



General Assembly

January Session, 2021

***Raised Bill No. 6667***

LCO No. 5985



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE  
JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE.***

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

1 Section 1. Subdivision (1) of section 46b-120 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

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

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

19 Sec. 2. Section 46b-121n of the general statutes is repealed and the  
20 following is substituted in lieu thereof (*Effective from passage*):

21 (a) There is established a Juvenile Justice Policy and Oversight  
22 Committee. The committee shall evaluate policies related to the juvenile  
23 justice system and the expansion of juvenile jurisdiction to include  
24 persons sixteen and seventeen years of age. The committee shall collect  
25 and evaluate data related to persons under twenty-one years of age for  
26 the purpose of informing and evaluating juvenile justice system policies.

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

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

31 (2) The chairpersons and ranking members of the joint standing  
32 committees of the General Assembly having cognizance of matters  
33 relating to the judiciary, children, human services and appropriations,  
34 or their designees;

35 (3) The Chief Court Administrator, or the Chief Court  
36 Administrator's designee;

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

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

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

43 (7) The Chief Public Defender, or the Chief Public Defender's

44 designee;

45 (8) The Chief State's Attorney, or the Chief State's Attorney's  
46 designee;

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

49 (10) The Commissioner of Correction, or the commissioner's  
50 designee;

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

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

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

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

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

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

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

64 (18) Two child or youth advocates, one of whom shall be appointed  
65 by one chairperson of the Juvenile Justice Policy and Oversight  
66 Committee, and one of whom shall be appointed by the other  
67 chairperson of the Juvenile Justice Policy and Oversight Committee;

68 (19) Two parents or parent advocates, at least one of whom is the  
69 parent of a child who has been involved with the juvenile justice system,  
70 one of whom shall be appointed by the minority leader of the House of

71 Representatives, and one of whom shall be appointed by the minority  
72 leader of the Senate;

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

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

75 (22) The Secretary of the Office of Policy and Management, or the  
76 secretary's designee;

77 (23) The chairperson and vice-chairperson of the Black and Puerto  
78 Rican Caucus of the General Assembly, or their designees;

79 (24) Two community members who are parents of children who have  
80 involvement with the juvenile justice system, one of whom shall be  
81 appointed by one chairperson of the Juvenile Justice Policy and  
82 Oversight Committee, and one of whom shall be appointed by the other  
83 chairperson of the Juvenile Justice Policy and Oversight Committee; and

84 (25) Two persons under twenty-six years of age who have  
85 involvement with the juvenile justice system, one of whom shall be  
86 appointed by one chairperson of the Juvenile Justice Policy and  
87 Oversight Committee, and one of whom shall be appointed by the other  
88 chairperson of the Juvenile Justice Policy and Oversight Committee.

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

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

98 (e) Members of the committee shall serve without compensation,  
99 except for necessary expenses incurred in the performance of their

100 duties, including for transportation and child care.

101 (f) Not later than January 1, 2015, the committee shall report, in  
102 accordance with section 11-4a, to the joint standing committees of the  
103 General Assembly having cognizance of matters relating to  
104 appropriations, the judiciary, human services and children, and the  
105 Secretary of the Office of Policy and Management, regarding the  
106 following:

107 (1) Any statutory changes concerning the juvenile justice system that  
108 the committee recommends to (A) improve public safety; (B) promote  
109 the best interests of children and youths who are under the supervision,  
110 care or custody of the Commissioner of Children and Families or the  
111 Court Support Services Division of the Judicial Department; (C)  
112 improve transparency and accountability with respect to state-funded  
113 services for children and youths in the juvenile justice system with an  
114 emphasis on goals identified by the committee for community-based  
115 programs and facility-based interventions; and (D) promote the efficient  
116 sharing of information between the Department of Children and  
117 Families and the Judicial Department to ensure the regular collection  
118 and reporting of recidivism data and promote public welfare and public  
119 safety outcomes related to the juvenile justice system;

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

124 (3) Short-term goals to be met within six months, medium-term goals  
125 to be met within twelve months and long-term goals to be met within  
126 eighteen months, for the Juvenile Justice Policy and Oversight  
127 Committee and state agencies with responsibilities with respect to the  
128 juvenile justice system to meet, after considering existing relevant  
129 reports related to the juvenile justice system and any related state  
130 strategic plan;

131 (4) The impact of legislation that expanded the jurisdiction of the

132 juvenile court to include persons sixteen and seventeen years of age, as  
133 measured by the following:

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

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

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

141 (D) The gaps in services identified by the committee with respect to  
142 children and youths involved in the juvenile justice system, including,  
143 but not limited to, children and youths who have attained the age of  
144 eighteen after being involved in the juvenile justice system, and  
145 recommendations to address such gaps in services; and

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

149 (g) Not later than July 1, 2015, the committee shall report, in  
150 accordance with section 11-4a, to the joint standing committees of the  
151 General Assembly having cognizance of matters relating to  
152 appropriations, the judiciary, human services and children, and the  
153 Secretary of the Office of Policy and Management, regarding the  
154 following:

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

159 (2) An assessment of the system of community-based services for  
160 children and youths who are under the supervision, care or custody of  
161 the Commissioner of Children and Families or the Court Support

162 Services Division of the Judicial Department;

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

166 (4) An examination of how the state Department of Education and  
167 local boards of education, the Department of Children and Families, the  
168 Department of Mental Health and Addiction Services, the Court  
169 Support Services Division of the Judicial Department, and other  
170 appropriate agencies can work collaboratively through school-based  
171 efforts and other processes to reduce the number of children and youths  
172 who enter the juvenile justice system;

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

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

179 (7) An assessment of the number of children and youths who, after  
180 being under the supervision of the Department of Children and  
181 Families, are convicted as delinquent; and

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

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

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

198 (j) The committee shall implement a strategic plan that integrates the  
199 short-term, medium-term and long-term goals identified pursuant to  
200 subdivision (3) of subsection (f) of this section. As part of the  
201 implementation of such plan, the committee shall collaborate with any  
202 state agency with responsibilities with respect to the juvenile justice  
203 system, including, but not limited to, the Departments of Education,  
204 Mental Health and Addiction Services, Correction and Children and  
205 Families and the Labor Department and Judicial Department, and  
206 municipal police departments. Not later than January 1, 2016, the  
207 committee shall report such plan, in accordance with section 11-4a, to  
208 the joint standing committees of the General Assembly having  
209 cognizance of matters relating to appropriations, the judiciary, human  
210 services and children, and the Secretary of the Office of Policy and  
211 Management, regarding progress toward the full implementation of  
212 such plan and any recommendations concerning the implementation of  
213 such identified goals by any state agency with responsibilities with  
214 respect to the juvenile justice system or municipal police departments.

215 (k) Not later than January 1, 2017, the committee shall submit a  
216 report, in accordance with section 11-4a, to the joint standing  
217 committees of the General Assembly having cognizance of matters  
218 relating to appropriations, the judiciary, human services and children  
219 and the Secretary of the Office of Policy and Management, regarding a  
220 plan that includes cost options for the development of a community-  
221 based diversion system. Such plan shall include recommendations to  
222 address issues concerning mental health and juvenile justice. The plan  
223 shall include recommendations regarding the following:

224 (1) Diversion of children who commit crimes, excluding serious



225 juvenile offenses, from the juvenile justice system;

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

228 (3) Expansion of the capacity of juvenile review boards to accept  
229 referrals from municipal police departments and schools and  
230 implement restorative practices;

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

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

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

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

241 (8) Expansion of the use of memoranda of understanding between  
242 local and regional boards of education and community providers for  
243 provision of community-based services;

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

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

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

252 (12) Recommendations to promote the use of common behavioral

253 health screening tools in schools and communities;

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

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

261 (l) The committee shall establish a data working group to develop a  
262 plan for a data integration process to link data related to children across  
263 executive branch agencies, through the Office of Policy and  
264 Management's integrated data system, and the Judicial Department  
265 through the Court Support Services Division, for purposes of evaluation  
266 and assessment of programs, services and outcomes in the juvenile  
267 justice system. Membership of the working group shall include, but not  
268 be limited to, the Commissioners of Children and Families, Correction,  
269 Education and Mental Health and Addiction Services, or their  
270 designees; the Chief State's Attorney, or the Chief State's Attorney's  
271 designee; the Chief Public Defender, or the Chief Public Defender's  
272 designee; the Secretary of the Office of Policy and Management, or the  
273 secretary's designee; and the Chief Court Administrator of the Judicial  
274 Branch, or the Chief Court Administrator's designee. Such working  
275 group shall include persons with expertise in data development and  
276 research design. The plan shall include cost options and provisions to:

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

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

279 (3) Link the data maintained by executive branch agencies and the  
280 Judicial Department for the purposes of facilitating the sharing and  
281 analysis of data;

282 (4) Establish provisions for protecting confidential information and

283 enforcing state and federal confidentiality protections and ensure  
284 compliance with related state and federal laws and regulations;

285 (5) Develop specific recommendations for the committee on the use  
286 of limited releases of client specific data sharing across systems,  
287 including with the Office of Policy and Management, the Division of  
288 Criminal Justice, the Departments of Children and Families, Education  
289 and Mental Health and Addiction Services, the Judicial Department and  
290 other agencies; and

291 (6) Develop a standard template for memoranda of understanding for  
292 data-sharing between executive branch agencies, the Judicial  
293 Department, and when necessary, researchers outside of state  
294 government.

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

299 (2) Not later than October 1, 2018, the committee shall submit a  
300 report, in accordance with section 11-4a, to the joint standing  
301 committees of the General Assembly having cognizance of matters  
302 relating to appropriations, the judiciary, human services and children  
303 and the Secretary of the Office of Policy and Management on current  
304 conditions of confinement, including services available, for persons  
305 under eighteen years of age who are detained or incarcerated in  
306 correctional facilities, juvenile secure facilities and other out-of-home  
307 placements in the juvenile and criminal justice systems. The report shall  
308 include, but need not be limited to, a description of any gaps in services  
309 and the continued availability and utilization of mental health,  
310 education, rehabilitative and family engagement services.

