

HJR1013_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HJR18-1013 be amended as follows:

1 Amend printed resolution, page 1, strike lines 1 through 9.

2 Page 2, strike lines 1 through 23 and substitute:

3 "WHEREAS, The general assembly hereby declares that article 2
4 of the Children's Code intends to create a developmentally appropriate
5 juvenile justice system that requires collaboration among stakeholders
6 and promotes public safety, individual accountability, juvenile
7 rehabilitation, and positive adolescent development; and

8 WHEREAS, The general assembly holds the following paramount:
9 Victim empowerment and public safety, using restorative processes, and
10 providing equitable due process and procedural fairness; and

11 WHEREAS, Further, the general assembly finds that the juvenile
12 justice system's role is to treat and rehabilitate juvenile offenders by
13 addressing their criminogenic risk and needs to reduce the rate of
14 recidivism and assist juveniles in becoming productive members of
15 society; and

16 WHEREAS, The general assembly finds that a developmentally
17 appropriate juvenile justice system is one that, at a minimum, includes:
18 Helping youth avoid formal legal involvement unless necessary to ensure
19 accountability or to protect public safety by providing opportunities for
20 youth to accept responsibility for their actions when appropriate outside
21 the formal system; providing alternatives to justice system involvement,
22 as interventions are designed to support prosocial development, improve
23 decision-making, and provide opportunities for youth to engage in
24 restorative justice activities and juvenile-serving professionals should
25 follow the "first, do no harm" approach; responding based on assessment
26 of needs and risk, because the juvenile system's response must ensure the
27 level of intervention and supervision are tailored to meet each juvenile's
28 individualized criminogenic risks and needs, the goal is to differentiate
29 juveniles who are less likely to reoffend from those who require greater
30 supervision and intervention; confining only when necessary for public
31 safety, as research consistently finds that lengthy confinement may have
32 detrimental effects for juveniles and developing alternatives to long
33 periods of justice system confinement is an integral part of this approach,
34 and residential placement with an environment conducive to positive
35 development is an alternative to incarceration, as increased standards for
36 facilities will help ensure that, if necessary, confinement may be

1 beneficial as well; and

2 WHEREAS, The general assembly further finds that a
3 developmentally appropriate juvenile justice system includes: Ensuring
4 procedural fairness, as the perception of fair treatment by juveniles is
5 important for numerous aspects of prosocial development, and the
6 juvenile justice system ensures juveniles are adequately represented by
7 counsel, understand legal proceedings, and participate meaningfully in
8 their case; aiming to prevent disparate treatment, because jurisdictional
9 efforts to reduce disparities are vital, efforts to reduce disparities may
10 include monitoring for disproportionate rates of minority contact with the
11 juvenile justice system, developing strategies to address such disparities,
12 and implement policy changes to reduce unnecessary system involvement
13 and incarceration; and engaging family, as family, peer, school, and
14 community influences have an interconnected effect on youth
15 development, and positive experiences within these units may lead to
16 positive youth development, which often necessitates engagement of
17 community partners; and

18 WHEREAS, The important work of the Juvenile Justice and
19 Delinquency Prevention Council is paramount to creating a
20 developmentally appropriate juvenile justice system; now, therefore,".

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