

By: Representative Flaggs

To: Juvenile Justice;  
Appropriations

HOUSE BILL NO. 789

1 AN ACT TO CREATE THE MISSISSIPPI JUVENILE JUSTICE TASK FORCE  
2 AND AD HOC JUVENILE JUSTICE ADVISORY BOARD TO ASSIST IN REACHING A  
3 SETTLEMENT IN THE FEDERAL LAWSUIT FILED BY THE UNITED STATES  
4 AGAINST THE STATE OF MISSISSIPPI PERTAINING TO OAKLEY AND COLUMBIA  
5 TRAINING SCHOOLS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) There is established the Mississippi  
8 Juvenile Justice Task Force, the duties of which shall be to study  
9 and make recommendations on the Mississippi juvenile justice  
10 system in order to assist in reaching a settlement in the federal  
11 lawsuit of *The United States of America v. The State of*  
12 *Mississippi, et al., CA 3:03-CV-1354BN*, which alleges that the  
13 state deprived youth of their rights, privileges or immunities  
14 that are secured or protected by the Constitution and laws of the  
15 United States while housed at Oakley and Columbia Training  
16 Schools.

17 (2) The task force shall consist of twenty-two (22) members  
18 as follows:

19 (a) The Chairman of the House of Representatives  
20 Juvenile Justice Committee and the Chairman of the Senate  
21 Judiciary B Committee;

22 (b) The Chairman of the Appropriations Committees of  
23 the House of Representatives and Senate;

24 (c) One (1) representative from the Juvenile Detention  
25 Facilities Task Force;

26 (d) The Governor or his designee;

27 (e) The Attorney General;

28                   (f) The Executive Director of the Department of Human  
29 Services;  
30                   (g) The Executive Director of the Division of Medicaid;  
31                   (h) The Executive Director of the State Department of  
32 Health;  
33                   (i) The Executive Director of the Department of Mental  
34 Health;  
35                   (j) The Executive Director of the Department of Public  
36 Safety;  
37                   (k) The State Superintendent of Public Education;  
38                   (l) One (1) youth court judge who is a representative  
39 of the Mississippi Council of Youth Court Judges;  
40                   (m) One (1) youth court counselor appointed by the  
41 Mississippi Council of Youth Court Judges;  
42                   (n) One (1) attorney experienced in prosecuting youth  
43 in youth court matters;  
44                   (o) One (1) attorney experienced in defending youth in  
45 youth court matters;  
46                   (p) One (1) representative from the Mississippi  
47 Schoolhouse to Jailhouse Coalition; and  
48                   (q) One (1) person from each congressional district who  
49 is appointed by the Governor.  
50           (3) At its first meeting, the task force shall elect a  
51 chairman and vice chairman from its membership, and shall adopt  
52 rules for transacting its business and keeping records. If  
53 sufficient funds are available to the task force for that purpose,  
54 members of the task force may receive a per diem in the amount  
55 provided in Section 25-3-69 for each day engaged in the business  
56 of the task force, and members of the task force other than the  
57 legislative members may receive reimbursement for travel expenses  
58 incurred while engaged in official business of the task force in  
59 accordance with Section 25-3-41.

60 (4) The task force shall be assigned to the Office of Youth  
61 Services of the Department of Human Services for administrative  
62 purposes only, and the Office of Youth Services shall designate  
63 staff to assist the task force. The task force may solicit  
64 grants, donations and other funds, and may accept and expend any  
65 funds that are made available to the task force to carry out its  
66 purpose. However, no state general funds may be used to pay any  
67 expenses of the task force.

68 (5) Before December 31, 2004, the task force shall make a  
69 report of its work and recommendations, and it shall submit a copy  
70 of the report to the Legislature and the Governor.

71 (6) All agencies, departments, offices and institutions of  
72 the state, including the state universities and the community and  
73 junior colleges, shall cooperate with the task force with such  
74 assistance as requested by the task force.

75 (7) The task force shall be dissolved one (1) year after a  
76 settlement has been reached in the suit of *The United States of*  
77 *America v. The State of Mississippi, et al., CA 3:03-CV-1354BN,*  
78 which pertains to Oakley and Columbia Training Schools.

79 **SECTION 2.** (1) There is established the Ad Hoc Juvenile  
80 Justice Advisory Board, the duties of which shall be to provide  
81 advice and counsel to the Mississippi Juvenile Justice Task Force  
82 on all matters relating to the mission of the task force. The Ad  
83 Hoc Juvenile Justice Advisory Board shall consist of  
84 representatives from the Mississippi Schoolhouse to Jailhouse  
85 Coalition, including, but not limited to, former training school  
86 students and their families and local and national juvenile  
87 justice experts.

88 (2) The Advisory Board shall examine and make  
89 recommendations relating to the following:

90 (a) The operating and capital needs of the youth  
91 courts;

92 (b) The sources and adequacy of funding for the youth  
93 courts;

94 (c) The manner in which youth are referred to the youth  
95 court system;

96 (d) The quality of the secure care facilities, which  
97 include detention centers and training schools;

98 (e) The availability and quality of delinquency  
99 prevention, assessment, early intervention, representation,  
100 advocacy and treatment services for at-risk youth; and

101 (f) The alternatives to incarceration available to  
102 youth courts for delinquent youth who do not pose a threat to  
103 public safety.

104 (3) At its first meeting, the advisory board shall elect a  
105 chairman and vice chairman from its membership, and shall adopt  
106 rules for transacting its business and keeping its records.

107 (4) Before November 1, 2004, the advisory board shall make a  
108 report of its work and recommendations, and it shall submit a copy  
109 of the report to the Mississippi Juvenile Justice Task Force and  
110 the Governor.

111 (5) The advisory board shall be dissolved one (1) year after  
112 a settlement has been reached in the suit of *The United States of*  
113 *America v. The State of Mississippi, et al., CA 3:03-CV-1354BN,*  
114 which pertains to Oakley and Columbia Training Schools.

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