

Because the Consequences Aren't Minor

Youth Prosecuted As Adults Weekly Legislative Roundup

July 15-19, 2019

AR - HB1551 TO AMEND THE LAW CONCERNING THE CONFIDENTIALITY OF RECORDS UNDER THE ARKANSAS JUVENILE CODE OF 1989; AND CONCERNING SCHOOL NOTIFICATION OF CERTAIN OFFENSES FOR WHICH A MINOR IS ADJUDICATED OR CONVICTED.

Last Action: Notification that HB1551 is now Act 647 (April 1, 2019)

Primary Sponsor: Representative Jon S. Eubanks (R)

AR - HB1755 CONCERNING THE PUNITIVE ISOLATION OR SOLITARY CONFINEMENT OF INDIVIDUALS WHO ARE UNDER EIGHTEEN (18) YEARS OF AGE.

Last Action: Notification that HB1755 is now Act 971 (April 12, 2019)

Primary Sponsor: Representative Jamie Scott (D)

CA - AB665 Parole: youth offender parole hearings.

Last Action: Re-referred to Com. on PUB. S. (April 1, 2019) Primary Sponsor: Assemblymember James Gallagher (R)

CA - AB965 Youth offender hearings: credits.

Last Action: From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 25).

Re-referred to Com. on APPR. (June 25, 2019)

Primary Sponsor: Assemblymember Mark Stone (D)

Summary: Senate Public Safety

CA - AB1394 Juveniles: sealing of records.

Last Action: In committee: Referred to APPR. suspense file. (June 24, 2019)

Primary Sponsor: Assemblymember Tom Daly (D)

Summary: Senate Appropriations

CA - AB1423 Transfers to juvenile court.

Last Action: Read second time. Ordered to third reading. (July 9, 2019)

Primary Sponsor: Assemblymember Buffy Wicks (D)

Summary: Senate Floor Analyses

CA - AB1641 Youth offender parole hearings.

Last Action: Referred to Com. on PUB. S. (March 18, 2019)

Primary Sponsor: Assemblymember Kevin Kiley (R)

Youth Prosecuted As Adults Weekly Legislative

Roundup

CO - HB1149 Age Of Delinquency Study

Last Action: Governor Signed (May 3, 2019)

Primary Sponsor: Representative Serena Gonzales-Gutierrez (D)

Committees:

Judiciary (House)

Appropriations (House)

Judiciary (Senate)

Summary: Concerning directing the age of delinquency task force of the Colorado commission on criminal and juvenile justice to study serving emerging adults in the juvenile justice system.

CT - HB7389 AN ACT CONCERNING CONFIDENTIALITY IN THE CASE OF A DISCRETIONARY TRANSFER OF A JUVENILE'S CASE TO THE REGULAR CRIMINAL DOCKET AND IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE.

Last Action: Signed by the Governor (July 9, 2019)

Primary Sponsor: Judiciary Committee

Committees:

Appropriations (Joint)

Judiciary (Joint)

Summary: To preserve confidentiality in a juvenile's case transferred under the discretion of the court to the regular criminal docket in the event that such case may be transferred back to the docket for juvenile matters and to implement the recommendations of the Juvenile Justice Policy and Oversight Committee.

DE - HB10 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUVENILE PROSECUTION.

Last Action: Substituted in House by HS 1 for HB 10 (June 18, 2019)

Primary Sponsor: Representative Nnamdi O. Chukwuocha (D)

Summary:

United States Supreme Court case law and scientific research has changed how we think about juvenile delinquency. We know now that an adolescent brain is not fully developed until the midtwenties which makes juveniles especially prone to poor decision-making. In the landmark case of Miller v. Alabama, in which the United States Supreme Court prohibited mandatory life sentences without parole for juveniles on the rationale that children are inherently different than adults, the Court relied not only scientific research but on common sense and what any parent knows: kids will be kids.

Children in Delaware have minimum ages set for many things: getting a drives license, enlisting in the military, applying for a loan or opening a credit card, using a tanning bed, drinking alcohol, and buying tickets to an R-rated movie.

This legislation sets a minimum age at which a child may be prosecuted, except for the most extreme offenses. This Bill prohibits the prosecution of children under the age of 12. It also bars the transfer of juvenile prosecution to the Superior Court unless the child is aged 16 or older. The exception to the prohibition on prosecuting children under 12 and transfer to Superior Court for children under sixteen, is only for the most serious of charges: murder in the first degree, murder in the second degree, rape in the first and rape in the second degree.

<u>DE - HB75</u> AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE YOUTH SERVICES COMMISSION OF DELAWARE.

Last Action: Substituted in House by HS 1 for HB 75 (June 18, 2019)

Primary Sponsor: Representative Stephanie T. Bolden (D)

Summary: This Act clarifies that the Department of Services for Children, Youth and Their Families (DSCYF) continues to have exclusive jurisdiction over a juvenile's care, custody, and control when a juvenile is found delinquent of an offense in Family Court and is sentenced to a term of confinement that shall not exceed one year beyond their 18th birthday. This Act stipulates that juveniles found guilty and sentenced to a Superior Court offense shall remain in the custody, care, and control of DSCYF until they turn 18. Youth with Superior Court adjudications and terms of confinement which extend beyond their 18th birthday shall be transferred to the custody of the Department of Correction for the remainder of their sentence at 18. This Act also clarifies that Family Court is permitted to retain jurisdiction in some cases involving youth aged 18- 21 and Family Court may require DSCYF to provide services and supervision for non-incarcerated persons. Should Level V confinement be imposed in cases where Family Court has extended jurisdiction for youth over 18 and under 21, the Department of Correction (DOC) shall have exclusive responsibility for the person's care, custody, and control when the period of the confinement commences after the youth has reached the age of majority.

