



General Assembly

February Session, 2018

**Governor's Bill No. 5040**

LCO No. 349



Referred to Committee on JUDICIARY

Introduced by:

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

REP. RITTER M., 1<sup>st</sup> Dist.

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

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

**AN ACT CONCERNING ADJUDICATION OF CERTAIN YOUNG  
ADULTS IN JUVENILE COURT.**

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

1 Section 1. Section 46b-120 of the 2018 supplement to the general  
2 statutes, as amended by section 146 of public act 17-2 of the June  
3 special session, is repealed and the following is substituted in lieu  
4 thereof (*Effective July 1, 2019*):

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

7 (1) "Child" means any person under eighteen years of age who has  
8 not been legally emancipated, except that (A) for purposes of  
9 delinquency matters and proceedings, "child" means any person who  
10 (i) is at least seven years of age at the time of the alleged commission of  
11 a delinquent act and who is (I) under eighteen years of age and has not

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

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

25 (3) "Young adult" means, for purposes of delinquency matters and  
26 proceedings, any person who (A) on or after July 1, 2019, (i) allegedly  
27 committed a delinquent act while eighteen years of age, or (ii)  
28 committed a delinquent act while eighteen years of age, and (I)  
29 subsequent to attaining nineteen years of age, violates any order of the  
30 Superior Court or any condition of probation ordered by the Superior  
31 Court with respect to a delinquency proceeding, or (II) wilfully fails to  
32 appear in response to a summons under section 46b-133, as amended  
33 by this act, or at any other court hearing in a delinquency proceeding  
34 of which such person had notice, (B) on or after July 1, 2020, (i)  
35 allegedly committed a delinquent act while eighteen or nineteen years  
36 of age, or (ii) committed a delinquent act while eighteen or nineteen  
37 years of age, and (I) subsequent to attaining twenty years of age,  
38 violates any order of the Superior Court or any condition of probation  
39 ordered by the Superior Court with respect to a delinquency  
40 proceeding, or (II) wilfully fails to appear in response to a summons  
41 under section 46b-133, as amended by this act, or at any other court  
42 hearing in a delinquency proceeding of which such person had notice,  
43 and (C) on or after July 1, 2021, (i) allegedly committed a delinquent  
44 act while eighteen, nineteen or twenty years of age, or (ii) committed a

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

52 [(3)] (4) A child or young adult may be found "mentally deficient"  
53 who, by reason of a deficiency of intelligence that has existed from  
54 birth or from early age, requires, or will require, for such child's  
55 protection or for the protection of others, special care, supervision and  
56 control;

57 [(4)] (5) (A) A child may be [convicted] adjudicated as "delinquent"  
58 who has, while under sixteen years of age, (i) violated any federal or  
59 state law, except section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or  
60 53a-223a, or violated a municipal or local ordinance, except an  
61 ordinance regulating behavior of a child in a family with service needs,  
62 (ii) wilfully failed to appear in response to a summons under section  
63 46b-133, as amended by this act, or at any other court hearing in a  
64 delinquency proceeding of which the child had notice, (iii) violated  
65 any order of the Superior Court in a delinquency proceeding, except as  
66 provided in section 46b-148, or (iv) violated conditions of probation in  
67 a delinquency proceeding as ordered by the court;

68 (B) A [child] youth or young adult may be [convicted] adjudicated  
69 as "delinquent" who has (i) [while sixteen or seventeen years of age,]  
70 violated any federal or state law, other than (I) an infraction, except an  
71 infraction under subsection (d) of section 21a-267, (II) a violation,  
72 except a violation under subsection (a) of section 21a-279a, (III) a motor  
73 vehicle offense or violation under title 14, (IV) a violation of a  
74 municipal or local ordinance, or (V) a violation of section 51-164r, 53a-  
75 172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, (ii) [while sixteen  
76 years of age or older,] wilfully failed to appear in response to a

77 summons under section 46b-133, as amended by this act, or at any  
78 other court hearing in a delinquency proceeding of which the [child]  
79 youth or young adult had notice, (iii) [while sixteen years of age or  
80 older,] violated any order of the Superior Court in a delinquency  
81 proceeding, except as provided in section 46b-148, or (iv) [while  
82 sixteen years of age or older,] violated conditions of probation in a  
83 delinquency proceeding as ordered by the court;

84 [(5)] (6) "Family with service needs" means a family that includes a  
85 child who is [at least] (A) seven years of age or older and is under  
86 eighteen years of age who, according to a petition lawfully filed on or  
87 before June 30, 2019, [(A)] (i) has without just cause run away from the  
88 parental home or other properly authorized and lawful place of abode,  
89 [(B)] (ii) is beyond the control of the child's [or youth's] parent, parents,  
90 guardian or other custodian, [(C)] and (iii) has engaged in indecent or  
91 immoral conduct, or [(D)] (B) is thirteen years of age or older and has  
92 engaged in sexual intercourse with another person and such other  
93 person is thirteen years of age or older and not more than two years  
94 older or younger than such child; [or youth.]

95 [(6)] (7) A child or youth may be found "neglected" who, for reasons  
96 other than being impoverished, (A) has been abandoned, (B) is being  
97 denied proper care and attention, physically, educationally,  
98 emotionally or morally, or (C) is being permitted to live under  
99 conditions, circumstances or associations injurious to the well-being of  
100 the child or youth;

101 [(7)] (8) A child or youth may be found "abused" who (A) has been  
102 inflicted with physical injury or injuries other than by accidental  
103 means, (B) has injuries that are at variance with the history given of  
104 them, or (C) is in a condition that is the result of maltreatment,  
105 including, but not limited to, malnutrition, sexual molestation or  
106 exploitation, deprivation of necessities, emotional maltreatment or  
107 cruel punishment;

108        [(8)] (9) A child or youth may be found "uncared for" (A) who is  
109 homeless, (B) whose home cannot provide the specialized care that the  
110 physical, emotional or mental condition of the child or youth requires,  
111 or (C) who has been identified as a victim of trafficking, as defined in  
112 section 46a-170. For the purposes of this section, the treatment of any  
113 child or youth by an accredited Christian Science practitioner, in lieu of  
114 treatment by a licensed practitioner of the healing arts, shall not of  
115 itself constitute neglect or maltreatment;

116        [(9)] (10) "Delinquent act" means (A) the violation by a child under  
117 [the age of] sixteen years of age of any federal or state law, except the  
118 violation of section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-  
119 223a, or the violation of a municipal or local ordinance, except an  
120 ordinance regulating behavior of a child in a family with service needs,  
121 (B) the violation by a [child sixteen or seventeen years of age] youth or  
122 young adult of any federal or state law, other than (i) an infraction,  
123 except an infraction under subsection (d) of section 21a-267, (ii) a  
124 violation, except a violation under subsection (a) of section 21a-279a,  
125 (iii) a motor vehicle offense or violation under title 14, (iv) the violation  
126 of a municipal or local ordinance, or (v) the violation of section 51-  
127 164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, (C) the  
128 wilful failure of a child [, including a child who has attained the age of  
129 eighteen,] or young adult to appear in response to a summons under  
130 section 46b-133, as amended by this act, or at any other court hearing  
131 in a delinquency proceeding of which the child has notice, (D) the  
132 violation of any order of the Superior Court in a delinquency  
133 proceeding by a child [, including a child who has attained the age of  
134 eighteen] or young adult, except as provided in section 46b-148, or (E)  
135 the violation of [conditions of probation] any condition of probation  
136 ordered by the court in a delinquency proceeding by a child [,  
137 including a child who has attained the age of eighteen, as ordered by  
138 the court] or by a young adult;

139        [(10)] (11) "Serious juvenile offense" means (A) the violation of,  
140 including attempt or conspiracy to violate, section 21a-277, 21a-278, 29-

141 33, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21,  
142 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57,  
143 inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to  
144 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95,  
145 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,  
146 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of  
147 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a or  
148 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211,  
149 53a-212, 53a-216 or 53a-217b, or (B) running away, without just cause,  
150 from any secure placement other than home while referred as a  
151 delinquent child to the Court Support Services Division or committed  
152 as a delinquent child to the Commissioner of Children and Families for  
153 a serious juvenile offense;

154 [(11)] (12) "Serious juvenile offender" means any child [convicted] or  
155 young adult adjudicated as delinquent for the commission of a serious  
156 juvenile offense;

157 [(12)] (13) "Serious juvenile repeat offender" means any child or  
158 young adult charged with the commission of any felony if such child  
159 or young adult has previously been [convicted] adjudicated as  
160 delinquent or [otherwise] convicted at any age for two violations of  
161 any provision of title 21a, 29, 53 or 53a that is designated as a felony;

162 [(13)] (14) "Alcohol-dependent" means a psychoactive substance  
163 dependence on alcohol as that condition is defined in the most recent  
164 edition of the American Psychiatric Association's "Diagnostic and  
165 Statistical Manual of Mental Disorders"; [and]

166 [(14)] (15) "Drug-dependent" means a psychoactive substance  
167 dependence on drugs as that condition is defined in the most recent  
168 edition of the American Psychiatric Association's "Diagnostic and  
169 Statistical Manual of Mental Disorders", [ No child shall be classified  
170 as drug-dependent who is dependent (A) upon a] except in the case of  
171 a dependency upon a (A) morphine-type substance as an incident to

172 current medical treatment of a demonstrable physical disorder other  
173 than drug dependence, or (B) [upon] amphetamine-type, ataractic,  
174 barbiturate-type, hallucinogenic or other stimulant and depressant  
175 substances as an incident to current medical treatment of a  
176 demonstrable physical or psychological disorder, or both, other than  
177 drug dependence; [.] and

178 (16) "Age for adult jurisdiction" means (A) on and after July 1, 2019,  
179 but not later than June 30, 2020, nineteen years of age and older, (B) on  
180 and after July 1, 2020, but not later than June 30, 2021, twenty years of  
181 age and older, and (C) on and after July 1, 2021, twenty-one years of  
182 age and older.

183 Sec. 2. Section 46b-121 of the general statutes is repealed and the  
184 following is substituted in lieu thereof (*Effective July 1, 2019*):

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

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

203 probation or suspended commitment.

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

234 (2) If any order for the payment of money is issued by the Superior  
235 Court, including any order assessing costs issued under section 46b-

236 134, as amended by this act, or 46b-136, as amended by this act, the  
237 collection of such money shall be made by the court, except orders for  
238 support of children committed to any state agency or department,  
239 which orders shall be made payable to and collected by the  
240 Department of Administrative Services. If the Superior Court after due  
241 diligence is unable to collect such moneys within six months, the court  
242 shall refer such case to the Department of Administrative Services for  
243 collection as a delinquent account. In juvenile matters, the Superior  
244 Court shall have authority to make and enforce orders directed to  
245 persons liable hereunder on petition of the Department of  
246 Administrative Services made to the court in the same manner as is  
247 provided in section 17b-745, in accordance with the provisions of  
248 section 17b-81 or 17b-223, subsection (b) of section 17b-179 or section  
249 17a-90, 46b-129 or 46b-130, and all of the provisions of section 17b-745  
250 shall be applicable to such proceedings. Any judge hearing a juvenile  
251 matter may make any other order in connection therewith that a judge  
252 of the Superior Court is authorized to grant and such order shall have  
253 the same force and effect as any other order of the Superior Court. No  
254 commitment to the Department of Children and Families may be  
255 ordered or continued for a delinquent child who has attained the age  
256 of twenty. Notwithstanding the terms of any order in effect on October  
257 1, 2011, any commitment to the Department of Children and Families  
258 in a delinquency proceeding pursuant to this chapter shall terminate  
259 not later than the date the child attains the age of twenty.

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

265 Sec. 3. Section 46b-121n of the general statutes is repealed and the  
266 following is substituted in lieu thereof (*Effective from passage*):

267 (a) There is established a Juvenile Justice Policy and Oversight

268 Committee. The committee shall evaluate policies related to the  
269 juvenile justice system and the expansion of juvenile jurisdiction to  
270 include persons [sixteen and seventeen] eighteen, nineteen and twenty  
271 years of age.

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

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

276 (2) The chairpersons and ranking members of the joint standing  
277 committees of the General Assembly having cognizance of matters  
278 relating to the judiciary, children, human services and appropriations,  
279 or their designees;

280 (3) The Chief Court Administrator, or the Chief Court  
281 Administrator's designee;

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

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

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

288 (7) The Chief Public Defender, or the Chief Public Defender's  
289 designee;

290 (8) The Chief State's Attorney, or the Chief State's Attorney's  
291 designee;

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

294 (10) The Commissioner of Correction, or the commissioner's

295 designee;

296 (11) The Commissioner of Education, or the commissioner's  
297 designee;

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

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

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

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

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

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

310 (18) Two child or youth advocates, one of whom shall be appointed  
311 by one chairperson of the Juvenile Justice Policy and Oversight  
312 Committee, and one of whom shall be appointed by the other  
313 chairperson of the Juvenile Justice Policy and Oversight Committee;

314 (19) Two parents or parent advocates, at least one of whom is the  
315 parent of a child who has been involved with the juvenile justice  
316 system, one of whom shall be appointed by the minority leader of the  
317 House of Representatives, and one of whom shall be appointed by the  
318 minority leader of the Senate;

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

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

321 (22) The Secretary of the Office of Policy and Management, or the  
322 secretary's designee; [.]

323 (23) An advocate on behalf of victims of family violence crimes,  
324 appointed by the Governor; and

325 (24) An advocate on behalf of victims of sexual assault, appointed  
326 by the Governor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

410 efforts and other processes to reduce the number of children and  
411 youths who enter the juvenile justice system;

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

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

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

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

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

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

437 (j) The committee shall implement a strategic plan that integrates  
438 the short-term, medium-term and long-term goals identified pursuant

439 to subdivision (3) of subsection (f) of this section. As part of the  
440 implementation of such plan, the committee shall collaborate with any  
441 state agency with responsibilities with respect to the juvenile justice  
442 system, including, but not limited to, the Departments of Education,  
443 Mental Health and Addiction Services, Correction and Children and  
444 Families and the Labor Department and Judicial Department, and  
445 municipal police departments. Not later than January 1, 2016, the  
446 committee shall report such plan, in accordance with section 11-4a, to  
447 the joint standing committees of the General Assembly having  
448 cognizance of matters relating to appropriations, the judiciary, human  
449 services and children, and the Secretary of the Office of Policy and  
450 Management, regarding progress toward the full implementation of  
451 such plan and any recommendations concerning the implementation  
452 of such identified goals by any state agency with responsibilities with  
453 respect to the juvenile justice system or municipal police departments.

