cause to believe that the level of risk the child [will pose a risk] poses to public safety if released to the community prior to the court hearing or disposition

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cannot be managed in a less restrictive setting; (B) a need to hold the child in order to ensure the child's appearance before the court or compliance with court process, as demonstrated by the child's previous failure to respond to the court process, or (C) a need to hold the child for another jurisdiction. Such probable cause may be shown by sworn affidavit in lieu of testimony. No child shall be released from detention who is alleged to have committed a serious juvenile offense except by order of a judge of the Superior Court. The court may, in its discretion, consider as an alternative to detention a suspended detention order with graduated sanctions to be imposed based on the detention risk [assessment] screening for such child, using the instrument developed pursuant to section 46b-133g, as amended by this act. Any child confined in a community correctional center or lockup shall be held in an area separate and apart from any adult detainee, except in the case of a nursing infant, and no child shall at any time be held in solitary confinement or held for a period that exceeds six hours. When a female child is held in custody, she shall, as far as possible, be in the charge of a woman attendant.

(f) The police officer who brings a child into detention shall have first notified, or made a reasonable effort to notify, the parents or guardian of the child in question of the intended action and shall file at the detention center a signed statement setting forth the alleged delinquent conduct of the child and the order to detain such child. Upon admission, the child shall be administered the detention risk [assessment] screening instrument developed pursuant to section 46b-133g, as amended by this act, and unless the child was arrested for a serious juvenile offense or unless an order not to release is noted on the take into custody order, arrest warrant or order to detain, the child may be released to the custody of the child's parent or parents, guardian or some other suitable person or agency in accordance with policies adopted by the Court Support Services Division of the Judicial Department pursuant to section 46b-133h.

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Sec. 34. Section 46b-133g of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) Not later than January 1, 2017, the Court Support Services Division of the Judicial Department shall develop and implement a detention risk [assessment] screening instrument to be used to determine, based on the risk level, whether there is: (1) Probable cause to believe that a child will pose a risk to public safety if released to the community prior to the court hearing or disposition, or (2) a need to hold the child in order to ensure the child's appearance before the court or compliance with the court process, as demonstrated by the child's previous failure to respond to the court process. Such instrument shall be used when assessing whether a child should be detained pursuant to section 46b-133, as amended by this act. Any detention risk screening shall be subject to the protections of subsection (k) of section 46b-124, as amended by this act.

(b) When a child is presented before the court and it appears from the available facts there is probable cause to believe the child has violated a valid court order, the court, after administering the detention risk [assessment] screening instrument, may order the child to participate in nonresidential programs for intensive wraparound services, community-based residential services for short-term respite or other services and interventions the court deems appropriate.

Sec. 35. Section 46b-134 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

Prior to the disposition of the case of any child [convicted of a] adjudicated as delinquent, [act,] an investigation shall be made of the facts as specified in this section by the probation officer, and until such investigation has been completed and the results thereof placed before the judge, no disposition of the child's case shall be made. Such

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investigation shall consist of an examination of the parentage and surroundings of the child and the child's age, habits and history, and shall include also an inquiry into the home conditions, habits and character of the child's parents or guardians. Such investigation shall include an inquiry into the circumstances of the offense, the attitude of the complainant or victim, the criminal record, the present condition of the child and any damages suffered by the victim including medical expenses, loss of earnings and property loss. If the child is or legally should be in attendance at school, such investigation shall further contain a report of the child's school attendance, adjustment and behavior, the child's individualized education program if the child has been identified pursuant to sections 10-76a to 10-76gg, inclusive, as requiring special education and related services and any recommendations from school officials on conditions of probation if the child is placed on probation pursuant to section 46b-140, as amended by this act, which shall be furnished by the school officials to the court upon its request. The court shall, when it is found necessary to the disposition, cause a complete physical or mental examination, or both, to be made of the child by persons professionally qualified to do so. Such examination may include testing to determine whether the child is alcohol-dependent or drug-dependent as defined in section 46b-120, as amended by this act. If the court causes a complete physical or mental examination, or both, to be made of a child whose parents, guardian or custodian is found able to pay in whole or in part the cost thereof, it shall assess as costs against such parents, guardian or custodian, including any agency vested with the legal custody of the child, the expense so incurred and paid for by the court in having such examination performed, to the extent of their financial ability to do so. Prior to the disposition of the case of any child [convicted of a] adjudicated as delinquent, [act,] the court may cause a complete diagnostic examination to be made, unless such information is otherwise available. Such information shall include physical and psychological diagnoses and may include medical, psychiatric,

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neurological, learning disability diagnoses and such other diagnoses as the court deems necessary. [If such child is committed to the Department of Children and Families, such information shall be shared with the Department of Children and Families.]

