S. B. No. 2875

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) Establishing court-based juvenile justice programs that
target young firearm offenders through the creation of juvenile
gun courts for the adjudication and prosecution of juvenile
firearms offenders.
(i) Establishing drug court programs for juveniles so as to provide continuing supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services.

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

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

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

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

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

SECTION 4. The Department of Human Services shall articulate a clear mission for the juvenile justice system that reflects the
fundamental beliefs and values of the community, established
expectation and performance standard for the components of that
system, law enforcement officers, on-site courts, prosecution,
defense, probation, and correction, and hold juvenile offenders
accountable for their actions.

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

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

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

SECTION 8. The Department of Human Services shall institute
adequate aftercare transitional programs for follow-up monitoring
of juvenile offenders who are released from secure custody upon
completing sentences for serious and violent crimes.
SECTION 9. The pilot project (Juvenile Correctional Center) will involve the following counties: (a) Washington, (b) Bolivar, (c) Sunflower, (d) Leflore, (e) Grenada, (f) Carroll, (g) Humphrey, (h) Yazoo, (i) Sharkey, and (j) Issaquena; which will represent one (1) of the nine (9) correctional districts. The other districts will consist of eight (8) counties per district to complete an eighty-two-representation of all eighty-two (82) counties.

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