

LD0504625

## SENATE BILL NO. 251

Offered January 25, 1994

*A BILL to amend and reenact § 9-168 of the Code of Virginia, as it is currently effective and as it may become effective, relating to membership on the Committee on Training of the Criminal Justice Services Board.*

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Patrons—Calhoun; Delegates: Darner and Deeds

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Referred to the Committee on General Laws**Be it enacted by the General Assembly of Virginia:**

**1. That § 9-168 of the Code of Virginia, as it is currently effective and as it may become effective, is amended and reenacted as follows:**

§ 9-168. (For effective date - See notes) Criminal Justice Services Board, Committee on Training, and Advisory Committee on Juvenile Justice established; appointment; terms; vacancies; members not disqualified from holding other offices; designation of chairmen; expenses; meetings.

A. There is hereby created the Criminal Justice Services Board. The Board shall be composed of twenty-six members as set out below. Eight members of the Board shall be as follows: the Chief Justice of the Supreme Court of Virginia, or his designee; the Attorney General of Virginia, or his designee; the Superintendent of the Department of State Police; the Director of the Department of Corrections; the Director of the Department of Youth and Family Services; the Superintendent of the Department of Correctional Education; the Chairman of the Parole Board; and the Executive Secretary of the Supreme Court of Virginia. In those instances in which the Executive Secretary of the Supreme Court of Virginia, the Superintendent of the Department of State Police, the Director of the Department of Corrections, the Director of the Department of Youth and Family Services, the Superintendent of the Department of Correctional Education, or the Chairman of the Parole Board will be unavoidably absent from a board meeting, he may appoint a member of his staff to represent him at the meeting. Fourteen members shall be appointed by the Governor from among residents of this Commonwealth who are representative of the broad categories of state and local governments, criminal justice systems, and law-enforcement agencies, including but not limited to, police officials, sheriffs, attorneys for the Commonwealth, defense counsel, the judiciary, correctional and rehabilitative activities, and other locally elected and appointed administrative and legislative officials. Among these fourteen members there shall be two sheriffs representing the Virginia State Sheriffs Association selected from among names submitted by the Association; two representatives of the Chiefs of Police Association selected from among names submitted by the Association; one attorney for the Commonwealth selected from among names submitted by the Association for Commonwealth's Attorneys; one person who is a mayor, city or town manager, or member of a city or town council representing the Virginia Municipal League selected from among names submitted by the League; one person who is a county executive, manager, or member of a county board of supervisors representing the Virginia Association of Counties selected from among names submitted by the Association; one member representing the Virginia Crime Prevention Association selected from among names submitted by the Association; and one member of the Private Security Services Advisory Board. Four members of the Board shall be members of the General Assembly appointed by the chairmen of legislative committees as follows: one member of the Appropriations Committee of the House of Delegates; one member of the Committee on Finance of the Senate; one member of the Committee for Courts of Justice of the House of Delegates, and one member of the Committee for Courts of Justice of the Senate. The legislative members shall serve for the terms for which they were elected and shall serve as ex officio members without a vote.

B. There is further created a permanent Committee on Training under the Board which shall be the policy-making body responsible to the Board for effecting the provisions of subdivisions 2 through 12 of § 9-170. The Committee on Training shall be composed of ~~fourteen~~ *twelve* members of the Board as follows: the Superintendent of the Department of State Police; the Director of the Department of Corrections; ~~the Director of the Department of Youth and Family Services; the Superintendent of the Department of Correctional Education;~~ the member of the Private Security Services Advisory Board; the Executive Secretary of the Supreme Court of Virginia; the two sheriffs representing the Virginia State Sheriffs Association; the two representatives of the Chiefs of Police Association; the attorney for the Commonwealth representing the Association for Commonwealth's Attorneys; the representative of the Virginia Municipal League; the representative of the Virginia Association of Counties; and one member designated by the Chairman of the Board from among the other appointments made by the Governor. The Committee on Training shall annually elect its chairman from among its members.