311 (n) Not later than January 1, 2020, the committee shall submit a  
312 report, in accordance with section 11-4a, to the joint standing  
313 committees of the General Assembly having cognizance of matters  
314 relating to appropriations, the judiciary, human services and children

315 and the Secretary of the Office of Policy and Management regarding a  
316 juvenile justice reinvestment plan. The report shall include a study and  
317 make recommendations for the reinvestment of savings realized from  
318 the decreased use of incarceration and congregate care towards strategic  
319 investments in home-based, school-based and community-based  
320 behavioral health services and supports for children diverted from, or  
321 involved with, the juvenile justice system.

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

331 (p) Not later than January 1, 2019, and annually thereafter, all state  
332 agencies that detain or otherwise hold in custody a person under  
333 eighteen years of age involved with the juvenile justice or criminal  
334 justice system, or that contract for the housing of any person involved  
335 with the juvenile justice or criminal justice system under eighteen years  
336 of age, shall report to the committee on compliance with the provisions  
337 of section 46b-121p. Such reports shall include indicia of compliance in  
338 both direct-run and contract facilities, and shall include data on all  
339 rearrests and uses of confinements and restraints for youth in justice  
340 system custody, as defined in section 10-253.

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

- 348 (1) One person designated by the Commissioner of Education;
- 349 (2) One person designated by the executive director of the Court  
350 Support Services Division of the Judicial Branch;
- 351 (3) One person designated by the Bridgeport School District;
- 352 (4) One person designated by the Hartford School District;
- 353 (5) One person designated by the Commissioner of Correction;
- 354 (6) One person who is an expert in state budgeting and who can assist  
355 the subcommittee in obtaining data on relevant expenditures and  
356 available resources, designated by the Secretary of the Office of Policy  
357 and Management;
- 358 (7) Three persons, who are experts with significant career experience  
359 in providing and coordinating education in justice-system settings and  
360 who are not employees of the state of Connecticut, designated by the  
361 chairpersons of the Juvenile Justice Oversight and Planning Committee;  
362 and
- 363 (8) Two persons representing the interests of students and families,  
364 one designated by the executive director of an organization in this state  
365 with the mission of stopping the criminalization of this state's children  
366 and one designated by the executive director of an organization in this  
367 state that advocates for legal rights for the most vulnerable children in  
368 this state.
- 369 (A) The plan developed pursuant to this subsection shall include, but  
370 need not be limited to:
- 371 (i) Identification of a single state agency and designation of a program  
372 manager within that agency who will be responsible for planning,  
373 coordination, oversight, supervision, quality control, legal compliance  
374 and allocation of relevant federal and state funds for children in justice  
375 system custody;

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

382 (iii) An analysis of resources expended for educating children in  
383 justice system custody and for supporting educational success during  
384 transitions out of justice system custody, and recommendations for  
385 consolidating and reallocating resources towards the oversight,  
386 accountability, services and supports provided for in the plan pursuant  
387 to this subsection;

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

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

397 (I) A specialized school profile and performance report, to be  
398 produced annually for each school that serves children in justice system  
399 custody. The profiles and performance reports shall be consistent with  
400 other accountability systems required by law and shall include criteria  
401 and metrics tailored to measuring the quality of schools that serve  
402 children in justice system custody. Such metrics shall include, but need  
403 not be limited to: Student growth in reading and math; credit  
404 accumulation; modified graduation rates and high school equivalent  
405 passage rates; school attendance, defined as the percentage of children  
406 who are actually physically present in classrooms for school and  
407 educational programs; the percentage of students pursuing a high

408 school diploma, an industry-based certification, a recognized high  
409 school diploma equivalent, credits for advanced courses and post-  
410 secondary education programs; performance in educating children with  
411 exceptionalities, including identification of special education needs, the  
412 development of best-practices for individualized education programs  
413 and the provision of services and supports mandated by individualized  
414 education programs; student reenrollment in school or other  
415 educational or vocational training programs after leaving justice system  
416 custody; student success in post-release high school, post-secondary  
417 education, or job-training programs; and compliance with the protocols  
418 for support of educational transitions delineated in clause (vi) of this  
419 subparagraph;

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

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

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

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

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

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

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

443 (II) The engagement of one or more professional development and  
444 teacher training specialists to support teachers in schools that serve  
445 children in justice system custody; and

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

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

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

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

456 (III) Timelines for reenrollment and credit transfer;

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

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

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



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

472 (r) The committee shall review methods other states employ to (1)  
473 transfer juvenile cases to the regular criminal docket, and (2) detain  
474 persons fifteen, sixteen and seventeen years of age whose cases are  
475 transferred to the regular criminal docket. Such review shall consider  
476 (A) the transfer of juvenile cases to the regular criminal docket and  
477 outcomes associated with such transfers, including the impact on public  
478 safety and the effectiveness in changing the behavior of juveniles, and  
479 (B) preadjudication and postadjudication detention and include an  
480 examination of organizational and programmatic alternatives. The  
481 committee shall, in accordance with the provisions of section 11-4a, not  
482 later than January 1, 2020, report such review including a plan for  
483 implementation not later than July 1, 2021, of any recommended  
484 changes, including cost options where appropriate to the committee of  
485 the General Assembly having cognizance of matters relating to the  
486 judiciary.

487 (s) (1) A working group of the committee focused on diversion of  
488 children from the juvenile court system shall develop a plan for  
489 ensuring that a child who may otherwise be referred to the juvenile  
490 court system shall instead be referred to a system for the provision of  
491 behavioral health service for children, the community-based diversion  
492 system pursuant to section 46b-121s or other community-based services.

493 (2) Such plan shall outline a referral process for developmentally  
494 appropriate services, including, but not limited to, screening,  
495 assessments and interventions.

496 (3) Not later than January 1, 2021, the working group of the  
497 committee focused on diversion of children from the juvenile court

498 system shall report such plan to the committee.

499 (t) (1) A working group of the committee focused on education shall,  
500 in collaboration with an organization that focuses on relevant issues  
501 regarding children and youths, such as the University of New Haven  
502 and any of the university's institutes, review 9-1-1 calls received from  
503 the school districts that serve the towns of Bridgeport, Derby, East  
504 Hartford, East Haven, Hartford, New Britain, New Haven, New  
505 London, Norwich and Waterbury, in order to evaluate each district's use  
506 of police. Such review shall consider: (A) De-identified data related to  
507 the demographics of a child subject to any such call, including age,  
508 gender, race and disability classification; (B) the use of restraints or  
509 seclusion reported and whether less restrictive alternatives were  
510 considered; and (C) similar data available from records of such calls.

511 (2) The working group shall, in collaboration with an organization  
512 that is a catalyst for improvement of children's health and development,  
513 review 2-1-1 calls received from public schools in this state. Such review  
514 shall consider the same categories of data described in subparagraphs  
515 (A) to (C), inclusive, of subdivision (1) of this subsection.

516 (3) The committee shall enter into memoranda of understanding with  
517 each jurisdiction reporting data pursuant to this section.

518 (4) The working group shall report semiannually upon its review of  
519 data pursuant to this subsection to the committee.

520 *Sec. 3. (Effective from passage)* An implementation team shall assist the  
521 Department of Children and Families in the development of an  
522 operational plan to create an education unit pursuant to section 4 of this  
523 act. The implementation team shall include representatives of state and  
524 local agencies, including from the Department of Education, the Court  
525 Support Services Division of the Judicial Branch, the Department of  
526 Correction, local and regional boards of education and one child and  
527 one family representative appointed by the Commissioner of Children  
528 and Families, each of whom shall serve as voting members. The  
529 implementation team shall identify the implementation timeline,

530 funding and other measures necessary to fully implement the  
531 operational plan. Not later than September 1, 2021, the implementation  
532 team shall provide a report to the Juvenile Justice Policy and Oversight  
533 Committee established pursuant to section 46b-121n of the general  
534 statutes, as amended by this act.

535       Sec. 4. (NEW) (*Effective October 1, 2021*) (a) The Commissioner of  
536 Children and Families shall implement the operational plan developed  
537 pursuant to section 3 of this act to establish an education unit within the  
538 Department of Children and Families, for the education of any child  
539 who resides in any juvenile justice facility and any incarcerated child.  
540 The Commissioner of Children and Families shall administer,  
541 coordinate and control the operations of the unit and be responsible for  
542 the overall supervision and direction of all courses and activities of the  
543 unit.

544       (b) The commissioner, or his or her designee, shall:

545       (1) Have the power to employ and dismiss staff and, in accordance  
546 with the applicable provisions of section 10-151 of the general statutes,  
547 such teachers as are necessary to carry out the intent of this section and  
548 to pay their salaries, or to contract with local or regional boards of  
549 education or educational service providers for the purpose of providing  
550 educational services to children being served by the unit;

551       (2) Develop and review quarterly reports, which shall be available to  
552 the Juvenile Justice Policy and Oversight Committee established  
553 pursuant to section 46b-121n, of the general statutes, as amended by this  
554 act, on academic performance, school discipline, attendance and other  
555 similar issues concerning students educated within the unit;

556       (3) Have the power to contract with providers of educational services,  
557 at least semiannually, performance data to ensure that reporting  
558 measures are tailored to experiences of students in short and long-term  
559 placements in juvenile justice facilities;

560       (4) Require providers of educational services to develop partnerships

561 and programs with local educational agencies, private educational  
562 providers and local industries and businesses;

563 (5) Report student performance data, attendance and rates of  
564 participation for all education programs and document transition  
565 activities and outcomes and collaborations with community service  
566 providers and parents to the Juvenile Justice Policy and Oversight  
567 Committee established pursuant to section 46b-121n, of the general  
568 statutes, as amended by this act;

569 (6) Ensure that students have access to earn credits toward high  
570 school graduation, have access to arts and career and technical  
571 education courses, state-wide and college preparatory testing and  
572 provide alternative options for high school equivalency certificates for  
573 students who are twenty years of age or older with insufficient credits  
574 to meet graduation requirements pursuant to section 10-221a of the  
575 general statutes, as amended by this act; and

576 (7) Enable students to have access to web-based content including  
577 credit recovery programs to allow an opportunity for students to earn a  
578 credit for a course he or she did not satisfactorily complete.