<u>DE - HB76</u> AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO JUVENILE PROSECUTION.

Last Action: Reported Out of Committee (Judiciary) in House with 6 On Its Merits (June 19, 2019)

Primary Sponsor: Representative Debra Heffernan (D)

Committee: Judiciary (House)

Summary: This Bill requires the Department of Services for Children, Youth and Their Families ("DSCYF") to have exclusive jurisdiction over all aspects of a child care, custody and control when a

child is convicted of a Superior Court offense. The Act establishes that from a date certain, no more juveniles would be transferred to the custody of the Department of Correction upon their adjudication and Level V sentence in Superior Court.

DE - SB41 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUVENILE DELINQUENCY.

Last Action: Passed By House. Votes: 41 YES (June 30, 2019)

Primary Sponsor: Senator Darius J. Brown (D)

Committees:

Judiciary (House)
Judicial (Senate)

Summary:

This Act establishes that the age of offense and not the age of arrest determines jurisdiction for a person facing charges. Currently, if a person commits a delinquent act before age 18 but is arrested after age 18, the offense is automatically heard before the adult court of jurisdiction. See Howard v. State, 612 A.2d 158 (Del. 1992) (Table).

This Act reverses this procedure so that if the offense occurs before the age of 18 and the arrest is after a person 18th birthday, but before their 21st birthday, the Family Court will have jurisdiction. However, this Act makes clear that this Act does not preclude prosecuting a person to whom the Act applies as an adult, as permitted in Title 10.

FL - HB7125 Administration of Justice

Last Action: Chapter No. 2019-167, companion bill(s) passed, see CS/HB 1021 (Ch. 2019-91), CS/SB 160 (Ch. 2019-45), CS/SB 828 (Ch. 2019-50), SB 910 (Ch. 2019-61), SB 1136 (Ch. 2019-53), CS/CS/SB 1418 (Ch. 2019-134) (July 1, 2019)

Primary Sponsor: Representative Kimberly Daniels (D)

Committees:

Judiciary (Senate)

Rules (Senate)

Summary: Administration of Justice; Providing for reallocation of unencumbered funds returned to the Crime Stoppers Trust Fund; increasing threshold amounts for certain theft offenses; revising criminal penalties for the third or subsequent offense of driving while license suspended, revoked, canceled, or disqualified; requiring the Department of Children and Families to provide rehabilitation to criminal offenders designated as sexually violent predators; establishing eligibility criteria for

expunction of a criminal history record by a person found to have acted in lawful self-defense; creating the Task Force on the Criminal Punishment Code adjunct to the Department of Legal Affairs, etc. APPROPRIATION: \$250,000

GA - HB440 Juvenile Code; juvenile court to include children who are under the age of 18 years; change jurisdiction

Last Action: House Second Readers (February 26, 2019)
Primary Sponsor: Representative Mandi L. Ballinger (R)

Committee: <u>Juvenile Justice</u> (House)

Summary: A BILL to be entitled an Act to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, so as to change the jurisdiction of the juvenile court to include children who are under the age of 18 years; to amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to clarify provisions relating to juveniles; to provide for related matters; to repeal conflicting laws; and for other purposes.

IL - HB3704 CD CORR-JUVENILES

Last Action: Sent to the Governor (June 20, 2019)

Primary Sponsor: Representative Justin Slaughter (D)

Committees:

Rules (House)

Assignments (Senate)

Criminal Law (Senate)

Judiciary - Criminal (House)

Summary: Amends the Unified Code of Corrections. Provides that services provided by the Department of Corrections for transitional and post-release treatment programs for juveniles committed to the Department shall include family engagement, including, but not limited to, visitation and programming. Provides that the Department shall designate those institutions and facilities which shall be maintained for persons assigned as adults (rather than adults and juveniles).

<u>LA - HB241</u> JUVENILES: Provides relative to certain crimes and delinquency provisions when the offender is under the age of eighteen (EN SEE FISC NOTE GF EX See Note)

Last Action: Effective date: 08/01/2019. (June 4, 2019)
Primary Sponsor: Representative Mike Johnson (R)

Summary: Resume Digest for HB241

MA - H1539 An Act establishing reasonable limitations on the solitary confinement of inmates 21 years of age or younger

Youth Prosecuted As Adults Weekly Legislative

Roundup

Last Action: Senate concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1539) of David M. Rogers and others relative to establishing reasonable limitations on the solitary confinement of inmates 21 years of age or younger. The Judiciary.

MA - HD1295 An Act to promote public safety and better outcomes for young adults

Last Action: Senate concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Representatives O'Day of West Boylston and Khan of Newton, a petition (accompanied by bill, House, No. 3420) of James J. O'Day, Kay Khan and others relative to the age of criminal majority. The Judiciary.