454 (k) Not later than January 1, 2017, the committee shall submit a  
455 report, in accordance with section 11-4a, to the joint standing  
456 committees of the General Assembly having cognizance of matters  
457 relating to appropriations, the judiciary, human services and children  
458 and the Secretary of the Office of Policy and Management, regarding a  
459 plan that includes cost options for the development of a community-  
460 based diversion system. Such plan shall include recommendations to  
461 address issues concerning mental health and juvenile justice. The plan  
462 shall include recommendations regarding the following:

463 (1) Diversion of children who commit crimes, excluding serious  
464 juvenile offenses, from the juvenile justice system;

465 (2) Identification of services that are evidence-based, trauma-  
466 informed and culturally and linguistically appropriate;

467 (3) Expansion of the capacity of juvenile review boards to accept  
468 referrals from municipal police departments and schools and  
469 implement restorative practices;

470 (4) Expansion of the provision of prevention, intervention and  
471 treatment services by youth service bureaus;

472 (5) Expansion of access to in-home and community-based services;

473 (6) Identification and expansion of services needed to support  
474 children who are truant or exhibiting behaviors defiant of school rules  
475 and enhance collaboration between school districts and community  
476 providers in order to best serve such children;

477 (7) Expansion of the use of memoranda of understanding pursuant  
478 to section 10-233m between local law enforcement agencies and local  
479 and regional boards of education;

480 (8) Expansion of the use of memoranda of understanding between  
481 local and regional boards of education and community providers for  
482 provision of community-based services;

483 (9) Recommendations to ensure that children in the juvenile justice  
484 system have access to a full range of community-based behavioral  
485 health services;

486 (10) Reinvestment of cost savings associated with reduced  
487 incarceration rates for children and increased accessibility to  
488 community-based behavioral health services;

489 (11) Reimbursement policies that incentivize providers to deliver  
490 evidence-based practices to children in the juvenile justice system;

491 (12) Recommendations to promote the use of common behavioral  
492 health screening tools in schools and communities;

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

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

500 (l) The committee shall establish a data working group to develop a  
501 plan for a data integration process to link data related to children  
502 across executive branch agencies, through the Office of Policy and  
503 Management's integrated data system, and the Judicial Department  
504 through the Court Support Services Division, for purposes of  
505 evaluation and assessment of programs, services and outcomes in the  
506 juvenile justice system. Membership of the working group shall  
507 include, but not be limited to, the Commissioners of Children and  
508 Families, Correction, Education and Mental Health and Addiction  
509 Services, or their designees; the Chief State's Attorney, or the Chief  
510 State's Attorney's designee; the Chief Public Defender, or the Chief  
511 Public Defender's designee; the Secretary of the Office of Policy and  
512 Management, or the secretary's designee; and the Chief Court  
513 Administrator of the Judicial Branch, or the Chief Court  
514 Administrator's designee. Such working group shall include persons  
515 with expertise in data development and research design. The plan shall  
516 include cost options and provisions to:

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

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

519 (3) Link the data maintained by executive branch agencies and the  
520 Judicial Department for the purposes of facilitating the sharing and  
521 analysis of data;

522 (4) Establish provisions for protecting confidential information and  
523 enforcing state and federal confidentiality protections and ensure  
524 compliance with related state and federal laws and regulations;

525 (5) Develop specific recommendations for the committee on the use  
526 of limited releases of client specific data sharing across systems,  
527 including with the Office of Policy and Management, the Division of

528 Criminal Justice, the Departments of Children and Families, Education  
529 and Mental Health and Addiction Services, the Judicial Department  
530 and other agencies; and

531 (6) Develop a standard template for memoranda of understanding  
532 for data-sharing between executive branch agencies, the Judicial  
533 Department, and when necessary, researchers outside of state  
534 government.

535 (m) The committee shall plan for the implementation of any changes  
536 required pursuant to chapter 815t and sections 54-76b to 54-76q,  
537 inclusive, as amended by this act, to the juvenile justice system in  
538 order to extend jurisdiction in delinquency matters and proceedings  
539 within the Superior Court for juvenile matters to include persons who  
540 are (1) eighteen years of age or older but under nineteen years of age,  
541 beginning July 1, 2019, (2) nineteen years of age or older but under  
542 twenty years of age, beginning July 1, 2020, and (3) twenty years of age  
543 or older but under twenty-one years of age, beginning July 1, 2021. The  
544 committee shall make recommendations including, but not limited to,  
545 (A) recommendations on the appropriate processes required for  
546 adjudication of young adults in juvenile court charged with sexual  
547 assault or with a crime involving family violence as may be so  
548 designated under section 46b-38h and on the services needed to  
549 support the victims of the young adults in such cases, (B)  
550 recommendations on the appropriate facilities for both the pretrial and  
551 post-adjudication confinement of the young adult population, and (C)  
552 recommendations on opening juvenile court proceedings to the public  
553 in matters in which a young adult is before the court. On or before  
554 January 1, 2019, the committee shall submit a report, in accordance  
555 with section 11-4a, on the committee's findings, together with any  
556 recommendations for legislation, to the Governor, the speaker of the  
557 House of Representatives, the majority leader of the House of  
558 Representatives, the president pro tempore of the Senate, the majority  
559 leader of the Senate, the minority leader of the House of  
560 Representatives, the minority leader of the Senate and the joint

561 standing committees of the General Assembly having cognizance of  
562 matters relating to the judiciary, human services, children and  
563 appropriations.

564 Sec. 4. Section 46b-127 of the general statutes is repealed and the  
565 following is substituted in lieu thereof (*Effective July 1, 2019*):

566 (a) (1) The court shall automatically transfer from the docket for  
567 juvenile matters to the regular criminal docket of the Superior Court  
568 the case of any child or young adult charged with the commission of a  
569 capital felony under the provisions of section 53a-54b in effect prior to  
570 April 25, 2012, a class A felony, or a class B felony, except as provided  
571 in [subdivision (3)] subsection (b) of this [subsection] section, or a  
572 violation of section 53a-54d, provided such offense was committed  
573 [after such child attained the age of fifteen years] by a child when such  
574 child was at least fifteen years of age or by a young adult and counsel  
575 has been appointed for such child or young adult if such child or  
576 young adult is indigent. Such counsel may appear with the child or  
577 young adult but shall not be permitted to make any argument or file  
578 any motion in opposition to the transfer. The child or young adult shall  
579 be arraigned in the regular criminal docket of the Superior Court at the  
580 next court date following such transfer. [ , provided any] Any  
581 proceedings held prior to the finalization of such transfer shall be  
582 private and shall be conducted in such parts of the courthouse or the  
583 building in which the court is located that are separate and apart from  
584 the other parts of the court which are then being used for proceedings  
585 pertaining to [adults] persons charged with crimes on the regular  
586 criminal docket.

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

592 [(3) No case of any child charged with the commission of a violation  
593 of section 53a-55, 53a-59b, 53a-71 or 53a-94, subdivision (2) of  
594 subsection (a) of section 53a-101, section 53a-112, 53a-122 or 53a-129b,  
595 subdivision (1), (3) or (4) of subsection (a) of section 53a-134, section  
596 53a-196c, 53a-196d or 53a-252 or subsection (a) of section 53a-301 shall  
597 be transferred from the docket for juvenile matters to the regular  
598 criminal docket of the Superior Court, except as provided in this  
599 subdivision. Upon motion of a prosecutorial official, the superior court  
600 for juvenile matters shall conduct a hearing to determine whether the  
601 case of any child charged with the commission of any such offense  
602 shall be transferred from the docket for juvenile matters to the regular  
603 criminal docket of the Superior Court. The court shall not order that  
604 the case be transferred under this subdivision unless the court finds  
605 that (A) such offense was committed after such child attained the age  
606 of fifteen years, (B) there is probable cause to believe the child has  
607 committed the act for which the child is charged, and (C) the best  
608 interests of the child and the public will not be served by maintaining  
609 the case in the superior court for juvenile matters. In making such  
610 findings, the court shall consider (i) any prior criminal or juvenile  
611 offenses committed by the child, (ii) the seriousness of such offenses,  
612 (iii) any evidence that the child has intellectual disability or mental  
613 illness, and (iv) the availability of services in the docket for juvenile  
614 matters that can serve the child's needs. Any motion under this  
615 subdivision shall be made, and any hearing under this subdivision  
616 shall be held, not later than thirty days after the child is arraigned in  
617 the superior court for juvenile matters.]

618 (b) (1) Upon motion of a prosecutorial official, the superior court for  
619 juvenile matters shall conduct a hearing to determine whether the case  
620 of any child or young adult charged with the commission of a violation  
621 of section 53a-122 or a class C, D or E felony or an unclassified felony  
622 shall be transferred from the docket for juvenile matters to the regular  
623 criminal docket of the Superior Court. The court shall not order that  
624 the case be transferred under this subdivision unless the court finds

625 that (A) such offense was committed [after such child attained the age  
626 of fifteen years] by a child when such child was at least fifteen years of  
627 age or by a young adult, (B) there is probable cause, based on either  
628 sworn affidavits or testimony, to believe the child or young adult has  
629 committed the act for which the child or young adult is charged, and  
630 (C) [the best interests of the child and the public will not be served by  
631 maintaining the case in the superior court for juvenile matters] public  
632 safety can best be served by transferring the case to the regular  
633 criminal docket of the Superior Court. In making such findings, the  
634 court shall consider (i) any prior criminal or juvenile offenses  
635 committed by the child or young adult, (ii) the seriousness of such  
636 offenses, (iii) any evidence that the child or young adult has  
637 intellectual disability or mental illness, and (iv) the best interests of the  
638 child or young adult, including the sophistication, maturity and  
639 mental status of the child or young adult by consideration of his or her  
640 social, environmental and mental health history and the availability of  
641 services in the docket for juvenile matters that can serve the [child's]  
642 needs of the child or young adult. Any motion under this subdivision  
643 shall be made, and any hearing under this subdivision shall be held,  
644 not later than thirty days after the child or young adult is arraigned in  
645 the superior court for juvenile matters.

646 (2) If a case is transferred to the regular criminal docket pursuant to  
647 subdivision (1) of this subsection, [or subdivision (3) of subsection (a)  
648 of this section,] the court sitting for the regular criminal docket may  
649 return the case to the docket for juvenile matters at any time prior to a  
650 jury rendering a verdict or the entry of a guilty plea for good cause  
651 shown for proceedings in accordance with the provisions of this  
652 chapter.

653 (c) [Upon] (1) Except as provided in subdivision (2) of this  
654 subsection, upon the effectuation of the transfer, such child or young  
655 adult shall stand trial and be sentenced, if convicted, as if such child  
656 [were eighteen years of age] or young adult were an age for adult  
657 jurisdiction, subject to the provisions of section 54-91g. Such child or

658 young adult shall receive credit against any sentence imposed for time  
659 served in a juvenile or detention facility prior to the effectuation of the  
660 transfer. A child or young adult who has been transferred may enter a  
661 guilty plea to a lesser offense if the court finds that such plea is made  
662 knowingly and voluntarily. Any child or young adult transferred to  
663 the regular criminal docket who pleads guilty to a lesser offense shall  
664 not resume such [child's] person's status as a juvenile regarding such  
665 offense. If the action is dismissed or nolleed or if such child or young  
666 adult is found not guilty of the charge for which such child or young  
667 adult was transferred or of any lesser included offenses, the child or  
668 young adult shall resume such [child's] person's status as a juvenile  
669 until such [child] person attains the age [of eighteen years] for adult  
670 jurisdiction.

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

678 (d) Any child or young adult whose case is transferred to the  
679 regular criminal docket of the Superior Court who is detained  
680 pursuant to such case shall be in the custody of the Commissioner of  
681 Correction upon the finalization of such transfer. A transfer shall be  
682 final (1) upon the arraignment on the regular criminal docket until a  
683 motion filed by the state's attorney pursuant to subsection (a) of this  
684 section is granted by the court, or (2) upon the arraignment on the  
685 regular criminal docket of a transfer ordered pursuant to subsection (b)  
686 of this section until the court sitting for the regular criminal docket  
687 orders the case returned to the docket for juvenile matters for good  
688 cause shown. Any child or young adult whose case is returned to the  
689 docket for juvenile matters who is detained pursuant to such case shall  
690 be in the custody of the Judicial Department.

691 (e) The transfer of a child or young adult to a Department of  
692 Correction facility shall be limited as provided in subsection (d) of this  
693 section and said subsection shall not be construed to permit the  
694 transfer of or otherwise reduce or eliminate any other population of  
695 juveniles in detention or confinement within the Judicial Department  
696 or the Department of Children and Families.

697 (f) Upon the motion of any party or upon the court's own motion,  
698 the case of any youth [age sixteen or seventeen] or young adult, except  
699 a case that has been transferred to the regular criminal docket of the  
700 Superior Court pursuant to subsection (a) or (b) of this section, which  
701 is pending on the youthful offender docket, regular criminal docket of  
702 the Superior Court or any docket for the presentment of defendants in  
703 motor vehicle matters, where the youth or young adult is charged with  
704 committing any offense or violation for which a term of imprisonment  
705 may be imposed, other than a violation of section 14-227a, 14-227g or  
706 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n,  
707 may, before trial or before the entry of a guilty plea, be transferred to  
708 the docket for juvenile matters if (1) [the] (A) a youth is alleged to have  
709 committed such offense or violation on or after January 1, 2010, while  
710 sixteen years of age, or is alleged to have committed such offense or  
711 violation on or after July 1, 2012, while seventeen years of age, or (B) a  
712 young adult is alleged to have committed such offense or violation on  
713 or after July 1, 2019, while younger than the age for adult jurisdiction,  
714 and (2) after a hearing considering the facts and circumstances of the  
715 case and the prior history of the youth or young adult, the court  
716 determines that the programs and services available pursuant to a  
717 proceeding in the superior court for juvenile matters would more  
718 appropriately address the needs of the youth or young adult and that  
719 the youth or young adult and the community would be better served  
720 by treating the youth or young adult as a delinquent. Upon ordering  
721 such transfer, the court shall vacate any pleas entered in the matter and  
722 advise the youth or young adult of the [youth's] rights of the youth or  
723 young adult, and the youth or young adult shall (A) enter pleas on the

724 docket for juvenile matters in the jurisdiction where the youth or  
725 young adult resides, and (B) be subject to prosecution as a delinquent  
726 [child] youth or young adult. The decision of the court concerning the  
727 transfer of [a youth's case] the case of a youth or young adult from the  
728 youthful offender docket, regular criminal docket of the Superior  
729 Court or any docket for the presentment of defendants in motor  
730 vehicle matters shall not be a final judgment for purposes of appeal.

731 Sec. 5. Section 46b-133 of the 2018 supplement to the general statutes  
732 is repealed and the following is substituted in lieu thereof (*Effective July*  
733 *1, 2019*):

734 (a) Nothing in this part shall be construed as preventing the arrest of  
735 a child or young adult, with or without a warrant, as may be provided  
736 by law, or as preventing the issuance of warrants by judges in the  
737 manner provided by section 54-2a, except that no child or young adult  
738 shall be taken into custody on such process except on apprehension in  
739 the act, or on speedy information, or in other cases when the use of  
740 such process appears imperative. Whenever a child or young adult is  
741 arrested and charged with a delinquent act, such child or young adult  
742 may be required to submit to the taking of his or her photograph,  
743 physical description and fingerprints. Notwithstanding the provisions  
744 of section 46b-124, as amended by this act, the name, photograph and  
745 custody status of any child or young adult arrested for the commission  
746 of a capital felony under the provisions of section 53a-54b in effect  
747 prior to April 25, 2012, or class A felony may be disclosed to the public.

748 (b) Whenever a child or young adult is brought before a judge of  
749 the Superior Court, which court shall be the court that has jurisdiction  
750 over juvenile matters where the child or young adult resides if the  
751 residence of such child or young adult can be determined, such judge  
752 shall immediately have the case proceeded upon as a juvenile matter.  
753 Such judge may admit the child or young adult to bail or, in the case of  
754 a child, release the child in the custody of the child's parent or parents,  
755 the child's guardian or some other suitable person to appear before the

756 Superior Court when ordered. If detention becomes necessary, such  
757 detention shall be in the manner prescribed by this chapter, provided  
758 the child or young adult shall be placed in the least restrictive  
759 environment possible in a manner consistent with public safety.

