



State of Connecticut

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**TESTIMONY OF SUSAN I. HAMILTON
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION
OFFICE OF THE CHIEF PUBLIC DEFENDER**

COMMITTEE ON THE JUDICIARY

MARCH 15, 2021

S.B. 919

**AN ACT CONCERNING IMMUNITY FROM CRIMINAL PROSECUTION
FOR A MINOR WHO POSSESSES ALCOHOL WHEN THE MINOR SEEKS EMERGENCY ASSISTANCE
TO PREVENT THE DEATH OR SERIOUS INJURY OF ANOTHER PERSON**

The Office of Chief Public Defender supports ***Raised Bill No. 919, An Act Concerning Immunity from Criminal Prosecution for a Minor Who Possesses Alcohol When the Minor Seeks Emergency Assistance to Prevent the Death or Serious Injury of Another Person.*** This bill provides immunity from prosecution for possession of alcohol by a minor if the minor calls 9-1-1 to help another person that he or she reasonably believes is in need of immediate medical assistance to prevent death or serious bodily injury. More specifically, this bill prohibits prosecution of a minor possessing alcohol under these circumstances if: (1) law enforcement first learns of this violation after the minor has called 9-1-1; (2) the minor was the first person to call 9-1-1; (3) the minor provides his or her name and other relevant information; and (4) the minor remains at the scene until law enforcement or emergency medical personnel arrive and cooperates with them at the scene.

This immunity recognizes the importance of protecting public health and safety while also supporting youth who take steps to help another person whose life may be in danger. Alleviating the risk of legal and collateral consequences to a minor who does the right thing under these circumstances is commonsense policy. This bill is aligned with the well-established brain science research adopted by the Supreme Courts of the United States and Connecticut alike that recognizes the limitations of the adolescent brain and its impact on decision-making. Punishing a minor for making an altruistic decision with a reasonable belief that their

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**Testimony of Susan I. Hamilton, Director of Delinquency Defense and Child Protection,
Office of Chief Public Defender**

Committee on the Judiciary - March 15, 2021

**Re: S.B. 919 – An Act Concerning Immunity from Criminal Prosecution for a Minor Who Possesses Alcohol
When the Minor Seeks Emergency Assistance to Prevent the Death or Serious Injury of Another
Person**

intervention is essential to another is both developmentally inappropriate and contrary to community and public safety. This immunity also supports the goal of diverting minors, juveniles and emerging adults from arrest and court involvement, which results in reduced recidivism and better long-term outcomes for our youth.

The Office of Chief Public Defender urges this Committee to act favorably on this proposal.