MA - HD1574 An Act relative to expungement of youth criminal records

Last Action: Senate concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 3375) of John

J. Mahoney relative to the expungement of certain youth criminal records. The Judiciary.

MA - HD2868 An Act establishing reasonable limitations on the solitary confinement of inmates 21 years of age or younger

Last Action: Senate concurred (January 22, 2019)

Committee: <u>Judiciary (Joint)</u>

Summary: By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1539) of David M. Rogers and others relative to establishing reasonable limitations on the solitary confinement of inmates 21 years of age or younger. The Judiciary.

MA - HD3412 An Act improving juvenile justice data collection.

Last Action: Senate concurred (January 22, 2019)

Committee: Public Safety and Homeland Security (Joint)

Summary: By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 2141) of Chynah Tyler and others for legislation to improve data collection in the juvenile justice system. Public Safety and Homeland Security.

MA - HD3734 An Act reforming juvenile offender law

Last Action: Senate concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 1439) of Russell E. Holmes, Bud L. Williams and José F. Tosado relative to the juvenile offender law. The Judiciary.

MA - SD275 An Act relative to juvenile violence

Last Action: House concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Ms. DiZoglio (by request), a petition (accompanied by bill, Senate, No. 922) of Brian

Coppola for legislation relative to juvenile sexual abuse and violence. The Judiciary.

MA - SD530 An Act to promote public safety and better outcomes for young adults

Last Action: House concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Mr. Boncore, a petition (accompanied by bill, Senate, No. 825) of Joseph A. Boncore, Jack Patrick Lewis, Jason M. Lewis, Mike Connolly and other members of the General Court for legislation to promote public safety and better outcomes for young adults. The Judiciary.

MA - SD795 An Act improving juvenile justice data collection

Last Action: House concurred (January 22, 2019)

Committee: Public Safety and Homeland Security (Joint)

Summary: By Ms. Creem, a petition (accompanied by bill, Senate, No. 1386) of Cynthia Stone Creem, Jason M. Lewis, Mike Connolly, Joseph A. Boncore and other members of the General Court for legislation to improve data collection in the juvenile justice system. Public Safety and Homeland Security.

MA - SD1427 An Act relative to juveniles accused of sex offenses

Last Action: House concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 859) of William N.

Brownsberger for legislation relative to juveniles accused of sex offenses. The Judiciary.

MA - SD2051 An Act relative to sexually violent predators

Last Action: House concurred (January 22, 2019)

Committee: Judiciary (Joint)

Summary: By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1033) of Bruce E. Tarr for

legislation relative to sexually violent predators. The Judiciary.

MA - SD2095 An Act relative to consensual adolescent sexual activity

Last Action: House concurred (January 22, 2019)

Committee: <u>Judiciary (Joint)</u>

Summary: By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1014) of Rebecca L. Rausch, Jack Patrick Lewis, Jason M. Lewis, Mike Connolly and other members of the General Court for legislation relative to consensual adolescent sexual activity. The Judiciary.

MD - HB606 Juvenile Justice Reform Council

Last Action: Approved by the Governor - Chapter 253 (April 30, 2019)

Primary Sponsor: Delegate Luke Clippinger (D)

Committees:

Judicial Proceedings (Senate)

Judiciary (House)

Summary: Establishing the Juvenile Justice Reform Council; requiring the Council, using a data-driven approach, to develop a statewide framework of policies to invest in strategies to increase public safety and reduce recidivism of youth offenders; requiring the Council to submit an interim report by December 1, 2019, and a final report of its findings and recommendations to the Governor and the General Assembly on or before December 1, 2020; etc.

MD - SB809 Correctional Facilities - Restrictive Housing - Pregnant Inmates

Last Action: Approved by the Governor - Chapter 324 (April 30, 2019)

Primary Sponsor: Senator Susan C. Lee (D)

Committees:

Judicial Proceedings (Senate)

Judiciary (House)

Summary:

Requiring each correctional facility to have a written policy in place regarding the medical care of pregnant inmates that addresses the use of medical isolation or restrictive housing for certain purposes, during pregnancy and during a certain post-pregnancy period; establishing that a pregnant inmate may not be involuntarily placed in certain restrictive housing, with certain exceptions; providing that a certain pregnant inmate may be placed in certain restrictive housing if a certain managing official makes a certain determination; etc.

Cross filed Bill Number: HB745

MD - SB856 Juvenile Justice Reform Council

Last Action: Approved by the Governor - Chapter 252 (April 30, 2019)

Primary Sponsor: Senator Bobby A. Zirkin (D)

Committees:

Judicial Proceedings (Senate)

Judiciary (House)

Summary: Establishing the Juvenile Justice Reform Council; requiring the Council to develop a framework for reducing juvenile recidivism and increasing public safety and to conduct research into best practices for the treatment of juveniles who are subject to the criminal and juvenile justice systems; requiring the Council to submit an interim report on its findings and recommendations to the Governor and General Assembly on or before December 1, 2019, and a final report by December 1, 2020; etc.