Sec. 36. Section 46b-140 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) In determining the appropriate disposition of a child [convicted] adjudicated as delinquent, the court shall consider: (1) The child's age and intellectual, cognitive and emotional development; (2) the seriousness of the offense, including [the existence of] any aggravating [factors such as the use of a firearm in the commission of the offense and] or mitigating factors; (3) the impact of the offense on any victim; [(2)] (4) the child's record of delinquency; [(3)] (5) the child's willingness to participate in available programs; [(4)] the existence of other mitigating factors; and (5) the culpability of the child in committing the offense including the level of the child's participation in the planning and carrying out of the offense] (6) the child's prior involvement with the Department of Children and Families as a committed delinquent; (7) the child's prior involvement with juvenile probation; (8) the child's history of participation in and engagement with programming and service interventions; (9) the identified services, programs and interventions that will best address the child's needs and risk of reoffending, as indicated by the risk and needs assessment administered by the Court Support Services Division and any other relevant evidence; and (10) the level of supervision indicated by the risk and needs assessment administered by the Court Support Services Division and any other relevant evidence.

(b) Upon [conviction] adjudication of a child as delinquent, the court: (1) May (A) [order the child to participate in an alternative incarceration program; (B) order the child to participate in a program at a wilderness school facility operated by the Department of Children

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and Families; (C) order the child to participate in a youth service bureau program; (D) place the child on probation; (E) order the child or the parents or guardian of the child, or both, to make restitution to the victim of the offense in accordance with subsection (d) of this section; (F) order the child to participate in a program of community service in accordance with subsection (e) of this section; or (G) withhold or suspend execution of any judgment; and (2) shall impose the penalty established in subsection (b) of section 30-89 for any violation of said subsection (b)] discharge the child from the court's jurisdiction with or without a warning; (B) place the child on probation supervision for a period not to exceed eighteen months, which may be extended in accordance with section 46b-140a, as amended by this act, by not more than twelve months, for a total supervision period not to exceed thirty months; or (C) place the child on probation supervision with residential placement, for a period not to exceed eighteen months, which may be extended in accordance with section 46b-140a, as amended by this act, by not more than twelve months, for a total supervision period not to exceed thirty months.

(c) [The court may order, as a condition of probation, that the child (1) reside with a parent, relative or guardian or in a suitable foster home or other residence approved by the court, (2) attend school and class on a regular basis and comply with school policies on student conduct and discipline, (3) refrain from violating any federal or state law or municipal or local ordinance, (4) undergo any medical or psychiatric evaluation or treatment deemed necessary by the court, (5) submit to random drug or alcohol testing, or both, (6) participate in a program of alcohol or drug treatment, or both, (7) make restitution to the victim of the offense in accordance with subsection (d) of this section, (8) participate in an alternative incarceration program or other program established through the Court Support Services Division, (9) participate in a program of community service, and (10) satisfy any other conditions deemed appropriate by the court] As a condition of

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probation supervision or probation supervision with residential placement, the court may order that the child: (1) Participate in a youth service bureau program; (2) reside with a parent, relative or guardian or in a suitable residence approved by the court; (3) attend school and class on a regular basis and comply with school policies on student conduct and discipline; (4) refrain from violating any federal or state law or municipal or local ordinance; (5) undergo any medical or psychiatric evaluation or treatment deemed necessary by the court; (6) submit to random drug or alcohol testing, or both; (7) participate in a program of alcohol or drug treatment, or both; (8) participate in a program of community service; (9) obtain technical or vocational training, or both; (10) make a good faith effort to obtain and maintain employment; (11) be placed in an appropriate residential facility in accordance with subsection (g) of this section and remain in such facility until discharged; (12) not leave the state without notification of and permission from his or her probation officer; (13) notify his or her probation officer of any change of address or phone number within forty-eight hours of such change; (14) make all reasonable efforts to keep all appointments scheduled by the probation officer, evaluators and therapists, and notify his or her probation officer if he or she is unable to keep any such appointment; (15) obey any graduated responses ordered by his or her probation officer; (16) initiate no contact with any victim of the offense; and (17) satisfy any other conditions deemed appropriate by the court. The court may also order as a condition of probation supervision or probation supervision with residential placement that the child or the parents or guardian of the child, or both, make restitution to the victim of the offense in accordance with subsection (d) of this section. The court shall cause a copy of any such order to be delivered to the child, the child's parents or guardian and the child's probation officer. If the child is [convicted] adjudicated as delinquent for a violation of section 53-247, the court may order, as a condition of probation supervision or probation supervision with residential placement, that the child undergo

