

Connecticut's Juvenile Delinquency Process

Juvenile Court System

Juvenile Court Jurisdiction

In Connecticut, juvenile courts have jurisdiction over children accused of committing crimes while at least age 10 and under age 18. Children may be convicted as delinquent for violating most state and federal laws ([CGS § 46b-120](#)). (**Record Erasure.** *Juvenile court and related police records may be erased after the child is discharged from court-ordered supervision or custody. The court may grant a child's or the parent's petition to do so if certain conditions are met, such as if the child has reached age 18 and no other proceeding is pending* ([CGS § 46b-146](#).)

Court Programs and Services Available to Juveniles

The judicial branch's Court Support Services Division (CSSD) oversees the services and programs available to juveniles in the juvenile court system ([CGS § 46b-123f](#)). The services are community-based, home-based, and residential-based (this includes juvenile residential centers, which were formerly named "juvenile detention centers"). CSSD administers a network of contracted community providers that deliver these and other support services to juveniles ([CGS § 46b-121k](#)).

Juvenile Delinquency Proceedings

Arrest and Detention

A child who is arrested for committing a delinquent act may be (1) released by the police or (2) detained at a juvenile residential center if the court orders it after making certain findings (such as that detention is more appropriate than an appropriate less-restrictive alternative). If detained, the child must have a detention hearing the next business day after the arrest. After the hearing, the court has several options, including continuing the child's detention if it makes certain findings or releasing the child under a suspended detention order with graduated sanctions based on the child's risk assessment. The court may order electronic monitoring if a child was charged with a second or subsequent motor vehicle or property theft offense. An arrested child who is not detained must be brought before a judge within five business days after the arrest ([CGS § 46b-133](#)).

Nonjudicial Handling

Under nonjudicial disposition, the case is removed from the court and a juvenile probation supervisor sets the terms of nonjudicial supervision, up to a maximum of 180 days ([CGS § 46b-128](#)). A complaint is generally ineligible for nonjudicial handling depending on the nature of the alleged offense (such as a serious juvenile offense (see sidebar below)), but the court may refer the case prior to adjudication. A child placed on nonjudicial supervision and his or her parent or guardian have the right to a conference with the probation supervisor or a court hearing if they object to the supervision. Otherwise, the case is resolved, and the child no longer faces the charges if he or she successfully completes the nonjudicial supervision period ([CPB § 27-4A](#) et seq.).

Judicial Handling

Juvenile court proceedings are held apart from other Superior Court business and the judge can exclude anyone he or she believes is not necessary, except a victim, the victim's parent, and certain victim representatives can only be excluded for cause ([CGS § 46b-122](#)). Also, an attorney must be appointed to represent the child and parent or guardian, even without a request, if the judge determines that the interest of justice requires it ([CGS § 46b-136](#)). The stages of the judicial proceedings are summarized below.

- **Plea Hearing.** At the plea hearing, the child is formally charged, read his or her rights, and asked to deny or admit to the charges ([CPB § 30a-1](#)).
- If legal representation is requested or the child denies responsibility, the case may be continued for a pretrial conference which both the child and the parent or guardian must attend ([CPB § 30a-2\(a\)](#)).
- **Pretrial Conference.** During the pretrial conference, the parties may agree that certain charges, or the entire case, will be nolle (not prosecuted) or dismissed. If the child and the parent or guardian agree to sign a statement of responsibility for the charges, a date is selected for a dispositional hearing and the child must plead guilty in court. If counsel is requested or the child continues to deny the allegation, the case goes to trial ([CPB § 30a-2\(a\)](#)).
- **Trial.** Juvenile trials take place before a judge and communication between the judge and the child is privileged. Prosecutors must prove the allegations beyond a reasonable doubt ([CPB § 30a-3](#)).
- **Disposition Hearing.** After an adjudication, the court can admit evidence and hear testimony, and the victim and the child have the opportunity to make a personal statement, at a disposition hearing before the court issues a sentence ([CPB §§ 30a-5 & 30a-6](#)).

Transfer to Adult Court

- The juvenile court must automatically transfer a delinquency case to the adult criminal court docket if the child was at least age 15 at the time of allegedly committing a class A felony, most class B felonies, or arson murder ([CGS § 46b-127\(a\)\(1\)](#)).
- For other felonies, the juvenile court has discretion to transfer a case to adult court where the (1) juvenile was at least age 15 at the time of allegedly committing the crime, (2) prosecutor makes a motion, and (3) court orders it after making certain findings ([CGS § 46b-127\(a\)\(3\) & \(b\)](#)).
- In adult court, a child may be eligible for youthful offender status, which provides greater confidentiality and gives judges additional sentencing options ([CGS § 54-76b. et seq.](#)).
- The adult court may return a juvenile case back to juvenile court under certain circumstances ([CGS § 46b-127\(c\) & \(g\)](#)).

Diversions Programs

Pre-conviction suspended prosecution programs are available for juveniles who are drug- or alcohol-dependent or involved in:

- acts of school violence ([CGS § 46b-133e](#)),
- motor vehicle theft ([CGS § 46b-133j](#)), or
- acts of fire starting ([CGS § 46b-133i](#)).

For programs other than for drug- or alcohol-dependency ([CGS § 46b-133b](#)), a child is ineligible for participation if, for example, he or she was charged with a serious juvenile offense. Successful completion of a program results in the dismissal of charges.

Serious Juvenile Offenses

Serious juvenile offenses include, among other things, murder, arson murder, manufacture of bombs, arson, most other class A felonies, many class B felonies, and running away without just cause from a secure residential facility in which the court has placed the child after adjudicating him or her delinquent ([CGS § 46b-120\(8\)](#)).

Child Adjudicated Delinquent

A child adjudicated delinquent in juvenile court is not sentenced to prison. When determining the sentence for a child's delinquency conviction, the court must consider certain factors (such as the child's age and the seriousness of the offense) and its options include:

- placing the child on probation supervision, with or without residential treatment; residential placement in a secure or staff-secure facility is not allowed unless the court has reviewed the child's current predispositional study and certain other conditions exist (such as if the child poses a certain level of risk to public safety) ([CGS § 46b-140\(b\) & \(g\)](#));
- ordering the child to participate in a community service program under the court's or a designated organization's supervision ([CGS § 46b-140\(e\)](#)); or
- in cases involving personal injury or property damage, ordering the child, the parent or guardian, or both the child and the parent or guardian to make restitution to the victim ([CGS § 46b-140\(d\)](#)).

Learn
More

"Juvenile Diversionary Programs and Court Services," OLR Report [2022-R-0038](#)

"Automatic Transfer of Juveniles to Adult Criminal Court," OLR Report [2023-R-0205](#)

"Youthful Offenders," OLR Report [2021-R-0181](#)

"Serious Juvenile Offenses," OLR Report [2021-R-0179](#)