ME - LD548 An Act To Prohibit a Person under 18 Years of Age from Being Charged with the Crime of Engaging in Prostitution

Last Action: Became Law without Governor's Signature (May 19, 2019)

Primary Sponsor: <u>Senator G. William Diamond (D)</u>
Committee: <u>Criminal Justice and Public Safety (Joint)</u>

MI - HB4133 Juveniles; criminal procedure; age of juvenile court jurisdiction and location of juvenile detention in some instances; modify. Amends secs. 1, 3 & amp; 11, ch. XIIA of 1939 PA 288 (MCL 712A.1 et seq.).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Roger Hauck (R)

Committee: Judiciary (House)

Summary: Revised Summary As Introduced

MI - HB4134 Mental health; other; age of juvenile in disposition of persons found not guilty by reason of insanity; modify. Amends sec. 1060a of 1974 PA 258 (MCL 330.2060a).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Douglas Wozniak (R)

Committee: <u>Judiciary (House)</u>

Summary: Revised Summary As Introduced

MI - HB4135 Criminal procedure; youthful trainees; age eligibility for youthful trainee status; raise to 18 years. Amends sec. 11, ch. II of 1927 PA 175 (MCL 762.11).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Julie Calley (R)

Committee: <u>Judiciary (House)</u>

Summary: Revised Summary As Introduced

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Ryan Berman (R)

Committee: Judiciary (House)

Summary: Revised Summary As Introduced

MI - HB4137 Criminal procedure; indigent defense; definition of adult in Michigan indigent defense commission act; modify. Amends sec. 3 of 2013 PA 93 (MCL 780.983).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Michael Webber (R)

Committee: Judiciary (House)

Summary: Revised Summary As Introduced

MI - HB4138 Juveniles; criminal procedure; age of juvenile jurisdiction in youth rehabilitation services act; modify. Amends sec. 2 of 1974 PA 150 (MCL 803.302).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Daire Rendon (R)

Committee: <u>Judiciary (House)</u>

Summary: Revised Summary As Introduced

MI - HB4139 Criminal procedure; sentencing; procedures for sentencing juveniles prosecuted for personal protection order violation; revise code of criminal procedure to revise age limit. Amends sec. 15b, ch. IV of 1927 PA 175 (MCL 764.15b). TIE BAR WITH: HB 4133'19, HB 4134'19, HB 4137'19, HB 4142'19, HB 4145'19

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative David LaGrand (D)

Committee: <u>Judiciary (House)</u>

Summary: Revised Summary As Introduced

MI - HB4140 Juveniles; other; detention of juveniles in certain circumstances; modify. Amends secs. 14, 15, 16, 18 & Day 18i, ch. XIIA of 1939 PA 288 (MCL 712A.14 et seq.). TIE BAR WITH: HB 4143'19, HB 4145'19

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Vanessa Guerra (D)

Committee: Judiciary (House)

Summary: Summary As Introduced

MI - HB4141 Juveniles; criminal procedure; specified juvenile violation definition; modify in probate code of 1939. Amends secs. 2 & amp; 2d, ch. XIIA of 1939 PA 288 (MCL 712A.2 & amp; 712A.2d).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Sheldon Neeley (D)

Committee: <u>Judiciary</u> (House)

Summary: Summary As Introduced

MI - HB4142 Juveniles; criminal procedure; juveniles under age 18 arrested for nonlisted offenses; provide for jurisdiction in the family division of circuit court. Amends sec. 27, ch. IV of 1927 PA 175 (MCL 764.27).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Brian Elder (D)

Committee: <u>Judiciary (House)</u>

Summary: Revised Summary As Introduced

MI - HB4143 Corrections; alternatives; placement of youth under 18 with adults during confinement, trial, or transport; prohibit. Amends sec. 139 of 1931 PA 328 (MCL 750.139). TIE BAR WITH: HB 4140'19, HB 4145'19

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Leslie Love (D)

Committee: <u>Judiciary (House)</u>

Summary: Summary As Introduced

MI - HB4144 Juveniles; juvenile justice services; county juvenile justice services reimbursements; modify. Amends sec. 117a of 1939 PA 280 (MCL 400.117a).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Tommy Brann (R)

Committee: <u>Judiciary (House)</u>

Summary: <u>Summary As Introduced</u>

MI - HB4145 Juveniles; criminal procedure; prejudication confinement of juveniles under 18 years of age in jail; preclude. Amends sec. 27a, ch. IV of 1927 PA 175 (MCL 764.27a).

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Graham Filler (R)

Committee: Judiciary (House)

Summary: Summary As Introduced

MI - HB4146 Juveniles; criminal procedure; raise the age fund; provide for. Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 117i.

