

Date: March 26, 2024
Bill Number/Title: SB0744 -Juvenile Law - Reform
Committee: Judiciary Committee
DJS Position: Support with Amendments

The Department of Juvenile Services (DJS) supports the provisions in SB744 that relate to jurisdictional limits, intake decision making, and detention eligibility.

Jurisdictional Limits

Senate Bill 744 modifies jurisdictional limits for youth by striking motor vehicle theft and animal crimes as an exception to juvenile court jurisdiction for youth under 13. However, the amended bill requires filing a CINS (Child in Need of Supervision) petition with the court when a youth under the age of 13 is alleged to have committed a motor vehicle theft. DJS supports CINS as an intervention, but recommends a CINS complaint be filed with DJS for review, assessment, and service connections prior to filing a CINS petition with the court. If a youth fails to engage with DJS services, a petition may be filed with the court.

Intake Decision Making

DJS supports the amended Senate language that removes the language concerning state's attorney review of DJS intake decisions for youth currently on supervision. The amended language allows DJS, upon receipt of a complaint, to efficiently assess a youth's risk and needs and connect the youth and family to supportive community-based services and interventions.

Detention Eligibility

DJS supports the amended provisions that modify detention eligibility for youth on probation subsequently charged with a new offense, with the exception of those charged with second-degree assault.

DJS recommends the following amendments to address operational challenges.

- Remove the language on page 10, lines 13-19 that requires law enforcement to report to DJS all contacts with youth that did not result in the youth being taken into custody. This requirement is overly burdensome, and unclear as to what purpose the information would serve. Pursuant to the amended bill, law enforcement is already required to notify DJS of all youth who are diverted.
- Remove the language on page 15, lines 10-15 that requires DJS to provide a progress report to the court if the youth fails to appear four or more times to their treatment program. Currently, DJS provides progress reports as required by the courts, and notifies the courts when a youth violates the terms and conditions of their court ordered community supervision.

For these reasons, DJS requests a favorable report on SB 744.