760 (c) Upon the arrest of any child or young adult by an officer, such  
761 officer may (1) in the case of a child, release the child to the custody of  
762 the child's parent or parents, guardian or some other suitable person or  
763 agency, (2) at the discretion of the officer, release the child or young  
764 adult to the child's or young adult's own custody, or (3) seek a court  
765 order to detain the child or young adult in a juvenile detention center.  
766 No child or young adult may be placed in detention unless a judge of  
767 the Superior Court determines, based on the available facts, that (A)  
768 there is probable cause to believe that the child or young adult has  
769 committed the acts alleged, (B) there is no less restrictive alternative  
770 available, and (C) there is (i) probable cause to believe that the child or  
771 young adult will pose a risk to public safety if released to the  
772 community prior to the court hearing or disposition, (ii) a need to hold  
773 the child or young adult in order to ensure the [child's] appearance of  
774 the child or young adult before the court, as demonstrated by the  
775 [child's] previous failure of the child or young adult to respond to the  
776 court process, or (iii) a need to hold the child or young adult for  
777 another jurisdiction. No child or young adult shall be [held in any  
778 detention center] detained unless an order to detain is issued by a  
779 judge of the Superior Court.

780 (d) (1) When a child or young adult is arrested for the commission  
781 of a delinquent act and the child or young adult is not [placed in  
782 detention] detained or referred to a diversionary program, an officer  
783 shall serve a written complaint and summons on the child [and] or  
784 young adult, and, in the case of a child, the child's parent, guardian or  
785 some other suitable person or agency. [If] In the case of a child, if such  
786 child is released to the child's own custody, the officer shall make  
787 reasonable efforts to notify, and to provide a copy of a written  
788 complaint and summons to, the parent or guardian or some other

789 suitable person or agency prior to the court date on the summons. If  
790 any person so summoned wilfully fails to appear in court at the time  
791 and place so specified, the court may issue a warrant for the [child's  
792 arrest or] arrest of the child or young adult or, in the case of a child, a  
793 capias to assure the appearance in court of such parent, guardian or  
794 other person. If a child or young adult wilfully fails to appear in  
795 response to such a summons, the court may order such child or young  
796 adult taken into custody and such child or young adult may be  
797 charged with the delinquent act of wilful failure to appear under  
798 section 46b-120, as amended by this act. [The] In the case of a child, the  
799 court may punish for contempt, as provided in section 46b-121, as  
800 amended by this act, any parent, guardian or other person so  
801 summoned who wilfully fails to appear in court at the time and place  
802 so specified.

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

807 (e) When a child or young adult is arrested for the commission of a  
808 delinquent act and is [placed in detention] detained pursuant to  
809 subsection (c) of this section, such child or young adult may be  
810 detained pending a hearing which shall be held on the business day  
811 next following the [child's] arrest of the child or young adult. No child  
812 or young adult may be detained after such hearing unless the court  
813 determines, based on the available facts, that (1) there is probable  
814 cause to believe that the child or young adult has committed the acts  
815 alleged, (2) there is no less restrictive alternative available, and (3)  
816 through the use of the detention risk assessment instrument developed  
817 pursuant to section 46b-133g, as amended by this act, that there is (A)  
818 probable cause to believe that the child or young adult will pose a risk  
819 to public safety if released to the community prior to the court hearing  
820 or disposition; (B) a need to hold the child or young adult in order to  
821 ensure the [child's] appearance of the child or young adult before the

822 court, as demonstrated by the [child's] previous failure of the child or  
823 young adult to respond to the court process, or (C) a need to hold the  
824 child or young adult for another jurisdiction. Such probable cause may  
825 be shown by sworn affidavit in lieu of testimony. No child or young  
826 adult shall be released from detention who is alleged to have  
827 committed a serious juvenile offense except by order of a judge of the  
828 Superior Court. The court may, in its discretion, consider as an  
829 alternative to detention a suspended detention order with graduated  
830 sanctions to be imposed based on the detention risk assessment for  
831 such child or young adult, using the instrument developed pursuant to  
832 section 46b-133g, as amended by this act. Any child or young adult  
833 confined in a community correctional center or lockup shall be held in  
834 an area separate and apart from any adult detainee, except in the case  
835 of a nursing infant, and no child or young adult shall at any time be  
836 held in solitary confinement. When a female child or young adult is  
837 held in custody, she shall, as far as possible, be in the charge of a  
838 woman attendant.

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

853 (g) In conjunction with any order of release from detention, the  
854 court may, when it has reason to believe a child or young adult is

855 alcohol-dependent or drug-dependent, as defined in section 46b-120,  
856 as amended by this act, and where necessary, reasonable and  
857 appropriate, order the child or young adult to participate in a program  
858 of periodic alcohol or drug testing and treatment as a condition of such  
859 release. The results of any such alcohol or drug test shall be admissible  
860 only for the purposes of enforcing the conditions of release from  
861 detention.

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

867 (i) Whenever a child or young adult is subject to a court order to  
868 take such child or young adult into custody, or other process issued  
869 pursuant to this section or section 46b-140a, as amended by this act, the  
870 Judicial Branch may cause the order or process to be entered into a  
871 central computer system in accordance with policies and procedures  
872 established by the Chief Court Administrator. The existence of the  
873 order or process in the computer system shall constitute prima facie  
874 evidence of the issuance of the order or process. Any child or young  
875 adult named in the order or process may be arrested or taken into  
876 custody based on the existence of the order or process in the computer  
877 system and, if the order or process directs that such child be detained,  
878 the child shall be held in a juvenile detention center.

879 (j) In the case of any child or young adult held in detention, the  
880 order to detain such child or young adult shall be for a period that  
881 does not exceed seven days or until the dispositional hearing is held,  
882 whichever is shorter, unless, following a detention review hearing,  
883 such order is renewed for a period that does not exceed seven days or  
884 until the dispositional hearing is held, whichever is shorter.

885 Sec. 6. Section 46b-133c of the general statutes is repealed and the

886 following is substituted in lieu thereof (*Effective July 1, 2019*):

887 (a) Whenever a child or young adult is referred for the commission  
888 of a felony committed [after such child attained the age of fourteen  
889 years] by a child when such child was at least fifteen years of age or by  
890 a young adult and such child or young adult is a serious juvenile  
891 repeat offender, as defined in section 46b-120, as amended by this act,  
892 the prosecutorial official may request the court to designate the  
893 proceeding as a serious juvenile repeat offender prosecution.

894 (b) If a prosecutorial official requests that a proceeding be  
895 designated a serious juvenile repeat offender prosecution, the court  
896 shall hold a hearing not later than thirty days after the filing of such  
897 request unless good cause is shown by the prosecutorial official or by  
898 the child or young adult as to why the hearing should not be held  
899 within such period. If good cause is shown, the hearing shall be held  
900 not later than ninety days after the filing of such request. The court  
901 shall decide whether to designate the proceeding as a serious juvenile  
902 repeat offender prosecution not later than thirty days after the  
903 completion of such hearing. The court shall grant the request to  
904 designate the proceeding as a serious juvenile repeat offender  
905 prosecution if the prosecutorial official shows by clear and convincing  
906 evidence that such designation will serve the public safety. The  
907 decision to designate the proceeding as a serious juvenile repeat  
908 offender prosecution shall not be a final judgment for purposes of  
909 appeal.

910 (c) A proceeding designated as a serious juvenile repeat offender  
911 prosecution pursuant to subsection (b) of this section shall be held  
912 before the court without a jury provided the child or young adult has  
913 waived his or her right to a trial by jury. If a child or young adult is  
914 convicted of or pleads guilty to a felony in such proceeding, the court  
915 shall: (1) Sentence the child or young adult in accordance with section  
916 46b-140, as amended by this act, or 46b-141a, as amended by this act,  
917 and (2) sentence the child or young adult in accordance with section

918 53a-28 with the execution of such sentence stayed on the condition that  
919 the child or young adult not violate the conditions of the sentence  
920 imposed pursuant to subdivision (1) of this subsection or commit a  
921 subsequent crime.

922 (d) If a child or young adult is convicted of or pleads guilty to a  
923 misdemeanor in a proceeding designated as a serious juvenile repeat  
924 offender prosecution pursuant to subsection (b) of this section, the  
925 court shall sentence the child or young adult in accordance with  
926 section 46b-140, as amended by this act, or 46b-141a, as amended by  
927 this act.

928 (e) Whenever it appears that a child or young adult who has been  
929 sentenced pursuant to subsection (c) of this section has violated the  
930 conditions of the sentence imposed pursuant to subdivision (1) of said  
931 subsection (c) or has committed a subsequent crime, the court may,  
932 without notice, order that the child or young adult be immediately  
933 taken into custody in accordance with the provisions of section 46b-  
934 125. The court shall notify the child or young adult and, in the case of a  
935 child, such child's parent or guardian and the attorney of record for  
936 such child or young adult, if any, in writing of the reasons alleged to  
937 exist for the lifting of the stay of execution of the sentence imposed  
938 pursuant to subdivision (2) of said subsection (c). If the child or young  
939 adult challenges such reasons, the court shall hold a hearing at which  
940 the child or young adult shall be entitled to be heard and be  
941 represented by counsel. After such hearing, if the court finds that the  
942 child or young adult has violated the conditions of the sentence  
943 imposed pursuant to subdivision (1) of said subsection (c) or  
944 committed a subsequent crime, [it] the court shall order the child or  
945 young adult to serve a sentence not to exceed that imposed pursuant to  
946 subdivision (2) of said subsection (c) unless it determines there are  
947 mitigating circumstances that justify continuing the stay of execution  
948 and specifically states such mitigating circumstances in writing for the  
949 record. The child or young adult shall receive credit against any  
950 sentence imposed pursuant to subdivision (2) of said subsection (c) for

951 time served in a juvenile or detention facility pursuant to the sentence  
952 imposed pursuant to subdivision (1) of said subsection (c).

953 (f) Whenever a proceeding has been designated a serious juvenile  
954 repeat offender prosecution pursuant to subsection (b) of this section  
955 and the child or young adult does not waive [such child's right] the  
956 right of such child or young adult to a trial by jury, the court shall  
957 transfer the case from the docket for juvenile matters to the regular  
958 criminal docket of the Superior Court. Upon transfer, such child or  
959 young adult shall stand trial and be sentenced, if convicted, as if such  
960 child or young adult were [eighteen years of age] an age for adult  
961 jurisdiction, subject to the provisions of section 54-91g, except that no  
962 such child or young adult shall be placed in a correctional facility but  
963 shall be maintained in a facility for children and youths until such  
964 child attains eighteen years of age or until such child is sentenced,  
965 whichever occurs first. Such child or young adult shall receive credit  
966 against any sentence imposed for time served in a juvenile or detention  
967 facility prior to the effectuation of the transfer. A child or young adult  
968 who has been transferred may enter a guilty plea to a lesser offense if  
969 the court finds that such plea is made knowingly and voluntarily. Any  
970 child or young adult transferred to the regular criminal docket who  
971 pleads guilty to a lesser offense shall not resume such [child's] person's  
972 status as a juvenile regarding such offense. If the action is dismissed or  
973 nolleed or if such child or young adult is found not guilty of the charge  
974 for which such child or young adult was transferred, the child or  
975 young adult shall resume such [child's] person's status as a juvenile  
976 until such [child] person attains [eighteen years of age] the age for  
977 adult jurisdiction.

978 Sec. 7. Section 46b-133d of the general statutes is repealed and the  
979 following is substituted in lieu thereof (*Effective July 1, 2019*):

980 (a) For the purposes of this section, "special juvenile probation"  
981 means a period of probation imposed by the superior court for juvenile  
982 matters upon a child or young adult in a proceeding designated as a

983 serious sexual offender prosecution during which the child or young  
984 adult is supervised by a juvenile probation officer prior to such [child  
985 attaining eighteen years of age] person attaining the age for adult  
986 jurisdiction and by an adult probation officer after such [child attains  
987 eighteen years of age] person attains the age for adult jurisdiction.

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

993 (c) If a prosecutorial official requests that a proceeding be  
994 designated a serious sexual offender prosecution, the court shall hold a  
995 hearing not later than thirty days after the filing of such request unless  
996 good cause is shown by the prosecutorial official or by the child or  
997 young adult as to why the hearing should not be held within such  
998 period. If good cause is shown, the hearing shall be held not later than  
999 ninety days after the filing of such request. The court shall decide  
1000 whether to designate the proceeding as a serious sexual offender  
1001 prosecution not later than thirty days after the completion of such  
1002 hearing. The court shall grant the request to designate the proceeding  
1003 as a serious sexual offender prosecution if the prosecutorial official  
1004 shows by a preponderance of the evidence that such designation will  
1005 serve the public safety. The decision to designate the proceeding as a  
1006 serious sexual offender prosecution shall not be a final judgment for  
1007 purposes of appeal.

1008 (d) A proceeding designated as a serious sexual offender  
1009 prosecution pursuant to subsection (c) of this section shall be held  
1010 before the court without a jury provided the child or young adult has  
1011 waived the right to a trial by jury. If a child or young adult is convicted  
1012 of or pleads guilty or nolo contendere to a charge in a proceeding that  
1013 has been designated as a serious sexual offender prosecution, the court  
1014 shall: (1) Sentence the child or young adult in accordance with section

1015 46b-140, as amended by this act, or 46b-141a, as amended by this act,  
1016 (2) sentence the child or young adult to a period of special juvenile  
1017 probation of at least five years, to commence upon the release of the  
1018 child or young adult from the institution, agency or program in whose  
1019 care the child or young adult had been placed, and (3) sentence the  
1020 child or young adult in accordance with section 53a-28 with the  
1021 execution of such sentence stayed on the condition that the child or  
1022 young adult not violate the conditions of the sentence imposed  
1023 pursuant to subdivisions (1) and (2) of this subsection or commit a  
1024 subsequent crime.

1025 (e) Whenever it appears that a child or young adult who has been  
1026 sentenced pursuant to subsection (d) of this section has violated the  
1027 conditions of the sentence imposed pursuant to subdivision (2) of said  
1028 subsection or has committed a subsequent crime, the court may,  
1029 without notice, order that the child or young adult be immediately  
1030 taken into custody in accordance with the provisions of sections 46b-  
1031 125 and 53a-32. If such violation of probation or subsequent crime  
1032 occurs prior to the person attaining [eighteen years of age] the age for  
1033 adult jurisdiction, the matter shall be handled by the superior court for  
1034 juvenile matters. If such violation of probation or subsequent crime  
1035 occurs after the person has attained [eighteen years of age] the age for  
1036 adult jurisdiction, the matter shall be handled by the regular criminal  
1037 docket of the Superior Court. Whenever such matter is handled by the  
1038 superior court for juvenile matters, the court shall notify the child or  
1039 young adult and, in the case of a child, such child's parent or guardian  
1040 and the attorney of record for such child or young adult, if any, in  
1041 writing of the reasons alleged to exist for the lifting of the stay of  
1042 execution of the sentence imposed pursuant to subdivision (3) of  
1043 subsection (d) of this section. If the child or young adult challenges  
1044 such reasons, the court shall hold a hearing at which the child or  
1045 young adult shall be entitled to be heard and be represented by  
1046 counsel. After such hearing, if the court finds that the child or young  
1047 adult has violated the conditions of the sentence imposed pursuant to

1048 subdivision (2) of subsection (d) of this section or committed a  
1049 subsequent crime, it shall order the child or young adult to serve a  
1050 sentence not to exceed that imposed pursuant to subdivision (3) of  
1051 subsection (d) of this section unless it determines there are mitigating  
1052 circumstances that justify continuing the stay of execution and  
1053 specifically states such mitigating circumstances in writing for the  
1054 record. The child or young adult shall receive credit against any  
1055 sentence imposed pursuant to subdivision (3) of subsection (d) of this  
1056 section for time served in a juvenile or detention facility pursuant to  
1057 the sentence imposed pursuant to subdivision (1) of said subsection.