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Mary Whiteford (R)

Committee: <u>Judiciary (House)</u>

Summary: Summary As Introduced

MI - HB4443 Juveniles; criminal procedure; age of offender for specified juvenile violations; modify in code of criminal procedure. Amends sec. 1f, ch. IV of 1927 PA 175 (MCL 764.1f). TIE BAR WITH: HB 4141'19, HB 4452'19

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative Michele Hoitenga (R)

Committee: <u>Judiciary (House)</u>

Summary: Summary For Committee

MI - HB4452 Juveniles; criminal procedure; age of offender for specified juvenile violations; modify in the revised judicature act. Amends sec. 606 of 1961 PA 236 (MCL 600.606). TIE BAR WITH: HB 4141'19, HB 4443'19

Last Action: Referred to committee on judiciary and public safety (April 30, 2019)

Primary Sponsor: Representative LaTanya Garrett (D)

Committee: <u>Judiciary (House)</u>

Summary: Summary For Committee

MI - SB84 Criminal procedure; indigent defense; definition of adult in Michigan indigent defense commission act; modify. Amends sec. 3 of 2013 PA 93 (MCL 780.983).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: <u>Senator Curt VanderWall (R)</u>

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB90 Juveniles; criminal procedure; age of juvenile court jurisdiction and location of juvenile detention in some instances; modify. Amends secs. 1, 3 & amp; 11, ch. XIIA of 1939 PA 288 (MCL 712A.1 et seq.).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Pete Lucido (R)

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB91 Juveniles; criminal procedure; prejudication confinement of juveniles under 18 years of age in jail; preclude. Amends sec. 27a, ch. IV of 1927 PA 175 (MCL 764.27a).

July 15-19, 2019

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Michael MacDonald (R)

Committee: <u>Judiciary</u> (House)

Summary: Summary Of Bill Reported From Committee

MI - SB92 Criminal procedure; youthful trainees; age eligibility for youthful trainee status; raise to 18 years. Amends sec. 11, ch. II of 1927 PA 175 (MCL 762.11).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Sylvia Santana (D)

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB93 Juveniles; criminal procedure; age of juvenile jurisdiction in youth rehabilitation services act; modify. Amends sec. 2 of 1974 PA 150 (MCL 803.302).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Stephanie Chang (D)

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB94 Mental health; other; age of juvenile in disposition of persons found not guilty by reason of insanity; modify. Amends sec. 1060a of 1974 PA 258 (MCL 330.2060a).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Jeff Irwin (D)

Committee: Judiciary (House)

Summary: Summary Of Bill Reported From Committee

MI - SB95 Juveniles; criminal procedure; age of juvenile court jurisdiction in juvenile diversion act; modify. Amends secs. 2 & amp; 8 of 1988 PA 13 (MCL 722.822 & amp; 722.828).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Sylvia Santana (D)

Committee: Judiciary (House)

Summary: Summary Of Bill Reported From Committee

MI - SB96 Corrections; alternatives; placement of youth under 18 with adults during confinement, trial, or transport; prohibit. Amends sec. 139 of 1931 PA 328 (MCL 750.139). TIE BAR WITH: SB 0091'19, SB 0097'19

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Adam Hollier (D)

Committee: <u>Judiciary</u> (House)

Summary: Summary Of Bill Reported From Committee

MI - SB97 Juveniles; other; detention of juveniles in certain circumstances; modify. Amends secs. 14, 15, 16, 18 & Day 18i, ch. XIIA of 1939 PA 288 (MCL 712A.14 et seq.). TIE BAR WITH: SB 0091'19, SB 0096'19

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Curtis Hertel Jr. (D)

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB98 Juveniles; criminal procedure; juveniles under age 18 arrested for nonlisted offenses; provide for jurisdiction in the family division of circuit court. Amends sec. 27, ch. IV of 1927 PA 175 (MCL 764.27).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Marshall Bullock (D)

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB99 Criminal procedure; sentencing; procedures for sentencing juveniles prosecuted for personal protection order violation; revise code of criminal procedure to revise age limit. Amends sec. 15b, ch. IV of 1927 PA 175 (MCL 764.15b). TIE BAR WITH: SB 0084'19, SB 0090'19, SB 0091'19, SB 0098'19

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: <u>Senator Ruth Johnson (R)</u>

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB100 Juveniles; criminal procedure; specified juvenile violation definition; modify in probate code of 1939. Amends secs. 2 & 2d, ch. XIIA of 1939 PA 288 (MCL 712A.2 & 2d).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Youth Prosecuted As Adults Weekly Legislative

Roundup

Primary Sponsor: Senator Pete Lucido (R)

Committee: <u>Judiciary (House)</u>

Summary: Summary Of Bill Reported From Committee

MI - SB101 Juveniles; juvenile justice services; county juvenile justice services reimbursements;

modify. Amends sec. 117a of 1939 PA 280 (MCL 400.117a).

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Pete Lucido (R)

Committee: Judiciary (House)

Summary: Summary Of Bill Reported From Committee

MI - SB102 Juveniles; criminal procedure; raise the age fund; provide for. Amends 1939 PA 280

(MCL 400.1 - 400.119b) by adding sec. 117i.

Last Action: Referred to Committee on Judiciary (April 24, 2019)

Primary Sponsor: Senator Sylvia Santana (D)

Committee: Judiciary (House)

Summary: Summary Of Bill On Third Reading

MT - HB763 Generally revise corrections laws

Last Action: Chapter Number Assigned (May 20, 2019)

Primary Sponsor: Ryan Lynch

Committees:

Finance and Claims (Senate)

Judiciary (Senate)

Appropriations (House)

NC - HB111 2019 Appropriations Act.

Last Action: Withdrawn From Com (July 15, 2019)

Primary Sponsor: Representative Donny Lambeth (R)

Summary: H111-SMMG-2(CSMGa-11)-v-2

NC - HB121 Expunction Related to RTA/No Conviction.

