



General Assembly

Amendment

January Session, 2021

LCO No. 9309



Offered by:

SEN. KELLY, 21st Dist.
SEN. FORMICA, 20th Dist.
SEN. KISSEL, 7th Dist.

To: Subst. Senate Bill No. 1059

File No. 616

Cal. No. 348

"AN ACT CONCERNING THE OFFICE OF THE CORRECTION OMBUDS, THE USE OF ISOLATED CONFINEMENT, SECLUSION AND RESTRAINTS, SOCIAL CONTACTS FOR INCARCERATED PERSONS AND TRAINING AND WORKERS' COMPENSATION BENEFITS FOR CORRECTION OFFICERS."

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

3 "Section 1. (NEW) (*Effective October 1, 2021*) (a) For purposes of this
4 section, "criminal act" means criminal act, as defined in section 53a-224
5 of the general statutes.

6 (b) A person is guilty of enticing a juvenile to commit a criminal act
7 if such person is eighteen years of age or older and knowingly causes,
8 encourages, solicits, recruits, intimidates or coerces a person under
9 eighteen years of age to commit or participate in the commission of a
10 criminal act.

11 (c) Enticing a juvenile to commit a criminal act is a class D felony.

12 Sec. 2. Subsection (k) of section 46b-133 of the general statutes is
13 repealed and the following is substituted in lieu thereof (*Effective October*
14 *1, 2021*):

15 (k) For purposes of subsections (c) and (e) of this section, a child may
16 be determined to pose a risk to public safety if such child (1) has
17 previously been adjudicated as delinquent for or convicted of or pled
18 guilty or nolo contendere to two or more felony offenses, (2) has had
19 two or more prior dispositions of probation and is charged with
20 commission of a larceny under subdivision (3) of subsection (a) of
21 section 53a-122 or subdivision (1) of subsection (a) of section 53a-123 or
22 subdivision (1) of subsection (a) of section 53a-124, or (3) is charged with
23 stealing a firearm under section 53a-212, the commission of a violent
24 offense, including any offense committed with or involving the use of a
25 deadly weapon, as defined in section 53a-3, or a violation of section 53a-
26 136a.

27 Sec. 3. (NEW) (*Effective October 1, 2021*) The court shall order any
28 child, as defined in section 46b-120 of the general statutes, who is
29 released into the custody of his or her parent or guardian after being
30 charged with a delinquency offense involving a motor vehicle, as
31 defined in section 46b-133j of the general statutes, for which such child
32 is not yet adjudicated as delinquent, who, during the pendency of a
33 delinquency proceeding, is charged with a subsequent delinquency
34 offense involving a motor vehicle, to be electronically monitored by
35 using a global positioning system device until each such delinquency
36 proceeding is disposed of.

37 Sec. 4. Section 46b-6 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2021*):

39 In any pending family relations matter or juvenile matter under
40 chapter 815t in which the juvenile has previously been adjudicated as
41 delinquent for or convicted of or pled guilty or nolo contendere to a
42 felony offense and is charged with (1) commission of a larceny under

43 subdivision (3) of subsection (a) of section 53a-122, subdivision (1) of
44 subsection (a) of section 53a-123 or subdivision (1) of subsection (a) of
45 section 53a-124, (2) stealing a firearm under section 53a-212, or (3) the
46 commission of a violent offense, including any offense committed with
47 or involving the use of a deadly weapon, as defined in section 53a-3, or
48 a violation of section 53a-136a, the court or any judge may cause an
49 investigation to be made with respect to any circumstance of the matter
50 which may be helpful or material or relevant to a proper disposition of
51 the case. Such investigation may include an examination of the
52 parentage and surroundings of any child, his age, habits and history,
53 inquiry into the home conditions, habits and character of his parents or
54 guardians and evaluation of his mental or physical condition. In any
55 action for dissolution of marriage, legal separation or annulment of
56 marriage such investigation may include an examination into the age,
57 habits and history of the parties, the causes of marital discord and the
58 financial ability of the parties to furnish support to either spouse or any
59 dependent child.

60 Sec. 5. (NEW) (*Effective from passage*) (a) The Judicial Branch shall
61 compile data concerning requests by an arresting police officer of a child
62 to detain such child pursuant to subdivision (3) of subsection (c) of
63 section 46b-133 of the general statutes. The Judicial Branch shall sort
64 such data by judicial district and categorize such data based on (1) how
65 many such requests were made, (2) how many such requests were
66 denied, and (3) the reasons for denying any such request. Any such data
67 shall be anonymized.

68 (b) Not later than January 15, 2022, and January fifteenth annually
69 thereafter, the Judicial Branch shall, in accordance with the provisions
70 of section 11-4a of the general statutes, report such sorted and
71 categorized data from the previous calendar year to the joint standing
72 committee of the General Assembly having cognizance of matters
73 relating to the judiciary."

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This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>October 1, 2021</i>	46b-133(k)
Sec. 3	<i>October 1, 2021</i>	New section
Sec. 4	<i>October 1, 2021</i>	46b-6
Sec. 5	<i>from passage</i>	New section