1058 (f) When a proceeding has been designated a serious sexual  
1059 offender prosecution pursuant to subsection (c) of this section and the  
1060 child or young adult does not waive the right to a trial by jury, the  
1061 court shall transfer the case from the docket for juvenile matters to the  
1062 regular criminal docket of the Superior Court. Upon transfer, such  
1063 child or young adult shall stand trial and be sentenced, if convicted, as  
1064 if such child or young adult were [eighteen years of age] an age for  
1065 adult jurisdiction, subject to the provisions of section 54-91g, except  
1066 that no such child or young adult shall be placed in a correctional  
1067 facility but shall be maintained in a facility for children and youths  
1068 until such child attains eighteen years of age or until such child is  
1069 sentenced, whichever occurs first. Such child or young adult shall  
1070 receive credit against any sentence imposed for time served in a  
1071 juvenile or detention facility prior to the effectuation of the transfer. A  
1072 child or young adult who has been transferred may enter a guilty plea  
1073 to a lesser offense if the court finds that such plea is made knowingly  
1074 and voluntarily. Any child or young adult transferred to the regular  
1075 criminal docket who pleads guilty to a lesser offense shall not resume  
1076 such [child's] person's status as a juvenile regarding such offense. If the  
1077 action is dismissed or nolleed or if such child or young adult is found  
1078 not guilty of the charge for which such child or young adult was  
1079 transferred, the child or young adult shall resume such [child's]  
1080 person's status as a juvenile until such [child attains eighteen years of

1081 age] person attains the age for adult jurisdiction.

1082 Sec. 8. Subsections (d) and (e) of section 4-68m of the general  
1083 statutes are repealed and the following is substituted in lieu thereof  
1084 (*Effective July 1, 2019*):

1085 (d) In the performance of its duties under this section, the division  
1086 shall collaborate with the Department of Correction, the Board of  
1087 Pardons and Paroles, the Department of Mental Health and Addiction  
1088 Services and the Department of Emergency Services and Public  
1089 Protection and consult with the Chief Court Administrator, the  
1090 executive director of the Court Support Services Division of the  
1091 Judicial Branch, the Chief State's Attorney, [and] the Chief Public  
1092 Defender, the Department of Children and Families and the Office of  
1093 the Chief Medical Examiner.

1094 (e) (1) At the request of the division, the Department of Correction,  
1095 the Board of Pardons and Paroles, the Department of Mental Health  
1096 and Addiction Services, the Department of Emergency Services and  
1097 Public Protection, the Chief Court Administrator, the executive  
1098 director of the Court Support Services Division of the Judicial Branch,  
1099 the Chief State's Attorney, [and] the Chief Public Defender, the  
1100 Department of Children and Families and the Office of the Chief  
1101 Medical Examiner shall provide the division with information and  
1102 data needed by the division to perform its duties under subsection (b)  
1103 of this section.

1104 (2) The division shall have access to individualized records  
1105 maintained by the Judicial Branch and the agencies specified in  
1106 subdivision (1) of this subsection as needed for research purposes. The  
1107 division, in collaboration with the Judicial Branch and the agencies  
1108 specified in subdivision (1) of this subsection, shall develop protocols  
1109 to protect the privacy of such individualized records consistent with  
1110 state and federal law. The division shall use such individualized  
1111 records for statistical analyses only and shall not use such records in

1112 any other manner that would disclose the identity of individuals to  
1113 whom the records pertain.

1114 (3) Any information or data provided to the division pursuant to  
1115 this subsection that is confidential in accordance with state or federal  
1116 law shall remain confidential while in the custody of the division and  
1117 shall not be disclosed.

1118 Sec. 9. Section 46b-124 of the 2018 supplement to the general  
1119 statutes, as amended by section 593 of public act 17-2 of the June  
1120 special session, is repealed and the following is substituted in lieu  
1121 thereof (*Effective July 1, 2019*):

1122 (a) For the purposes of this section, "records of cases of juvenile  
1123 matters" includes, but is not limited to, court records, records  
1124 regarding juveniles maintained by the Court Support Services  
1125 Division, records regarding juveniles maintained by an organization or  
1126 agency that has contracted with the Judicial Branch to provide services  
1127 to juveniles, records of law enforcement agencies including  
1128 fingerprints, photographs and physical descriptions, and medical,  
1129 psychological, psychiatric and social welfare studies and reports by  
1130 juvenile probation officers, public or private institutions, social  
1131 agencies and clinics.

1132 (b) All records of cases of juvenile matters, as provided in section  
1133 46b-121, as amended by this act, except delinquency proceedings, or  
1134 any part thereof, and all records of appeals from probate brought to  
1135 the superior court for juvenile matters pursuant to section 45a-186,  
1136 shall be confidential and for the use of the court in juvenile matters,  
1137 and open to inspection or disclosure to any third party, including bona  
1138 fide researchers commissioned by a state agency, only upon order of  
1139 the Superior Court, except that: (1) Such records shall be available to  
1140 (A) the attorney representing the child or [youth] young adult,  
1141 including the Division of Public Defender Services, in any proceeding  
1142 in which such records are relevant, (B) the parents or guardian of the

1143 child [or youth] until such time as the child [or youth] reaches the age  
1144 of majority or becomes emancipated, (C) an [adult] adopted person  
1145 eighteen years of age or older in accordance with the provisions of  
1146 sections 45a-736, 45a-737 and 45a-743 to 45a-757, inclusive, (D)  
1147 employees of the Division of Criminal Justice who, in the performance  
1148 of their duties, require access to such records, (E) employees of the  
1149 Judicial Branch who, in the performance of their duties, require access  
1150 to such records, (F) another court under the provisions of subsection  
1151 (d) of section 46b-115j, (G) the subject of the record, upon submission  
1152 of satisfactory proof of the subject's identity, pursuant to guidelines  
1153 prescribed by the Office of the Chief Court Administrator, provided  
1154 the subject has reached the age of majority or has been emancipated,  
1155 (H) the Department of Children and Families, (I) the employees of the  
1156 Division of Public Defender Services who, in the performance of their  
1157 duties related to Division of Public Defender Services assigned  
1158 counsel, require access to such records, and (J) judges and employees  
1159 of the Probate Court who, in the performance of their duties, require  
1160 access to such records; and (2) all or part of the records concerning a  
1161 youth in crisis with respect to whom a court order was issued prior to  
1162 January 1, 2010, may be made available to the Department of Motor  
1163 Vehicles, provided such records are relevant to such order. Any  
1164 records of cases of juvenile matters, or any part thereof, provided to  
1165 any persons, governmental or private agencies, or institutions  
1166 pursuant to this section shall not be disclosed, directly or indirectly, to  
1167 any third party not specified in subsection (d) of this section, except as  
1168 provided by court order, in the report required under section 54-76d or  
1169 54-91a or as otherwise provided by law.

1170 (c) All records of cases of juvenile matters involving delinquency  
1171 proceedings, or any part thereof, shall be confidential and for the use  
1172 of the court in juvenile matters and shall not be disclosed except as  
1173 provided in this section and section 46b-124a.

1174 (d) Records of cases of juvenile matters involving delinquency  
1175 proceedings shall be available to (1) Judicial Branch employees who, in

1176 the performance of their duties, require access to such records, (2)  
1177 judges and employees of the Probate Court who, in the performance of  
1178 their duties, require access to such records, and (3) employees and  
1179 authorized agents of state or federal agencies involved in (A) the  
1180 delinquency proceedings, (B) the provision of services directly to the  
1181 child or young adult, (C) the design and delivery of treatment  
1182 programs pursuant to section 46b-121j, or (D) the delivery of court  
1183 diversionary programs. Such employees and authorized agents  
1184 include, but are not limited to, law enforcement officials, community-  
1185 based youth service bureau officials, state and federal prosecutorial  
1186 officials, school officials in accordance with section 10-233h, court  
1187 officials including officials of both the regular criminal docket and the  
1188 docket for juvenile matters and officials of the Division of Criminal  
1189 Justice, the Division of Public Defender Services, the Department of  
1190 Children and Families, the Court Support Services Division and  
1191 agencies under contract with the Judicial Branch. Such records shall  
1192 also be available to (i) the attorney representing the child or young  
1193 adult, including the Division of Public Defender Services, in any  
1194 proceeding in which such records are relevant, (ii) in the case of a  
1195 child, the parents or guardian of the child, until such time as the  
1196 subject of the record reaches the age of majority, (iii) the subject of the  
1197 record, upon submission of satisfactory proof of the subject's identity,  
1198 pursuant to guidelines prescribed by the Office of the Chief Court  
1199 Administrator, provided the subject has reached the age of majority,  
1200 (iv) law enforcement officials and prosecutorial officials conducting  
1201 legitimate criminal investigations, (v) a state or federal agency  
1202 providing services related to the collection of moneys due or funding  
1203 to support the service needs of eligible juveniles, provided such  
1204 disclosure shall be limited to that information necessary for the  
1205 collection of and application for such moneys, and (vi) members and  
1206 employees of the Board of Pardons and Paroles and employees of the  
1207 Department of Correction who, in the performance of their duties,  
1208 require access to such records, provided the subject of the record has  
1209 been convicted of a crime in the regular criminal docket of the Superior

1210 Court and such records are relevant to the performance of a risk and  
1211 needs assessment of such person while such person is incarcerated, the  
1212 determination of such person's suitability for release from  
1213 incarceration or for a pardon, or the determination of the supervision  
1214 and treatment needs of such person while on parole or other  
1215 supervised release. Records disclosed pursuant to this subsection shall  
1216 not be further disclosed, except that information contained in such  
1217 records may be disclosed in connection with bail or sentencing reports  
1218 in open court during criminal proceedings involving the subject of  
1219 such information, or as otherwise provided by law.

1220 (e) Records of cases of juvenile matters involving delinquency  
1221 proceedings, or any part thereof, may be disclosed upon order of the  
1222 court to any person who has a legitimate interest in the information  
1223 and is identified in such order. Records disclosed pursuant to this  
1224 subsection shall not be further disclosed, except as specifically  
1225 authorized by a subsequent order of the court.

1226 (f) Information concerning a child or young adult who is the subject  
1227 of an order to take such child or young adult into custody or other  
1228 process that has been entered into a central computer system pursuant  
1229 to subsection (i) of section 46b-133, as amended by this act, may be  
1230 disclosed to employees and authorized agents of the Judicial Branch,  
1231 law enforcement agencies and the Department of Children and  
1232 Families in accordance with policies and procedures established by the  
1233 Chief Court Administrator.

1234 (g) Information concerning a child or young adult who has escaped  
1235 from a detention center or from a facility to which the child or young  
1236 adult has been committed by the court or for whom an arrest warrant  
1237 has been issued with respect to the commission of a felony may be  
1238 disclosed by law enforcement officials.

1239 (h) Nothing in this section shall be construed to prohibit any person  
1240 employed by the Judicial Branch from disclosing any records,

1241 information or files in such employee's possession to any person  
1242 employed by the Division of Criminal Justice as a prosecutorial official,  
1243 inspector or investigator who, in the performance of his or her duties,  
1244 requests such records, information or files, or to prohibit any such  
1245 employee of said division from disclosing any records, information or  
1246 files in such employee's possession to any such employee of the  
1247 Judicial Branch who, in the performance of his or her duties, requests  
1248 such records, information or files.

1249 (i) Nothing in this section shall be construed to prohibit a party from  
1250 making a timely objection to the admissibility of evidence consisting of  
1251 records of cases of juvenile matters, or any part thereof, in any  
1252 Superior Court or Probate Court proceeding, or from making a timely  
1253 motion to seal any such record pursuant to the rules of the Superior  
1254 Court or the rules of procedure adopted under section 45a-78.

1255 (j) A state's attorney shall disclose to the defendant or such  
1256 defendant's counsel in a criminal prosecution, without the necessity of  
1257 a court order, exculpatory information and material contained in any  
1258 record disclosed to such state's attorney pursuant to this section and  
1259 may disclose, without a court order, information and material  
1260 contained in any such record which could be the subject of a disclosure  
1261 order.

1262 (k) (1) Notwithstanding the provisions of subsection (d) of this  
1263 section, any information concerning a child or young adult that is  
1264 obtained during any mental health screening or assessment of such  
1265 child or young adult, shall be used solely for planning and treatment  
1266 purposes and shall otherwise be confidential and retained in the files  
1267 of the entity performing such screening or assessment. Such  
1268 information may be further disclosed only for the purposes of any  
1269 court-ordered evaluation or treatment of the child or young adult or  
1270 provision of services to the child, or pursuant to sections 17a-101 to  
1271 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a. Such information shall  
1272 not be subject to subpoena or other court process for use in any other

1273 proceeding or for any other purpose.

1274 (2) Notwithstanding the provisions of subsection (d) of this section,  
1275 any information concerning a child or young adult that is obtained  
1276 during any detention risk screening of such child or young adult shall  
1277 be used solely for determining the child's risk to public safety as  
1278 required by subsection (e) of section 46b-133, as amended by this act.  
1279 The information obtained and results of the detention risk screening  
1280 shall be used for the purpose of making a recommendation to the court  
1281 regarding the detention of the child or young adult and shall otherwise  
1282 be confidential and retained in the files of the person performing such  
1283 screening, but shall be disclosed to any attorney of record upon motion  
1284 and order of the court. Any information and results disclosed upon  
1285 such motion and order shall be available to any attorney of record for  
1286 such case. Such information and results shall otherwise not be subject  
1287 to subpoena or other court process for use in any other proceeding or  
1288 for any other purpose.

1289 (l) Records of cases of juvenile matters involving delinquency  
1290 proceedings, or any part thereof, containing information that a child or  
1291 young adult has been [convicted] adjudicated as delinquent for a  
1292 violation of subdivision (e) of section 1-1h, subsection (c) of section 14-  
1293 147, subsection (a) of section 14-215, section 14-222, subsection (b) of  
1294 section 14-223, subsection (a), (b) or (c) of section 14-224, section 30-88a  
1295 or subsection (b) of section 30-89, shall be disclosed to the Department  
1296 of Motor Vehicles for administrative use in determining whether  
1297 administrative sanctions regarding [such child's] the motor vehicle  
1298 operator's license of such child or young adult are warranted. Records  
1299 disclosed pursuant to this subsection shall not be further disclosed.

1300 (m) Records of cases of juvenile matters involving adoption  
1301 proceedings, or any part thereof, shall be confidential and may only be  
1302 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

1303 (n) Records of cases of juvenile matters involving delinquency

1304 proceedings shall be available to a victim of the delinquent act in  
1305 accordance with the provisions of section 46b-124a.

