

By: Representatives Flaggs, Fleming,  
Carlton, Hines, Clark, Beckett

To: Rules

HOUSE RESOLUTION NO. 113

1 A RESOLUTION AUTHORIZING THE TRAINING SCHOOL SUBCOMMITTEE OF  
2 THE JUVENILE JUSTICE COMMITTEE TO STUDY AND ISSUE RECOMMENDATIONS  
3 ON THE FEASIBILITY OF REFORMING AND RESTRUCTURING THE MISSISSIPPI  
4 JUVENILE JUSTICE SYSTEM.

5 WHEREAS, the State of Mississippi has become increasingly  
6 concerned about the availability and quality of the resources  
7 available to the juvenile system for effectively dealing with  
8 child abuse and neglect, predelinquency behavior, juvenile  
9 delinquency and other matters affecting juvenile justice; and

10 WHEREAS, research indicates that child abuse and neglect are  
11 major contributors to dysfunctional child behavior and to juvenile  
12 delinquency, and that juvenile delinquency is a major contributor  
13 to adult crime; and

14 WHEREAS, research further indicates that our best hope for  
15 preventing child abuse and neglect, juvenile crime, and for  
16 reducing the rate of recidivism in juvenile delinquency, and later  
17 crime, is to employ a comprehensive strategy involving a range of  
18 prevention, assessment, early intervention and treatment services,  
19 as well as progressive sanctions; and

20 WHEREAS, research further indicates that Mississippi could  
21 invest in research-proven, cost-efficient programs that reduce  
22 juvenile crime and increase public safety while saving taxpayers  
23 millions, and such programs will reduce delinquency, divert  
24 delinquent youth from criminal careers, and reduce reliance on  
25 expensive residential treatment programs for delinquent youth; and

26 WHEREAS, research, nationally-accepted best practices and  
27 cost-benefit studies in other states, has shown that  
28 community-based, nonresidential programs are the most effective

29 and cost-efficient means of rehabilitating delinquent youth in  
30 terms of positive outcomes for youth; and

31 WHEREAS, as our state law provides in Section 43-21-103,  
32 Mississippi Code of 1972, the overriding goals of the state's  
33 juvenile justice system are to ensure that "each child coming  
34 within the jurisdiction of the youth court shall become a  
35 responsible, accountable and productive citizen, and that each  
36 such child shall receive such care, guidance and control,  
37 preferably in such child's own home as is conducive toward that  
38 end and is in the state's and the child's best interest"; and

39 WHEREAS, the Mississippi Supreme Court has held that the  
40 primary purposes of the juvenile justice system are "the  
41 protection and care of children in trouble and the rehabilitation  
42 of those gone astray." *Helmert v. Biffany*, 842 So.2d 1287, 1291  
43 (Miss. 2003); and

44 WHEREAS, the Office of Juvenile Justice and Delinquency  
45 Prevention has provided grants to the National Conference of State  
46 Legislatures and other national associations to study and  
47 implement a comprehensive strategy, thus indicating the timeliness  
48 of the need to reexamine the juvenile justice system; and

49 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
50 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, That the Training  
51 School Subcommittee of the Juvenile Justice Committee shall study  
52 and issue recommendations on the feasibility of reforming and  
53 restructuring the Mississippi juvenile system during the interim  
54 of the 2004 and 2005 Regular Legislative Sessions, and shall  
55 gather information on the juvenile justice system from available  
56 and specially commissioned research; testimony of youth and  
57 families received at public hearings; testimony of the Department  
58 of Youth Services staff and administration and any other relevant  
59 sources:

60 BE IT FURTHER RESOLVED, That the subcommittee shall issue  
61 findings and recommendations relating to the following:

62                   (a) The manner in which youth are referred to the court  
63 system;

64                   (b) The availability and quality of delinquency  
65 prevention, assessment, early intervention, representation,  
66 advocacy and treatment for at-risk youth;

67                   (c) The quality of the secure care facilities,  
68 including detention centers, training schools and mental health  
69 facilities;

70                   (d) The alternatives to incarceration available to  
71 youth courts for delinquent youth who do not pose a threat to  
72 public safety; and

73                   (e) The feasibility of establishing a uniform youth  
74 court for the state.

75                   BE IT FURTHER RESOLVED, That copies of this resolution shall  
76 be furnished to the Capitol Press Corps.