

By: Representative Flaggs

To: Juvenile Justice

HOUSE BILL NO. 974
(As Sent to Governor)

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 detention staff shall refer those juveniles to the
29 proper health care facility or mental health service provider for
30 further evaluation, as soon as reasonably possible.



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

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

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

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

42 (c) Dispose of personal property;

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

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

45 (f) Issue personal hygiene articles;

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

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

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

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

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

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

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

58 (a) An educational program;

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

60 (c) Private communications with visitors and staff;

61 (d) Counseling;

62 (e) Continuous supervision of living units;

63 (f) Medical service;



- 64 (g) Food service;
65 (h) Recreation and exercise program; and
66 (i) Reading materials.

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

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

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

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

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

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

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

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



95 (a) Two (2) administrators of juvenile detention
96 centers, appointed by the Executive Director of the Division of
97 Public Safety Planning of the Department of Public Safety;
98 (b) One (1) representative of the Office of Youth
99 Services of the Department of Human Services;
100 (c) One (1) representative of the Division of Public
101 Safety Planning of the Department of Public Safety;
102 (d) One (1) representative of the State Department of
103 Health;
104 (e) One (1) representative of the Mississippi
105 Association of Supervisors;
106 (f) One (1) representative of education, appointed by
107 the State Superintendent of Public Education;
108 (g) One (1) county sheriff who is a representative of
109 the Mississippi Sheriff's Association;
110 (h) One (1) representative of a youth advocacy
111 organization or group, appointed by the Director of the Office of
112 Youth Services of the Department of Human Services;
113 (i) One (1) youth court judge who is a representative
114 of the Mississippi Council of Youth Court Judges;
115 (j) Two (2) members of the Juvenile Justice Committee
116 of the Mississippi House of Representatives, appointed by the
117 Speaker of the House;
118 (k) Two (2) members of the Juvenile Justice Committee
119 of the Mississippi Senate, appointed by the Lieutenant Governor;
120 and
121 (l) One (1) attorney who has experience in youth court
122 matters, appointed by the Executive Director of the Division of
123 Public Safety Planning of the Department of Public Safety.

124 (3) At its first meeting, the task force shall elect a
125 chairman and vice chairman from its membership, and shall adopt
126 rules for transacting its business and keeping records. If
127 sufficient funds are available to the task force for that purpose,



128 members of the task force may receive a per diem in the amount
129 provided in Section 25-3-69 for each day engaged in the business
130 of the task force, and members of the task force other than the
131 legislative members may receive reimbursement for travel expenses
132 incurred while engaged in official business of the task force in
133 accordance with Section 25-3-41.

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

137 (5) The task force shall be assigned to the Division of
138 Public Safety Planning of the Department of Public Safety for
139 administrative purposes only, and the Division of Public Safety
140 Planning shall designate staff to assist the task force. The task
141 force may solicit grants, donations and other funds, and may
142 accept and expend any funds that are made available to the task
143 force to carry out its purpose. However, no state general funds
144 may be used to pay any expenses of the task force.

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

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

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

