

Auto Theft-Related Legislation and Funding (2019 – 2023)

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Issue

Summarize Connecticut public acts passed over the past five legislative sessions to combat auto break-ins and auto theft, including any funding allocated for that purpose.

Summary

Over the past five legislative sessions, the Connecticut legislature passed various public acts with provisions directly and indirectly addressing auto theft. One of these laws provided funding for local and state police departments to address auto theft and violence (see sidebar).

The laws addressed the issue of auto theft in different ways, including the following:

1. established a motor vehicle theft and misuse diversionary program;
2. made it a crime to entice a juvenile to commit a criminal act;
3. required next day arraignment for juveniles and generally allows delinquency records to be shared with law enforcement officials in certain circumstances;
4. made several changes to the laws on the sale and receipt of catalytic converters, including record keeping requirements and making violations a class C misdemeanor;

Funding for Police Departments

[PA 22-118](#), § 10, allocated federal American Rescue Plan Act (ARPA) funds to the Department of Emergency Services and Public Protection (DESPP) for local and state police departments to address auto theft and violence.

It allocated \$2.6 million in both FY 23 and FY 24.

5. allowed judges to order electronic monitoring of a child charged with certain motor vehicle-related delinquency acts; and
6. made changes related to juvenile detention and holding periods.

Below is a summary of these public acts, from 2019 through 2023.

2019

Motor Vehicle Theft or Misuse Diversionary Program

In 2019, the legislature enacted a law that allows a child charged with a delinquency offense involving a motor vehicle to request a suspension of the delinquency proceedings for up to six months, during which time the child must participate in services to address any condition or behavior directly related to the offense. This law allows the court to suspend the delinquency proceeding so the child may attend the program or participate in services as appropriate, and if he or she successfully completes the program or services and complies with the suspension order, the court may dismiss the delinquency charges. A child is ineligible for the suspended proceedings if he or she (1) was previously granted a suspended prosecution for such treatment or services or (2) is charged with a serious juvenile offense ([PA 19-110](#), effective October 1, 2019).

Juvenile Detention

[PA 19-110](#) also allows the court to order a child to be detained if he or she (1) has previously been adjudicated delinquent for, or convicted of, or pled guilty or nolo contendere to, two or more felony offenses; (2) has had two or more prior probation dispositions; and (3) is charged with committing 1st, 2nd, or 3rd degree larceny involving a motor vehicle ([PA 19-110](#), § 2, effective July 1, 2019).

2020

In 2020, the legislative session was suspended due to the COVID-19 pandemic and as a result no relevant legislation was passed.

2021

Enticing a Juvenile to Commit a Criminal Act

In 2021, the legislature established the crime of “enticing a juvenile to commit a criminal act” and made (1) a first violation a class A misdemeanor and (2) subsequent offenses a class D felony. By law, a person is guilty of this crime if he or she is at least age 23 and knowingly causes, encourages, solicits, recruits, intimidates, or coerces a person under age 18 to commit or participate in the commission of a criminal act (i.e., conduct constituting a felony or a misdemeanor

but does not include recruiting a member of a criminal gang) ([PA 21-33](#), § 12, effective October 1, 2021).

2022

Next Day Arraignment and Juvenile Records

In 2022 the legislature enacted [PA 22-26](#) which requires a child's arraignment for a firearms or motor vehicle offense to be scheduled for the next business day following the arrest date. Prior law did not impose a specific arraignment timeframe ([PA 22-26](#), § 11, effective July 1, 2022).

Catalytic Converters

Another new law in 2022 made several changes to how catalytic converters are received or sold, including prohibiting anyone other than a motor vehicle recycler or motor vehicle repair shop from selling more than one unattached converter to a salvager (e.g., scrap metal processor or junkyard) in a day. It also established several recordkeeping requirements and other conditions, such as affixing or writing a stock number on converters. Violations of the law are class C misdemeanors ([PA 22-43](#), effective July 1, 2022).

GPS Monitoring

[PA 22-115](#) allows judges to order electronic monitoring of an arrested child who is (1) charged with certain motor vehicle or property theft delinquency offenses for a second or subsequent time and (2) released into the custody of his or her parent or guardian (or another suitable person or agency). Under the act, this monitoring must be done through a global positioning system (GPS) device, continues until the case concludes, or ends earlier upon the court's order. The child may be immediately detained if he or she fails to comply with the monitoring order ([PA 22-115](#), § 1(c)(2), effective October 1, 2022).

Juvenile Detention and Holding Period

In addition to the GPS monitoring provision above, [PA 22-115](#) made other changes to procedures when a juvenile is arrested following an alleged delinquent act, including a motor vehicle delinquency offense (e.g., larceny of a motor vehicle), such as:

1. changing the condition under which a judge may order detention from a determination that there was no appropriate less restrictive alternative available to a determination that detention is more reasonable than an appropriate less restrictive alternative; and
2. in certain circumstances, increasing the maximum period, from six to eight hours, that a child may be held in a community correctional center or lockup without a judge's detention order ([PA 22-115](#), §§ 1, 6, 7 & 21, most provisions became effective on October 1, 2022).

Access to Juvenile Delinquency Records

Starting in June 2023, [PA 22-115](#) gives municipal employees and agents access to juvenile delinquency records if they are involved in the proceeding or delivery of related services. Police officers already have access to juvenile delinquency records for criminal investigations; the act specifically requires that they have electronic access to these records. The act also required the judicial branch's Court Support Services Division (CSSD) to report, by March 1, 2023, on progress made toward implementing these provisions ([PA 22-115](#), §§ 5, 19 & 20, effective June 1, 2023, except the CSSD reporting provision became effect upon passage).

Larceny of a Motor Vehicle

In 2022, the legislature also established a new penalty structure for larceny of a motor vehicle. This law provides for graduated penalties based on whether the person has prior convictions for this crime, rather than based on the vehicle's value as under prior law. These changes result in a lower penalty for a first offense than under prior law; the penalty for subsequent offenses may differ from prior law, depending on the vehicle's value ([PA 22-115](#), §§ 8-10 & 13-18).

2023

Catalytic Converter Interstate Agreements and Task Force

In 2023, the legislature enacted [SA 23-20](#) which directs the DESPP and Department of Motor Vehicle (DMV) commissioners to pursue, individually or jointly, agreements with other states to create a regional approach to addressing catalytic converter theft. The DESPP and DMV commissioners must report back to the Public Safety Committee on their efforts by January 1, 2024. The act also created a task force to study Connecticut's catalytic converter laws, including evaluating the impact from [PA 22-43](#) (see above). The task force must also report to the Public Safety Committee by January 1, 2024.

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