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psychiatric or psychological counseling or participate in an animal cruelty prevention and education program provided such a program exists and is available to the child.

(d) If the child has engaged in conduct which results in property damage or personal injury, the court may order the child or the parent or parents or guardian of the child, if such parent or parents or guardian had knowledge of and condoned the conduct of the child, or both the child and the parent or parents or guardian, to make restitution to the victim of such offense, provided the liability of such parent or parents or guardian shall be limited to an amount not exceeding the amount such parent or parents or guardian would be liable for in an action under section 52-572. Restitution may consist of monetary reimbursement for the damage or injury, based on the child's or the parent's, parents' or guardian's ability to pay, as the case may be, in the form of a lump sum or installment payments, paid to the court clerk or such other official designated by the court for distribution to the victim.

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

[(f) If the court further finds that its probation services or other services available to the court are not adequate for such child, the court shall commit such child to the Department of Children and Families in accordance with the provisions of section 46b-141.

(g) Any child or youth coming within the jurisdiction of the court, who is found to be mentally ill, may be committed by said court to the Commissioner of Children and Families and, if the court convicts a child as delinquent and finds such child to be mentally deficient, the



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court may commit such child to an institution for mentally deficient children or youth or delinquents. No such commitment may be ordered or continued for any child who has attained the age of twenty. Whenever it is found that a child convicted as delinquent or adjudged to be a member of a family with service needs would benefit from a work-study program or employment with or without continued school attendance, the court may, as a condition of probation or supervision, authorize such child to be employed for part or full-time at some useful occupation that would be favorable to such child's welfare, and the probation officer shall supervise such employment. For the purposes of this section, the limitations of subsection (a) of section 31-23 on the employment of minors under the age of sixteen years shall not apply for the duration of such probation or supervision.

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

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

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(j) Except as otherwise provided in this section, the court may order that a child be (1) committed to the Department of Children and Families and, after consultation with said department, the court may order that the child be placed directly in a residential facility within this state and under contract with said department, or (2) committed to the Commissioner of Children and Families for placement by the commissioner, in said commissioner's discretion, (A) with respect to the juvenile offenders determined by the Department of Children and Families to be the highest risk, in the Connecticut Juvenile Training School, if the juvenile offender is a male, or in another state facility, presumptively for a minimum period of twelve months, or (B) in a private residential or day treatment facility within or outside this state, or (C) on parole. No such commitment may be ordered or continued for any child who has attained the age of twenty. The commissioner shall use a risk and needs assessment classification system to ensure that children who are in the highest risk level will be placed in an appropriate secure treatment setting.

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

(l) Notwithstanding any provisions of the general statutes concerning the confidentiality of records and information, whenever a child convicted as delinquent is committed to the Department of Children and Families, the Commissioner of Children and Families shall have access to the following information: (1) Educational records of such child; (2) records regarding such child's past treatment for physical or mental illness, including substance abuse; (3) records regarding such child's prior placement in a public or private

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residential facility; (4) records created or obtained by the Judicial Department regarding such child; and (5) records, as defined in subsection (a) of section 17a-28. The Commissioner of Children and Families shall review such information to determine the appropriate services and placement which will be in the best interest of the child.]

(f) At any time during a period of probation supervision or probation supervision with residential placement, the court may authorize the child's probation officer to convene a case review team meeting with the child and the child's attorney on any case that is being considered for residential placement or that is complex and could benefit from a multi-systemic approach. The juvenile probation supervisor and juvenile probation officer shall facilitate the meeting, which may also include the following participants: (1) The child's family; (2) the state's attorney; (3) school officials; (4) treatment providers; and (5) representatives from other state agencies, as deemed appropriate. Any recommendations to modify conditions of probation supervision, including residential placement, shall be presented to the court for consideration and approval.

