

By: Senator(s) Walls

To: Public Health and  
Welfare; Appropriations

SENATE BILL NO. 2875

1 AN ACT TO MANDATE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL  
2 CONDUCT AND EQUIP A CORRECTIONAL FACILITY FOR HOUSING JUVENILE  
3 OFFENDERS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. The Department of Human Services shall select a  
6 suitable site to serve a nine-county juvenile correctional center  
7 not to exceed six hundred (600) beds. The Department of Human  
8 Services shall construct and equip housing and support facilities  
9 for six hundred (600) area juvenile offenders, and mandate that  
10 the department of Human Services be designated to submit a  
11 Juvenile Accountability Incentive Block Grant (JAIBG) to the  
12 United States Department of Justice, Office of Justice Programs,  
13 Office of Juvenile Justice and Delinquency Prevention, for funding  
14 for construction and equipping a facility of juvenile offenders  
15 who are not more than eighteen (18) years of age.

16 SECTION 2. (1) A special fund to be designated as the  
17 "Regional Juvenile Correction Facilities Construction Fund" is  
18 created within the state Treasury. The fund shall be maintained  
19 by the State Treasurer as a separate and special fund, separate  
20 and apart from the General Fund of the state. Unexpended amounts  
21 remaining in the fund at the end of a fiscal year shall not lapse  
22 into the State General Fund, and any interest earned or investment  
23 earnings on amounts in the fund shall be deposited to the credit  
24 of the fund. Funds may not be used or expended for any purpose  
25 except as authorized under this act.

26 (2) Monies deposited into the fund shall be disbursed, in  
27 the discretion of the Department of Finance and Administration, to

28 pay a portion of the costs of constructing regional juvenile  
29 correctional centers throughout the state. The portion of the  
30 costs of construction may be used as matching funds for the  
31 Juvenile Accountability Incentive Block Grant (JAIBG), which is  
32 based on Title III of H.R. 3, Juvenile Accountability Block Grants  
33 Act of 1997.

34 (3) JAIBG funds may be used to develop programs in the  
35 following twelve (12) program purpose areas established by  
36 Congress:

37 (a) Building, expanding, renovating, or operating  
38 temporary or permanent juvenile correction or detention  
39 facilities, including training of correctional personnel.

40 (b) Developing and administering accountability-based  
41 sanctions for juvenile offenders.

42 (c) Hiring additional judges, probation officers, and  
43 court-appointed defenders, and funding pretrial services for  
44 juveniles, to ensure the smooth and expeditious administration of  
45 the juvenile justice system.

46 (d) Hiring additional prosecutors so that more cases  
47 involving violent juvenile offenders can be prosecuted and  
48 backlogs reduced.

49 (e) Providing funding to enable prosecutors to address  
50 drugs, gangs, and youth violence problems more effectively.

51 (f) Providing funding for technology, equipment, and  
52 training to assist prosecutors in identifying and expediting the  
53 prosecution of violent juvenile offenders.

54 (g) Providing funding to enable juvenile courts and  
55 juvenile probation offices to be more effective and efficient in  
56 holding juvenile offenders accountable and reduce recidivism.

57 (h) Establishing court-based juvenile justice programs that  
58 target young firearm offenders through the creation of juvenile  
59 gun courts for the adjudication and prosecution of juvenile  
60 firearms offenders.

61 (i) Establishing drug court programs for juveniles so  
62 as to provide continuing supervision over juvenile offenders with  
63 substance abuse problems and to provide the integrated  
64 administration of other sanctions and services.

65 (j) Establishing and maintaining an interagency  
66 information-sharing programs that enable the juvenile and criminal  
67 justice systems, schools, and social service agencies to make more  
68 informed decisions regarding the early identification, control,  
69 supervision, and treatment of juveniles who repeatedly commit  
70 serious delinquent or criminal acts.

71 (k) Establishing vocational-type projects that  
72 integrate academic-related job skills training, independent  
73 life-skills, conflict-resolution, therapeutics program  
74 rehabilitation, and the like.

75 (l) Establishing and maintaining accountability-based  
76 programs that work with juvenile offenders who are referred by law  
77 enforcement agencies or that are designed, in cooperation with law  
78 enforcement officials, to protect students and school personnel  
79 from drugs, gangs, and youth violence.

80 (m) Implementing a policy of controlled substance  
81 testing for appropriate categories of juveniles within the  
82 juvenile justice system.

83 SECTION 3. Other than a maximum of ten percent (10%) of  
84 funds set aside for administration, not less than forty-five  
85 percent (45%) of total JAIBG funds must be allocated for program  
86 purpose areas (c) through (i), and not less than thirty-five  
87 percent (35%) must be allocated for program areas (a), (b) and  
88 (j). This distribution formula must be followed unless the state  
89 or local government certify that the interest of public safety and  
90 juvenile crime control would be better served by expending the  
91 funds in another proportion.

92 SECTION 4. The Department of Human Services shall articulate  
93 a clear mission for the juvenile justice system that reflects the

94 fundamental beliefs and values of the community, established  
95 expectation and performance standard for the components of that  
96 system, law enforcement officers, on-site courts, prosecution,  
97 defense, probation, and correction, and hold juvenile offenders  
98 accountable for their actions.

99       SECTION 5. The Department of Human Services shall create a  
100 continuum of intervention and graduated sanctions for juvenile  
101 offenders that feature immediate, noninstitutional  
102 service-intensive intervention for first time and nonserious  
103 offenders; intermediate sanctions that are centered on intensive  
104 community-based supervision of juvenile offenders; and  
105 incarceration for juveniles who are adjudicated delinquent for  
106 serious and violent juvenile offenses and who pose a threat to the  
107 safety of the community.

108       SECTION 6. The Department of Human Services shall provide  
109 adequate personnel, facilities, and services to support  
110 implementation of strategies to address serious and violent  
111 juvenile crime, including (a) personnel, judges, hearing officers,  
112 prosecutors, defense counsel, probation officers, court  
113 administrative personnel and correctional officers; (b)  
114 facilities: interview rooms, on-site courtrooms, and secure  
115 detention and correctional facilities; and (c) services: client  
116 intake, including needs assessment, risk, medical and mental  
117 health screening, counseling, and substance abuse treatment.

118       SECTION 7. The Department of Human Services shall provide  
119 specialized training for police, the judiciary, prosecutors,  
120 defense counsel and probation officers in handling cases involving  
121 juveniles charged with or convicted of serious and violent  
122 juvenile crimes.

123       SECTION 8. The Department of Human Services shall institute  
124 adequate aftercare transitional programs for follow-up monitoring  
125 of juvenile offenders who are released from secure custody upon  
126 completing sentences for serious and violent crimes.

127           SECTION 9. The pilot project (Juvenile Correctional Center)  
128 will involve the following counties: (a) Washington, (b) Bolivar,  
129 (c) Sunflower, (d) Leflore, (e) Grenada, (f) Carroll, (g)  
130 Humphrey, (h) Yazoo, (i) Sharkey, and (j) Issaquena; which will  
131 represent one (1) of the nine (9) correctional districts. The  
132 other districts will consist of eight (8) counties per district to  
133 complete an eighty-two-representation of all eighty-two (82)  
134 counties.

135           SECTION 10. This act shall take effect and be in force from  
136 and after July 1, 2001.