1306 Sec. 10. Section 46b-133g of the 2018 supplement to the general  
1307 statutes is repealed and the following is substituted in lieu thereof  
1308 (*Effective July 1, 2019*):

1309 (a) [Not later than January 1, 2017, the] The Court Support Services  
1310 Division of the Judicial Department shall develop and implement a  
1311 detention risk assessment instrument to be used to determine, based  
1312 on the risk level, whether there is: (1) Probable cause to believe that a  
1313 child or young adult will pose a risk to public safety if released to the  
1314 community prior to the court hearing or disposition, or (2) a need to  
1315 hold the child or young adult in order to ensure the [child's]  
1316 appearance of the child or young adult before the court, as  
1317 demonstrated by the [child's] previous failure of the child or young  
1318 adult to respond to the court process. Such instrument shall be used  
1319 when assessing whether a child or young adult should be detained  
1320 pursuant to section 46b-133, as amended by this act. Any detention  
1321 risk screening shall be subject to the protections of subsection (k) of  
1322 section 46b-124, as amended by this act.

1323 (b) When a child or young adult is presented before the court and it  
1324 appears from the available facts there is probable cause to believe the  
1325 child or young adult has violated a valid court order, the court, after  
1326 administering the detention risk assessment instrument, may order the  
1327 child or young adult to participate in nonresidential programs for  
1328 intensive wraparound services, community-based residential services  
1329 for short-term respite or other services and interventions the court  
1330 deems appropriate.

1331 Sec. 11. Section 46b-133h of the general statutes is repealed and the  
1332 following is substituted in lieu thereof (*Effective July 1, 2019*):

1333 [Not later than January 1, 2017, the] The Court Support Services  
1334 Division of the Judicial Department shall adopt policies and

1335 procedures setting out the parameters under which Court Support  
1336 Services Division staff may release a child or young adult from  
1337 detention pursuant to subsection (f) of section 46b-133, as amended by  
1338 this act. The division may update such parameters at such times as the  
1339 division deems necessary.

1340 Sec. 12. Section 46b-128 of the general statutes is repealed and the  
1341 following is substituted in lieu thereof (*Effective July 1, 2019*):

1342 (a) Whenever the Superior Court is in receipt of any written  
1343 complaint filed by any person, any public or private agency or any  
1344 federal, state, city or town department maintaining that [a child's]  
1345 conduct of a child or young adult constitutes delinquency within the  
1346 meaning of section 46b-120, as amended by this act, [it] the court shall  
1347 make a preliminary investigation to determine whether the facts, if  
1348 true, would be sufficient to be a juvenile matter and whether the  
1349 interests of the public or the child or young adult require that further  
1350 action be taken. If so, the court may authorize the filing of a verified  
1351 petition of alleged delinquency or it may make without such petition  
1352 whatever nonjudicial disposition is practicable, including the ordering  
1353 of such child or young adult to do work of which he or she is capable  
1354 in public buildings or on public property, particularly in cases in  
1355 which the complaint alleges that the conduct of such child or young  
1356 adult resulted in the wilful destruction of property, provided the facts  
1357 establishing jurisdiction are admitted and that a competent acceptance  
1358 of such a disposition has been given by the child [and his] or young  
1359 adult and, in the case of a child, his or her parent or guardian. If a  
1360 nonjudicial disposition is made, the term of any nonjudicial  
1361 supervision shall be established by the juvenile probation supervisor  
1362 provided such period of supervision shall not exceed one hundred  
1363 eighty days. Each verified petition of delinquency filed by the court  
1364 shall set forth plainly (1) the facts which bring the child or young adult  
1365 within the jurisdiction of the court, (2) the name, date of birth, sex and  
1366 residence of the child or young adult, (3) in the case of a child, the  
1367 names and residence of his or her parent or parents, guardian or other

1368 person having control of the child, and (4) a prayer for appropriate  
1369 action by the court in conformity with the provisions of this chapter.

1370 (b) Upon the filing of a delinquency petition, the court may, either  
1371 forthwith or after investigation, cause a summons, which summons  
1372 shall have a copy of said verified petition attached thereto, signed by  
1373 the judge or by the clerk or assistant clerk of such court, to be issued,  
1374 requiring the young adult, or, in the case of a child, the child and the  
1375 parent or parents, guardian or other person having control of the child  
1376 to appear in court at the time and place therein specified. Whenever, in  
1377 the case of a child, it appears to the judge that orders addressed to an  
1378 adult, as set forth in section 46b-121, as amended by this act, are  
1379 necessary for the welfare of such child, a similar summons shall be  
1380 issued and served upon such adult if such adult is not already in court.  
1381 Service of summons, together with a copy of the verified petition, may  
1382 be made by any one of the following methods: (1) By the delivery of a  
1383 true and attested copy thereof to the person summoned, or at such  
1384 person's usual place of abode; (2) by restricted delivery addressed to  
1385 the person summoned, return receipt requested; or (3) by first class  
1386 mail addressed to the person summoned. Any notice sent by first class  
1387 mail shall include a provision informing the party that appearance in  
1388 court as a result of the notice may subject the appearing party to the  
1389 jurisdiction of the court. If service is made by first class mail and the  
1390 party does not appear, no order may be entered by the court in the  
1391 case. If, after reasonable effort, personal service has not been made,  
1392 such substitute service, by publication or otherwise, as the judge may  
1393 order, shall be sufficient. Service may be made by any officer  
1394 authorized by law to serve process, or by a probation officer, probation  
1395 aide or indifferent person, and the court may allow suitable expenses  
1396 and a reasonable fee therefor. [The] In the case of a child, the court may  
1397 punish for contempt, as provided in section 46b-121, as amended by  
1398 this act, any parent, guardian or other person so summoned who fails  
1399 to appear in court at the time and place so specified.

1400 Sec. 13. Section 46b-128a of the general statutes is repealed and the

1401 following is substituted in lieu thereof (*Effective July 1, 2019*):

1402 (a) In any juvenile matter, as defined in section 46b-121, as amended  
1403 by this act, in which a child or [youth] young adult is alleged to have  
1404 committed a delinquent act or an act or omission for which a petition  
1405 may be filed under section 46b-149, the child or [youth] young adult  
1406 shall not be tried, convicted, adjudicated or subject to any disposition  
1407 pursuant to section 46b-140, as amended by this act, or 46b-149 while  
1408 the child or [youth] young adult is not competent. For the purposes of  
1409 this section, a transfer to the regular criminal docket of the Superior  
1410 Court pursuant to section 46b-127, as amended by this act, shall not be  
1411 considered a disposition. A child or [youth] young adult is not  
1412 competent if the child or [youth] young adult is unable to understand  
1413 the proceedings against him or her or to assist in his or her own  
1414 defense.

1415 (b) If, at any time during a proceeding on a juvenile matter, it  
1416 appears that the child or [youth] young adult is not competent, counsel  
1417 for the child or [youth] young adult, the prosecutorial official, or the  
1418 court, on its own motion, may request an examination to determine the  
1419 child's or [youth's] young adult's competency. Whenever a request for  
1420 a competency examination is under consideration by the court, the  
1421 child or [youth] young adult shall be represented by counsel in  
1422 accordance with the provisions of sections 46b-135, as amended by this  
1423 act, and 46b-136, as amended by this act.

1424 (c) A child or [youth] young adult alleged to have committed an  
1425 offense is presumed to be competent. The age of the child or [youth]  
1426 young adult is not a per se determinant of incompetency. The burden  
1427 of going forward with the evidence and proving that the child or  
1428 [youth] young adult is not competent by a preponderance of the  
1429 evidence shall be on the party raising the issue of competency, except  
1430 that if the court raises the issue of competency, the burden of going  
1431 forward with the evidence shall be on the state. The court may call its  
1432 own witnesses and conduct its own inquiry.

1433 (d) If the court finds that the request for a competency examination  
1434 is justified and that there is probable cause to believe that the child or  
1435 [youth] young adult has committed the alleged offense, the court shall  
1436 order a competency examination of the child or [youth] young adult.  
1437 Competency examinations shall be conducted, within available  
1438 appropriations, by (1) a clinical team constituted under policies and  
1439 procedures established by the Chief Court Administrator, or (2) if  
1440 agreed to by all parties, a physician specializing in psychiatry who has  
1441 experience in conducting forensic interviews and in child and adult  
1442 psychiatry. Any clinical team constituted under this section shall  
1443 consist of three persons: A clinical psychologist with experience in  
1444 child and adolescent psychology, and two of the following three types  
1445 of professionals: (A) A clinical social worker licensed pursuant to  
1446 chapter 383b, (B) a child and adolescent psychiatric nurse clinical  
1447 specialist holding a master's degree in nursing, or (C) a physician  
1448 specializing in psychiatry. At least one member of the clinical team  
1449 shall have experience in conducting forensic interviews and at least  
1450 one member of the clinical team shall have experience in child and  
1451 adolescent psychology. The court may authorize a physician, a clinical  
1452 psychologist, a child and adolescent psychiatric nurse specialist or a  
1453 clinical social worker licensed pursuant to chapter 383b, selected by  
1454 the child or [youth] young adult, to observe the examination, at the  
1455 expense of the child or [youth] young adult or, if the child or [youth]  
1456 young adult is represented by counsel appointed through the Public  
1457 Defender Services Commission, the Office of the Chief Public  
1458 Defender. In addition, counsel for the child or [youth] young adult, his  
1459 or her designated representative and, if the child or [youth] young  
1460 adult is represented by a public defender, a social worker from the  
1461 Division of Public Defender Services, may observe the examination.

1462 (e) The examination shall be completed not later than fifteen  
1463 business days after the date it was ordered, unless the time for  
1464 completion is extended by the court for good cause shown. The  
1465 members of the clinical team or the examining physician shall prepare

1466 and sign, without notarization, a written report and file such report  
1467 with the court not later than twenty-one business days after the date of  
1468 the order. The report shall address the [child's or youth's] ability of the  
1469 child or young adult to understand the proceedings against such child  
1470 or [youth and such child's or youth's ability] young adult and the  
1471 ability of the child or young adult to assist in his or her own defense. If  
1472 the opinion of the clinical team or the examining physician set forth in  
1473 such report is that the child or young adult cannot understand the  
1474 proceedings against such child or [youth] young adult or is not able to  
1475 assist in his or her own defense, the members of the team or the  
1476 examining physician must determine and address in their report: (1)  
1477 Whether there is a substantial probability that the child or [youth]  
1478 young adult will attain or regain competency [within ninety days of an  
1479 intervention being] not later than ninety days after an intervention is  
1480 ordered by the court; and (2) the nature and type of intervention, in the  
1481 least restrictive setting possible, recommended to attain or regain  
1482 competency. On receipt of the written report, the clerk of the court  
1483 shall cause copies of such written report to be delivered to counsel for  
1484 the state and counsel for the child or [youth] young adult at least forty-  
1485 eight hours prior to the hearing held under subsection (f) of this  
1486 section.

1487 (f) The court shall hold a hearing as to the competency of the child  
1488 or [youth] young adult not later than ten business days after the court  
1489 receives the written report of the clinical team or the examining  
1490 physician pursuant to subsection (e) of this section. A child or [youth]  
1491 young adult may waive such evidentiary hearing only if the clinical  
1492 team or examining physician has determined without qualification  
1493 that the child or [youth] young adult is competent. Any evidence  
1494 regarding the [child's or youth's] competency of the child or young  
1495 adult, including, but not limited to, the written report, may be  
1496 introduced in evidence at the hearing by either the child or [youth]  
1497 young adult or the state. If the written report is introduced as  
1498 evidence, at least one member of the clinical team or the examining

1499 physician shall be present to testify as to the determinations in the  
1500 report, unless the clinical team's or the examining physician's presence  
1501 is waived by the child or [youth] young adult and the state. Any  
1502 member of the clinical team shall be considered competent to testify as  
1503 to the clinical team's determinations.

1504 (g) (1) If the court, after the competency hearing, finds by a  
1505 preponderance of the evidence that the child or [youth] young adult is  
1506 competent, the court shall continue with the prosecution of the  
1507 juvenile matter.

1508 (2) If the court, after the competency hearing, finds that the child or  
1509 [youth] young adult is not competent, the court shall determine: (A)  
1510 Whether there is a substantial probability that the child or [youth]  
1511 young adult will attain or regain competency [within ninety days of an  
1512 intervention being] not later than ninety days after an intervention is  
1513 ordered by the court; and (B) whether the recommended intervention  
1514 to attain or regain competency is appropriate. In making its  
1515 determination on an appropriate intervention, the court may consider:  
1516 (i) The nature and circumstances of the alleged offense; (ii) the length  
1517 of time the clinical team or examining physician estimates it will take  
1518 for the child or [youth] young adult to attain or regain competency;  
1519 (iii) whether the child or [youth] young adult poses a substantial risk  
1520 to reoffend; and (iv) whether the child or [youth] young adult is able to  
1521 receive community-based services or treatment that would prevent the  
1522 child or [youth] young adult from reoffending.

1523 (h) If the court finds that there is not a substantial probability that  
1524 the child or [youth] young adult will attain or regain competency  
1525 [within ninety days] not later than ninety days after a court ordered  
1526 intervention or that the recommended intervention to attain or regain  
1527 competency is not appropriate, the court may issue an order in  
1528 accordance with subsection (k) of this section.

1529 (i) (1) If the court finds that there is a substantial probability that the

1530 child or [youth] young adult will attain or regain competency [within  
1531 ninety days if] not later than ninety days after being provided an  
1532 appropriate intervention, the court shall schedule a hearing on the  
1533 implementation of such intervention [within five business days] not  
1534 later than five business days after such finding.

1535 (2) An intervention implemented for the purpose of restoring  
1536 competency shall comply with the following conditions: (A) The  
1537 period of intervention shall not exceed ninety days, unless extended  
1538 for an additional ninety days in accordance with the criteria set forth in  
1539 subsection (j) of this section; and (B) (i) in the case of a child, the  
1540 intervention services shall be provided by the Department of Children  
1541 and Families or, if the [child's or youth's] parent or guardian of such  
1542 child agrees to pay for such services, by any appropriate person,  
1543 agency, mental health facility or treatment program that agrees to  
1544 provide appropriate intervention services in the least restrictive setting  
1545 available to the child [or youth] and comply with the requirements of  
1546 this section, or (ii) in the case of a young adult, the intervention  
1547 services shall be provided by the Department of Mental Health and  
1548 Addiction Services, or if the young adult agrees to pay for such  
1549 services, by any appropriate person, agency, mental health facility or  
1550 treatment program that agrees to provide appropriate intervention  
1551 services in the least restrictive setting available to the young adult and  
1552 comply with the requirements of this section.

1553 (3) Prior to the hearing, the court shall notify the Commissioner of  
1554 Children and Families [,] or the commissioner's designee in the case of  
1555 a child, or the Commissioner of Mental Health and Addiction Services  
1556 or the commissioner's designee in the case of a young adult, or the  
1557 appropriate person, agency, mental health facility or treatment  
1558 program that has agreed to provide appropriate intervention services  
1559 to the child or [youth] young adult that an intervention to attain or  
1560 regain competency will be ordered. The commissioner, the  
1561 commissioner's designee or the appropriate person, agency, mental  
1562 health facility or treatment program shall be provided with a copy of

1563 the report of the clinical team or examining physician and shall report  
1564 to the court on a proposed implementation of the intervention prior to  
1565 the hearing.

