

By: Representatives Hines, Bailey, Holloway

To: Juvenile Justice;
Appropriations

HOUSE BILL NO. 1222

1 AN ACT TO CREATE THE JUVENILE DETENTION FACILITIES MONITORING
2 UNIT TO INSPECT ALL JUVENILE DETENTION FACILITIES ON A QUARTERLY
3 BASIS AND TO ENSURE THAT THE FACILITIES ARE IN COMPLIANCE WITH THE
4 MINIMUM STANDARDS OF OPERATION; TO CREATE THE JUVENILE DETENTION
5 FACILITIES ADVISORY BOARD TO SERVE AS A PERMANENT ADVISORY AND
6 OVERSIGHT ENTITY TO THE JUVENILE FACILITIES MONITORING UNIT AND TO
7 PROVIDE ITS MEMBERSHIP AND ITS DUTIES; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) There is established the Juvenile Detention
10 Facilities Monitoring Unit within the Mississippi Department of
11 Public Safety under the Division of Public Safety Planning's
12 Office of Justice Programs. The unit shall inspect all juvenile
13 detention facilities on a quarterly basis. The inspections shall
14 encompass the following:

15 (a) Ensuring and certifying that the juvenile detention
16 facilities are in compliance with the minimum standards of
17 operation, as established in Section 43-21-321;

18 (b) Providing technical assistance and advice to
19 juvenile detention facilities, which will assist the facilities in
20 complying with the minimum standards.

21 (2) Additional duties of the monitoring unit are as follows:

22 (a) To develop specific sanctions in conjunction with
23 and for the approval of the Juvenile Detention Facilities Advisory
24 Board, as created in Section 2 of this act;

25 (b) To conduct an assessment of all juvenile detention
26 facilities and to determine how far each is from coming into
27 compliance with the minimum standards, as established in Section
28 43-21-321; and

29 (c) To develop a strategic plan and a time line for
30 each juvenile detention facility to come into compliance with the
31 minimum standards.

32 **SECTION 2.** (1) There is established the Juvenile Detention
33 Facilities Advisory Board, which will serve as a permanent
34 advisory and oversight entity to the Juvenile Facilities Detention
35 Monitoring Unit, as created in Section 1 of this act.

36 (2) The advisory board shall consist of eighteen (18)
37 members, each of whom shall serve for a four-year term, as
38 follows:

39 (a) Two (2) representatives of juvenile detention
40 facilities who are appointed by the Commissioner of the Department
41 of Public Safety;

42 (b) One (1) representative of the Office of Youth
43 Services of the Department of Human Services who is appointed by
44 the Executive Director of the Department of Human Services;

45 (c) One (1) representative of the Division of Public
46 Safety Planning of the Department of Public Safety who is not from
47 the Office of Justice Programs, who is appointed by the
48 Commissioner of Public Safety;

49 (d) One (1) representative of the State Department of
50 Health who is appointed by the Executive Director of the State
51 Department of Health;

52 (e) One (1) representative of the Mississippi
53 Association of Supervisors who is appointed by the Director of the
54 Mississippi Association of Supervisors;

55 (f) One (1) representative of the State Department of
56 Education who has expertise in academic programs and services, who
57 is appointed by the State Superintendent of Public Education;

58 (g) One (1) representative of the county sheriffs who
59 is appointed by the President of the Mississippi Sheriff's
60 Association;

61 (h) One (1) representative of a youth advocacy
62 organization or group who is appointed by the Director of the
63 Office of Youth Services of the Department of Human Services;

64 (i) One (1) representative of the Mississippi Council
65 of Youth Court Judges who is appointed by the President of the
66 Mississippi Council of Youth Court Judges;

67 (j) One (1) representative of attorneys who has
68 experience in youth court matters, who is appointed by the
69 Attorney General;

70 (j) Two (2) members of the Juvenile Justice Committee
71 of the House of Representatives who are appointed by the Speaker
72 of the House of Representatives;

73 (k) Two (2) members of the Judiciary B Committee of the
74 Senate who are appointed by the Lieutenant Governor;

75 (l) Two (2) representatives of faith-based communities
76 who are from different Supreme Court districts, who are appointed
77 by the Governor; and

78 (m) One (1) representative from the Mississippi
79 citizenry at large who is appointed by the Governor.

80 (3) The duties of the advisory board are as follows:

81 (a) To periodically review standards for the operation
82 of juvenile detention facilities;

83 (b) To periodically review standards for the
84 appropriate delivery of essential services and programs for youth
85 housed at juvenile detention facilities;

86 (c) To periodically review the training requirements of
87 personnel of the juvenile detention facilities;

88 (d) To review and provide advice to the monitoring
89 unit, as created in Section 1 of this act, as the unit develops
90 strategic plans for compliance, and to work in conjunction with
91 the unit to develop specific sanctions for noncompliance of the
92 minimum standards;

93 (e) To serve in an oversight capacity to the monitoring
94 unit in ensuring that the unit moves toward improving juvenile
95 detention facilities; and

96 (f) To continue to make further recommendations to
97 improve or expand basic standards for juvenile detention
98 facilities.

99 (3) At its first meeting, and every four (4) years
100 thereafter, the advisory board shall elect a chairman and vice
101 chairman from its membership, and shall adopt rules for
102 transacting its business and keeping records. The advisory board
103 may establish an attendance policy, and those members of the
104 advisory board who are consistently absent shall be replaced.

105 (4) If sufficient funds are available to the advisory board
106 for that purpose, members of the advisory board may receive a per
107 diem in the amount provided in Section 25-3-69 for each day
108 engaged in the business of the advisory board, and members of the
109 advisory board other than the legislative members may receive
110 reimbursement for travel expenses incurred while engaged in
111 official business of the advisory board in accordance with Section
112 25-3-41.

113 **SECTION 3.** This act shall take effect and be in force from
114 and after July 1, 2004.