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60 C. There is further created a permanent Advisory Committee on Juvenile Justice which shall have the  
61 responsibility for advising and assisting the Board, the Department, all agencies, departments, boards and  
62 institutions of the Commonwealth, and units of general local government, or combinations thereof, on  
63 matters related to the prevention and treatment of juvenile delinquency and the administration of juvenile  
64 justice in the Commonwealth. The Advisory Committee shall consist of no less than fifteen and no more  
65 than twenty-five members. The membership of the Advisory Committee shall include persons who have  
66 training, experience or special knowledge concerning the prevention and treatment of juvenile  
67 delinquency or the administration of juvenile justice as set out below. Four ex officio members with  
68 voting powers of the Advisory Committee shall be as follows: the Commissioner of the Department of  
69 Mental Health, Mental Retardation and Substance Abuse Services; the Commissioner of the Department  
70 of Social Services; the Director of the Department of Youth and Family Services; and the  
71 Superintendent of Public Instruction. Two members shall be members from the General Assembly,  
72 appointed by the chairmen of the following legislative committees: one member of the Senate  
73 Committee for Courts of Justice and one member of the House Committee on Health, Welfare and  
74 Institutions. The legislative members shall serve as ex officio members for the terms for which they  
75 were elected. All other members shall be residents of the Commonwealth and be appointed by the  
76 Governor for a term of four years, except that appointments to terms commencing on July 1, 1991, shall  
77 be as outlined below. Five members, appointed for four-year terms, shall include: two members from the  
78 Criminal Justice Services Board; one member with expertise in juvenile services; one member  
79 representing community-based delinquency prevention or treatment programs; and one member who is  
80 under the age of twenty-four at the time of appointment. Six members shall be appointed for three-year  
81 terms and shall include one juvenile and domestic relations district court judge; one member who is a  
82 representative of local law enforcement; one member who is a local city or county administrator; one  
83 member who is a member of the Virginia State Bar; and two members who are under the age of  
84 twenty-four at the time of appointment. Six members, appointed for two-year terms, shall include one  
85 member who is employed in a private organization with a special focus on maintaining and  
86 strengthening the family unit; one member who works as a volunteer with delinquents or potential  
87 delinquents; one member who is now or formerly has been under the jurisdiction of the Virginia  
88 juvenile justice system; one member who is an employee of a local juvenile and domestic relations  
89 district court service unit; one member who is a representative of business groups or businesses  
90 employing youth; and one member who represents organizations concerned with the quality of juvenile  
91 justice, education or social services for children. The majority of the Advisory Committee shall be  
92 private citizens and at least three members of the Advisory Committee, including two private citizens  
93 shall also be members of the Board. The Advisory Committee shall elect its chairman from among its  
94 members. The Advisory Committee shall have the following specific duties and responsibilities:

95 1. To review the operation of the juvenile justice system in the Commonwealth, including facilities  
96 and programs, and prepare appropriate reports;

97 2. To review statewide plans, conduct studies, and make recommendations on needs and priorities for  
98 the development and improvement of the juvenile justice system in the Commonwealth; and

99 3. To advise on all matters related to the federal Juvenile Justice and Delinquency Prevention Act of  
100 1974 (P.L. 93-415, as amended), and recommend such actions on behalf of the Commonwealth as may  
101 seem desirable to secure benefits of that or other federal programs for delinquency prevention or the  
102 administration of juvenile justice.

103 Each administrative entity or collegial body within the executive branch of the state government as  
104 may be requested to do so shall cooperate with the Advisory Committee as it carries out its  
105 responsibilities.

106 D. The members of the Board and Advisory Committee appointed by the Governor shall serve for  
107 terms of four years, provided that no member shall serve beyond the time when he holds the office or  
108 employment by reason of which he was initially eligible for appointment. Appointed members of the  
109 Board and Advisory Committee shall not be eligible to serve as such for more than two consecutive full  
110 terms. Three or more years within a four-year period shall be deemed a full term. Any vacancy on the  
111 Board and Advisory Committee shall be filled in the same manner as the original appointment, but for  
112 the unexpired term.

113 E. The Governor shall appoint a Chairman of the Board, and the Board shall designate one or more  
114 vice-chairmen from among its members, who shall serve at the pleasure of the Board.

115 F. Notwithstanding any provision of any statute, ordinance, local law, or charter provision to the  
116 contrary, membership on the Board shall not disqualify any member from holding any other public  
117 office or employment, or cause the forfeiture thereof.

118 G. Members of the Board and Advisory Committee shall be entitled to receive reimbursement for  
119 any actual expenses incurred as a necessary incident to such service and to receive such compensation as  
120 is provided in § 2.1-20.3.