1566 (4) At the hearing, the court shall review the written report and  
1567 order an appropriate intervention for a period not to exceed ninety  
1568 days in the least restrictive setting available to restore competency. In  
1569 making its determination, the court shall use the criteria set forth in  
1570 subdivision (2) of subsection (g) of this section. Upon ordering an  
1571 intervention, the court shall set a date for a hearing, to be held at least  
1572 ten business days after the completion of the intervention period, for  
1573 the purpose of reassessing the [child's or youth's] competency of the  
1574 child or young adult.

1575 (j) (1) At least ten business days prior to the date of any scheduled  
1576 hearing on the issue of the reassessment of the [child's or youth's]  
1577 competency of the child or young adult, the Commissioner of Children  
1578 and Families [,] or the commissioner's designee in the case of a child,  
1579 or the Commissioner of Mental Health and Addiction Services or the  
1580 commissioner's designee in the case of a young adult, or other person,  
1581 agency, mental health facility or treatment program providing  
1582 intervention services to restore a child or [youth] young adult to  
1583 competency shall report on the progress of such intervention services  
1584 to the clinical team or examining physician.

1585 (2) Upon receipt of the report on the progress of such intervention,  
1586 the child or [youth] young adult shall be reassessed by the original  
1587 clinical team or examining physician, except that if the original team or  
1588 examining physician is unavailable, the court may appoint a new  
1589 clinical team that, where possible, shall include at least one member of  
1590 the original team, or a new examining physician. The new clinical team  
1591 or examining physician shall have the same qualifications as the  
1592 original team or examining physician, as provided in subsection (d) of  
1593 this section, and shall have access to clinical information available from  
1594 the provider of the intervention services. Not less than two business

1595 days prior to the date of any scheduled hearing on the reassessment of  
1596 the [child's or youth's] competency of the child or young adult, the  
1597 clinical team or examining physician shall submit a report to the court  
1598 that includes: (A) The clinical findings of the provider of the  
1599 intervention services and the facts upon which the findings are made;  
1600 (B) the clinical team's or the examining physician's opinion on whether  
1601 the child or [youth] young adult has attained or regained competency  
1602 or is making progress toward attaining or regaining competency  
1603 within the period covered by the intervention order; and (C) any other  
1604 information concerning the child or [youth] young adult requested by  
1605 the court, including, but not limited to, the method of intervention or  
1606 the type, dosage and effect of any medication the child or [youth]  
1607 young adult is receiving.

1608 (3) [Within] Not later than two business days [of] after the filing of a  
1609 reassessment report, the court shall hold a hearing to determine if the  
1610 child or [youth] young adult has attained or regained competency  
1611 within the period covered by the intervention order. If the court finds  
1612 that the child or [youth] young adult has attained or regained  
1613 competency, the court shall continue with the prosecution of the  
1614 juvenile matter. If the court finds that the child or [youth] young adult  
1615 has not attained or regained competency within the period covered by  
1616 the intervention order, the court shall determine whether further  
1617 efforts to attain or regain competency are appropriate. The court shall  
1618 make its determination of whether further efforts to attain or regain  
1619 competency are appropriate in accordance with the criteria set forth in  
1620 subdivision (2) of subsection (g) of this section. If the court finds that  
1621 further intervention to attain or regain competency is appropriate, the  
1622 court shall order a new period for restoration of competency not to  
1623 exceed ninety days. If the court finds that further intervention to attain  
1624 or regain competency is not appropriate or the child or [youth] young  
1625 adult has not attained or regained competency after an additional  
1626 intervention of ninety days, the court shall issue an order in  
1627 accordance with subsection (k) of this section.

1628 (k) (1) If the court determines after the period covered by the  
1629 intervention order that the child or [youth] young adult has not  
1630 attained or regained competency and that there is not a substantial  
1631 probability that the child or [youth] young adult will attain or regain  
1632 competency, or that further intervention to attain or regain  
1633 competency is not appropriate based on the criteria set forth in  
1634 subdivision (2) of subsection (g) of this section, the court shall: (A)  
1635 Dismiss the petition if it is a delinquency or family with service needs  
1636 petition; (B) in the case of a child, vest temporary custody of the child  
1637 [or youth] in the Commissioner of Children and Families and notify  
1638 the Office of the Chief Public Defender, which shall assign an attorney  
1639 to serve as guardian ad litem for the child [or youth] and investigate  
1640 whether a petition should be filed under section 46b-129; or (C) order  
1641 that the Department of Children and Families in the case of a child, the  
1642 Department of Mental Health and Addiction Services in the case of a  
1643 young adult, or some other person, agency, mental health facility or  
1644 treatment program, or [such child's or youth's probation officer] the  
1645 probation officer of such child or young adult, conduct or obtain an  
1646 appropriate assessment and, where appropriate, propose a plan for  
1647 services that can appropriately address the [child's or youth's] needs of  
1648 such child or young adult in the least restrictive setting available and  
1649 appropriate. Any plan for services may include a plan for interagency  
1650 collaboration for the provision of appropriate services after the child  
1651 [or youth] attains the age of eighteen or the young adult attains the age  
1652 for adult jurisdiction.

1653 (2) Not later than ten business days after the issuance of an order  
1654 pursuant to subparagraph (B) or (C) of subdivision (1) of this  
1655 subsection, the court shall hold a hearing to review the order of  
1656 temporary custody or any recommendations of the Department of  
1657 Children and Families [, such] in the case of a child, or any  
1658 recommendations of the Department of Mental Health and Addiction  
1659 Services in the case of a young adult, probation officer or [such]  
1660 attorney or guardian ad litem for the child, [or youth.]

1661 (3) If the child [or youth] is adjudicated neglected, uncared-for or  
1662 abused subsequent to such a petition being filed, or if a plan for  
1663 services pursuant to subparagraph (C) of subdivision (1) of this  
1664 subsection has been approved by the court and implemented, the court  
1665 may dismiss the delinquency or family with service needs petition, or,  
1666 in the discretion of the court, order that the prosecution of the case be  
1667 suspended for a period not to exceed eighteen months. During the  
1668 period of suspension, the court may order the Department of Children  
1669 and Families to provide periodic reports to the court to ensure that  
1670 appropriate services are being provided to the child. [or youth.] If  
1671 during the period of suspension, the child [or youth] or the parent or  
1672 guardian of the child [or youth] does not comply with the  
1673 requirements set forth in the plan for services, the court may hold a  
1674 hearing to determine whether the court should follow the procedure  
1675 under subparagraph (B) of subdivision (1) of this subsection for  
1676 instituting a petition alleging that a child is neglected, uncared for or  
1677 abused. Whenever the court finds that the need for the suspension of  
1678 prosecution is no longer necessary, but not later than the expiration of  
1679 such period of suspension, the delinquency or family with service  
1680 needs petition shall be dismissed.

1681 Sec. 14. Section 46b-133a of the general statutes is repealed and the  
1682 following is substituted in lieu thereof (*Effective July 1, 2019*):

1683 (a) A nolle prosequi may not be entered as to any count of  
1684 delinquency if the child or young adult objects to the nolle prosequi  
1685 and demands either a trial or dismissal, except with respect to  
1686 prosecutions in which a nolle prosequi is entered upon a  
1687 representation to the court by the prosecutorial official that a material  
1688 witness has died, disappeared or become disabled or that material  
1689 evidence has disappeared or has been destroyed and that a further  
1690 investigation is therefore necessary.

1691 (b) Whenever a nolle prosequi has been entered as to any count of  
1692 delinquency, or whenever any count of delinquency has been

1693 dismissed without prejudice, if at least thirteen months have elapsed  
1694 since such nolle or dismissal without prejudice, all police and court  
1695 records pertaining to such count shall be erased. Whenever any such  
1696 count has been continued at the request of the prosecutorial official  
1697 and a period of thirteen months has elapsed since the granting of such  
1698 continuance during which period there has been no prosecution or  
1699 other disposition of the matter, the count shall be construed to have  
1700 been nolle as of the date of termination of such thirteen-month period  
1701 and such erasure may thereafter be effected as provided in this  
1702 subsection for nolle cases.

1703 Sec. 15. Section 46b-133b of the general statutes is repealed and the  
1704 following is substituted in lieu thereof (*Effective July 1, 2019*):

1705 (a) The court, on motion of a child or young adult charged with a  
1706 delinquency offense, but not yet [convicted] adjudicated as delinquent,  
1707 may order that such child or young adult be examined to determine  
1708 whether the child or young adult is alcohol-dependent or drug-  
1709 dependent as defined in section 46b-120, as amended by this act. Such  
1710 motion shall be filed with the court [within] not later than ten days  
1711 after a plea is entered, except if waived by the court or pursuant to an  
1712 agreement by the parties. The results of any examination ordered  
1713 pursuant to this subsection shall be utilized only for the purposes of  
1714 determining whether the delinquency proceeding should be  
1715 suspended under this section.

1716 (b) The court, upon motion of the child or young adult charged with  
1717 a delinquency offense but not yet [convicted] adjudicated as  
1718 delinquent, may order the suspension of the delinquency proceedings  
1719 for a period of up to one year, order periodic alcohol and drug testing  
1720 of such child or young adult during the period of suspension and  
1721 order treatment for alcohol or drug dependency if the court, after  
1722 consideration of information before it concerning the alcohol or drug  
1723 dependency of the child or young adult, finds that (1) the child or  
1724 young adult is alcohol-dependent or drug-dependent as defined in

1725 section 46b-120, as amended by this act, (2) the child or young adult  
1726 presently needs and is likely to benefit from treatment for the  
1727 dependency, and (3) the suspension of the delinquency proceedings  
1728 will advance the interests of justice. During the period of suspension, a  
1729 child or young adult shall be placed under the supervision of a  
1730 juvenile probation officer for treatment for alcohol or drug  
1731 dependency and such officer shall monitor the compliance of the child  
1732 or young adult with the orders of the court.

1733 (c) If the court denies the motion for suspension of the delinquency  
1734 proceedings, the prosecutorial official may proceed with the  
1735 delinquency proceedings. Any order of the court granting or denying a  
1736 motion for suspension of the delinquency proceedings shall not be  
1737 deemed a final order for purposes of appeal.

1738 (d) At any time before the end of the period of the suspension of the  
1739 delinquency proceedings, but not later than one month before the end  
1740 of the period of suspension, a juvenile probation officer shall notify the  
1741 court of the impending conclusion of the suspension and submit a  
1742 report on whether the child or young adult has completed the  
1743 treatment program and has complied with all other conditions of the  
1744 suspension order imposed by the court.

1745 (e) If the court, on motion of the child or young adult or on its own  
1746 motion, finds that the child or young adult has completed the  
1747 treatment program and has complied with all other conditions of  
1748 suspension, it may dismiss the charge for which the delinquency  
1749 proceedings had been suspended. If the court denies the motion and  
1750 terminates the suspension of the delinquency proceedings, the  
1751 prosecutorial official may proceed with such proceedings.

1752 (f) The provisions of this section shall not apply to any child or  
1753 young adult charged with a serious juvenile offense as defined in  
1754 section 46b-120, as amended by this act, or any child or young adult  
1755 who was previously ordered treated under this section.

1756 Sec. 16. Section 46b-134 of the general statutes is repealed and the  
1757 following is substituted in lieu thereof (*Effective July 1, 2019*):

1758 Prior to the disposition of the case of any child [convicted of a  
1759 delinquent act] or young adult adjudicated as delinquent, investigation  
1760 shall be made of the facts as specified in this section by the probation  
1761 officer, and until such investigation has been completed and the results  
1762 thereof placed before the judge, no disposition of the [child's] case shall  
1763 be made. Such investigation shall consist of an examination of the  
1764 parentage and surroundings of the child or young adult and the  
1765 [child's] age, habits and history of the child or young adult, and, in the  
1766 case of a child, [and] shall include also an inquiry into the home  
1767 conditions, habits and character of the child's parents or guardians.  
1768 Such investigation shall include an inquiry into the circumstances of  
1769 the offense, the attitude of the complainant or victim, the criminal  
1770 record, the present condition of the child or young adult and any  
1771 damages suffered by the victim including medical expenses, loss of  
1772 earnings and property loss. If the child or young adult is or legally  
1773 should be in attendance at school, such investigation shall further  
1774 contain a report of the [child's] school attendance of the child or young  
1775 adult, adjustment and behavior [, the child's] of the child or young  
1776 adult and any individualized education program if, [the child has  
1777 been] as a child, such person was identified pursuant to sections 10-76a  
1778 to 10-76gg, inclusive, as requiring special education and related  
1779 services and any recommendations from school officials on conditions  
1780 of probation if the child or young adult is placed on probation  
1781 pursuant to section 46b-140, as amended by this act, which shall be  
1782 furnished by the school officials to the court upon its request. The  
1783 court shall, when it is found necessary to the disposition, cause a  
1784 complete physical or mental examination, or both, to be made of the  
1785 child or young adult by persons professionally qualified to do so. Such  
1786 examination may include testing to determine whether the child or  
1787 young adult is alcohol-dependent or drug-dependent as defined in  
1788 section 46b-120, as amended by this act. If the court causes a complete

1789 physical or mental examination, or both, to be made of a young adult  
1790 who is found able to pay in whole or in part the cost of any such  
1791 examination, or a child whose parents, guardian or custodian is found  
1792 able to pay in whole or in part the cost [thereof, it] of any such  
1793 examination, the court shall assess as costs against such young adult,  
1794 or, in the case of a child, such child's parents, guardian or custodian,  
1795 including any agency vested with the legal custody of the child, the  
1796 expense so incurred and paid for by the court in having such  
1797 examination performed. [, to the extent of their financial ability to do  
1798 so.] Prior to the disposition of the case of any child [convicted of a  
1799 delinquent act] or young adult adjudicated as delinquent, the court  
1800 may cause a complete diagnostic examination to be made, unless such  
1801 information is otherwise available. Such information shall include  
1802 physical and psychological diagnoses and may include medical,  
1803 psychiatric, neurological, learning disability diagnoses and such other  
1804 diagnoses as the court deems necessary. If such child is committed to  
1805 the Department of Children and Families, such information shall be  
1806 shared with the Department of Children and Families.

1807 Sec. 17. Section 46b-135 of the general statutes is repealed and the  
1808 following is substituted in lieu thereof (*Effective July 1, 2019*):

1809 (a) At the commencement of any proceeding concerning the alleged  
1810 delinquency of a child or young adult, the child or young adult shall  
1811 have the right to counsel and be so informed by the judge, and that if  
1812 the child and the parent or parents or guardian of the child are unable  
1813 to afford counsel or if the young adult is unable to afford counsel,  
1814 counsel will be provided for the child or young adult. Such counsel  
1815 and the child or young adult shall have the rights of confrontation and  
1816 cross-examination. If a parent fails to comply with a court order  
1817 entered in the best interests of the alleged or adjudicated delinquent  
1818 child and is facing potential imprisonment for contempt of court, such  
1819 parent, if unable to afford counsel, shall be entitled to have counsel  
1820 provided for such parent pursuant to this subsection.

1821 (b) At the commencement of any proceeding on behalf of a  
1822 neglected, uncared-for or abused child, [or youth,] the parent or  
1823 parents or guardian of the child [or youth] shall have the right to  
1824 counsel, and shall be so informed by the judge, and that if they are  
1825 unable to afford counsel, counsel will be provided for them. Such  
1826 parent or guardian of the child [or youth] shall have the rights of  
1827 confrontation and cross-examination.