579 (c) The commissioner may employ within the unit transition  
580 specialists whose primary responsibility is to facilitate the successful  
581 transition of children from their communities to secure facilities and  
582 then back to their local educational program upon release. Transition  
583 specialists shall:

584 (1) Collaborate with local and regional boards of education,  
585 governing councils of a state or local charter school, interdistrict magnet  
586 school operators and agencies that serve the needs of children,  
587 employers and other community supports for reentry to plan and  
588 manage successful transitions between the unit, the student's previous  
589 school and the school the student will enroll in upon leaving the unit;

590 (2) Manage and track the educational credits of a student who is in  
591 an out-of-home placement and document the success of a placement

592 following a student's reentry into their community; and

593 (3) Be responsible for communicating with the reentry coordinators  
594 who appear on a list pursuant to section 5 of this act whose primary  
595 responsibility is to support educational success in students returning to  
596 the community from juvenile justice system custody and who shall  
597 ensure all information regarding the education of a child under the  
598 oversight of the unit is communicated to the school the student will  
599 enroll in upon leaving juvenile justice system custody.

600 (d) The education unit shall ensure that the school the student will  
601 enroll in upon leaving the unit provide services and supports that  
602 maximize the student's success.

603 (e) The education unit shall employ a uniform system of state-wide  
604 electronic record transfers for maintaining and sharing educational  
605 records for all students to be overseen by a directory manager as  
606 designated by the commissioner. Such system shall be aligned with  
607 recommendations by the Individualized Education Program Advisory  
608 Council established pursuant to section 10-76nn of the general statutes.

609 Sec. 5. (NEW) (*Effective from passage*) Not later than August 1, 2021,  
610 the Department of Education shall assemble a list of persons who may  
611 perform the function of reentry coordinator. The department shall  
612 distribute the list to the Departments of Correction and Children and  
613 Families and the Court Support Services Division of the Judicial Branch  
614 or any parent or other person interested in receiving such list. The  
615 Department of Education shall review and update such list annually.  
616 The Department of Education shall post such list on the department's  
617 Internet web site. Local and regional boards of education shall use a  
618 reentry coordinator from the list to obtain records of children in juvenile  
619 justice facilities and assist in transfer of the records to the facility. Any  
620 local or regional board of education for a district in which fewer than six  
621 thousand students are enrolled may designate an employee to perform  
622 the functions of a reentry coordinator.

623 Sec. 6. Section 10-253 of the general statutes is repealed and the

624 following is substituted in lieu thereof (*Effective October 1, 2021*):

625 (a) Children placed out by the Commissioner of Children and  
626 Families or by other agencies or persons, including offices of a  
627 government of a federally recognized Native American tribe, private  
628 child-caring or child-placing agencies licensed by the Department of  
629 Children and Families, and eligible residents of facilities operated by the  
630 Department of Mental Health and Addiction Services or by the  
631 Department of Public Health who are eighteen to twenty-one years of  
632 age, shall be entitled to all free school privileges of the school district  
633 where they then reside as a result of such placement, except as provided  
634 in subdivision (4) of subsection (e) of section 10-76d. Except as provided  
635 in subsection (d) of this section and subdivision (4) of subsection (e) of  
636 section 10-76d, payment for such education shall be made by the board  
637 of education of the school district under whose jurisdiction such child  
638 would otherwise be attending school where such a school district is  
639 identified.

640 (b) The board of education of the school district under whose  
641 jurisdiction a child would otherwise be attending school shall be  
642 financially responsible for the reasonable costs of education for a child  
643 placed out by the Commissioner of Children and Families or by other  
644 agencies, including, but not limited to, offices of a government of a  
645 federally recognized Native American tribe, in a private residential  
646 facility when such child requires educational services other than special  
647 education services. Such financial responsibility shall be the lesser of  
648 one hundred per cent of the costs of such education or the average per  
649 pupil educational costs of such board of education for the prior fiscal  
650 year, determined in accordance with subsection (a) of section 10-76f.  
651 Any costs in excess of the board's basic contribution shall be paid by the  
652 State Board of Education on a current basis. The costs for services other  
653 than educational shall be paid by the state agency which placed the  
654 child. Application for the grant to be paid by the state for costs in excess  
655 of the local or regional board of education's basic contribution shall be  
656 made in accordance with the provisions of subdivision (5) of subsection  
657 (e) of section 10-76d. Notwithstanding the provisions of this subsection,

658 for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and  
659 for the fiscal years ending June 30, 2010, to June 30, 2021, inclusive, the  
660 amount of the grants payable to local or regional boards of education in  
661 accordance with this subsection shall be reduced proportionately if the  
662 total of such grants in such year exceeds the amount appropriated for  
663 the purposes of this subsection for such year.

664 (c) No board of education shall be required to provide school  
665 accommodations for any child whose legal residence is in another state  
666 unless the board has entered into an agreement concerning the  
667 provision of educational services and programs with the state or local  
668 educational agency of such state responsible for educating the child, the  
669 facility where the child is placed or the parent or guardian placing such  
670 child, and provided that a bond, in a sum equal to the tuition payable  
671 for such child, issued by a surety company authorized to do business in  
672 this state and conditioned upon the payment of tuition at the rate  
673 established by the board, shall be filed with the treasurer of the school  
674 district in which such child is attending school by the parent or guardian  
675 or other person or organization in control of such child.

676 (d) Children residing with relatives or nonrelatives, when it is the  
677 intention of such relatives or nonrelatives and of the children or their  
678 parents or guardians that such residence is to be permanent, provided  
679 without pay and not for the sole purpose of obtaining school  
680 accommodations, and, for the fiscal year commencing July 1, 1981, and  
681 each fiscal year thereafter, children not requiring special education who  
682 are residing in any facility or home as a result of a placement by a public  
683 agency, including, but not limited to, offices of a government of a  
684 federally recognized Native American tribe, other than a local or  
685 regional board of education, and except as provided by subsection (b)  
686 of this section, shall be entitled to all free school privileges accorded to  
687 resident children of the school district in which they then reside. A local  
688 or regional board of education may require documentation from the  
689 parent or guardian, the relative or nonrelative, emancipated minor or  
690 pupil eighteen years of age or older that the residence is to be  
691 permanent, provided without pay and not for the sole purpose of

692 obtaining school accommodations provided by the school district. Such  
693 documentation may include affidavits, provided that prior to any  
694 request for documentation of a child's residency from the child's parent  
695 or guardian, relative or nonrelative, or emancipated minor or pupil  
696 eighteen years of age or older, the board of education shall provide the  
697 parent or guardian, relative or nonrelative, emancipated minor or pupil  
698 eighteen years of age or older with a written statement specifying the  
699 basis upon which the board has reason to believe that such child,  
700 emancipated minor or pupil eighteen years of age or older is not entitled  
701 to school accommodations.

702 (e) (1) For purposes of this subsection:

703 (A) "Temporary shelters" means facilities which provide emergency  
704 shelter for a specified, limited period of time, and

705 (B) "Educational costs" means the reasonable costs of providing  
706 regular or, except as otherwise provided, special education, but in no  
707 event shall such costs exceed the average per pupil cost for regular  
708 education students or the actual cost of providing special education for  
709 special education students.

710 (2) Children in temporary shelters shall be entitled to free school  
711 privileges from either the school district in which the shelter is located  
712 or the school district in which the child would otherwise reside, if not  
713 for the need for temporary shelter. Upon notification from the school  
714 district in which the temporary shelter is located, the school district in  
715 which the child would otherwise reside, if identified, shall either pay  
716 tuition to the school district in which the temporary shelter is located for  
717 the child to attend school in that district or shall continue to provide  
718 educational services, including transportation, to such child. If the  
719 school district where the child would otherwise reside cannot be  
720 identified, the school district in which the temporary shelter is located  
721 shall be financially responsible for the educational costs for such child,  
722 except that in the case of a child who requires special education and  
723 related services and is placed by the Department of Children and



724 Families in a temporary shelter on or after July 1, 1995, the school district  
725 in which the child resided immediately prior to such placement or the  
726 Department of Children and Families shall be responsible for the cost of  
727 such special education and related services, to the extent such board or  
728 department is responsible for such costs under subparagraph (B) of  
729 subdivision (2) of subsection (e) of section 10-76d. If the school district  
730 where the child would otherwise reside declines to provide free school  
731 privileges, the school district where the temporary shelter is located  
732 shall provide free school privileges and may recover tuition from the  
733 school district where the child would otherwise reside. In the case of  
734 children requiring special education who have been placed in out-of-  
735 district programs by either a board of education or state agency, the  
736 school district in which the child would otherwise reside shall continue  
737 to be responsible for the child's education until such time as a new  
738 residence is established, notwithstanding the fact that the child or child's  
739 family resides in a temporary shelter.

740 (f) Notwithstanding any provision of the general statutes,  
741 educational services shall be provided by each local and regional board  
742 of education to homeless children and youths in accordance with the  
743 provisions of 42 USC 11431, et seq., as amended from time to time. If a  
744 homeless child or youth is denied school accommodations by a local or  
745 regional board of education on the basis of residency, such homeless  
746 child or youth shall be entitled to a hearing conducted pursuant to  
747 section 10-186. An unaccompanied youth, as described in 42 USC  
748 11434a, as amended from time to time, shall be entitled to knowledge of  
749 and have access to all educational, medical or similar records in the  
750 cumulative record of such unaccompanied youth maintained by a local  
751 or regional board of education.

