

080603680

HOUSE JOINT RESOLUTION NO. 160

Offered January 9, 2008

Prefiled January 9, 2008

Establishing a joint subcommittee to study the efficacy of the juvenile justice system and possible changes that could be made to improve the system. Report.

Patron—Phillips

Referred to Committee on Rules

WHEREAS, currently the purpose of the juvenile justice system is to rehabilitate the juvenile and not to punish him; and

WHEREAS, the growing prison population is evidence that the juvenile justice system is not effectively rehabilitating juveniles; and

WHEREAS, the crimes juveniles are committing are becoming more and more grave and the juveniles are not conforming their behavior when placed on probation or community service; and

WHEREAS, the juveniles are being placed back in the communities and schools where the original offense was committed; and

WHEREAS, even the most serious offense committed by juveniles is not met with an appropriate punishment; and

WHEREAS, the protection of law-abiding society is an important and critical role of government and the early release of juveniles and the inability of the juvenile justice system to deal effectively with juveniles endangers the community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the efficacy of the juvenile justice system and possible changes that could be made to improve the system. The joint subcommittee shall also study the processing of juveniles and the seriousness of the offenses being committed by juveniles. The joint subcommittee shall have a total membership of 14 that shall consist of eight legislative members, two nonlegislative citizen members, and four ex officio members. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; one nonlegislative citizen member who shall be a member of a local school board in the Commonwealth to be appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member who shall be a trained pediatric psychologist to be appointed by the Senate Committee on Rules. The directors of the Department of Juvenile Justice and the Department of Corrections, the Commissioner of the Department of Social Services, and the Superintendent of the Department of State Police, or their designees, shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall be reimbursed only for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall review the recidivism rate of juveniles in the Commonwealth, the severity of offenses being committed by juveniles in the Commonwealth; the impact that juveniles who are being placed back in the classroom are having on the education of others; and the juvenile justice system as a whole. The subcommittee shall examine more effective methods of rehabilitating juveniles; more effective ways of dealing with juveniles who commit serious offenses, and changes that can be made to make the juvenile justice system more effective as a whole.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2008 interim and four meetings for the 2009 interim, and the direct costs of this study shall not exceed \$9,200 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall

INTRODUCED

HJ160

59 be required.

60 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
61 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
62 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
63 joint subcommittee.

64 The joint subcommittee shall complete its meetings for the first year by November 30, 2008, and for
65 the second year by November 30, 2009, and the chairman shall submit to the Division of Legislative
66 Automated Systems an executive summary of its findings and recommendations no later than the first
67 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
68 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
69 report of its findings and recommendations for publication as a House or Senate document. The
70 executive summaries and reports shall be submitted as provided in the procedures of the Division of
71 Legislative Automated Systems for the processing of legislative documents and reports, and shall be
72 posted on the General Assembly's website.

73 Implementation of this resolution is subject to subsequent approval and certification by the Joint
74 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
75 delay the period for the conduct of the study, or authorize additional meetings during the 2008 or 2009
76 interim.