

DN JV 12- : STATE OF CONNECTICUT
IN RE: : SUPERIOR COURT JUVENILE MATTERS
: XX DISTRICT AT XXXXXXXX

MOTION TO SUPPRESS STATEMENTS

Pursuant to Article 1 Section 8 of the Connecticut Constitution, the Fourth, Fifth, Sixth and Fourteenth amendments to the United States Constitution, Article one, Sections Seven, Eight and Nine of the Constitution of the State of Connecticut, Conn. Gen. Stat. Sec. 46b-127, Miranda v. Arizona, 384 U.S. 436 (1966), and Sections 31a-4 and 41-12 et seq. of the Connecticut Practice Book, the Defendant Juvenile in the above captioned matter hereby moves that any and all statements made to any police officer, law enforcement office, probation officer, detention officer, official of the Court Support Services Division, Connecticut Judicial Branch State's Attorney or Juvenile prosecutor or their agent, or any person acting as an agent for law enforcement of a prosecuting official be suppressed and not admitted as evidence against them to the fact finder and to further suppress all evidence tangible and intangible, obtained directly or indirectly derived from said statements.

In support of said motion, the Defendant Juvenile hereby submits that all statements should be suppressed as they were not given knowingly or voluntarily, in violation of the defendant juvenile's state statutory and constitutional rights and federal constitutional rights in that:

1. The defendant juvenile was not properly and fully advised of his constitutional rights in an age appropriate manner;
2. The defendant juvenile did not make a knowing, intelligent and voluntary waiver of his privilege against self incrimination, of his right to counsel and his other constitutional rights;
3. The defendant juvenile was under the age of 16 at the time the statement was taken and:
 - a. The statement was taken without a parent or guardian present, in violation of Conn. Gen. Stat. Sec. 46b-127(a) or;
 - b. The defendant juvenile was not advised, in a manner appropriate to his or her age of his right to remain silent, and/ or;
 - c. The defendant juvenile was not advised, in a manner appropriate to his or her age, of his or her right to consult with counsel prior to being questioned and to have counsel present during questioning, and/ or;

ORAL ARGUMENT REQUESTED
TESTIMONY REQUIRED

- d. The questioning was conducted in a manner that intimidated, coerced, threatened or otherwise overwhelmed the free will of the defendant juvenile, and/or;
 - e. The statements obtained were the fruit of an illegal arrest;
4. The Defendant Juvenile was over the age of 16 at the time the statement was taken and the statement was taken:
- a. The defendant juvenile was not advised, in a manner appropriate to his or her age, of his right to remain silent, and/ or;
 - b. The defendant juvenile was not advised, in a manner appropriate to his or her age, of his or her right to consult with counsel prior to being questioned and to have counsel present during questioning, and/ or;
 - c. The defendant juvenile was not advised, in a manner appropriate to his age, of his right to consult with parents or guardians prior to questioning, and/or;
 - d. The defendant juvenile was not advised, in a manner appropriate to his age, of his right to have parents or guardians present during questioning and/ or;
 - e. The defendant juvenile was questioned outside the presence of his parents or guardians, after the defendant juvenile requested that a parent be present, and/or;
 - f. The questioning was conducted in a manner that intimidated, coerced, threatened or otherwise overwhelmed the free will of the defendant juvenile, and/or;
 - g. The statements obtained were the fruit of an illegal arrest
5. Such further reasons that become apparent on a hearing on said motion.

WHEREFORE, the defendant juvenile moves this court to suppress any and all statements and bar their admission before the fact finder at trial.

RESPECTFULLY SUBMITTED

The Defendant Juvenile

Assistant Public Defender
His Attorney

ORAL ARGUMENT REQUESTED
TESTIMONY REQUIRED

ORDER

The foregoing Motion having been heard, it is hereby ordered:

GRANTED / DENIED

THE COURT

By _____
JUDGE

CERTIFICATION

This is to certify that a true copy of the foregoing motion has been delivered to the Office of the State's Attorney for the Judicial District of Hartford this _____ day of August, 2012.

ORAL ARGUMENT REQUESTED
TESTIMONY REQUIRED