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

755 (2) The local or regional board of education for the school district in  
756 which a juvenile detention facility is located shall be responsible for the

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

771 (3) The local or regional board of education under whose jurisdiction  
772 the child would otherwise be attending school or, if no such board can  
773 be identified, the local or regional board of education for the school  
774 district in which the juvenile detention facility is located shall be  
775 financially responsible for the tuition charged for the provision of  
776 educational services to the child in such juvenile detention facility. The  
777 State Board of Education shall pay, on a current basis, any costs in excess  
778 of such local or regional board of education's prior year's average per  
779 pupil costs. If the local or regional board of education under whose  
780 jurisdiction the child would otherwise be attending school cannot be  
781 identified, the local or regional board of education for the school district  
782 in which the juvenile detention facility is located shall be eligible to  
783 receive on a current basis from the State Board of Education any costs in  
784 excess of such local or regional board of education's prior year's average  
785 per pupil costs. Application for the grant to be paid by the state for costs  
786 in excess of the local or regional board of education's basic contribution  
787 shall be made in accordance with the provisions of subdivision (5) of  
788 subsection (e) of section 10-76d.

789 (4) The local or regional board of education under whose jurisdiction  
790 the child would otherwise be attending school shall be financially

791 responsible for the provision of educational services to the child placed  
792 in a juvenile detention facility as provided in subdivision (3) of this  
793 subsection notwithstanding that the child has been suspended from  
794 school pursuant to section 10-233c, as amended by this act, has been  
795 expelled from school pursuant to section 10-233d or has withdrawn,  
796 dropped out or otherwise terminated enrollment from school. Upon  
797 notification of such board of education by the educational services  
798 provider for the juvenile detention facility, the child shall be reenrolled  
799 in the school district where the child would otherwise be attending  
800 school or, if no such district can be identified, in the school district in  
801 which the juvenile detention facility is located, and provided with  
802 educational services in accordance with the provisions of this  
803 subsection.

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

815 (6) Notwithstanding any provision of the general statutes, a child  
816 who is enrolled in a school district at the time of placement in a juvenile  
817 detention facility shall remain enrolled in that same school district for  
818 the duration of his or her detention, unless the child voluntarily  
819 terminates enrollment, and shall have the right to return to such school  
820 district immediately upon discharge from detention into the  
821 community.

822 (7) When a child is not enrolled in a school district at the time of  
823 juvenile justice out-of-home placement [in a juvenile detention facility]

824 or upon discharge into the community, does not return to the same  
825 school where the child was previously enrolled:

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

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

833 (8) Upon learning that a child is to be discharged from a juvenile  
834 detention facility, the educational services provider for the juvenile  
835 detention facility shall immediately notify the jurisdiction in which the  
836 child will continue his or her education after discharge. A child shall  
837 have the right to enroll in such school district immediately upon  
838 discharge into the community, as provided in subdivision (7) of this  
839 subsection.

840 (9) Prior to the child's discharge from the juvenile detention facility,  
841 the local or regional board of education responsible for the provision of  
842 educational services to children in the juvenile detention facility shall  
843 conduct an assessment of the school work completed by the child to  
844 determine an assignment of academic credit for the work completed.  
845 Credit assigned shall be the credit of the local or regional board of  
846 education responsible for the provision of the educational services.  
847 Credit assigned for work completed by the child shall be accepted in  
848 transfer by the local or regional board of education for the school district  
849 in which the child continues his or her education after discharge from  
850 the juvenile detention facility.

851 (10) Prior to a child's discharge from probation supervision with  
852 residential placement, the local or regional board of education educating  
853 such child during such period of probation supervision shall provide  
854 for a planning and placement team meeting. Such meeting shall include,  
855 at the least, a representative from the local or regional board of

856 education educating such child during such period of probation  
857 supervision and from the local or regional board of education under  
858 whose jurisdiction the child will be upon discharge from probation  
859 supervision and a person knowledgeable about the continuum of  
860 programmatic offerings available in the local or regional school district  
861 in which such child shall enroll upon such discharge.

862 (h) (1) For purposes of this subsection:

863 (A) An "eligible school district" means a school district that enrolled  
864 at least six thousand students during the school year ending June 30,  
865 2017.

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

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

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

877 [(2)] (3) The designation required under subdivision (1) of this  
878 subsection shall be made by providing the Court Support Services  
879 Division of the Judicial Branch with written notice, on or before August  
880 first annually, of the name and professional title of and the contact  
881 information for such liaison.

882 [(3)] (4) In each district, the liaison shall assist the school district, the  
883 Court Support Services Division of the Judicial Branch and any relevant  
884 educational service providers in ensuring that:

885 (A) All persons under twenty-two years of age in justice system

886 custody are promptly evaluated for eligibility for special education  
887 services, pursuant to section 17a-65 and any other applicable law;

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

891 (C) Students in justice system custody and returning to the  
892 community from justice system custody receive appropriate credit for  
893 school work completed in custody, pursuant to this section or section  
894 10-220h, as amended by this act;

895 (D) All relevant school records for students who enter justice system  
896 custody and who return to the community from justice system custody  
897 are promptly transferred to the appropriate school district or  
898 educational service provider, pursuant to section 10-220h, as amended  
899 by this act.

900 [(4) For purposes of this subsection:

901 (A) An "eligible school district" means a school district that enrolled  
902 at least six thousand students during the school year ending June 30,  
903 2017.

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

909 (C) "Child" means child, as defined in section 46b-120, or any other  
910 person under eighteen years of age.]

911 Sec. 7. Subsection (i) of section 10-221a of the general statutes is  
912 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
913 *2021*):

914 (i) (1) A local or regional board of education may award a diploma to

915 a veteran, as defined in subsection (a) of section 27-103, or a person with  
916 a qualifying condition, as defined in said section, who has received a  
917 discharge other than bad conduct or dishonorable from active service in  
918 the armed forces, which veteran or person served during World War II  
919 or the Korean hostilities, as described in section 51-49h, or during the  
920 Vietnam Era, as defined in section 27-103, withdrew from high school  
921 prior to graduation in order to serve in the armed forces of the United  
922 States and did not receive a diploma as a consequence of such service.

923 (2) A local or regional board of education may award a diploma to  
924 any person who (A) withdrew from high school prior to graduation to  
925 work in a job that assisted the war effort during World War II, December  
926 7, 1941, to December 31, 1946, inclusive, (B) did not receive a diploma as  
927 a consequence of such work, and (C) has been a resident of the state for  
928 at least fifty consecutive years.

929 (3) (A) A local or regional board of education under whose  
930 jurisdiction a student would otherwise be attending school if such  
931 student were not educated under the oversight of the education unit of  
932 the Department of Children and Families established pursuant to  
933 section 4 of this act, shall award a diploma to any such student  
934 seventeen years of age or older who satisfactorily completes the  
935 minimum credits required pursuant to this section for students  
936 graduating in the year in which such diploma is awarded.

937 (B) If no such local or regional board of education can be identified,  
938 the Department of Children and Families shall determine whether a  
939 student educated under the oversight of the education unit of the  
940 department who is seventeen years of age or older has satisfactorily  
941 completed the minimum credits required pursuant to this section for  
942 students graduating in the year in which a diploma is sought by such  
943 student and the department shall award a diploma to any such student  
944 who has met such requirement.

945 Sec. 8. (NEW) (*Effective from passage*) The Commissioners of Education  
946 and Children and Families shall develop a system for standardized

947 conversion of credits transferred pursuant to section 10-220h of the  
948 general statutes, as amended by this act. Such system shall enable a  
949 determination of whether credits apply toward requirements for  
950 graduation pursuant to section 10-221a, as amended by this act, not later  
951 than thirty days after a transfer of credits.

952 Sec. 9. Section 10-220h of the general statutes is repealed and the  
953 following is substituted in lieu thereof (*Effective October 1, 2021*):

954 (a) When a student enrolls in a school in a new school district or in a  
955 new state charter school, the new school district or new state charter  
956 school shall provide written notification of such enrollment to the school  
957 district in which the student previously attended school or the state  
958 charter school the student previously attended not later than two  
959 business days after the student enrolls. The school district in which the  
960 student previously attended school or the state charter school that the  
961 student previously attended (1) shall transfer the student's education  
962 records to the new school district or new state charter school no later  
963 than ten days after receipt of such notification, and (2) if the student's  
964 parent or guardian did not give written authorization for the transfer of  
965 such records, shall send notification of the transfer to the parent or  
966 guardian at the same time that it transfers the records.

967 (b) In the case of a student placed in any juvenile justice facility and  
968 any incarcerated student being educated under the oversight of the  
969 education unit established pursuant to section 4 of this act, the  
970 Commissioner of Children and Families shall immediately upon  
971 placement of such student in such facility or under incarceration, inform  
972 the student's previous school of such placement. The school district in  
973 which the student previously attended school or the state charter school  
974 that the student previously attended shall, not later than five days after  
975 such placement or incarceration, transfer the student's education  
976 records to the education unit.

977 (c) In the case of a student who transfers from Unified School District  
978 #1, [or] Unified School District #2 or the education unit established



979 pursuant to section 4 of this act, the new school district or new state  
980 charter school shall provide written notification of such enrollment to  
981 Unified School District #1, [or] Unified School District #2 [not later than  
982 ten days after] or the education unit established pursuant to section 4 of  
983 this act, immediately upon the date of enrollment. The unified school  
984 district or the education unit established pursuant to section 4 of this act  
985 shall, not later than [ten] five days after receipt of notification of  
986 enrollment from the new school district or new state charter school,  
987 transfer the records of the student to the new school district or new state  
988 charter school. [and the]

989 (d) The new school district or new state charter school shall, not later  
990 than thirty days after receiving the student's education records, credit  
991 the student for all instruction received in Unified School District #1, [or]  
992 Unified School District #2 or the education unit established pursuant to  
993 section 4 of this act.