(g) An adjudicated child shall not be placed on probation supervision with residential placement in a secure or staff-secure facility unless a current predispositional study has been completed and reviewed by the court and: (1) Such placement is indicated by the child's clinical and behavioral needs; or (2) the level of risk the child poses to public safety cannot be managed in a less restrictive setting. The court shall consider all relevant reports, evaluations and studies proffered or admitted as evidence. The child's length of stay in a residential facility shall be dependent on the child's treatment progress and attainment of treatment goals.

Sec. 37. Section 46b-140a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

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(a) At any time during the period of probation [or suspended commitment] supervision or probation supervision with residential placement, after hearing and for good cause shown, the court may modify or enlarge the conditions, whether originally imposed by the court under this section or otherwise, and may extend the period of probation supervision or probation supervision with residential placement by not more than twelve months, for a total maximum supervision period not to exceed thirty months, as deemed appropriate by the court. The court shall cause a copy of any such order to be delivered to the child [or youth] and to such child's [or youth's] parent or guardian and probation officer.

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

(b) During any period of probation supervision or probation supervision with residential placement the court may convene a probation status review hearing. A probation officer may file an ex parte request for a probation status review hearing with the clerk of the court, regardless of whether a new offense or violation has been filed. If the court finds that the ex parte request is in the child's or the public's best interest, the court may grant the ex-parte request and convene a probation status review hearing within seven days. The probation officer shall inform the child and parent or legal guardian of the scheduled court date and time. The child shall be represented by counsel at the hearing. If the child or the child's parents or guardian do not appear at the hearing, absent actual or in-hand service of the notice, the failure to appear at the hearing shall not be deemed wilful. The court may continue the hearing to a future date and order that the child and the child's parents or guardian be served with notice to appear in court in the manner prescribed by section 46b-128, as

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amended by this act. By agreement of the parties or at the conclusion of an evidentiary hearing, the court may modify or enlarge the conditions of probation, and if appropriate, the court may order that the child be placed in a secure or staff-secure residential facility, provided no child shall be ordered to be placed in a secure or staff-secure residential facility unless such placement is indicated by the child's clinical and behavioral needs or the level of risk the child poses to public safety cannot be managed in a less restrictive setting.

(c) At any time during the period of probation [or suspended commitment] supervision or probation supervision with residential placement, the court may issue an order to take into custody or a warrant for the arrest of a child [or youth] for violation of any of the conditions of probation [or suspended commitment] supervision or probation supervision with residential placement, or may issue a notice to appear to answer to a charge of such violation, which notice shall be personally served upon the child. [or youth.] Any such order or warrant shall authorize all officers named therein to return the child [or youth] to the custody of the court or to any suitable juvenile detention facility designated by the court in accordance with subsection (e) of section 46b-133, as amended by this act.

(d) At any time during the period of probation supervision or probation supervision with residential placement, notwithstanding the provisions of subsection (c) of section 46b-133, as amended by this act, the court, upon a finding of probable cause, may issue an order to detain any child who has absconded, escaped or run away from a residential facility in which such child has been placed by court order. Any such order to detain shall authorize all officers named in such order to return the child to any suitable juvenile detention facility designated by the court. Such child shall be detained pending a hearing to be held on the next business day, which shall be held in accordance with the provisions of subsection (e) of section 46b-133, as

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[(d)] (e) If [such] a violation of probation supervision or probation supervision with residential placement is established, the court may continue or revoke the order of probation [or suspended commitment] supervision or probation supervision with residential placement or modify or enlarge the conditions [and, if such order of probation or suspended commitment is revoked, require the child or youth to serve the commitment imposed or impose any lesser commitment. No such revocation shall be ordered, except upon consideration of the whole record and unless such violation is established by reliable and probative evidence] of probation supervision or probation supervision with residential placement in accordance with section 46b-140, as amended by this act.

