

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-170		6268	2	2	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Judiciary</i> 587-588 				<u>House Pages:</u> <ul style="list-style-type: none"> 1769- 1770 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 1511

H-111

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1451-1967**

such as the habitability law, the representative act, the existing tenement house action, to recognize the toxic lead-based paint is a public health danger or nuisance within the meaning of these bills and gives us access to relief, under their provisions, to those affected thereby. It is an excellent step, it is a part of the package of the Governor's Lead Task Force. I think it again puts this assembly clearly on record against the dangers of lead-based poisonous paint and I move its adoption and passage.

MR. SPEAKER:

Will you remark on the bill as amended? If not, the question is on acceptance of the joint committee's favorable report and passage of the bill as amended by House Amendment Schedule "A". All those in favor indicate by saying aye, those opposed. The bill is passed.

THE CLERK:

Calendar No. 303, Substitute for House Bill No. 6268. An Act Concerning the Juvenile Court. File number 242.

DAVID J. SULLIVAN, JR., 130th District:

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill.

MR. SPEAKER:

Question is on acceptance and passage, will you remark?

DAVID J. SULLIVAN, JR., 130th District:

Mr. Speaker, this is a bill which is designed to correct

a potentially dangerous situation, which might arise when a murder is committed by a minor who is 14 or 15 years old, that is, below the age of 16. It is somewhat difficult to stand up here and talk to this assemblage about the possibility of a minor committing such a crime and being involved in such a situation but we understand from the work done by the Judiciary Committee that this situation did, in fact, arise during recent times. What this bill is designed to do is to allow a juvenile court judge to transfer to the Superior Court a minor of 14 or 15 years of age who has been accused of the crime of murder. Actually, the minor is not accused of that crime. He is actually brought in as a delinquent. But it would only be when the reason for the delinquency is that there is reason to believe that the child has committed a murder. It is essentially designed to remove a child so accused from the juvenile detention areas and from the juvenile court where it would be very dangerous because of the other children who are there to have this particular person there. We hope that this situation never arises but we feel that this bill, if it is on the books, will be available if, and we hope this never takes place, the necessity for its use never arises. We urge its passage.

MR. SPEAKER:

Are there further remarks on the bill? If not, all those in favor indicate by saying aye, those opposed? The bill is passed.

S-79

**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1457-1920**

May 4, 1971

Page 13

report and passage of the bill. This is a very technical bill. To adopt a restrictive definition of annual income. I urge its passage.

THE CHAIR:

Thank you for that illucidating report on the bill. Question is on adoption of the bill. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The bill is passed.

THE CLERK:

CAL. NO. 473. File No. 242. Favorable report of the joint committee on Judiciary. Substitute for House Bill 6268. An Act Concerning the Juvenile Court.

SENATOR CALDWELL:

Mr. President, I move the acceptance of the committee's favorable report and passage of the bill. This bill will allow the Juvenile Court to transfer a child 14 years of age or older, who allegidely has committed a murder, as defined in the new Criminal Code. to be transferred to Superior Court. I've experienced this type of situation in my own private practice. I think it's recommendable and I urge adoption of the bill.

THE CHAIR:

Question is on passage, will you remark further? If not, all those in favor of passage signify by saying, "aye". Opposed, "nay". Bill is passed.

THE CLERK:

CAL. NO. 475. File No. 450. Favorable report of the joint committee on Judiciary. Substitute House Bill 6373. An Act Concerning the Assumption of Custody of a Child Pursuant to Juvenile Court Order.

SENATOR CALDWELL:

~~Mr. President, I move the acceptance of the committee's favorable report.~~

**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

**PART 2
393-688**

1971

CVS
6.

WEDNESDAY

JUDICIARY COMMITTEE

MARCH 3, 1971

Sen. Rome: (cont'd) the Legislative Commissioners to ...

Sen. Mondani: I certainly will. We took the child abuse statute and tacked it on there in the Legislative Commissioner's office but I'd be glad to if the Committee is seriously considering it. I'll ask them to prepare a substitute and make it relevant to all the statutes.

Sen. Rome: I think it would really be very helpful because it is an important statute and we had some discussion where we were favorably considering this type of legislation.

Sen. Mondani: Thank you.. I'll ask them to work it in and weave it into all the applicable statutes. Thank you very much.

Rep. Carrozzella: Are there any other legislators who wish to speak? If not I think we can go into the regular Public hearing for members of the public. I would point out to those who came in late that the speakers list is in the back which we would ask that you sign and we will call from that list. When you sign it kindly put your name and the organization that you are representing if you do represent one and what bills you wish to speak on. There is also a non-speakers list in the back in the event that you merely wish to register either for or against a particular bill but do not wish to speak. There is a list back there as well. Again I would point out that eventhough the full Committee is not here all your testimony is taken down. The transcriber will record it and will give us all copies so that your testimony is being taken down and we will have the benefit of the testimony.

I think the first speaker that I would like to call is Judge Gill.

J. Gill: Good morning, -Mr. Chairman. Judge Gill of the Juvenile Court. I'd like to speak first if I may to a series of bills which the Judges of the Court are sponsoring which were introduced through the courtesy of Representative Ritter. The first of these is H.B.#6268.

H.B.#6268 - AN ACT CONCERNING THE JUVENILE COURT.

It has to do with amending the jurisdiction of our Court by providing for a waiver in the case of first degree homicide in Superior Court in certain situations that are depicted in the amendment. Namely, that where proper, that is where the Court found upon study the child was not amenable to Juvenile Court process where no institution within this state was available which could be reached by Court -- proper custodial care and treatment

CVS

7.

WEDNESDAY

JUDICIARY COMMITTEE

MARCH 3, 1971

J. Gill: (cont'd) that then upon finding all of these things we could, and only then, waive to the Superior Court where this case would be heard. I think this is a desirable flexibility although, the number of first degree homicides in this state has not been numerous in the juvenile classification. And most of them interestingly enough turned out to be psychotic and have been sentenced to the state hospital. There are some who've gone to the school for boys in Meriden. On occasion it's been highly doubtful whether this was the proper institution to maintain their care. We've offered this bill in the past. I cannot tell where the Association of States Attorneys favors it or doesn't. But I do know from experience on several occasions where homicide cases have arisen. They have been immediately on the scenes suggesting that perhaps they'd like to take jurisdiction and yet, finding in the statute that they couldn't. So we offer this feeling that it will provide flexibility and may turn out to be a valuable tool in a given situation.

The next bill is H.B.#6269 and here again we're asking for an amendment to section 17-68 in order to give us a flexibility again of provision for children which we do not have.

H.B.#6269 - AN ACT CONCERNING THE JUVENILE COURT.

I'm speaking of a provision which would permit us to place children that are on probation in treatment schools where specialized facilities and directly finance these placements ourselves. This is the one bill that carries an appropriation. Now, we're well aware of the reality which we're facing today in the state financial situation. So that any bill that carries appropriations is going to be looked at very closely. But I would point out to you that we're not really speaking here about money that is not already being expended. We're talking about the way in which it should be expended or through whom it should be channeled. Presently, there are a great many young people who come before our Court who are not considered to be appropriate youngsters to be sent to our training schools but who do definitely do need some specialized care and help. This is generally found more than now through the process of committing them as neglected or dependent children to the State Welfare Department who then, finance their placements for a given period of time with funds that the Welfare Department has. The Welfare Department in these instances is primarily providing a financial service rather than a casework service. And they're a little bit unhappy about this divorcement of casework service from money.