994 Sec. 10. Subsection (g) of section 10-233c of the general statutes is  
995 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
996 *2022*):

997 (g) On and after July 1, 2015, all suspensions pursuant to this section  
998 shall be in-school suspensions, except a local or regional board of  
999 education may authorize the administration of schools under its  
1000 direction to impose an out-of-school suspension on any pupil in [(1)]  
1001 grades three to twelve, inclusive, if, during the hearing held pursuant to  
1002 subsection (a) of this section, [(A)] (1) the administration determines that  
1003 the pupil being suspended poses such a danger to persons or property  
1004 or such a disruption of the educational process that the pupil shall be  
1005 excluded from school during the period of suspension, or [(B)] (2)  
1006 the administration determines that an out-of-school suspension is  
1007 appropriate for such pupil based on evidence of [(i)] (A) previous  
1008 disciplinary problems that have led to suspensions or expulsion of such  
1009 pupil, and [(ii)] (B) efforts by the administration to address such  
1010 disciplinary problems through means other than out-of-school  
1011 suspension or expulsion, including positive behavioral support

1012 strategies, [, or (2) grades preschool to two, inclusive, if during the  
1013 hearing held pursuant to subsection (a) of this section, the  
1014 administration determines that an out-of-school suspension is  
1015 appropriate for such pupil based on evidence that such pupil's conduct  
1016 on school grounds is of a violent or sexual nature that endangers  
1017 persons.] An in-school suspension may be served in the school that the  
1018 pupil attends, or in any school building under the jurisdiction of the  
1019 local or regional board of education, as determined by such board.  
1020 Nothing in this section shall limit a person's duty as a mandated  
1021 reporter pursuant to section 17-101a to report suspected child abuse or  
1022 neglect.

1023       Sec. 11. (*Effective from passage*) (a) There is established a committee for  
1024 the purpose of developing a plan to phase in a ban on suspensions and  
1025 expulsions of students in any grade.

1026       (b) The committee shall consist of the following members:

1027       (1) The executive director of the Commission on Women, Children,  
1028 Seniors, Equity and Opportunity;

1029       (2) The chairperson of the Social Emotional Collaborative;

1030       (3) The executive director of the Connecticut Association of Public  
1031 School Superintendents;

1032       (4) A representative of the Connecticut School Discipline  
1033 Collaborative;

1034       (5) The chairpersons of the education working group of the Juvenile  
1035 Justice Policy and Oversight Committee established pursuant to section  
1036 46b-121n of the general statutes, as amended by this act;

1037       (6) The Commissioner of Education, or the commissioner's designee;

1038       (7) A representative of the State Board of Education Accountability  
1039 and Support Committee;

1040 (8) The president of the Connecticut Association of Public School  
1041 Superintendents;

1042 (9) The chairperson of the Connecticut State Advisory Council for  
1043 Special Education;

1044 (10) A representative of Disability Rights Connecticut, Inc., appointed  
1045 by its board of directors;

1046 (11) A representative of Special Education Equity for Kids of  
1047 Connecticut;

1048 (12) A representative of an organization that is a catalyst for  
1049 improvement of children's health and development; and

1050 (13) A representative of an association of youth service bureaus.

1051 (c) All initial appointments to the committee shall be made not later  
1052 than thirty days after the effective date of this section. Any vacancy shall  
1053 be filled by the appointing authority.

1054 (d) The members under subdivisions (1) to (3), inclusive, of  
1055 subsection (b) of this section, shall be the chairpersons of the committee.  
1056 Such chairpersons shall schedule the first meeting of the committee,  
1057 which shall be held not later than sixty days after the effective date of  
1058 this section.

1059 (e) (1) Not later than January 1, 2022, the committee shall develop a  
1060 plan to ban suspension and expulsion of students in preschool through  
1061 second grade with an implementation date of July 1, 2022.

1062 (2) Not later than January 1, 2023, the committee shall develop a plan  
1063 to ban suspension and expulsion of students to be phased in for students  
1064 in grades (A) three to eight, inclusive; and (B) nine to twelve, inclusive.

1065 (f) The committee shall include in plans developed under subsection  
1066 (e) of this section:

1067 (1) Funding recommendations;

- 1068 (2) Timelines;
- 1069 (3) Individual school district needs based on data;
- 1070 (4) Training recommendations for school personnel;
- 1071 (5) Implementation procedures of alternative in-school disciplinary  
1072 practice, strategies and intervention to support students and school  
1073 personnel;
- 1074 (6) Strategies for family engagement;
- 1075 (7) Recommendations for screening for health and mental health  
1076 concerns; and
- 1077 (8) Recommendations for strengthening connections to community-  
1078 based services and supports including trauma-informed mental health  
1079 interventions.
- 1080 (g) Not later than January 1, 2022, the committee shall submit a report  
1081 on its findings and recommendations pursuant to subdivision (1) of  
1082 subsection (e) of this section, and not later than January 1, 2023, the  
1083 committee shall submit a report on its findings and recommendations  
1084 pursuant to subdivision (2) of subsection (e) of this section to the  
1085 Juvenile Justice Policy and Oversight Committee. The committee shall  
1086 terminate on the date that it submits the last such report or January 1,  
1087 2023, whichever is later.

1088 Sec. 12. Section 46b-127 of the general statutes is repealed and the  
1089 following is substituted in lieu thereof (*Effective October 1, 2021*):

- 1090 (a) (1) The court shall automatically transfer from the docket for  
1091 juvenile matters to the regular criminal docket of the Superior Court the  
1092 case of any child charged with the commission of a capital felony under  
1093 the provisions of section 53a-54b in effect prior to April 25, 2012, a class  
1094 A felony, [or a class B felony, except as provided in subdivision (3) of  
1095 this subsection, or a violation of section 53a-54d,] provided such offense  
1096 was committed after such child attained the age of fifteen years and

1097 counsel has been appointed for such child if such child is indigent. Such  
1098 counsel may appear with the child but shall not be permitted to make  
1099 any argument or file any motion in opposition to the transfer. The child  
1100 shall be arraigned in the regular criminal docket of the Superior Court  
1101 at the next court date following such transfer, provided any proceedings  
1102 held prior to the finalization of such transfer shall be private and shall  
1103 be conducted in such parts of the courthouse or the building in which  
1104 the court is located that are separate and apart from the other parts of  
1105 the court which are then being used for proceedings pertaining to adults  
1106 charged with crimes.

1107 (2) A state's attorney may, at any time after such arraignment, file a  
1108 motion to transfer the case of any child charged with the commission of  
1109 a [class B felony or a] violation of subdivision (2) of subsection (a) of  
1110 section 53a-70 to the docket for juvenile matters for proceedings in  
1111 accordance with the provisions of this chapter.

1112 [(3) No case of any child charged with the commission of a violation  
1113 of section 53a-55, 53a-59b, 53a-71 or 53a-94, subdivision (2) of subsection  
1114 (a) of section 53a-101, section 53a-112, 53a-122 or 53a-129b, subdivision  
1115 (1), (3) or (4) of subsection (a) of section 53a-134, section 53a-196c, 53a-  
1116 196d or 53a-252 or subsection (a) of section 53a-301 shall be transferred  
1117 from the docket for juvenile matters to the regular criminal docket of the  
1118 Superior Court, except as provided in this subdivision. Upon motion of  
1119 a prosecutorial official, the superior court for juvenile matters shall  
1120 conduct a hearing to determine whether the case of any child charged  
1121 with the commission of any such offense shall be transferred from the  
1122 docket for juvenile matters to the regular criminal docket of the Superior  
1123 Court. The court shall not order that the case be transferred under this  
1124 subdivision unless the court finds that (A) such offense was committed  
1125 after such child attained the age of fifteen years, (B) there is probable  
1126 cause to believe the child has committed the act for which the child is  
1127 charged, and (C) the best interests of the child and the public will not be  
1128 served by maintaining the case in the superior court for juvenile matters.  
1129 In making such findings, the court shall consider (i) any prior criminal  
1130 or juvenile offenses committed by the child, (ii) the seriousness of such

1131 offenses, (iii) any evidence that the child has intellectual disability or  
1132 mental illness, and (iv) the availability of services in the docket for  
1133 juvenile matters that can serve the child's needs. Any motion under this  
1134 subdivision shall be made, and any hearing under this subdivision shall  
1135 be held, not later than thirty days after the child is arraigned in the  
1136 superior court for juvenile matters.]

1137 (b) Upon motion of a prosecutorial official, the superior court for  
1138 juvenile matters shall conduct a hearing to determine whether the case  
1139 of any child charged with the commission of a class [C, D or E felony or  
1140 an unclassified] B felony shall be transferred from the docket for juvenile  
1141 matters to the regular criminal docket of the Superior Court. The court  
1142 shall not order that the case be transferred under this subdivision unless  
1143 the court finds that (1) such offense was committed after such child  
1144 attained the age of fifteen years, (2) there is probable cause to believe the  
1145 child has committed the act for which the child is charged, and (3) [the  
1146 best interests of the child and the public will not be served by  
1147 maintaining the case] the child cannot be rehabilitated in the superior  
1148 court for juvenile matters without presenting a risk of serious physical  
1149 injury to the public. In making such findings, the court shall consider  
1150 (A) any prior criminal or juvenile offenses committed by the child, (B)  
1151 the seriousness of such offenses, (C) any evidence that the child has  
1152 intellectual disability or mental illness, and (D) the availability of  
1153 services in the docket for juvenile matters that can serve the child's  
1154 needs. Any motion under this subdivision shall be made, and any  
1155 hearing under this subdivision shall be held, not later than thirty days  
1156 after the child is arraigned in the superior court for juvenile matters.

1157 (c) (1) (A) Any proceeding of any case transferred to the regular  
1158 criminal docket pursuant to this section shall be private and shall be  
1159 conducted in such parts of the courthouse or the building in which the  
1160 court is located that are separate and apart from the other parts of the  
1161 court which are then being used for proceedings pertaining to adults  
1162 charged with crimes. Any records of such proceedings shall be  
1163 confidential in the same manner as records of cases of juvenile matters  
1164 are confidential in accordance with the provisions of section 46b-124,

1165 except as provided in subparagraph (B) of this subdivision, unless and  
1166 until the court or jury renders a verdict or a guilty plea is entered in such  
1167 case on the regular criminal docket.

