

Connecticut's Raise-the-Age Legislation (2007 – Present)

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Issue

Summarize legislation from 2007 to present to raise the age of juvenile court jurisdiction in Connecticut.

Summary

In Connecticut, 17 is the maximum age of juvenile court jurisdiction. The raise-the-age legislation was implemented in two phases:

1. 16-year-olds were transferred to juvenile jurisdiction in starting July 1, 2010, and
2. 17-year-olds were transferred two years later in July 2012.

Related to the raise-the-age legislation, the legislature also passed laws during this period affecting case transfers from juvenile to adult court and vice versa.

Since 2016, the legislature has considered bills to further raise the age of juvenile jurisdiction to age 20, but these measures have not passed.

The primary provisions of these laws and bills are summarized below.

Raise-the-Age

“Raise-the-age” typically refers to a change in the law to increase the age of juvenile court jurisdiction, moving more minors from the adult criminal justice system to the juvenile system. This generally entails more lenient sentencing and provides for access to more age-appropriate services available in the juvenile justice system.

Raise-the-Age Legislation

2007

Under [PA 07-4, June Spec. Sess.](#), beginning January 1, 2010, 16- and 17-year-olds generally could have their charged offenses adjudicated in juvenile court (as explained below, subsequent legislation instead implemented this law in two phases from July 2010 to July 2012). Juvenile cases involving serious felonies were still automatically transferred to adult criminal court and prosecutors could still ask the juvenile court judge to transfer other cases to adult court (see below for later changes concerning transfers).

The act also eliminated on January 1, 2010, the Youth In Crisis program which provided limited intervention and services for 16- and 17-year-olds who were truant, ran away from home, or were beyond their parents' control (i.e., status offenders). It instead made these youth eligible for the Families With Service Needs program (FWSN). (Starting July 1, 2019, [PA 17-2, June Spec. Sess. \(§ 146\)](#) eliminated provisions that allowed a party to file a FWSN petition with the juvenile court.)

(The public act summary for PA 07-4, June Spec. Sess., is available [here](#); see heading on section 73 et seq.)

2009

[PA 09-7, Sept. Spec. Sess.](#) delayed raising the maximum age for juvenile court jurisdiction to 17 from January 1, 2010, to July 1, 2012. Consistent with the phase-in of the raise-the-age provisions, it also delayed the repeal of the Youth in Crisis law from January 1, 2010, to January 1, 2012, and restricted eligibility to youths age 17 beginning in 2010, rather than those age 16 and 17.

(The public act summary is available [here](#); see heading on sections 69-93, 104 & 113)

Transfers to and From Juvenile Court

2010

Starting July 1, 2010, [PA 10-1, June Spec. Sess.](#) (§ 30) allowed judges to transfer cases involving 16- or 17-year-olds from the youthful offender, adult, or motor vehicle docket to juvenile court. This applies to matters for which the juvenile could be subject to imprisonment. However, driving under the influence cases are not subject to this process.

The transfer is triggered by the motion of any party or the judge hearing the case; it must be raised before trial or entry of a guilty plea. The judge must find that, after a hearing considering the facts

and circumstances and the youth's prior history, the programs and services available in the juvenile court would more appropriately address the youth's needs and the youth and community are better served treating the youth as a delinquent.

(The public act summary is available [here](#).)

2012

[PA 12-1, June Spec. Sess.](#) (§ 280) made procedural changes affecting the transfer of lower-level felony cases from juvenile to adult court. It prohibited the court from granting a prosecutor's motion to transfer such a case to adult court unless it found that the best interests of the child and public would not be served by maintaining the case on the juvenile docket.

The court can order the transfer only if it determines after a hearing that (1) there is probable cause to believe that the child committed the alleged offense and (2) the best interests of both the child and public are not served by keeping the case in juvenile court. The court must consider (1) the child's prior criminal or juvenile offenses and their seriousness, (2) any evidence that the child has intellectual disability or mental illness, and (3) the availability of juvenile court services that can serve the child's needs.

This act also addressed certain court proceedings related to juvenile cases automatically and discretionarily transferred to adult criminal court.

(The public act summary is available [here](#).)

2015

[PA 15-183](#) changed when cases may or must be transferred from juvenile court to adult criminal court. For all felonies, the act eliminated the transfer of 14-year-olds to adult court. It eliminated automatic transfers for children ages 14 through 17 charged with specified class B felonies, such as 1st degree manslaughter. But it allows the prosecutor to request a transfer to adult court for a child age 15 to 17 charged with one of the specified crimes. The act raised the minimum age, from 14 to 15, for the (1) automatic transfer for other class B felonies or more serious crimes and (2) discretionary transfer for felonies not subject to automatic transfer.

(The public act summary is available [here](#).)

Bills to Further Raise the Age

In 2016, the governor's Second Chance Society 2.0 initiative was raised in the regular session ([sSB 18](#), favorably reported by the Judiciary Committee) and the May special session ([SB 505](#)). The bills contained generally similar provisions which never became law. In general, the bills would have created a new category of individuals within the juvenile justice system, "young adults," and in doing so would have gradually raised the maximum age of juvenile justice jurisdiction over a period of three years from age 17 to age 20.

(The bill analyses are available here: [sSB 18 \(2016\)](#) and [SB 505 \(2016, May Spec. Sess.\)](#)).

The Judiciary Committee heard similar proposals in 2017 and 2018, but neither bill was voted out of committee ([HB 7045 \(2017\)](#) and [HB 5040 \(2018\)](#)).

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