



February 13, 2024

SB 2 - Juvenile Law - Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act)

Senate Judicial Proceedings Committee

Position: Favorable With Amendments

Human Rights for Kids respectfully requests that the Committee issue a favorable report with amendments on SB 2.

From a human rights perspective, we are concerned that the new language subjects a child under the age of 10 to a delinquency proceeding. However, we agree that in the extremely serious situations which SB 2 seeks to address, a response is needed for the child who has committed the act and the family and friends of the victim. Therefore, we suggest the following amendment that would limit the response for children under 10 to the Child in Need of Supervision process as a means of providing services to the child in an age-appropriate manner.

AMENDMENT 1 -- Page 3, beginning on Line 17:

(5) IF A COMPLAINT IS FILED THAT ALLEGES THE COMMISSION OF AN ACT BY A CHILD UNDER THE AGE OF 13 YEARS **BUT WHO HAS REACHED THE AGE OF 10** THAT RESULTS IN THE DEATH OF A VICTIM, THE INTAKE OFFICER SHALL FILE A PETITION ALLEGING THAT THE CHILD IS EITHER DELINQUENT OR IN NEED OF SUPERVISION.

(6) IF A COMPLAINT IS FILED THAT ALLEGES THE COMMISSION OF AN ACT BY A CHILD UNDER THE AGE OF 10 YEARS THAT RESULTS IN THE DEATH OF A VICTIM, THE INTAKE OFFICER SHALL FILE A PETITION ALLEGING THAT THE CHILD IS IN NEED OF SUPERVISION.

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