Last Action: Regular Message Sent To Senate (April 16, 2019)

Primary Sponsor: Representative Sarah Stevens (R)

Summary: H121-SMBH-33(CSBH-5)-v-5

NC - HB198 Human Trafficking Commission Recommendations.-AB

Youth Prosecuted As Adults Weekly Legislative

Roundup

Last Action: Pres. To Gov. 7/12/2019 (July 12, 2019) Primary Sponsor: Representative Ted Davis, Jr. (R)

Summary: <u>H198-SMTT-50(e3)-v-2</u>

NC - HB264 GSC Technical Corrections 2019.

Last Action: Pres. To Gov. 7/19/2019 (July 19, 2019)

Primary Sponsor: Rules, Calendar, and Operations of the House (Primary)

NC - HB415 Photos of Juveniles/Show-Ups.

Last Action: Signed by Gov. 6/26/2019 (June 26, 2019) Primary Sponsor: Representative Sarah Stevens (R)

Summary: <u>H415-SMBQ-101(e2)-v-2</u>

NC - HB609 Raise the Age Modifications.

Last Action: Regular Message Sent To Senate (April 17, 2019)

Primary Sponsor: Representative Allen McNeill (R)

Summary: <u>H609-SMBN-68(e1)-v-2</u>

NC - HB775 Juveniles/Eliminate LWOP/Parole Eligibility.

Last Action: Passed 1st Reading (April 16, 2019)
Primary Sponsor: Representative David Rogers (R)

NC - HB874 The Second Chance Act.

Last Action: Passed 1st Reading (April 22, 2019)
Primary Sponsor: Representative Marcia Morey (D)

NC - SB413 Raise the Age Modifications.

Last Action: Regular Message Received For Concurrence in H Com Sub (July 18, 2019)

Primary Sponsor: Senator Don Davis (D)

Summary: S413-SMTV-86(e3)-v-2

NC - SB562 The Second Chance Act.

Last Action: Reptd Fav Com Substitute (July 10, 2019)

Primary Sponsor: Senator Danny Earl Britt, Jr. (R)

Summary: <u>S562-SMSA-114(CSSAf-56)-v-2</u>

NC - SB614 Expunctions Related to Raise the Age.

Last Action: Passed 1st Reading (April 4, 2019)

Primary Sponsor: Senator Wiley Nickel (D)

ND - HB1076 AN ACT to amend and reenact section 124613 of the North Dakota Century Code, relating to placement of offenders at the North Dakota youth correctional center.

Last Action: Filed with Secretary Of State 03/06 (March 11, 2019)

Primary Sponsor: Judiciary Committee: Judiciary (House)

NE - LB354 Change provisions relating to sealing of juvenile records

Last Action: Approved by Governor on March 27, 2019 (March 27, 2019)

Primary Sponsor: Pansing Brooks
Committee: <u>Judiciary (Legislature)</u>
Summary: <u>Statement of Intent</u>

NE - LB686 Change provisions relating to correctional system emergencies

Last Action: Provisions/portions of LB739 amended into LB686 by AM1737 (May 31, 2019)

Primary Sponsor: Lathrop

Committee: <u>Judiciary (Legislature)</u>
Summary: Statement of Intent

NJ - A314 Restricts use of isolated confinement in correctional facilities.

Last Action: Approved P.L.2019, c.160. (July 11, 2019)
Primary Sponsor: Assemblymember Nancy J. Pinkin (D)

NJ - A524 Clarifies "knockout game" assault as third-degree aggravated assault; permits juvenile offender 14 years of age or older committing such assault to be tried as adult offender.

Last Action: Introduced, Referred to Assembly Law and Public Safety Committee (January 9, 2018)

Primary Sponsor: Assemblymember John Dimaio (R)

NJ - A1233 Concerns resentencing and parole for certain juvenile defendants.

Last Action: Introduced, Referred to Assembly Judiciary Committee (January 9, 2018)

Primary Sponsor: <u>Assemblymember John F. Mckeon (D)</u>

NJ - A2177 Upgrades certain penalties for criminal street gang recruitment and criminality; imposes mandatory minimum sentence for certain offenses; establishes accomplice liability and imposes restrictions for certain recruiters.

Last Action: Introduced, Referred to Assembly Law and Public Safety Committee (January 29, 2018) Primary Sponsor: Assemblymember Gary S. Schaer (D)

NJ - A2852 Clarifies "knockout game" assault as third-degree aggravated assault; provides mandatory minimum term of imprisonment for such assault.

Last Action: Introduced, Referred to Assembly Judiciary Committee (February 1, 2018)

Primary Sponsor: <u>Assemblymember Ronald S. Dancer (R)</u>

NJ - A4694 Permits, under certain circumstances, person adjudged juvenile delinquent to expunge record for act which would have constituted robbery if committed by adult.

Last Action: Introduced, Referred to Assembly Judiciary Committee (November 26, 2018)

Primary Sponsor: <u>Assemblymember Carol A. Murphy (D)</u>

NJ - A5365 The "New Jersey Youth Justice Transformation Act;" annually appropriates \$100 million to JJC.

Last Action: Introduced, Referred to Assembly Law and Public Safety Committee (May 16, 2019)

Primary Sponsor: <u>Assemblymember Shavonda E. Sumter (D)</u>

NJ - S48 Concerns juvenile incarceration and parole.