1168 (B) Records of any child whose case is transferred to the regular  
1169 criminal docket under this section, or any part of such records, shall be  
1170 available to the victim of the crime committed by the child to the same  
1171 extent as the records of the case of a defendant in a criminal proceeding  
1172 in the regular criminal docket of the Superior Court is available to a  
1173 victim of the crime committed by such defendant. The court shall  
1174 designate an official from whom the victim may request such records.  
1175 Records disclosed pursuant to this subparagraph shall not be further  
1176 disclosed.

1177 (2) If a case is transferred to the regular criminal docket pursuant to  
1178 [subdivision (3) of subsection (a) of this section or] subsection (b) of this  
1179 section, or if a case is transferred to the regular criminal docket pursuant  
1180 to subdivision (1) of subsection (a) of this section and the charge in such  
1181 case is subsequently reduced to that of the commission of an offense for  
1182 which a case may be transferred pursuant to subdivision (2) [or (3)] of  
1183 subsection (a) of this section or subsection (b) of this section, the court  
1184 sitting for the regular criminal docket may return the case to the docket  
1185 for juvenile matters at any time prior to the court or jury rendering a  
1186 verdict or the entry of a guilty plea for good cause shown for  
1187 proceedings in accordance with the provisions of this chapter.

1188 (d) Upon the effectuation of the transfer, such child shall stand trial  
1189 and be sentenced, if convicted, as if such child were eighteen years of  
1190 age, subject to the provisions of subsection (c) of this section and section  
1191 54-91g. Such child shall receive credit against any sentence imposed for  
1192 time served in a juvenile facility prior to the effectuation of the transfer.  
1193 A child who has been transferred may enter a guilty plea to a lesser  
1194 offense if the court finds that such plea is made knowingly and  
1195 voluntarily. Any child transferred to the regular criminal docket who  
1196 pleads guilty to a lesser offense shall not resume such child's status as a  
1197 juvenile regarding such offense. If the action is dismissed or nolle or if

1198 such child is found not guilty of the charge for which such child was  
1199 transferred or of any lesser included offenses, the child shall resume  
1200 such child's status as a juvenile until such child attains the age of  
1201 eighteen years.

1202 (e) Any child whose case is transferred to the regular criminal docket  
1203 of the Superior Court who is detained pursuant to such case shall be in  
1204 the custody of the Commissioner of Correction upon the finalization of  
1205 such transfer. A transfer shall be final (1) upon the arraignment on the  
1206 regular criminal docket until a motion filed by the state's attorney  
1207 pursuant to subsection (a) of this section is granted by the court, or (2)  
1208 upon the arraignment on the regular criminal docket of a transfer  
1209 ordered pursuant to subsection (b) of this section until the court sitting  
1210 for the regular criminal docket orders the case returned to the docket for  
1211 juvenile matters for good cause shown. Any child whose case is  
1212 returned to the docket for juvenile matters who is detained pursuant to  
1213 such case shall be in the custody of the Judicial Department.

1214 (f) The transfer of a child to a Department of Correction facility shall  
1215 be limited as provided in subsection (e) of this section and said  
1216 subsection shall not be construed to permit the transfer of or otherwise  
1217 reduce or eliminate any other population of juveniles in detention or  
1218 confinement within the Judicial Department or the Department of  
1219 Children and Families.

1220 (g) Upon the motion of any party or upon the court's own motion, the  
1221 case of any youth age sixteen or seventeen, except a case that has been  
1222 transferred to the regular criminal docket of the Superior Court  
1223 pursuant to subsection (a) or (b) of this section, which is pending on the  
1224 youthful offender docket, regular criminal docket of the Superior Court  
1225 or any docket for the presentment of defendants in motor vehicle  
1226 matters, where the youth is charged with committing any offense or  
1227 violation for which a term of imprisonment may be imposed, other than  
1228 a violation of section 14-227a, 14-227g or 14-227m or subdivision (1) or  
1229 (2) of subsection (a) of section 14-227n, may, before trial or before the  
1230 entry of a guilty plea, be transferred to the docket for juvenile matters if



1231 (1) the youth is alleged to have committed such offense or violation on  
1232 or after January 1, 2010, while sixteen years of age, or is alleged to have  
1233 committed such offense or violation on or after July 1, 2012, while  
1234 seventeen years of age, and (2) after a hearing considering the facts and  
1235 circumstances of the case and the prior history of the youth, the court  
1236 determines that the programs and services available pursuant to a  
1237 proceeding in the superior court for juvenile matters would more  
1238 appropriately address the needs of the youth and that the youth and the  
1239 community would be better served by treating the youth as a  
1240 delinquent. Upon ordering such transfer, the court shall vacate any  
1241 pleas entered in the matter and advise the youth of the youth's rights,  
1242 and the youth shall (A) enter pleas on the docket for juvenile matters in  
1243 the jurisdiction where the youth resides, and (B) be subject to  
1244 prosecution as a delinquent child. The decision of the court concerning  
1245 the transfer of a youth's case from the youthful offender docket, regular  
1246 criminal docket of the Superior Court or any docket for the presentment  
1247 of defendants in motor vehicle matters shall not be a final judgment for  
1248 purposes of appeal.

1249 (h) If a case is transferred to the regular criminal docket pursuant to  
1250 this section and such case results in a criminal conviction with the child  
1251 sentenced to a period of incarceration, the court sitting for the regular  
1252 criminal docket shall review such child's sentence after such child has  
1253 served fifty per cent of such sentence or attains the age of eighteen years,  
1254 whichever occurs first. The court may reduce such sentence if the court  
1255 finds that there is no longer a need to incarcerate such person for the  
1256 entirety of the imposed sentence of incarceration.

1257 Sec. 13. Section 46b-146 of the general statutes is repealed and the  
1258 following is substituted in lieu thereof (*Effective October 1, 2021*):

1259 Whenever any child has been convicted as delinquent, has been  
1260 adjudicated a member of a family with service needs or has signed a  
1261 statement of responsibility admitting to having committed a delinquent  
1262 act, and has subsequently been discharged from the supervision of the  
1263 Superior Court or from the custody of the Department of Children and

1264 Families or from the care of any other institution or agency to whom the  
1265 child has been committed by the court, [such child, or the child's parent  
1266 or guardian, may file a petition with] the Superior Court [. If such court  
1267 finds (1) (A) that] shall automatically erase all police and court records  
1268 pertaining to such child if (1) (A) at least two years or, in the case of a  
1269 child convicted as delinquent for the commission of a serious juvenile  
1270 offense, four years have elapsed from the date of such discharge, (B)  
1271 [that] no subsequent juvenile proceeding or adult criminal proceeding  
1272 is pending against such child, (C) [that] such child has not been  
1273 convicted of a delinquent act that would constitute a felony or  
1274 misdemeanor if committed by an adult during such two-year or four-  
1275 year period, (D) [that] such child has not been convicted as an adult of  
1276 a felony or misdemeanor during such two-year or four-year period, and  
1277 (E) [that] such child has reached eighteen years of age, or (2) [that] such  
1278 child has a criminal record as a result of being a victim of conduct by  
1279 another person that constitutes a violation of section 53a-192a or a  
1280 criminal violation of 18 USC Chapter 77. [, the court shall order all police  
1281 and court records pertaining to such child to be erased.] Upon [the entry  
1282 of such an] such erasure, [order,] all references including arrest,  
1283 complaint, referrals, petitions, reports and orders, shall be removed  
1284 from all agency, official and institutional files, and a finding of  
1285 delinquency or that the child was a member of a family with service  
1286 needs shall be deemed never to have occurred. The persons in charge of  
1287 such records shall not disclose to any person information pertaining to  
1288 the record so erased, except that the fact of such erasure may be  
1289 substantiated where, in the opinion of the court, it is in the best interests  
1290 of such child to do so. No child who has been the subject of such an  
1291 erasure order shall be deemed to have been arrested ab initio, within the  
1292 meaning of the general statutes, with respect to proceedings so erased.  
1293 Copies of the erasure order shall be sent to all persons, agencies, officials  
1294 or institutions known to have information pertaining to the delinquency  
1295 or family with service needs proceedings affecting such child.  
1296 Whenever a child is dismissed as not delinquent or as not being a  
1297 member of a family with service needs, all police and court records  
1298 pertaining to such charge shall be ordered erased immediately, without

1299 the filing of a petition. Nothing in this section shall prohibit the court  
1300 from granting a petition to erase a child's records on a showing of good  
1301 cause, after a hearing, before the time when such records could be  
1302 erased.

1303       Sec. 14. (NEW) (*Effective from passage*) On and after July 1, 2021, the  
1304 Commissioner of Correction shall provide voice communication service  
1305 to persons under eighteen years of age who are in the custody of the  
1306 commissioner and confined in a correctional facility. Any such  
1307 communication service shall be provided free of charge to such persons  
1308 and any communication, whether initiated or received through any  
1309 such service, shall be free of charge to the person initiating or receiving  
1310 the communication.

1311       Sec. 15. (*Effective from passage*) There shall be a committee with  
1312 members appointed by the chairpersons of the Juvenile Justice Policy  
1313 and Oversight Committee, established pursuant to section 46b-121n of  
1314 the general statutes, as amended by this act. Such committee shall study  
1315 telephone call rates and commissary needs for all persons eighteen to  
1316 twenty-one years of age who are incarcerated in Department of  
1317 Correction facilities. The committee may make recommendations for  
1318 legislation based on such study and shall report any such  
1319 recommendations to the Department of Administrative Services and the  
1320 joint standing committee of the General Assembly having cognizance of  
1321 matters relating to corrections in accordance with the provisions of  
1322 section 11-4a of the general statutes not later than January 1, 2022.

