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OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984

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ENROLLED

HOUSE BILL No. 1187

(By Mr. *Delegate Chambers*)

— ● —

Passed *March 9,* 1984

In Effect *Ninety Days From* Passage



ENROLLED

H. B. 1187

(By DELEGATE CHAMBERS)

[Passed March 9, 1984; in effect ninety days from passage.]

AN ACT to amend and reenact section six-a, article five-a, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to eliminating the development of the position of youth services coordinators in the comprehensive plan for a unified state system of pre-dispositional detention of juveniles.

Be it enacted by the Legislature of West Virginia:

That section six-a, article five-a, chapter forty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5A. JUVENILE REFEREE SYSTEM.

§49-5A-6a. State plan for predisposition detention of juveniles; responsibilities of commissioner of human services until development of state plan.

1 (a) The commissioner of the department of human services
2 and the legislative commission on juvenile law shall develop
3 a comprehensive plan to establish a unified state system of
4 predispositional detention for juveniles to be submitted to
5 the West Virginia Legislature no later than the first day of
6 January, one thousand nine hundred eighty-five. The plan
7 shall be developed with input from the department of cor-
8 rections the governor's task force on crime, delinquency
9 and correction, and judicial and law-enforcement officials
10 from throughout the state.

11 The plan shall include, but not be limited to, the following:

12 (1) The development of a coordinated plan for the ef-
13 fective and efficient use of juvenile detention facilities oper-
14 ated by local units of government and the state, including
15 those operated regionally by the department of human ser-
16 vices. Standards and criteria shall be established for the use
17 of detention. Priorities for the utilization of available space
18 and transportation of juveniles to and from detention facilities
19 shall also be established.

20 (2) Recommendations on the use of regional detention
21 centers for detention hearings.

22 (3) Recommendations regarding the use of emergency
23 home shelters and foster homes for temporary detention.

24 (4) Recommendations regarding the use of regional de-
25 tention facilities and charges to counties for such services.

26 (5) An evaluation of the personnel needs and cost of main-
27 taining all facilities and services recommended in the plan.

28 (b) Until the development and implementation of the plan
29 set forth in subsection (a) of this section, the commissioner of
30 the department of human services shall do the following:

31 (1) Identify and coordinate all programs currently avail-
32 able in local communities for children in need of detention.
33 These programs shall be listed in a central resource directory
34 available for local authorities. This directory shall identify
35 which juveniles are acceptable to each program and the cost
36 of each program. Any program listed which is operated by
37 a county or community must conform to guidelines established
38 by the department of human services.

39 (2) Develop additional emergency shelters in those com-
40 munities where no such facilities are now in existence, and
41 where there is a demonstrable need for them.

42 (3) Coordinate a transportation assistance program for
43 counties which have significant difficulty transporting youth
44 to detention facilities. Grants will be made on the basis of
45 proposals submitted to the department by local government

46 units demonstrating special needs based on travel distance,
47 youth detention need and lack of local resources despite good
48 faith attempts to establish or utilize local programs. Reim-
49 busement grants will not exceed forty thousand dollars for
50 fiscal year one thousand nine hundred eighty-two.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Ronald Anello
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Isid C. Nichols
Clerk of the Senate

Donald L. Stopp
Clerk of the House of Delegates
Walter R. McSwain
President of the Senate

W. M. Lee, Jr.
Speaker House of Delegates

The within is approved this the 30
day of March, 1984.

W. R. Rhyne
Governor

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