1828 Sec. 18. Section 46b-136 of the general statutes is repealed and the  
1829 following is substituted in lieu thereof (*Effective July 1, 2019*):

1830 In any proceeding in a juvenile matter, the judge before whom such  
1831 proceeding is pending shall, even in the absence of a request to do so,  
1832 provide an attorney to represent the child or [youth] young adult, or,  
1833 in the case of a child, the child's [or youth's] parent or parents or  
1834 guardian [,] or other person or custodian having control of the child,  
1835 [or youth,] if such judge determines that the interests of justice so  
1836 require, and in any proceeding in which the custody of a child is at  
1837 issue, such judge shall provide an attorney to represent the child and  
1838 may authorize such attorney or appoint another attorney to represent  
1839 such child or [youth, parent, guardian or other person] the child's  
1840 parent or parents or guardian or other person or custodian having  
1841 control of the child on an appeal from a decision in such proceeding.  
1842 Where, under the provisions of this section, the court so appoints  
1843 counsel for any such party who is found able to pay, in whole or in  
1844 part, the cost [thereof] of such counsel, the court shall assess as costs  
1845 against such young adult, or, in the case of a child, such child's parent  
1846 or parents, guardian or [custodian] or other person or custodian  
1847 having control of the child, including any agency vested with the legal  
1848 custody of the child, [or youth,] the expense so incurred and paid by  
1849 the Division of Public Defender Services in providing such counsel. [,  
1850 to the extent of their financial ability to do so.] The Division of Public  
1851 Defender Services shall establish the rate at which counsel provided  
1852 pursuant to this section shall be compensated.

1853 Sec. 19. Section 46b-137 of the general statutes is repealed and the  
1854 following is substituted in lieu thereof (*Effective July 1, 2019*):

1855 (a) Any admission, confession or statement, written or oral, made by  
1856 a child under the age of sixteen to a police officer or Juvenile Court  
1857 official shall be inadmissible in any proceeding concerning the alleged  
1858 delinquency of the child making such admission, confession or  
1859 statement unless made by such child in the presence of the child's  
1860 parent or parents or guardian and after the parent or parents or  
1861 guardian and child have been advised (1) of the child's right to retain  
1862 counsel, or if unable to afford counsel, to have counsel appointed on  
1863 the child's behalf, (2) of the child's right to refuse to make any  
1864 statements, and (3) that any statements the child makes may be  
1865 introduced into evidence against the child.

1866 (b) Any admission, confession or statement, written or oral, made  
1867 by a [child sixteen or seventeen years of age] youth to a police officer  
1868 or Juvenile Court official, except an admission, confession or  
1869 statement, written or oral, made by a [child sixteen or seventeen years  
1870 of age] youth to a police officer in connection with a case transferred to  
1871 the Juvenile Court from the youthful offender docket, regular criminal  
1872 docket of the Superior Court or any docket for the presentment of  
1873 defendants in motor vehicle matters, shall be inadmissible in any  
1874 proceeding concerning the alleged delinquency of the [child] youth  
1875 making such admission, confession or statement, unless (1) the police  
1876 or Juvenile Court official has made reasonable efforts to contact a  
1877 parent or guardian of the [child] youth, and (2) such [child] youth has  
1878 been advised that (A) the [child] youth has the right to contact a parent  
1879 or guardian and to have a parent or guardian present during any  
1880 interview, (B) the [child] youth has the right to retain counsel or, if  
1881 unable to afford counsel, to have counsel appointed on behalf of the  
1882 [child] youth, (C) the [child] youth has the right to refuse to make any  
1883 statement, and (D) any statement the [child] youth makes may be  
1884 introduced into evidence against the [child] youth.

1885 (c) The admissibility of any admission, confession or statement,  
1886 written or oral, made by a [child sixteen or seventeen years of age]  
1887 youth to a police officer or Juvenile Court official, except an admission,  
1888 confession or statement, written or oral, made by a [child sixteen or  
1889 seventeen years of age] youth to a police officer in connection with a  
1890 case transferred to the Juvenile Court from the youthful offender  
1891 docket, regular criminal docket of the Superior Court or any docket for  
1892 the presentment of defendants in motor vehicle matters, shall be  
1893 determined by considering the totality of the circumstances at the time  
1894 of the making of such admission, confession or statement. When  
1895 determining the admissibility of such admission, confession or  
1896 statement, the court shall consider (1) the age, experience, education,  
1897 background and intelligence of the [child] youth, (2) the capacity of the  
1898 [child] youth to understand the advice concerning rights and warnings  
1899 required under subdivision (2) of subsection (b) of this section, the  
1900 nature of the privilege against self-incrimination under the United  
1901 States and Connecticut Constitutions, and the consequences of waiving  
1902 such rights and privilege, (3) the opportunity the [child] youth had to  
1903 speak with a parent, guardian or some other suitable individual prior  
1904 to or while making such admission, confession or statement, and (4)  
1905 the circumstances surrounding the making of the admission,  
1906 confession or statement, including, but not limited to, (A) when and  
1907 where the admission, confession or statement was made, (B) the  
1908 reasonableness of proceeding, or the need to proceed, without a parent  
1909 or guardian present, and (C) the reasonableness of efforts by the police  
1910 or Juvenile Court official to attempt to contact a parent or guardian.

1911 (d) Any confession, admission or statement, written or oral, made  
1912 by the parent or parents or guardian of the child or youth after the  
1913 filing of a petition alleging such child or youth to be neglected,  
1914 uncared for or abused shall be inadmissible in any proceeding held  
1915 upon such petition against the person making such admission or  
1916 statement unless such person shall have been advised of the person's  
1917 right to retain counsel, and that if the person is unable to afford

1918 counsel, counsel will be appointed to represent the person, that the  
1919 person has a right to refuse to make any statement and that any  
1920 statements the person makes may be introduced in evidence against  
1921 the person, except that any statement made by the mother of any child  
1922 or youth, upon inquiry by the court and under oath if necessary, as to  
1923 the identity of any person who might be the father of the child or  
1924 youth shall not be inadmissible if the mother was not so advised.

1925 Sec. 20. Section 46b-138 of the general statutes is repealed and the  
1926 following is substituted in lieu thereof (*Effective July 1, 2019*):

1927 For the purpose of hearing any juvenile matter, the court may  
1928 summon witnesses and compel their attendance. The conversations of  
1929 the judge with a child or [youth] young adult whose case is before the  
1930 court shall be privileged.

1931 Sec. 21. Section 46b-138b of the general statutes is repealed and the  
1932 following is substituted in lieu thereof (*Effective July 1, 2019*):

1933 In any proceeding concerning the alleged delinquency of a child or  
1934 young adult, any victim of the alleged delinquent conduct, the parents  
1935 or guardian of such victim, a victim advocate for such victim under  
1936 section 54-220, or such victim's counsel shall have the right to appear  
1937 before the court for the purpose of making a statement to the court  
1938 concerning the disposition of the case.

1939 Sec. 22. Section 46b-140 of the general statutes is repealed and the  
1940 following is substituted in lieu thereof (*Effective July 1, 2019*):

1941 (a) In determining the appropriate disposition of a child [convicted]  
1942 or young adult adjudicated as delinquent, the court shall consider: (1)  
1943 The seriousness of the offense, including the existence of any  
1944 aggravating factors such as the use of a firearm in the commission of  
1945 the offense and the impact of the offense on any victim; (2) the [child's]  
1946 record of delinquency of the child or young adult; (3) the [child's]  
1947 willingness of the child or young adult to participate in available

1948 programs; (4) the existence of other mitigating factors; and (5) the  
1949 culpability of the child or young adult in committing the offense  
1950 including the level of [the child's] participation by the child or young  
1951 adult in the planning and carrying out of the offense.

1952 (b) Upon [conviction of a child] adjudication of a child or young  
1953 adult as delinquent, the court: (1) May (A) order the child or young  
1954 adult to participate in an alternative incarceration program; (B) in the  
1955 case of a child, order the child to participate in a program at a  
1956 wilderness school facility operated by the Department of Children and  
1957 Families; (C) order the child to participate in a youth service bureau  
1958 program; (D) place the child or young adult on probation; (E) order the  
1959 child or young adult, or, in the case of a child, the parents or guardian  
1960 of the child, or both, to make restitution to the victim of the offense in  
1961 accordance with subsection (d) of this section; (F) order the child or  
1962 young adult to participate in a program of community service in  
1963 accordance with subsection (e) of this section; or (G) withhold or  
1964 suspend execution of any judgment; and (2) shall impose the penalty  
1965 established in subsection (b) of section 30-89 for any violation of said  
1966 subsection (b).

1967 (c) The court may order, as a condition of probation, that the child  
1968 ~~[(1)]~~ or young adult (1) in the case of a child, reside with a parent,  
1969 relative or guardian or in a suitable foster home or other residence  
1970 approved by the court, (2) attend school and class on a regular basis  
1971 and comply with school policies on student conduct and discipline, (3)  
1972 refrain from violating any federal or state law or municipal or local  
1973 ordinance, (4) undergo any medical or psychiatric evaluation or  
1974 treatment deemed necessary by the court, (5) submit to random drug  
1975 or alcohol testing, or both, (6) participate in a program of alcohol or  
1976 drug treatment, or both, (7) make restitution to the victim of the  
1977 offense in accordance with subsection (d) of this section, (8) participate  
1978 in an alternative incarceration program or other program established  
1979 through the Court Support Services Division, (9) participate in a  
1980 program of community service, and (10) satisfy any other conditions

1981 deemed appropriate by the court. The court shall cause a copy of any  
1982 such order to be delivered to the child or young adult, and, in the case  
1983 of a child, the child's parents or guardian and the child's probation  
1984 officer. If the child or young adult is [convicted] adjudicated as  
1985 delinquent for a violation of section 53-247, the court may order, as a  
1986 condition of probation, that the child or young adult undergo  
1987 psychiatric or psychological counseling or participate in an animal  
1988 cruelty prevention and education program provided such a program  
1989 exists and is available to the child or young adult.

1990 (d) If the child or young adult has engaged in conduct which results  
1991 in property damage or personal injury, the court may order the child,  
1992 or, in the case of a child, or the parent or parents or guardian of the  
1993 child, if such parent or parents or guardian had knowledge of and  
1994 condoned the conduct of the child, or both the child and the parent or  
1995 parents or guardian, or young adult, to make restitution to the victim  
1996 of such offense, provided the liability of such parent or parents or  
1997 guardian shall be limited to an amount not exceeding the amount such  
1998 parent or parents or guardian would be liable for in an action under  
1999 section 52-572. Restitution may consist of monetary reimbursement for  
2000 the damage or injury, based on the [child's or the parent's, parents' or  
2001 guardian's] ability of the person to pay, [as the case may be,] in the  
2002 form of a lump sum or installment payments, paid to the court clerk or  
2003 such other official designated by the court for distribution to the  
2004 victim.

2005 (e) The court may order the child or young adult to participate in a  
2006 program of community service under the supervision of the court or  
2007 any organization designated by the court. Such child or young adult  
2008 shall not be deemed to be an employee and the services of such child  
2009 or young adult shall not be deemed employment.

2010 (f) If the court further finds that its probation services or other  
2011 services available to the court are not adequate for such child or young  
2012 adult, the court shall commit such child or young adult to the

2013 Department of Children and Families in accordance with the  
2014 provisions of section 46b-141, as amended by this act.

2015 (g) Any child [or youth] coming within the jurisdiction of the court,  
2016 who is found to be mentally ill, may be committed by said court to the  
2017 Commissioner of Children and Families and, if the court [convicts]  
2018 adjudicates a child as delinquent and finds such child to be mentally  
2019 deficient, the court may commit such child to an institution for  
2020 mentally deficient children [or youth or delinquents] or delinquent  
2021 children. No such commitment may be ordered or continued for any  
2022 child who has attained the age of twenty. Whenever it is found that a  
2023 child [convicted] adjudicated as delinquent or adjudged to be a  
2024 member of a family with service needs would benefit from a work-  
2025 study program or employment with or without continued school  
2026 attendance, the court may, as a condition of probation or supervision,  
2027 authorize such child to be employed for part or full-time at some  
2028 useful occupation that would be favorable to such child's welfare, and  
2029 the probation officer shall supervise such employment. For the  
2030 purposes of this section, the limitations of subsection (a) of section 31-  
2031 23 on the employment of minors under the age of sixteen years shall  
2032 not apply for the duration of such probation or supervision.

2033 (h) Whenever the court commits a child to the Department of  
2034 Children and Families, there shall be delivered with the mittimus a  
2035 copy of the results of the investigations made as required by section  
2036 46b-134, as amended by this act. The court may, at any time, require  
2037 from the department in whose care a child has been placed such report  
2038 as to such child and such child's treatment.

2039 (i) If the delinquent act for which the child is committed to the  
2040 Department of Children and Families is a serious juvenile offense, the  
2041 court may set a minimum period of twelve months during which the  
2042 child shall be placed in a residential facility operated by or under  
2043 contract with said department, as determined by the Commissioner of  
2044 Children and Families. No such commitment may be ordered or

2045 continued for any child who has attained the age of twenty. The setting  
2046 of such minimum period shall be in the form of an order of the court  
2047 included in the mittimus. For good cause shown in the form of an  
2048 affidavit annexed thereto, the Department of Children and Families,  
2049 the parent or guardian of the child or the child may petition the court  
2050 for modification of any such order.

2051 (j) Except as otherwise provided in this section, the court may order  
2052 that a child or young adult be (1) committed to the Department of  
2053 Children and Families and, after consultation with said department,  
2054 the court may order that the child or young adult be placed directly in  
2055 a residential facility within this state and under contract with said  
2056 department, or (2) committed to the Commissioner of Children and  
2057 Families for placement by the commissioner, in said commissioner's  
2058 discretion, (A) with respect to the juvenile offenders determined by the  
2059 Department of Children and Families to be the highest risk, in the  
2060 Connecticut Juvenile Training School, if the juvenile offender is a male,  
2061 or in another state facility, presumptively for a minimum period of  
2062 twelve months, or (B) in a private residential or day treatment facility  
2063 within or outside this state, or (C) on parole. No such commitment  
2064 may be ordered or continued for any child or young adult who has  
2065 attained the age of twenty. The commissioner shall use a risk and  
2066 needs assessment classification system to ensure that children who are  
2067 in the highest risk level will be placed in an appropriate secure  
2068 treatment setting.

2069 (k) On or after May 21, 2004, no female child or female young adult  
2070 committed to the Department of Children and Families shall be placed  
2071 in the Connecticut Juvenile Training School. Any female child placed  
2072 in the Connecticut Juvenile Training School before May 21, 2004, shall  
2073 be transferred to another appropriate facility not later than ninety days  
2074 after May 21, 2004.

2075 (l) Notwithstanding any provisions of the general statutes  
2076 concerning the confidentiality of records and information, whenever a

2077 child [convicted] adjudicated as delinquent is committed to the  
2078 Department of Children and Families, the Commissioner of Children  
2079 and Families shall have access to the following information: (1)  
2080 Educational records of such child; (2) records regarding such child's  
2081 past treatment for physical or mental illness, including substance  
2082 abuse; (3) records regarding such child's prior placement in a public or  
2083 private residential facility; (4) records created or obtained by the  
2084 Judicial Department regarding such child; and (5) records, as defined  
2085 in subsection (a) of section 17a-28. The Commissioner of Children and  
2086 Families shall review such information to determine the appropriate  
2087 services and placement which will be in the best interest of the child.

