

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S2/3/97 S2/17/97

A Bill

SENATE BILL 133

5 By: Senators Dowd and Webb
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For An Act To Be Entitled

9 "AN ACT TO MANDATE THE RELEASE OF THE NAME, AGE,
10 DESCRIPTION, AND OTHER INFORMATION CONCERNING CERTAIN
11 JUVENILE ESCAPEES; AND FOR OTHER PURPOSES."
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Subtitle

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14 "TO MANDATE THE RELEASE OF THE NAME,
15 AGE, DESCRIPTION, AND OTHER INFORMATION
16 CONCERNING CERTAIN JUVENILE ESCAPEES."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. (a) When a juvenile departs without authorization from a
21 youth services center or other facility operated by the Division of Youth
22 Services for the care of delinquent juveniles, if at the time of departure the
23 juvenile is committed or detained for an offense for which the juvenile could
24 have been tried as an adult, the Director of Division of Youth Services shall
25 release to the general public the name, age, and description of the juvenile
26 and any other pertinent information the director deems necessary to aid in the
27 apprehension of the juvenile and safeguard the public welfare.

28 (b) When a juvenile departs without authorization from the Arkansas
29 State Hospital, if at the time of departure the juvenile is committed as a
30 result of an acquittal, for mental disease or defect, of an offense for which
31 the juvenile could have been tried as an adult, the Director of the Division
32 of Mental Health Services shall release to the general public the name, age,
33 and description of the juvenile and any other pertinent information the
34 director deems necessary to aid in the apprehension of the juvenile and
35 safeguard the public welfare.

36 (c) When a juvenile departs without authorization from a local juvenile

1 detention facility, if at the time of departure the juvenile is committed or
2 detained for an offense for which the juvenile could have been tried as an
3 adult, the director of the juvenile detention facility shall release to the
4 general public the name, age, and description of the juvenile and any other
5 pertinent information the director deems necessary to aid in the apprehension
6 of the juvenile and safeguard the public welfare.

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8 SECTION 2. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 SECTION 5. EMERGENCY. It is hereby found and determined by the General
22 Assembly that the identity and description of juvenile escapees cannot now be
23 released to the public or even law enforcement agencies; that this
24 confidentiality of information hampers the apprehension of persons who may be
25 a threat to themselves or others; that this act will authorize the release of
26 information to aid in the apprehension of juvenile escapees; and that this act
27 should go into effect immediately in order to provide both law enforcement
28 agencies and the public a greater ability to apprehend juvenile escapees as
29 soon as possible. Therefore an emergency is declared to exist and this act
30 being immediately necessary for the preservation of the public peace, health
31 and safety shall become effective on the date of its approval by the Governor.
32 If the bill is neither approved nor vetoed by the Governor, it shall become
33 effective on the expiration of the period of time during which the Governor
34 may veto the bill. If the bill is vetoed by the Governor and the veto is
35 overridden, it shall become effective on the date the last house overrides the
36 veto.

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/s/Dowd