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

Sec. 38. Section 46b-141d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

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

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Sec. 39. Subsection (d) of section 4b-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(d) Notwithstanding any other statute or special act to the contrary, the Commissioner of Administrative Services shall be the sole person authorized to represent the state in its dealings with third parties for the construction, development, acquisition or leasing of real estate for housing the offices or equipment of all agencies of the state or for the state-owned public buildings or realty, as provided for in sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, 4b-24, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that (1) the Joint Committee on Legislative Management may represent the state in the planning and construction of the Legislative Office Building and related facilities, in Hartford; (2) the Chief Court Administrator may represent the state in providing for (A) space for the Court Support Services Division as part of a new or existing contract for an alternative incarceration program pursuant to section 54-103b or a program developed pursuant to section [46b-121i, 46b-121j,] 46b-121k, as amended by this act, [or 46b-121l,] or (B) other real estate needs of the Judicial Branch when delegated authority to do so by the Commissioner of Administrative Services; (3) the board of trustees of a constituent unit of the state system of higher education may represent the state in the leasing of real estate for housing the offices or equipment of such constituent unit, provided no lease payments for such realty are made with funds generated from the general revenues of the state; (4) the Labor Commissioner may represent the state in the leasing of premises required for employment security operations as provided in subsection (c) of section 31-250; (5) the Commissioner of Developmental Services may represent the state in the leasing of residential property as part of the program developed

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pursuant to subsection (b) of section 17a-218, provided such residential property does not exceed two thousand five hundred square feet, for the community placement of persons eligible to receive residential services from the department; (6) the Commissioner of Mental Health and Addiction Services may represent the state in the leasing of residential units as part of a program developed pursuant to section 17a-455a, provided each such residential unit does not exceed two thousand five hundred square feet; and (7) the Connecticut Marketing Authority may represent the state in the leasing of land or markets under the control of the Connecticut Marketing Authority, and, except for the housing of offices or equipment in connection with the initial acquisition of an existing state mass transit system or the leasing of land by the Connecticut Marketing Authority for a term of one year or more in which cases the actions of the Department of Transportation and the Connecticut Marketing Authority shall be subject to the review and approval of the State Properties Review Board. The Commissioner of Administrative Services may establish and implement any procedures necessary for the commissioner to assume the commissioner's responsibilities as said sole bargaining agent for state realty acquisitions and shall perform the duties necessary to carry out such procedures. The Commissioner of Administrative Services may appoint, within the department's budget and subject to the provisions of chapter 67, such personnel deemed necessary by the commissioner to carry out the provisions of this section, including experts in real estate, construction operations, financing, banking, contracting, architecture and engineering. The Attorney General's office, at the request of the Commissioner of Administrative Services, shall assist the commissioner in contract negotiations regarding the purchase, lease or construction of real estate.

Sec. 40. Subsection (g) of section 17a-28 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):



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(g) The department shall disclose records, subject to subsections (b) and (c) of this section, without the consent of the person who is the subject of the record, to:

(1) The person named in the record or such person's authorized representative, provided such disclosure shall be limited to information (A) contained in the record about such person or about such person's biological or adoptive minor child, if such person's parental rights to such child have not been terminated; and (B) identifying an individual who reported abuse or neglect of the person, including any tape recording of an oral report pursuant to section 17a-103, if a court determines that there is reasonable cause to believe the reporter knowingly made a false report or that the interests of justice require disclosure;

(2) An employee of the department for any purpose reasonably related to the performance of such employee's duties;

(3) A guardian ad litem or attorney appointed to represent a child or youth in litigation affecting the best interests of the child or youth;

(4) An attorney representing a parent, guardian or child in a petition filed in the Superior Court pursuant to section 17a-112 or 46b-129, provided (A) if such records do not pertain to such attorney's client or such client's child, such records shall not be further disclosed to another individual or entity by such attorney except pursuant to the order of a court of competent jurisdiction, (B) if such records are confidential pursuant to federal law, such records shall not be disclosed to such attorney or such attorney's client unless such attorney or such attorney's client is otherwise entitled to such records, and (C) nothing in this subdivision shall limit the disclosure of records under subdivision (3) of this subsection;

(5) The Attorney General, any assistant attorney general or any

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other legal counsel retained to represent the department during the course of a legal proceeding involving the department or an employee of the department;

(6) The Child Advocate or the Child Advocate's designee;

(7) The Chief Public Defender or the Chief Public Defender's designee for purposes of ensuring competent representation by the attorneys with whom the Chief Public Defender contracts to provide legal and guardian ad litem services to the subjects of such records and for ensuring accurate payments for services rendered by such attorneys;

(8) The Chief State's Attorney or the Chief State's Attorney's designee for purposes of investigating or prosecuting (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a, provided such prosecuting authority shall have access to records of a child charged with the commission of a delinquent act, who is not being charged with an offense related to child abuse, only while the case is being prosecuted and after obtaining a release;

