WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984

ENROLLED

HOUSE BILL No. 1187

(By Mr. 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 predispositional 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 and the legislative commission on juvenile law shall develop a comprehensive plan to establish a unified state system of predispositional detention for juveniles to be submitted to the West Virginia Legislature no later than the first day of January, one thousand nine hundred eighty-five. The plan shall be developed with input from the department of corrections the governor's task force on crime, delinquency and correction, and judicial and law-enforcement officials from throughout the state.
The plan shall include, but not be limited to, the following:

1. The development of a coordinated plan for the effective and efficient use of juvenile detention facilities operated by local units of government and the state, including those operated regionally by the department of human services. Standards and criteria shall be established for the use of detention. Priorities for the utilization of available space and transportation of juveniles to and from detention facilities shall also be established.

2. Recommendations on the use of regional detention centers for detention hearings.

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

4. Recommendations regarding the use of regional detention facilities and charges to counties for such services.

5. An evaluation of the personnel needs and cost of maintaining all facilities and services recommended in the plan.

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

1. Identify and coordinate all programs currently available in local communities for children in need of detention. These programs shall be listed in a central resource directory available for local authorities. This directory shall identify which juveniles are acceptable to each program and the cost of each program. Any program listed which is operated by a county or community must conform to guidelines established by the department of human services.

2. Develop additional emergency shelters in those communities where no such facilities are now in existence, and where there is a demonstrable need for them.

3. Coordinate a transportation assistance program for counties which have significant difficulty transporting youth to detention facilities. Grants will be made on the basis of proposals submitted to the department by local government
units demonstrating special needs based on travel distance, youth detention need and lack of local resources despite good faith attempts to establish or utilize local programs. Reimbursement grants will not exceed forty thousand dollars for 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

Donald Ancello
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Jared C. Williams
Clerk of the Senate

Donald L. Hoop
Clerk of the House of Delegates

Wane R. McBain
President of the Senate

Speaker House of Delegates

The within ___ passed ______ this the ___ day of ______ , 1984.

John Rhine
Governor

C-641