2088 Sec. 23. Section 46b-140a of the general statutes is repealed and the  
2089 following is substituted in lieu thereof (*Effective July 1, 2019*):

2090 (a) At any time during the period of probation or suspended  
2091 commitment, after hearing and for good cause shown, the court may  
2092 modify or enlarge the conditions, whether originally imposed by the  
2093 court under this section or otherwise, and may extend the period as  
2094 deemed appropriate by the court. The court shall cause a copy of any  
2095 such order to be delivered to the child or [youth and to such child's or  
2096 youth's parent or guardian and probation officer] young adult, the  
2097 probation officer of the child or young adult, and, in the case of a child,  
2098 the parent or guardian of the child.

2099 (b) The period of participation in an alternative incarceration  
2100 program, as a condition of probation or suspended commitment,  
2101 unless terminated sooner, shall not exceed the original period of  
2102 probation or suspended commitment.

2103 (c) At any time during the period of probation or suspended  
2104 commitment, the court may issue a warrant for the arrest of a child or  
2105 [youth] young adult for violation of any of the conditions of probation  
2106 or suspended commitment, or may issue a notice to appear to answer  
2107 to a charge of such violation, which notice shall be personally served

2108 upon the child or [youth] young adult. Any such warrant shall  
2109 authorize all officers named [therein] in such warrant to return the  
2110 child or [youth] young adult to the custody of the court or to any  
2111 suitable [juvenile] detention facility designated by the court.

2112 (d) If such violation is established, the court may continue or revoke  
2113 the order of probation or suspended commitment or modify or enlarge  
2114 the conditions and, if such order of probation or suspended  
2115 commitment is revoked, require the child or [youth] young adult to  
2116 serve the commitment imposed or impose any lesser commitment. No  
2117 such revocation shall be ordered, except upon consideration of the  
2118 whole record and unless such violation is established by reliable and  
2119 probative evidence.

2120 (e) Upon a determination by the court that a child or [youth] young  
2121 adult has violated probation by failing to comply with the  
2122 requirements of electronic monitoring, the Court Support Services  
2123 Division shall notify the local law enforcement agency of such  
2124 violation.

2125 Sec. 24. Section 46b-141 of the general statutes is repealed and the  
2126 following is substituted in lieu thereof (*Effective July 1, 2019*):

2127 (a) (1) Except as otherwise limited by subsection (i) of section 46b-  
2128 140, as amended by this act, and subdivision (2) of this subsection,  
2129 commitment of children [convicted] or young adults adjudicated as  
2130 delinquent by the Superior Court to the Department of Children and  
2131 Families shall be for (A) an indeterminate time up to a maximum of  
2132 eighteen months, or (B) when so [convicted] adjudicated for a serious  
2133 juvenile offense, up to a maximum of four years at the discretion of the  
2134 court, unless extended as [hereinafter] provided in this section.

2135 (2) Commitment of children [convicted] or young adults  
2136 adjudicated as delinquent by the Superior Court to the Department of  
2137 Children and Families shall terminate when the child or young adult  
2138 attains the age of twenty.

2139 (b) The Commissioner of Children and Families may file a motion  
2140 for an extension of the commitment as provided in subparagraph (A)  
2141 of subdivision (1) of subsection (a) of this section beyond the eighteen-  
2142 month period on the grounds that such extension is for the best  
2143 interest of the child or the community. The court shall give notice to  
2144 the parent or guardian and to the child at least fourteen days prior to  
2145 the hearing upon such motion. The court may, after hearing and upon  
2146 finding that such extension is in the best interest of the child or the  
2147 community, continue the commitment for an additional period of not  
2148 more than eighteen months, except that such additional period shall  
2149 not continue beyond the date the child attains the age of twenty. Not  
2150 later than twelve months after a child is committed to the Department  
2151 of Children and Families in accordance with subparagraph (A) of  
2152 subdivision (1) of subsection (a) of this section, the court shall hold a  
2153 permanency hearing in accordance with subsection (d) of this section.  
2154 After the initial permanency hearing, subsequent permanency hearings  
2155 shall be held not less frequently than every twelve months while the  
2156 child remains committed to the Department of Children and Families.

2157 (c) The court shall hold a permanency hearing in accordance with  
2158 subsection (d) of this section for each child [convicted] adjudicated as  
2159 delinquent for a serious juvenile offense as provided in subparagraph  
2160 (B) of subdivision (1) of subsection (a) of this section [within] not later  
2161 than twelve months [of] after commitment to the Department of  
2162 Children and Families and every twelve months thereafter if the child  
2163 remains committed to the Department of Children and Families. Such  
2164 hearing may include the submission of a motion to the court by the  
2165 commissioner to either (1) modify such commitment, or (2) extend the  
2166 commitment beyond such four-year period on the grounds that such  
2167 extension is for the best interest of the child or the community. The  
2168 court shall give notice to the parent or guardian and to the child at  
2169 least fourteen days prior to the hearing upon such motion. The court,  
2170 after hearing, may modify such commitment or, upon finding that  
2171 such extension is in the best interest of the child or the community,

2172 continue the commitment for an additional period of not more than  
2173 eighteen months.

2174 (d) At least sixty days prior to each permanency hearing required  
2175 pursuant to subsection (b) or (c) of this section, the Commissioner of  
2176 Children and Families shall file a permanency plan with the court. At  
2177 each permanency hearing, the court shall review and approve a  
2178 permanency plan that is in the best interest of the child and takes into  
2179 consideration the child's need for permanency. Such permanency plan  
2180 may include the goal of: (1) Revocation of commitment and placement  
2181 of the child with the parent or guardian, (2) transfer of guardianship,  
2182 (3) adoption, or (4) for any child sixteen years of age or older, such  
2183 other planned permanent living arrangement ordered by the court,  
2184 provided the Commissioner of Children and Families has documented  
2185 a compelling reason why it would not be in the best interest of the  
2186 child for the permanency plan to include the goals in subdivisions (1)  
2187 to (3), inclusive, of this subsection. Such other planned permanent  
2188 living arrangement may include, but not be limited to, placement of  
2189 the child in an independent living program. At any such permanency  
2190 hearing, the court shall also determine whether the Commissioner of  
2191 Children and Families has made reasonable efforts to achieve the  
2192 permanency plan.

2193 (e) (1) If the permanency plan for a child sixteen years of age or  
2194 older includes such other planned permanent living arrangement  
2195 pursuant to subdivision (4) of subsection (d) of this section, the  
2196 department shall document for the court: (A) The manner and  
2197 frequency of efforts made by the department to return the child home  
2198 or secure a placement for the child with a fit and willing relative, legal  
2199 guardian or an adoptive parent; and (B) the steps the department has  
2200 taken to ensure that (i) the child's foster family home or child care  
2201 institution is following a reasonable and prudent parent standard, as  
2202 defined in section 17a-114d; and (ii) the child has regular, ongoing  
2203 opportunities to engage in age appropriate or developmentally  
2204 appropriate activities, as defined in section 17a-114d.

2205 (2) At any such permanency hearing in which the plan for a child  
2206 sixteen years of age or older is such other planned permanent living  
2207 arrangement pursuant to subdivision (4) of subsection (d) of this  
2208 section, the court shall (A) (i) ask the child about his or her desired  
2209 permanency outcome, or (ii) if the child is unavailable to appear at  
2210 such hearing, require the attorney for the child to consult with the  
2211 child regarding the child's desired permanency outcome and report  
2212 the same to the court; (B) make a judicial determination that, as of the  
2213 date of hearing, such other planned permanent living arrangement is  
2214 the best permanency plan for the child; and (C) document the  
2215 compelling reasons why it is not in the best interest of the child to  
2216 return home or to be placed with a fit and willing relative, legal  
2217 guardian or adoptive parent.

2218 (f) All other commitments of delinquent, mentally deficient or  
2219 mentally ill children by the court pursuant to the provisions of section  
2220 46b-140, as amended by this act, may be for an indeterminate time,  
2221 except that no such commitment may be ordered or continued for any  
2222 child who has attained the age of twenty. Commitments may be  
2223 reopened and terminated at any time by said court, provided the  
2224 Commissioner of Children and Families shall be given notice of such  
2225 proposed reopening and a reasonable opportunity to present the  
2226 commissioner's views thereon. The parents or guardian of such child  
2227 may apply not more than twice in any calendar year for such  
2228 reopening and termination of commitment. Any order of the court  
2229 made under the provisions of this section shall be deemed a final order  
2230 for purposes of appeal, except that no bond shall be required and no  
2231 costs shall be taxed on such appeal.

2232 Sec. 25. Section 46b-141a of the general statutes is repealed and the  
2233 following is substituted in lieu thereof (*Effective July 1, 2019*):

2234 (a) Whenever a child [is convicted] or young adult is adjudicated as  
2235 delinquent, the court, in lieu of committing such child to the  
2236 Department of Children and Families or such child or young adult to a

2237 [juvenile] detention center, may, [in its discretion] within the discretion  
2238 of the court, order an assessment for placement in an alternative  
2239 incarceration program to be conducted by the Court Support Services  
2240 Division. If the Court Support Services Division recommends  
2241 placement in an alternative incarceration program, [it] said division  
2242 shall also submit to the court a proposed alternative incarceration plan.  
2243 Upon completion of the assessment, the court shall determine whether  
2244 such child or young adult shall be ordered to participate in such  
2245 program as an alternative to commitment. If the court determines that  
2246 the child or young adult shall participate in such program, the court  
2247 shall suspend any commitment to the Department of Children and  
2248 Families or to a juvenile detention center and shall make participation  
2249 in the alternative incarceration program a condition of probation.

2250 (b) An alternative incarceration program shall include, but not be  
2251 limited to, fines, restitution, community service, halfway houses,  
2252 alternative incarceration centers, day incarceration centers, drug,  
2253 alcohol and mental health programs, electronic monitoring, intensive  
2254 probation, vocational probation, boot camps, structured wilderness  
2255 programs, pretrial diversion options aimed at creating alternatives to  
2256 unnecessary detention, and school and job training programs.

2257 Sec. 26. Section 46b-141d of the general statutes is repealed and the  
2258 following is substituted in lieu thereof (*Effective July 1, 2019*):

2259 Any child or young adult who is arrested and held in a detention  
2260 center, an alternative detention center or a police station or courthouse  
2261 lockup prior to the disposition of a juvenile matter shall, if  
2262 subsequently [convicted] adjudicated as delinquent by the Superior  
2263 Court and sentenced to a period of probation, earn a reduction of such  
2264 [child's] period of probation, including any extensions thereof, equal  
2265 to the number of days that such child or young adult spent in such  
2266 detention center or lockup.

2267 Sec. 27. Section 46b-145 of the general statutes is repealed and the

2268 following is substituted in lieu thereof (*Effective July 1, 2019*):

2269 No child or young adult shall be prosecuted for an offense before  
2270 the regular criminal docket of the Superior Court except as provided in  
2271 section 46b-127, as amended by this act, and subsection (f) of section  
2272 46b-133c, as amended by this act.

2273 Sec. 28. Section 46b-147 of the general statutes is repealed and the  
2274 following is substituted in lieu thereof (*Effective July 1, 2019*):

2275 The disposition [of any child] and any order of such disposition of  
2276 any child or young adult under the provisions of this chapter, evidence  
2277 given in such cases, except evidence of crime which, if committed by a  
2278 person [of sufficient age, would be punishable by imprisonment in the  
2279 Connecticut Correctional Institution, Somers, and all orders therein]  
2280 who, at the time of the commission of the crime, attained the age for  
2281 adult jurisdiction, shall be inadmissible as evidence in any criminal  
2282 proceedings against such child or young adult.

2283 Sec. 29. Section 18-100i of the general statutes is repealed and the  
2284 following is substituted in lieu thereof (*Effective from passage*):

2285 [(a)] The Commissioner of Correction, at the commissioner's  
2286 discretion, may release an inmate from the commissioner's custody,  
2287 except an inmate convicted of a capital felony under the provisions of  
2288 section 53a-54b in effect prior to April 25, 2012, or murder with special  
2289 circumstances under the provisions of section 53a-54b in effect on or  
2290 after April 25, 2012, for placement in a licensed community-based  
2291 nursing home under contract with the state for the purpose of  
2292 providing palliative and end-of-life care to the inmate if the medical  
2293 director of the Department of Correction determines that the inmate is  
2294 suffering from a terminal condition, disease or syndrome, or is so  
2295 debilitated or incapacitated by a terminal condition, disease or  
2296 syndrome as to (1) require continuous palliative or end-of-life care, or  
2297 (2) be physically incapable of presenting a danger to society.

2298        [(b) The Commissioner of Correction may require as a condition of  
 2299 release under subsection (a) of this section that the medical director  
 2300 conduct periodic medical review and diagnosis of the inmate during  
 2301 such release. An inmate released pursuant to subsection (a) of this  
 2302 section shall be returned to the custody of the Commissioner of  
 2303 Correction if the medical director determines that the inmate no longer  
 2304 meets the criteria for release under subsection (a) of this section.]

2305        [(c)] Any inmate released from the custody of the Commissioner of  
 2306 Correction pursuant to [subsection (a) of] this section shall be  
 2307 supervised in the community by the Department of Correction.

2308        Sec. 30. (NEW) (*Effective from passage*) The Criminal Justice Policy  
 2309 and Planning Division, established pursuant to section 4-68m of the  
 2310 general statutes, as amended by this act, within the Office of Policy  
 2311 and Management, shall publish monthly statistics on its Internet web  
 2312 site on the number and types of transfers made from the docket for  
 2313 juvenile matters to the regular criminal docket of the Superior Court  
 2314 pursuant to section 46b-127 of the general statutes, as amended by this  
 2315 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	46b-120
Sec. 2	<i>July 1, 2019</i>	46b-121
Sec. 3	<i>from passage</i>	46b-121n
Sec. 4	<i>July 1, 2019</i>	46b-127
Sec. 5	<i>July 1, 2019</i>	46b-133
Sec. 6	<i>July 1, 2019</i>	46b-133c
Sec. 7	<i>July 1, 2019</i>	46b-133d
Sec. 8	<i>July 1, 2019</i>	4-68m(d) and (e)
Sec. 9	<i>July 1, 2019</i>	46b-124
Sec. 10	<i>July 1, 2019</i>	46b-133g
Sec. 11	<i>July 1, 2019</i>	46b-133h
Sec. 12	<i>July 1, 2019</i>	46b-128
Sec. 13	<i>July 1, 2019</i>	46b-128a

Sec. 14	<i>July 1, 2019</i>	46b-133a
Sec. 15	<i>July 1, 2019</i>	46b-133b
Sec. 16	<i>July 1, 2019</i>	46b-134
Sec. 17	<i>July 1, 2019</i>	46b-135
Sec. 18	<i>July 1, 2019</i>	46b-136
Sec. 19	<i>July 1, 2019</i>	46b-137
Sec. 20	<i>July 1, 2019</i>	46b-138
Sec. 21	<i>July 1, 2019</i>	46b-138b
Sec. 22	<i>July 1, 2019</i>	46b-140
Sec. 23	<i>July 1, 2019</i>	46b-140a
Sec. 24	<i>July 1, 2019</i>	46b-141
Sec. 25	<i>July 1, 2019</i>	46b-141a
Sec. 26	<i>July 1, 2019</i>	46b-141d
Sec. 27	<i>July 1, 2019</i>	46b-145
Sec. 28	<i>July 1, 2019</i>	46b-147
Sec. 29	<i>from passage</i>	18-100i
Sec. 30	<i>from passage</i>	New section

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*