1323       Sec. 16. (NEW) (*Effective from passage*) (a) On and after January 1, 2022,  
1324 the Commissioners of Correction and Children and Family and the  
1325 Court Support Services Division of the Judicial Department shall ensure  
1326 that chemical agents are not used on any person under eighteen years  
1327 of age detained in a juvenile detention center or incarcerated in a  
1328 correctional facility.

1329       (b) The Commissioner of Correction shall develop alternative means  
1330 to the use of chemical agents for the purposes of deescalating a situation

1331 in a correctional facility.

1332 Sec. 17. Section 54-1m of the general statutes is repealed and the  
1333 following is substituted in lieu thereof (*Effective October 1, 2022*):

1334 (a) Each municipal police department, the Department of Emergency  
1335 Services and Public Protection and any other department with authority  
1336 to conduct a traffic stop shall adopt a written policy that prohibits the  
1337 stopping, detention or search of any person when such action is solely  
1338 motivated by considerations of race, color, ethnicity, age, gender or  
1339 sexual orientation, and such action would constitute a violation of the  
1340 civil rights of the person. For the purposes of this section: (1)  
1341 ["Department with authority to conduct a traffic stop"] "Department  
1342 with authority to conduct a traffic stop or pedestrian stop" means any  
1343 department that includes, or has oversight of, a police officer, and (2)  
1344 "police officer" means a police officer within a municipal police  
1345 department or the Department of Emergency Services and Public  
1346 Protection or a person with the same authority pursuant to any  
1347 provision of the general statutes to make arrests or issue citations for  
1348 violation of any statute or regulation relating to motor vehicles and to  
1349 enforce said statutes and regulations as policemen or state policemen  
1350 have in their respective jurisdictions, including, but not limited to: (A)  
1351 Special policemen or state policemen acting under the provisions of  
1352 section 29-18, 17a-24 or 17a-465; (B) policemen acting under the  
1353 provisions of section 29-19; (C) the Commissioner of Motor Vehicles,  
1354 each deputy commissioner of the Department of Motor Vehicles and  
1355 any salaried inspector of motor vehicles designated by the  
1356 commissioner pursuant to section 14-8; (D) State Capitol Police officers  
1357 acting under the provisions of section 2-1f; (E) special police forces  
1358 acting under the provisions of section 10a-156b; (F) state policemen  
1359 acting under the provisions of section 27-107; and (G) fire police officers  
1360 acting under the provisions of section 7-313a.

1361 (b) Not later than July 1, [2013] 2023, the Office of Policy and  
1362 Management, in consultation with the Racial Profiling Prohibition  
1363 Project Advisory Board established in section 54-1s, and the Criminal

1364 Justice Information System Governing Board shall, within available  
1365 resources, develop and implement a standardized method:

1366 (1) To be used by police officers of municipal police departments, the  
1367 Department of Emergency Services and Public Protection and any other  
1368 department with authority to conduct a traffic stop or pedestrian stop  
1369 to record traffic stop and pedestrian stop information unless the police  
1370 officer is required to leave the location of the stop prior to completing  
1371 such form in order to respond to an emergency or due to some other  
1372 exigent circumstance within the scope of such police officer's duties. The  
1373 standardized method and any form developed and implemented  
1374 pursuant to such standardized method shall allow the following  
1375 information to be recorded: (A) The date and time of the stop; (B) the  
1376 specific geographic location of the stop; (C) the unique identifying  
1377 number of the police officer making the stop, or the name and title of  
1378 the person making the stop if such person does not have a unique  
1379 identifying number; (D) the race, color, ethnicity, age and gender of the  
1380 operator of the motor vehicle that is stopped, provided the identification  
1381 of such characteristics shall be based on the observation and perception  
1382 of the police officer responsible for reporting the stop; (E) the nature of  
1383 the alleged traffic violation, suspected illegal activity or other violation  
1384 that caused the stop to be made and the statutory citation for such  
1385 violation; (F) the disposition of the stop including whether a warning,  
1386 citation or summons was issued, whether a search was conducted, the  
1387 authority for any search conducted, the result of any search conducted,  
1388 the statute or regulation citation for any warning, citation or summons  
1389 issued and whether a custodial arrest was made; and (G) any other  
1390 information deemed appropriate. The method shall also provide for (i)  
1391 notice to be given to the person stopped that if such person believes that  
1392 such person has been stopped, detained or subjected to a search solely  
1393 because of race, color, ethnicity, age, gender, sexual orientation, religion  
1394 or membership in any other protected class, such person may file a  
1395 complaint with the appropriate law enforcement agency unless the  
1396 police officer was required to leave the location of the stop prior to  
1397 providing such notice in order to respond to an emergency or due to

1398 some other exigent circumstance within the scope of such police officer's  
1399 duties, and (ii) instructions to be given to the person stopped on how to  
1400 file such complaint unless the police officer was required to leave the  
1401 location of the stop prior to providing such instructions in order to  
1402 respond to an emergency or due to some other exigent circumstance  
1403 within the scope of such police officer's duties;

1404 (2) To be used to report complaints pursuant to this section by any  
1405 person who believes such person has been subjected to a [motor vehicle  
1406 stop] traffic stop or pedestrian stop by a police officer solely on the basis  
1407 of race, color, ethnicity, age, gender, sexual orientation or religion; and

1408 (3) To be used by each municipal police department, the Department  
1409 of Emergency Services and Public Protection and any other department  
1410 with authority to conduct a traffic stop or pedestrian stop to report data  
1411 to the Office of Policy and Management pursuant to subsection (h) of  
1412 this section.

1413 (c) Not later than July 1, [2013] 2023, the Office of Policy and  
1414 Management, in consultation with the Racial Profiling Prohibition  
1415 Project Advisory Board, shall develop and implement guidelines to be  
1416 used by each municipal police department, the Department of  
1417 Emergency Services and Public Protection and any other department  
1418 with authority to conduct a traffic stop or pedestrian stop in (1) training  
1419 police officers of such agency in the completion of the form developed  
1420 and implemented pursuant to subdivision (1) of subsection (b) of this  
1421 section, and (2) evaluating the information collected by police officers of  
1422 such municipal police department, the Department of Emergency  
1423 Services and Public Protection or other department with authority to  
1424 conduct a traffic stop or pedestrian stop pursuant to subsection (e) of  
1425 this section for use in the counseling and training of such police officers.

1426 (d) (1) Prior to the date a standardized method and form have been  
1427 developed and implemented pursuant to subdivision (1) of subsection  
1428 (b) of this section, each municipal police department, the Department of  
1429 Emergency Services and Public Protection and any other department

1430 with authority to conduct a traffic stop or pedestrian stop shall, using  
1431 the form developed and promulgated pursuant to the provisions of  
1432 subsection (h) in effect on January 1, 2012, record and retain the  
1433 following information: (A) The number of persons stopped for traffic  
1434 violations; (B) the number of pedestrian encounters and stops; (C)  
1435 characteristics of race, color, ethnicity, gender and age of such persons,  
1436 provided the identification of such characteristics shall be based on the  
1437 observation and perception of the police officer responsible for  
1438 reporting the stop and the information shall not be required to be  
1439 provided by the person stopped; [(C)] (D) the nature of the alleged  
1440 traffic violation or suspected illegal activity that resulted in the stop;  
1441 [(D)] (E) whether a warning or citation was issued, an arrest made or a  
1442 search conducted as a result of the stop; and [(E)] (F) any additional  
1443 information that such municipal police department, the Department of  
1444 Emergency Services and Public Protection or any other department with  
1445 authority to conduct a traffic stop or pedestrian stop, as the case may be,  
1446 deems appropriate, provided such information shall not include any  
1447 other identifying information about any person stopped for a traffic  
1448 violation or suspected illegal activity such as the person's operator's  
1449 license number, name or address.

1450 (2) On and after the date a standardized method and form have been  
1451 developed and implemented pursuant to subdivision (1) of subsection  
1452 (b) of this section, each municipal police department, the Department of  
1453 Emergency Services and Public Protection and any other department  
1454 with authority to conduct a traffic stop or pedestrian stop shall record  
1455 and retain the information required to be recorded pursuant to such  
1456 standardized method and any additional information that such  
1457 municipal police department or the Department of Emergency Services  
1458 and Public Protection or other department with authority to conduct a  
1459 traffic stop or pedestrian stop, as the case may be, deems appropriate,  
1460 provided such information shall not include any other identifying  
1461 information about any person stopped for a traffic violation or  
1462 suspected illegal activity such as the person's operator's license number,  
1463 name or address.

1464 (e) Each municipal police department, the Department of Emergency  
1465 Services and Public Protection and any other department with authority  
1466 to conduct a traffic stop or pedestrian stop shall provide to the Chief  
1467 State's Attorney and the Office of Policy and Management (1) a copy of  
1468 each complaint received pursuant to this section, and (2) written  
1469 notification of the review and disposition of such complaint. No copy of  
1470 such complaint shall include any other identifying information about  
1471 the complainant such as the complainant's operator's license number,  
1472 name or address.

1473 (f) Any police officer who in good faith records traffic stop or  
1474 pedestrian stop information pursuant to the requirements of this section  
1475 shall not be held civilly liable for the act of recording such information  
1476 unless the officer's conduct was unreasonable or reckless.

1477 (g) If a municipal police department, the Department of Emergency  
1478 Services and Public Protection or any other department with authority  
1479 to conduct a traffic stop or pedestrian stop fails to comply with the  
1480 provisions of this section, the Office of Policy and Management shall  
1481 recommend and the Secretary of the Office of Policy and Management  
1482 may order an appropriate penalty in the form of the withholding of state  
1483 funds from such municipal police department, the Department of  
1484 Emergency Services and Public Protection or such other department  
1485 with authority to conduct a traffic stop or pedestrian stop.

