

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Malone

SENATE BILL 371

"AN ACT TO CREATE THE JUVENILE DETENTION FACILITIES REVIEW
COMMISSION TO DEVELOP STANDARDS FOR JUVENILE DETENTION
FACILITIES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. For purposes of this Act:

(A) "Juvenile Detention Facility" means a place, an institution, a building or part thereof, set of buildings or an area whether or not enclosing a building or set of buildings which is used for the lawful custody and treatment of juveniles.

(B) "Commission" means the Juvenile Detention Facility Review Commission established by this Act.

(C) "Juvenile Detention Facility Standards" means those standards which result from the work of the Commission to be utilized by the Department of Human Services.

(D) "Juvenile offender" means an individual subject to the exercise of juvenile court jurisdiction for purposes of adjudication and treatment based on age and offense limitations as defined by statutory law.

(E) "Non-offender" means a juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency and neglect statutes for reasons other than legally prohibited conduct of the juvenile.

SECTION 2. (A) There is hereby created a Juvenile Detention Facilities Review Commission, the members of which shall be appointed by the Governor.

(B) The Commission shall be staffed and assisted in their work by the Youth Services Office of the Division of Children and Family Services of the Department of Human Services.

(C) The Deputy Director of the Division of Children and Family Services

shall make available to the Commission a staff person to act as coordinator in setting meeting dates and accomplishing their work.

(D) The Juvenile Detention Facilities Review Commission shall be composed of seven (7) members drawn from the following disciplines, professions, groups and associations to be appointed by the Governor:

- (1) a law enforcement officer;
- (2) a juvenile court referee;
- (3) a juvenile court probation officer;
- (4) a corrections official;
- (5) a prosecutor;
- (6) a high school principal; and
- (7) a representative from an organized parents group concerned with teenage drug and alcohol abuse.

(E) The Commission members shall serve without pay but those members not employed by the State of Arkansas shall receive reimbursement for actual expenses incurred for attendance at meetings of the Commission.

(F) The Commission will dissolve itself at the conclusion of the business meeting at which they approve the final printed copy of the standards for juvenile detention facilities.

SECTION 3. The Commission shall develop standards for juvenile detention facilities which address the following:

(A) Construction requirements for juvenile detention facilities built after the effective date of this Act.

(B) Staff requirements for detention facilities.

(C) Separation of detained juveniles from the sight and sound of detained adults.

(D) Such other matters as the Commission deems necessary to encourage the achievement of:

- (1) deinstitutionalization of status offenders and non-offenders;
- (2) separation of juveniles from incarcerated adults; and
- (3) removal of juveniles from adult jails and lockups.

SECTION 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without

the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that a need exists to develop Standards for Juvenile Detention Facilities within the state, and that immediate action is necessary. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