121 H. The Board and Advisory Committee shall each hold no less than four regular meetings a year.

Subject to the requirements of this subsection, the respective Chairman shall fix the times and places of meetings, either on his own motion or upon written request of any five members of the Board or Advisory Committee.

I. The Board and Advisory Committee may adopt bylaws for their operation.

§ 9-168. (Delayed effective date - See notes) Criminal Justice Services Board, Committee on Training, and Advisory Committee on Juvenile Justice established; appointment; terms; vacancies; members not disqualified from holding other offices; designation of chairmen; expenses; meetings.

A. There is hereby created the Criminal Justice Services Board. The Board shall be composed of twenty-six members as set out below. Eight members of the Board shall be as follows: the Chief Justice of the Supreme Court of Virginia, or his designee; the Attorney General of Virginia, or his designee; the Superintendent of the Department of State Police; the Director of the Department of Corrections; the Director of the Department of Youth and Family Services; the Superintendent of the Department of Correctional Education; the Chairman of the Parole Board; and the Executive Secretary of the Supreme Court of Virginia. In those instances in which the Executive Secretary of the Supreme Court of Virginia, the Superintendent of the Department of State Police, the Director of the Department of Corrections, the Director of the Department of Youth and Family Services, the Superintendent of the Department of Correctional Education, or the Chairman of the Parole Board will be unavoidably absent from a board meeting, he may appoint a member of his staff to represent him at the meeting. Fourteen members shall be appointed by the Governor from among residents of this Commonwealth who are representative of the broad categories of state and local governments, criminal justice systems, and law-enforcement agencies, including but not limited to, police officials, sheriffs, attorneys for the Commonwealth, defense counsel, the judiciary, correctional and rehabilitative activities, and other locally elected and appointed administrative and legislative officials. Among these fourteen members there shall be two sheriffs representing the Virginia State Sheriffs Association selected from among names submitted by the Association; two representatives of the Chiefs of Police Association selected from among names submitted by the Association; one attorney for the Commonwealth selected from among names submitted by the Association for Commonwealth's Attorneys; one person who is a mayor, city or town manager, or member of a city or town council representing the Virginia Municipal League selected from among names submitted by the League; one person who is a county executive, manager, or member of a county board of supervisors representing the Virginia Association of Counties selected from among names submitted by the Association; one member representing the Virginia Crime Prevention Association selected from among names submitted by the Association; and one member of the Private Security Services Advisory Board. Four members of the Board shall be members of the General Assembly appointed by the chairmen of legislative committees as follows: one member of the Appropriations Committee of the House of Delegates; one member of the Committee on Finance of the Senate; one member of the Committee for Courts of Justice of the House of Delegates, and one member of the Committee for Courts of Justice of the Senate. The legislative members shall serve for the terms for which they were elected and shall serve as ex officio members without a vote.

B. There is further created a permanent Committee on Training under the Board which shall be the policy-making body responsible to the Board for effecting the provisions of subdivisions 2 through 12 of § 9-170. The Committee on Training shall be composed of ~~fourteen~~ *twelve* members of the Board as follows: the Superintendent of the Department of State Police; the Director of the Department of Corrections; ~~the Director of the Department of Youth and Family Services; the Superintendent of the Department of Correctional Education;~~ the member of the Private Security Services Advisory Board; the Executive Secretary of the Supreme Court of Virginia; the two sheriffs representing the Virginia State Sheriffs Association; the two representatives of the Chiefs of Police Association; the attorney for the Commonwealth representing the Association for Commonwealth's Attorneys; the representative of the Virginia Municipal League; the representative of the Virginia Association of Counties; and one member designated by the Chairman of the Board from among the other appointments made by the Governor. The Committee on Training shall annually elect its chairman from among its members.

C. There is further created a permanent Advisory Committee on Juvenile Justice which shall have the responsibility for advising and assisting the Board, the Department, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, on matters related to the prevention and treatment of juvenile delinquency and the administration of juvenile justice in the Commonwealth. The Advisory Committee shall consist of no less than fifteen and no more than twenty-five members. The membership of the Advisory Committee shall include persons who have training, experience or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice as set out below. Four ex officio members with voting powers of the Advisory Committee shall be as follows: the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services; the Commissioner of the Department of Social Services; the Director of the Department of Youth and Family Services; and the

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