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HOUSE JOINT RESOLUTION NO. 490
AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on February 17, 1997)

(Patron Prior to Substitute—Delegate Cantor)

Directing the Virginia Commission on Youth to study status offenders, children in need of services, and children in need of supervision.

WHEREAS, all states have classifications for juvenile offenders who commit certain acts that, if committed by adults, would not be considered crimes; and

WHEREAS, in 1989, Virginia amended its law to delineate three types of status offenders; and

WHEREAS, in 1995, the Joint Legislative Audit and Review Commission studying court processing and outcomes of juvenile delinquents and status offenders found that 53 percent of all first-time status offenders re-offend within a three year period; and

WHEREAS, resources for this group of juveniles have decreased over the last five years as the juvenile justice system's emphasis has shifted to the more serious offender; and

WHEREAS, these juveniles often display behaviors which bring them to the attention of a variety of educational and human service agencies; and

WHEREAS, there is no one public agency designated to be responsible for service planning and delivery to these juveniles; and

WHEREAS, the imposition of court sanctions on this population has met with mixed success; and

WHEREAS, interviews conducted in 1996 with service providers in both juvenile court and treatment settings verified the need to revisit both service capacity and statutory provisions for this population; and

WHEREAS, the 1996 expansion of the Virginia Juvenile Community Crime Control Act to provide diversion services for status and minor offenders should result in new service alternatives for this population; and

WHEREAS, a comprehensive analysis of this population, which comprises at least ten percent of the juvenile court caseload, has not been conducted since the 1989 statutory changes; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Commission on Youth be directed to study status offenders, children in need of services, and children in need of supervision. The Commission is directed to examine the state's policies, procedures, and services applicable to this population with the goal of suggesting reform to increase the system's effectiveness and efficiency.

The Commission's study shall include, but not be limited to, the following: (i) an analysis of juvenile courts' and local schools' communication and intervention with truants; (ii) a review of juvenile court diversionary and probationary practices for this population; (iii) an assessment of the service capacity for status offenders, children in need of services, and children in need of supervision; (iv) an analysis of other states' approaches to dealing with this population; (v) an analysis of the appropriateness of designating a lead agency to be responsible for services; and (vi) the development of recommendations for improving the system through legislative and administrative reforms; and, be it

RESOLVED FURTHER, That an advisory task force be established to assist the Commission in its work. The task force shall be comprised of 22 members as follows: six members of the Virginia Commission on Youth; two members of the House of Delegates, to be appointed by the Speaker of the House; one member of the Senate, to be appointed by the Senate Committee on Privileges and Elections; one juvenile and domestic relations court judge, one representative of court-appointed counsel, one superintendent of a local school division, one director of a local Department of Social Services, and one public agency representative providing residential and/or home-based services to the population, all to be appointed by the Speaker of the House; and one representative of law enforcement, one juvenile court service unit director, and one private agency representative providing residential and/or in-home services to this population, all to be appointed by the Senate Committee on Privileges and Elections. The Commissioner of the Department of Social Services, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, the Superintendent of Public Instruction, the Director of the Department of Juvenile Justice, and the Executive Secretary of the Supreme Court of Virginia shall serve as ex-officio members, with voting privileges. Nonlegislative members of the task force shall serve in a voluntary capacity and shall not be entitled to compensation or reimbursement, except for travel expenses paid by the Commission.

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

The Virginia Commission on Youth shall complete its work in time to submit its findings and recommendations to the Governor and the 1998 Session of the General Assembly as provided in the

60 procedures of the Division of Legislative Automated Systems for the processing of legislative
61 documents.