

By: Representative Flaggs

To: Juvenile Justice;
Appropriations

HOUSE BILL NO. 789
(As Passed the House)

1 AN ACT TO CREATE THE MISSISSIPPI JUVENILE JUSTICE TASK FORCE
2 AND AD HOC JUVENILE JUSTICE ADVISORY BOARD TO STUDY AND MAKE
3 RECOMMENDATIONS ON THE MISSISSIPPI JUVENILE JUSTICE SYSTEM; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) There is established the Mississippi
7 Juvenile Justice Task Force, the duties of which shall be to study
8 and make recommendations on the Mississippi juvenile justice
9 system.

10 (2) The task force shall consist of the following members:

11 (a) The Governor or his designee;

12 (b) The Attorney General or his designee;

13 (c) The Chairman of the House of Representatives
14 Juvenile Justice Committee;

15 (d) The Chairman of the Senate Judiciary B Committee;

16 (e) The Commissioner of Corrections of the Mississippi
17 Department of Corrections;

18 (f) The Executive Director of Human Services;

19 (g) The Executive Director of the Division of Medicaid;

20 (h) The Executive Director of Mental Health;

21 (i) The State Superintendent of Education;

22 (j) The Commissioner of Public Safety;

23 (k) Three (3) youth court judges or referees appointed
24 by the Mississippi Council on Youth Court Judges;

25 (l) The Chairman of Appropriations for the House of
26 Representatives;

27 (m) The Chairman of Appropriations for the Senate;

28 (n) The Chairman of the Public Health Committee for the
29 House of Representatives; and

30 (o) The Chairman of the Public Health Committee for the
31 Senate.

32 (3) The Governor shall serve as chairman of the task force.
33 At its first meeting, the task force shall elect a vice chairman
34 from its membership, and shall adopt rules for transacting its
35 business and keeping records. If sufficient funds are available
36 to the task force for that purpose, members of the task force may
37 receive a per diem in the amount provided in Section 25-3-69 for
38 each day engaged in the business of the task force, and members of
39 the task force other than the legislative members may receive
40 reimbursement for travel expenses incurred while engaged in
41 official business of the task force in accordance with Section
42 25-3-41.

43 (4) The task force shall be assigned to the Office of Youth
44 Services of the Department of Human Services for administrative
45 purposes only, and the Office of Youth Services shall designate
46 staff to assist the task force. The task force may solicit
47 grants, donations and other funds, and may accept and expend any
48 funds that are made available to the task force to carry out its
49 purpose. However, no state general funds may be used to pay any
50 expenses of the task force.

51 (5) Before September 1, 2004, the task force shall make a
52 report of its work and recommendations, and shall submit a copy of
53 the report to the Legislature and the Governor.

54 (6) All agencies, departments, offices and institutions of
55 the state, including the state universities and the community and
56 junior colleges, shall cooperate with the task force with such
57 assistance as requested by the task force.

58 (7) The task force shall be dissolved upon the completion of
59 its report, but not later than September 1, 2004.

60 (8) This section shall stand repealed on July 1, 2005.

61 SECTION 2. (1) There is established the Ad Hoc Juvenile
62 Justice Advisory Board, the duties which shall be to provide
63 advice and counsel to the Mississippi Juvenile Justice Task Force
64 on all matters relating to the mission of the task force. The
65 chairman of the task force shall sit as an ex officio member of
66 the advisory board. The cochairs of the advisory board shall be
67 the Chairman of the House of Representatives Juvenile Justice
68 Committee and the Chairman of the Senate Judiciary B Committee.

69 (2) The advisory board shall consist of the following
70 members:

71 (a) Five (5) members from the Mississippi Schoolhouse
72 to Jailhouse Coalition;

73 (b) One (1) youth court counselor appointed by the
74 Mississippi Council of Youth Courts;

75 (c) One (1) attorney experienced in prosecuting youth
76 court matters appointed by the Prosecutors Association;

77 (d) One (1) attorney experienced in defending youth
78 court matters to be appointed by the Mississippi Council of Youth
79 Courts;

80 (e) One (1) person from each of the congressional
81 districts appointed by the Governor;

82 (f) One (1) representative from the Juvenile Detention
83 Facilities Task Force;

84 (g) Five (5) members of the Senate to be named by the
85 Lieutenant Governor to include the Chairman of the Senate
86 Judiciary B Committee;

87 (h) Five (5) members of the House of Representatives to
88 be named by the Speaker of the House to include the Chairman of
89 the House of Representatives Juvenile Justice Committee;

90 (i) A community health expert who has studied
91 children's mental health issues as they relate to detention, to be
92 appointed by the cochairs of the advisory board; and

93 (j) An expert from the Center for Child and Family
94 Studies at the University of Southern Mississippi, to be appointed
95 by the cochairs of the advisory board.

96 (3) The advisory board shall make recommendations relating
97 to the following:

98 (a) The manner in which youth are referred to the youth
99 court system;

100 (b) The quality of the secure care facilities, which
101 include detention centers and training schools;

102 (c) The availability and quality of delinquency
103 prevention, assessment, early intervention, representation,
104 advocacy and treatment services for at-risk youth; and

105 (d) The alternatives to incarceration available to
106 youth courts for delinquent youth who do not pose a threat to
107 public safety.

108 (4) At its first meeting, the advisory board shall adopt
109 rules for transacting its business and keeping its records.

110 (5) Before July 1, 2004, the advisory board shall make a
111 report of its work and recommendations, and shall submit a copy of
112 the report to the Mississippi Juvenile Justice Task Force and the
113 Governor.

114 (6) The advisory board shall be dissolved upon the
115 completion of its report, but not later than July 1, 2004.

116 (7) This section shall stand repealed on July 1, 2005.

117 **SECTION 3.** This act shall take effect and be in force from
118 and after its passage.