(9) A state or federal law enforcement officer, including a military law enforcement authority under the United States Department of Defense, for purposes of investigating (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a;

(10) A foster or prospective adoptive parent, if the records pertain to a child or youth currently placed with the foster or prospective

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adoptive parent, or a child or youth being considered for placement with the foster or prospective adoptive parent, and the records are necessary to address the social, medical, psychological or educational needs of the child or youth, provided no information identifying a biological parent is disclosed without the permission of such biological parent;

(11) The Governor, when requested in writing in the course of the Governor's official functions, the joint standing committee of the General Assembly having cognizance of matters relating to human services, the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary or the joint standing committee of the General Assembly having cognizance of matters relating to children, when requested in writing by any of such committees in the course of such committee's official functions, and upon a majority vote of such committee, provided no name or other identifying information is disclosed unless such information is essential to the gubernatorial or legislative purpose;

(12) The Office of Early Childhood for the purpose of (A) determining the suitability of a person to care for children in a facility licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining the suitability of such person for licensure; (C) an investigation conducted pursuant to section 19a-80f; (D) notifying the office when the Department of Children and Families places an individual licensed or certified by the office on the child abuse and neglect registry pursuant to section 17a-101k; or (E) notifying the office when the Department of Children and Families possesses information regarding an office regulatory violation committed by an individual licensed or certified by the office;

(13) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child who is a client of said department

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and who is applying to enroll in or is enrolled in said department's behavioral services program. At the time that a parent or guardian completes an application for enrollment of a child in the Department of Developmental Services' behavioral services program, or at the time that said department updates a child's annual individualized plan of care, said department shall notify such parent or guardian that the Department of Children and Families may provide records to the Department of Developmental Services for the purposes specified in this subdivision without the consent of such parent or guardian;

(14) Any individual or entity for the purposes of identifying resources that will promote the permanency plan of a child or youth approved by the court pursuant to sections 17a-11, as amended by this act, 17a-111b [,] and 46b-129; [and 46b-141;]

(15) A state agency that licenses or certifies a person to educate, care for or provide services to children or youths;

(16) A judge or employee of a Probate Court who requires access to such records in order to perform such judge's or employee's official duties;

(17) A judge of the Superior Court for purposes of determining the appropriate disposition of a child [convicted] adjudicated as delinquent or a child who is a member of a family with service needs;

(18) A judge of the Superior Court in a criminal prosecution for purposes of in camera inspection whenever (A) the court has ordered that the record be provided to the court; or (B) a party to the proceeding has issued a subpoena for the record;

(19) A judge of the Superior Court and all necessary parties in a family violence proceeding when such records concern family violence with respect to the child who is the subject of the proceeding or the parent of such child who is the subject of the proceeding;

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(20) The Auditors of Public Accounts, or their representative, provided no information identifying the subject of the record is disclosed unless such information is essential to an audit conducted pursuant to section 2-90;

(21) A local or regional board of education, provided the records are limited to educational records created or obtained by the state or Connecticut Unified School District #2, established pursuant to section 17a-37;

(22) The superintendent of schools for any school district for the purpose of determining the suitability of a person to be employed by the local or regional board of education for such school district pursuant to subsection (a) of section 10-221d;

(23) The Department of Motor Vehicles for the purpose of criminal history records checks pursuant to subsection (e) of section 14-44, provided information disclosed pursuant to this subdivision shall be limited to information included on the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, subject to the provisions of sections 17a-101g and 17a-101k concerning the nondisclosure of findings of responsibility for abuse and neglect;

(24) The Department of Mental Health and Addiction Services for the purpose of treatment planning for young adults who have transitioned from the care of the Department of Children and Families;

(25) The superintendent of a public school district or the executive director or other head of a public or private institution for children providing care for children or a private school (A) pursuant to sections 17a-11, as amended by this act, 17a-101b, 17a-101c, 17a-101i, 17a-111b and [,] 46b-129, [and 46b-141,] or (B) when the Department of Children and Families places an individual employed by such institution or

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school on the child abuse and neglect registry pursuant to section 17a-101k;

(26) The Department of Social Services for the purpose of (A) determining the suitability of a person for payment from the Department of Social Services for providing child care; (B) promoting the health, safety and welfare of a child or youth receiving services from either department; or (C) investigating allegations of fraud provided no information identifying the subject of the record is disclosed unless such information is essential to any such investigation;

