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HOUSE JOINT RESOLUTION NO. 113
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 5, 2008)

(Patrons Prior to Substitute—Delegates Moran and Phillips [HJR 160])

Directing the Virginia State Crime Commission to continue its study of juvenile justice. Report.

WHEREAS, House Joint Resolution No. 136 (2006) directed the Virginia State Crime Commission to conduct a two-year study of Virginia's juvenile justice system; and

WHEREAS, in the first and second years of the study, the Commission was specifically directed to study recidivism, disproportionate minority contact with the justice system, improving the quality of and access to legal counsel based on the American Bar Association recommendations, accountability in the courts, and diversion; and

WHEREAS, the information gathered from the Commission's focus groups and preliminary results of the judicial survey also revealed a need to review specific mental health and truancy issues further, and other goals of the study will include determining training availability and proven practices for key contributors within the juvenile justice system and ascertaining successful reentry programs; and

WHEREAS, the Commission's staff formed a Juvenile and Domestic Relations District Court Judge workgroup to assist in the development of a statewide juvenile and domestic relations judicial survey, which sought to obtain information concerning diversion, court-appointed counsel, and disproportionate minority contact, among other issues, and the survey received a very high response rate; and

WHEREAS, also, in the second year of the study, staff met with focus groups across the state in conjunction with juvenile court observations, and valuable information was obtained and a need to further review the issues became apparent; and

WHEREAS, there is also a need to further analyze Title 16.1 of the Code of Virginia to determine the adequacy and effectiveness of Virginia's statutes and procedures relating to juvenile delinquency; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to continue its study of the juvenile justice system. The Commission, in continuing its study of the juvenile justice system in the Commonwealth pursuant to House Joint Resolution 136 (2006), shall also (i) review the severity of offenses committed by juveniles in the Commonwealth; (ii) evaluate the effects on the learning environment and educational process, particularly for other students, when juvenile offenders are returned to the public school classroom; (iii) identify and examine more effective methods of rehabilitating juveniles, particular juveniles who commit serious offenses; and (iv) recommend such changes as the Commission may deem necessary to provide a more effective juvenile justice system.

All agencies of the Commonwealth shall provide assistance to the Crime Commission for this study, upon request.

The Commission shall complete its meetings by November 30, 2008, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2009 Regular Session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.