

By: Representative Flaggs

To: Juvenile Justice

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 974

1 AN ACT TO PROVIDE MINIMUM STANDARDS FOR THE JUVENILE
2 DETENTION CENTERS IN THE STATE; TO PROVIDE FOR HEALTH SCREENING
3 FOR ALL JUVENILES UPON ADMISSION TO JUVENILE DETENTION CENTERS; TO
4 REQUIRE JUVENILE DETENTION CENTERS TO DEVELOP CERTAIN WRITTEN
5 PROCEDURES FOR JUVENILES THAT ARE NEW TO THE SYSTEM; TO REQUIRE
6 THAT CERTAIN PROGRAMS SHALL BE PROVIDED AT ALL JUVENILE DETENTION
7 CENTERS; TO CREATE A JUVENILE DETENTION FACILITIES TASK FORCE TO
8 DEVELOP UNIFORM STANDARDS FOR JUVENILE DETENTION FACILITIES IN THE
9 STATE; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) All juveniles shall undergo a health
12 screening within one (1) hour of admission to any juvenile
13 detention center, or as soon thereafter as reasonably possible.
14 Information obtained during the screening shall include, but shall
15 not be limited to, the juvenile's:

- 16 (a) Mental health;
- 17 (b) Suicide risk;
- 18 (c) Alcohol and other drug use and abuse;
- 19 (d) Physical health;
- 20 (e) Aggressive behavior;
- 21 (f) Family relations;
- 22 (g) Peer relations;
- 23 (h) Social skills;
- 24 (i) Educational status; and
- 25 (j) Vocational status.

26 (2) If the screening instrument indicates that a juvenile is
27 in need of emergency medical care or mental health intervention
28 services, the juvenile shall not be admitted into detention. The
29 detention staff shall refer those juveniles to the proper health



30 care facility or mental health service provider for further
31 evaluation.

32 (3) All juveniles shall receive a thorough orientation to
33 the center's procedures, rules, programs and services. The intake
34 process shall operate twenty-four (24) hours per day.

35 (4) The directors of all of the juvenile detention centers
36 shall amend or develop written procedures for admission of
37 juveniles who are new to the system. These shall include, but are
38 not limited to, the following:

39 (a) Determine that the juvenile is legally committed to
40 the facility;

41 (b) Make a complete search of the juvenile and his
42 possessions;

43 (c) Dispose of personal property;

44 (d) Require shower and hair care, if necessary;

45 (e) Issue clean, laundered clothing, as needed;

46 (f) Issue personal hygiene articles;

47 (g) Perform medical, dental and mental health
48 screening;

49 (h) Assign a housing unit for the juvenile;

50 (i) Record basic personal data and information to be
51 used for mail and visiting lists;

52 (j) Assist juveniles in notifying their families of
53 their admission and procedures for mail and visiting;

54 (k) Assign a registered number to the juvenile; and

55 (l) Provide written orientation materials to the
56 juvenile.

57 (5) All juvenile detention centers shall provide or make
58 available the following minimum services and programs:

59 (a) An educational program;

60 (b) A visitation program with parents and guardians;

61 (c) Private communications with visitors and staff;

62 (d) Counseling;



- 63 (e) Continuous supervision of living units;
- 64 (f) Medical service;
- 65 (g) Food service;
- 66 (h) Recreation and exercise program; and
- 67 (i) Reading materials.

68 (6) Programs and services shall be initiated for all
69 juveniles once they have completed the admissions process.

70 (7) Programs and professional services may be provided by
71 the detention staff, youth court staff or the staff of the local
72 or state agencies, or those programs and professional services may
73 be provided through contractual arrangements with community
74 agencies.

75 (8) Persons providing the services required in this section
76 must be qualified or trained in their respective fields.

77 (9) All directors of juvenile detention centers shall amend
78 or develop written procedures to fit the programs and services
79 described in this section.

80 **SECTION 2.** (1) There is established a Juvenile Detention
81 Facilities Task Force, the duties of which shall be to develop
82 uniform standards for juvenile detention facilities in the state.
83 The uniform standards shall address the following areas, at a
84 minimum:

- 85 (a) Operations of juvenile detention facilities;
- 86 (b) Programs and services provided by juvenile
87 detention facilities; and
- 88 (c) Training of juvenile detention facility staff.

89 The task force shall utilize the Standards for Juvenile
90 Detention Facilities, 3rd Edition, developed by the American
91 Correctional Association in cooperation with the Commission on
92 Accreditation for Corrections, as a guide for developing the
93 uniform standards.

94 (2) The task force shall consist of fifteen (15) members as
95 follows:



96 (a) Two (2) administrators of juvenile detention
97 centers, appointed by the Executive Director of the Division of
98 Public Safety Planning of the Department of Public Safety;
99 (b) One (1) representative of the Office of Youth
100 Services of the Department of Human Services;
101 (c) One (1) representative of the Division of Public
102 Safety Planning of the Department of Public Safety;
103 (d) One (1) representative of the State Department of
104 Health;
105 (e) One (1) representative of the Mississippi
106 Association of Supervisors;
107 (f) One (1) representative of education, appointed by
108 the State Superintendent of Public Education;
109 (g) One (1) county sheriff who is a representative of
110 the Mississippi Sheriff's Association;
111 (h) One (1) representative of a youth advocacy
112 organization or group, appointed by the Director of the Office of
113 Youth Services of the Department of Human Services;
114 (i) One (1) youth court judge who is a representative
115 of the Mississippi Council of Youth Court Judges;
116 (j) Two (2) members of the Juvenile Justice Committee
117 of the Mississippi House of Representatives, appointed by the
118 Speaker of the House;
119 (k) Two (2) members of the Juvenile Justice Committee
120 of the Mississippi Senate, appointed by the Lieutenant Governor;
121 and
122 (l) One (1) attorney who has experience in youth court
123 matters, appointed by the Executive Director of the Division of
124 Public Safety Planning of the Department of Public Safety.
125 (3) At its first meeting, the task force shall elect a
126 chairman and vice chairman from its membership, and shall adopt
127 rules for transacting its business and keeping records. Members
128 of the task force shall receive a per diem in the amount provided



129 in Section 25-3-69 for each day engaged in the business of the
130 task force. Members of the task force other than the legislative
131 members shall receive reimbursement for travel expenses incurred
132 while engaged in official business of the task force in accordance
133 with Section 25-3-41, and the legislative members of the task
134 force shall receive the expense allowance provided for in Section
135 5-1-47.

136 (4) Before December 1, 2002, the task force shall make a
137 report of its work and recommendations, and it shall submit a copy
138 of the report to the Legislature and the Governor.

139 (5) The task force shall be assigned to the Division of
140 Public Safety Planning of the Department of Public Safety for
141 administrative purposes only, and the Division of Public Safety
142 Planning shall designate staff to assist the task force. The task
143 force may solicit grants, donations and other funds, and may
144 accept and expend any funds that are made available to the task
145 force to carry out its purpose.

146 (6) All agencies, departments, offices and institutions of
147 the state, including the state universities and the community and
148 junior colleges, shall cooperate with the task force with such
149 assistance as requested by the task force.

150 (7) After the presentation of its report to the Legislature
151 and the Governor, the task force shall be dissolved.

152 **SECTION 3.** This act shall take effect and be in force from
153 and after July 1, 2002.