Last Action: Referred to Senate Budget and Appropriations Committee (June 6, 2019)

Primary Sponsor: Senator Nellie Pou (D)

NJ - S428 Provides for review of juvenile sentence of more than 30 years imprisonment without parole eligibility under certain circumstances.

Last Action: Introduced in the Senate, Referred to Senate Law and Public Safety Committee (January 9, 2018)

Primary Sponsor: Senator Nellie Pou (D)

NJ - S2966 Provides for judicial discretion in juvenile waiver decisions.

Last Action: Introduced in the Senate, Referred to Senate Law and Public Safety Committee

(September 24, 2018)

Primary Sponsor: Senator Troy Singleton (D)

NJ - S3261 Restricts use of isolated confinement in correctional facilities.

Last Action: Substituted by A314 (1R) (June 20, 2019)

Primary Sponsor: Senator Nellie Pou (D)

NJ - S3701 The "New Jersey Youth Justice Transformation Act;" annually appropriates \$100 million to Juvenile Justice Commission.

Last Action: Introduced in the Senate, Referred to Senate Law and Public Safety Committee (May 16, 2019)

Primary Sponsor: <u>Senator Ronald L. Rice (D)</u>

NM - HB364 CORRECTIONS RESTRICTED HOUSING ACT

Last Action: Signed by Governor - Chapter 194 - Apr. 3 (January 24, 2019)

Primary Sponsor: Representative Antonio Maestas - (D)

District: 16 (D)

NV - AB449 AN ACT relating to child welfare; directing the Legislative Committee on Child Welfare and Juvenile Justice to conduct an interim study concerning juvenile detention in this State; and providing other matters properly relating thereto.

Last Action: Approved by the Governor. Chapter 382. (June 5, 2019)

Primary Sponsor: Assembly Committee on Legislative Operations and Elections

Summary: Existing law creates the Legislative Committee on Child Welfare and Juvenile Justice and directs the Committee to evaluate and review various issues relating to child welfare and juvenile justice in this State. (NRS 218E.700-218E.720) Section 1 of this bill requires the Committee to conduct a study during the 2019-2020 interim concerning juvenile detention in this State. The study must include: (1) consideration of the implementation of a regional approach to housing juvenile offenders in this State; (2) a review of the adequacy of the current capacity of institutions and facilities in this State to house juvenile offenders; (3) a review of the current level of family and community engagement afforded to juveniles in the juvenile justice system and opportunities for an increase in such family and community engagement; (4) an analysis of current programming relating to the education, health and wellness of juvenile offenders in this State; (5) a review of the programs and services in other states where juvenile offenders who are tried as adults are housed with juvenile offenders within the juvenile justice system; (6) an analysis of sentencing practices for juvenile offenders in other states and an identification of best practices sentencing standards for juvenile offenders; and (7) a review of the facilities, services and programs available in this State for children who are determined to be incompetent by the juvenile court. Section 2 of this bill requires the Nevada Department of Corrections and each local and state institution or facility for the detention of juvenile

offenders to present certain data, trends and other information to the Committee to assist the Committee in conducting the study required by section 1 of this bill.

NY - A718 Relates to conferring youthful offender status upon conviction of an eligible youth for a misdemeanor

Last Action: Advanced To Third Reading Cal. 127 (March 14, 2019)

Primary Sponsor: Assemblymember Latoya Joyner

Committee: Codes (Assembly)

NY - A1829 Relates to the judicial diversion program for certain felony offenders

Last Action: Referred To Codes (January 17, 2019)

Primary Sponsor: Assemblymember William Magnarelli

Committee: Codes (Assembly)

NY - A2116 Establishes a joint legislative committee on racial equity in New York state

Last Action: Print Number 2116a (April 8, 2019)

Primary Sponsor: Assemblymember Victor M. Pichardo

Committee: Governmental Operations (Assembly)

Summary: Establishes a joint legislative committee on racial equity in New York state to review and prepare a racial equity impact assessment on all legislation that is reported favorably to both houses of the legislature.

NY - A3159 Requires a police officer upon the arresting of a youth or upon the issuing of an appearance ticket to notify the parent or person legally responsible for such youth

Last Action: Reported Referred To Rules (June 11, 2019)

Primary Sponsor: Assemblymember N. Nick Perry

Committees:

Codes (Assembly)

Rules (Assembly)

Summary: Relates to the issuance of arrest warrants and appearance tickets upon a youth; provides for the police officer to immediately notify the parent or other person legally responsible for the care of such youth with whom the youth is domiciled that the youth has been arrested; provides further that the police officer need not notify the parent or other person legally responsible when such youth is not also a juvenile offender and the notification would endanger the health and safety of such youth.