1486 (h) Not later than October 1, [2012] 2023, each municipal police  
1487 department and the Department of Emergency Services and Public  
1488 Protection shall provide to the Office of Policy and Management a  
1489 summary report of the information recorded pursuant to subsection (d)  
1490 of this section. On and after October 1, [2013] 2023, each municipal  
1491 police department, the Department of Emergency Services and Public  
1492 Protection and any other department with authority to conduct a traffic  
1493 stop or pedestrian stop shall provide to the Office of Policy and  
1494 Management a monthly report of the information recorded pursuant to  
1495 subsection (d) of this section for each traffic stop or pedestrian stop  
1496 conducted, in a format prescribed by the Office of Policy and



1497 Management. On and after January 1, 2015, such information shall be  
1498 submitted in electronic form, and shall be submitted in electronic form  
1499 prior to said date to the extent practicable.

1500 (i) The Office of Policy and Management shall, within available  
1501 resources, review the prevalence and disposition of traffic stops and  
1502 pedestrian stops and complaints reported pursuant to this section. Not  
1503 later than July 1, [2014] 2023, and annually thereafter, the office shall  
1504 report the results of any such review, including any recommendations,  
1505 to the Governor, the General Assembly and any other entity deemed  
1506 appropriate.

1507 Sec. 18. (*Effective from passage*) The chairpersons of the working group  
1508 of the Juvenile Justice Policy and Oversight Committee established  
1509 pursuant to section 46b-121n of the general statutes, as amended by this  
1510 act, on racial and ethnic disparities shall collaborate with the Racial  
1511 Profiling Prohibition Project Advisory Board established pursuant to  
1512 section 54-1s of the general statutes for the purpose of (1) defining  
1513 "pedestrian stop" pursuant to section 54-1m of the general statutes, as  
1514 amended by this act, and (2) developing a method for reporting and  
1515 analyzing data concerning pedestrian stops. Not later than January 1,  
1516 2022, the chairpersons shall report any recommendations for legislation  
1517 pursuant to subdivisions (1) and (2) of this section to the Juvenile Justice  
1518 Policy and Oversight Committee.

1519 Sec. 19. Subdivision (2) of section 46b-120 of the general statutes is  
1520 repealed and the following is substituted in lieu thereof (*Effective January*  
1521 *1, 2022*):

1522 (2) (A) A child may be adjudicated as "delinquent" who has, while  
1523 under sixteen years of age, (i) violated any federal or state law, except  
1524 section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or  
1525 violated a municipal or local ordinance, except an ordinance regulating  
1526 behavior of a child in a family with service needs, (ii) wilfully failed to  
1527 appear in response to a summons under section 46b-133 or at any other  
1528 court hearing in a delinquency proceeding of which the child had notice,

1529 (iii) violated any order of the Superior Court in a delinquency  
1530 proceeding, except as provided in section 46b-148, or (iv) violated  
1531 conditions of probation supervision or probation supervision with  
1532 residential placement in a delinquency proceeding as ordered by the  
1533 court;

1534 (B) A child may be adjudicated as "delinquent" who has (i) while  
1535 sixteen or seventeen years of age, violated any federal or state law, other  
1536 than (I) an infraction, [except an infraction under subsection (d) of  
1537 section 21a-267,] (II) a violation, except a violation under subsection (a)  
1538 of section 21a-279a, (III) a motor vehicle offense or violation under title  
1539 14, (IV) a violation of a municipal or local ordinance, or (V) a violation  
1540 of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-  
1541 223a, (ii) while sixteen years of age or older, wilfully failed to appear in  
1542 response to a summons under section 46b-133 or at any other court  
1543 hearing in a delinquency proceeding of which the child had notice, (iii)  
1544 while sixteen years of age or older, violated any order of the Superior  
1545 Court in a delinquency proceeding, except as provided in section 46b-  
1546 148, or (iv) while sixteen years of age or older, violated conditions of  
1547 probation supervision or probation supervision with residential  
1548 placement in a delinquency proceeding as ordered by the court;

1549 Sec. 20. Subdivision (7) of section 46b-120 of the general statutes is  
1550 repealed and the following is substituted in lieu thereof (*Effective January*  
1551 *1, 2022*):

1552 (7) "Delinquent act" means (A) the violation by a child under the age  
1553 of sixteen of any federal or state law, except the violation of section 53a-  
1554 172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or the violation of a  
1555 municipal or local ordinance, except an ordinance regulating behavior  
1556 of a child in a family with service needs, (B) the violation by a child  
1557 sixteen or seventeen years of age of any federal or state law, other than  
1558 (i) an infraction, [except an infraction under subsection (d) of section  
1559 21a-267,] (ii) a violation, except a violation under subsection (a) of  
1560 section 21a-279a, (iii) a motor vehicle offense or violation under title 14,  
1561 (iv) the violation of a municipal or local ordinance, or (v) the violation

1562 of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-  
1563 223a, (C) the wilful failure of a child, including a child who has attained  
1564 the age of eighteen, to appear in response to a summons under section  
1565 46b-133 or at any other court hearing in a delinquency proceeding of  
1566 which the child has notice, (D) the violation of any order of the Superior  
1567 Court in a delinquency proceeding by a child, including a child who has  
1568 attained the age of eighteen, except as provided in section 46b-148, or  
1569 (E) the violation of conditions of probation supervision or probation  
1570 supervision with residential placement in a delinquency proceeding by  
1571 a child, including a child who has attained the age of eighteen, as  
1572 ordered by the court;

1573       Sec. 21. (*Effective from passage*) (a) An implementation team shall  
1574 develop plans for mandatory prearrest diversion of low-risk children.  
1575 The implementation team shall include representatives of state and local  
1576 agencies, including from the Department of Children and Families,  
1577 Department of Education, the division of Court Support Services  
1578 Division of the Judicial Branch, the Department of Correction and local  
1579 and regional boards of education. The implementation team shall  
1580 consider stakeholder input, including from children and families and  
1581 law enforcement officials in the development of such plans.

1582       (b) (1) Not later than January 1, 2022, the implementation team shall  
1583 develop a plan for automatic prearrest diversion of children to youth  
1584 service bureaus or other services in lieu of arrest for Tier 1 offenses that  
1585 include infractions such as (A) simple trespass under section 53a-110a  
1586 of the general statutes, (B) creating a public disturbance under section  
1587 53a-181a of the general statutes, (C) possession of less than one-half  
1588 ounce of a cannabis-type substance under section 21a-279a of the  
1589 general statutes, and (D) use, possession or delivery of drug  
1590 paraphernalia related to less than one-half ounce of a cannabis-type  
1591 substance under section 21a-267 of the general statutes.

1592       (2) Not later than January 1, 2023, the implementation team shall  
1593 develop a plan for automatic prearrest diversion of children to youth  
1594 service bureaus or other services in lieu of arrest for Tier 2 offenses that

1595 include offenses such as (A) breach of peace in the second degree under  
1596 section 53a-181 of the general statutes, (B) disorderly conduct under  
1597 section 53a-182 of the general statutes, (C) larceny in the fifth or sixth  
1598 degree under section 53a-125a or 53a-125b of the general statutes, (D)  
1599 possession of one-half ounce or more of a cannabis-type substance  
1600 under section 21a-279 of the general statutes, and (E) use, possession or  
1601 delivery of drug paraphernalia related to one-half ounce or more of a  
1602 cannabis-type substance under section 21a-267 of the general statutes.

1603 (c) The implementation team shall consider the following when  
1604 developing plans pursuant to subsection (b) of this section:

1605 (1) Capacity of youth service bureaus and other local agencies who  
1606 will provide services to children diverted under the plans;

1607 (2) Accountability mechanisms to measure success of services  
1608 provided;

1609 (3) Processes for victim input and involvement;

1610 (4) Data collection for the purpose of tracking referrals of diverted  
1611 children to youth service bureaus;

1612 (5) Communication and outreach strategies to stakeholders for the  
1613 purpose of accessing local services;

1614 (6) Dates for full implementation of the plans; and

1615 (7) Any other considerations the committee finds necessary for a  
1616 successful implementation of the plans.

1617 (d) Not later than January 1, 2022, the implementation team shall  
1618 submit a report on its findings and recommendations pursuant to  
1619 subdivision (1) of subsection (b) of this section, and not later than  
1620 January 1, 2023, the implementation team shall submit a report on its  
1621 findings and recommendations pursuant to subdivision (2) of  
1622 subsection (b) of this section to the Juvenile Justice Policy and Oversight  
1623 Committee. The implementation team shall terminate on the date that it

1624 submits the last such report or January 1, 2023, whichever is later.

1625       Sec. 22. (*Effective from passage*) (a) The Judicial Branch shall develop  
 1626 an implementation plan to securely house in the custody of the Judicial  
 1627 Branch any person under eighteen years of age who is arrested and  
 1628 detained prior to sentencing or disposition on or after January 1, 2023.  
 1629 The plan shall include cost estimates and recommendations for  
 1630 legislation as may be necessary or appropriate for implementation of  
 1631 such plan.

1632 (b) Not later than January 1, 2022, the Judicial Branch shall submit the  
 1633 implementation plan, in accordance with the provisions of section 11-4a  
 1634 of the general statutes, to the joint standing committee of the General  
 1635 Assembly having cognizance of matters relating to the judiciary and to  
 1636 the Juvenile Justice Planning and Oversight Committee established  
 1637 pursuant to section 46b-121n of the general statutes, as amended by this  
 1638 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	46b-120(1)
Sec. 2	<i>from passage</i>	46b-121n
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2021</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2021</i>	10-253
Sec. 7	<i>July 1, 2021</i>	10-221a(i)
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>October 1, 2021</i>	10-220h
Sec. 10	<i>July 1, 2022</i>	10-233c(g)
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>October 1, 2021</i>	46b-127
Sec. 13	<i>October 1, 2021</i>	46b-146
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>October 1, 2022</i>	54-1m
Sec. 18	<i>from passage</i>	New section

Sec. 19	<i>January 1, 2022</i>	46b-120(2)
Sec. 20	<i>January 1, 2022</i>	46b-120(7)
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section

**Statement of Purpose:**

To enact the recommendations of the Juvenile Justice Policy and Oversight Committee.

*[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.]*