(27) The Court Support Services Division of the Judicial Branch, to allow the division to determine the supervision and treatment needs of a child or youth, and provide appropriate supervision and treatment services to such child or youth, provided such disclosure shall be limited to information that identifies the child or youth, or a member of such child's or youth's immediate family, as being or having been (A) committed to the custody of the Commissioner of Children and Families as delinquent, (B) under the supervision of the Commissioner of Children and Families, or (C) enrolled in the voluntary services program operated by the Department of Children and Families;

(28) The Court Support Services Division of the Judicial Branch for the purpose of sharing common case records to track recidivism of juvenile offenders;

(29) The birth-to-three program's referral intake office for the purpose of (A) determining eligibility of, (B) facilitating enrollment for, and (C) providing services to (i) substantiated victims of child abuse and neglect with suspected developmental delays, and (ii) newborns impacted by withdrawal symptoms resulting from prenatal drug exposure; and

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(30) The Department of Public Health for the purpose of notification when the Commissioner of Children and Families places an individual licensed or certified by the Department of Public Health on the child abuse and neglect registry established pursuant to section 17a-101k.

Sec. 41. Subsection (e) of section 52-261a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(e) The following fees shall be allowed and paid, except to state employees in the classified service: (1) For each arrest in criminal cases, one dollar and fifty cents; (2) for any necessary assistants in making criminal arrests, a reasonable sum, the necessity of such assistance to be proved by the oath of the officer; (3) for travel with a prisoner to court or to a community correctional center, forty cents a mile, provided (A) if more than one prisoner is transported at the same time, the total cost of travel shall be forty cents per mile for each prisoner transported up to a maximum of two dollars per mile, regardless of the number of prisoners transported, and (B) if a prisoner is transported for commitment on more than one mittimus, the total cost of travel shall be the same as for the transportation of one prisoner committed on one mittimus only; (4) for holding a prisoner in custody upon criminal process for each twelve hours or fraction thereof, to be taxed as expenses in the case, one dollar; (5) for holding a prisoner in custody by order of court, one dollar a day; (6) for keepers, for every twelve hours, in lieu of all other expenses, except in special cases to be approved by the court, five dollars; (7) for executing a mittimus of commitment to the Connecticut Correctional Institution, Somers, for each prisoner, one dollar and fifty cents; (8) for transporting any prisoner from a community correctional center to the Connecticut Correctional Institution, Somers, or for transporting any person under commitment from a community correctional center to the John R. Manson Youth Institution, Cheshire, twenty-five cents a mile, to be

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taxed as expenses, provided, if more than one prisoner or person is transported, the total cost of travel shall be twenty-five cents per mile for each prisoner or person transported up to a maximum of one dollar per mile, regardless of the number of prisoners or persons transported; (9) for taking samples to a state chemist by order of court, two dollars, and for each mile of travel in going and returning, ten cents; and (10) [for service of a mittimus to commit to the Connecticut Juvenile Training School, necessary expenses and a reasonable compensation; and (11)] for producing any prisoner, held by criminal process, in court or before a judge under habeas corpus proceedings, twenty-five cents a mile travel and two dollars and fifty cents a day for attendance, to be taxed and allowed by the court or judge.

Sec. 42. Section 53a-171 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) A person is guilty of escape from custody if such person (1) escapes from custody, or (2) has been [convicted] adjudicated as delinquent, [has been committed to the Department of Children and Families, and (A) fails to return from a leave authorized under section 17a-8a, or (B)] and escapes from or fails to return from an authorized leave to a state or private facility or institution in which such person has been [assigned or] placed by the [Commissioner of Children and Families] court.

(b) If a person has been arrested for, charged with or convicted of a felony, escape from such custody is a class C felony, otherwise, escape from custody is a class A misdemeanor.

Sec. 43. Sections 7-63, 17a-3a, 17a-6b, 17a-6c, 17a-7, 17a-7a, 17a-8, 17a-8a, 17a-10, 17a-13, 17a-27b, 17a-27d, 17a-64, 17a-201b, 46b-121i, 46b-121j, 46b-121l, 46b-126, 46b-141, 46b-141a, 46b-141b and 46b-147a of the general statutes are repealed. (*Effective July 1, 2018*)



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Approved June 1, 2018