NY - A3329 Relates to the effect of termination of criminal actions and proceedings against a minor

Last Action: Referred To Codes (January 29, 2019)

Youth Prosecuted As Adults Weekly Legislative Roundup

Primary Sponsor: Assemblymember Erik Dilan

Committee: Codes (Assembly)

NY - A3422 Relates to racial and ethnic impact statements on bills

Last Action: Referred To Governmental Operations (January 29, 2019)

Primary Sponsor: <u>Assemblymember Latrice Walker</u> Committee: <u>Governmental Operations (Assembly)</u>

NY - A3837 Relates to the "juvenile offender second chance act"

Last Action: Referred To Codes (January 31, 2019)
Primary Sponsor: Assemblymember Inez E. Dickens

Committee: Codes (Assembly)

Summary: Relates to the "juvenile offender second chance act" which establishes the ability for a person to be adjudicated to be a youthful offender and receive all provisions and benefits of being a youthful offender.

NY - A4918 Requires palmprints, fingerprints and photographs of juveniles convicted of a felony to be made available by the division of criminal justice services to law enforcement

Last Action: Referred To Codes (February 5, 2019)
Primary Sponsor: Assemblymember Philip Ramos

Committee: Codes (Assembly)

Summary: Requires palmprints, fingerprints and photographs of juveniles convicted of a felony to be made available by the division of criminal justice services to law enforcement agencies upon demand.

NY - A4958 Prohibits certain individuals adjudicated as youthful offenders from possessing certain weapons

Last Action: Referred To Codes (February 6, 2019)
Primary Sponsor: Assemblymember William A. Barclay

Committee: Codes (Assembly)

Summary: Prohibits individuals adjudicated as youthful offenders for any offense listed under article one hundred twenty-five of the penal law, from possessing firearms, rifles and shotguns.

NY - A5027 Relates to conviction sealing for eligible youth

Last Action: Referred To Codes (February 6, 2019)
Primary Sponsor: Assemblymember Aravella Simotas

Committee: Codes (Assembly)

Summary: Provides that eligible youth who were not given youthful offender status by the court to be eligible for conviction sealing.

NY - A5703 Expands juvenile offender status to include certain sex offenses committed by persons 13, 14 or 15 years of age

Last Action: Referred To Codes (February 14, 2019)
Primary Sponsor: Assemblymember Joseph Giglio

Committee: Codes (Assembly)

Summary: Expands juvenile offender status to include rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, aggravated sexual abuse in the second degree and aggravated sexual abuse in the third degree if committed by persons thirteen, fourteen or fifteen years of age.

NY - A5871 Relates to granting certain individuals youthful offender status; repealer

Last Action: Referred To Codes (February 20, 2019)
Primary Sponsor: Assemblymember Daniel O'Donnell

Committee: Codes (Assembly)

Summary: Increases the age of a person from nineteen to twenty-two to be deemed a youth for youthful offender status and provides that there is a presumption of such status unless the interest of justice requires otherwise and proper notice is given.

NY - A7669 Relates to public access to certain accusatory instruments and preliminary proceedings involving adolescent offenders

Last Action: Advanced To Third Reading Cal.460 (May 23, 2019)

Primary Sponsor: <u>Assemblymember Vivian Cook</u>

Committee: Codes (Assembly)

NY - A7981 Relates to issuance of appearance tickets to adolescent offenders pending appearances before youth parts of superior courts of criminal jurisdiction

Last Action: Amended On Third Reading 7981a (June 12, 2019)

Primary Sponsor: <u>Assemblymember Latrice Walker</u>

Committees:

Codes (Assembly)
Rules (Assembly)

NY - A7982 Relates to notification to, and engagement of, parents in proceedings involving sixteen and seventeen year old defendants in youth parts in superior courts

Last Action: Ordered To Third Reading Rules Cal.209 (June 12, 2019)

Primary Sponsor: <u>Assemblymember Al Taylor</u>

Committees:

Codes (Assembly)
Rules (Assembly)

Summary: Relates to notification to, and engagement of, parents in proceedings involving sixteen and seventeen-year-old defendants in youth parts in superior courts.

NY - A8160 Relates to the determination of youthful offender status

Last Action: Referred To Rules (June 20, 2019)

Primary Sponsor: Assemblymember Aravella Simotas

Committees:

Codes (Assembly)
Rules (Assembly)

Rules (Senate)

Summary: Provides that an individual who was an eligible youth who was not determined to be a youthful offender by the sentencing court may apply to such court for a new determination after at least five years have passed since the imposition of the sentence, or at least five years after the individual's latest release from incarceration, if such individual was sentenced to a period of incarceration.

NY - A8230 Relates to the decriminalization of sex work; repealer

Last Action: Referred To Codes (June 10, 2019)

Primary Sponsor: Assemblymember Richard Gottfried

Committee: Codes (Assembly)

Summary: Decriminalizes certain prostitution offenses; amends provisions relating to prosecution of

such offenses and vacating judgments.

NY - A8315 Relates to proceedings against juvenile and adolescent offenders

Last Action: Substituted By S6550 (June 20, 2019)
Primary Sponsor: Assemblymember Joseph Lentol

Committees:

Codes (Assembly)

Rules (Assembly)

Summary: Relates to proceedings against juvenile and adolescent offenders and allowing district attorneys to remove such offenders to family court.

NY - A8381 Relates to granting certain individuals youthful offender status; repealer

Last Action: Referred To Codes (June 15, 2019)

Primary Sponsor: Assemblymember Daniel O'Donnell

Committee: Codes (Assembly)

Summary: Relates to granting certain individuals youthful offender status; adds a new category of

individuals eligible for young adult offender status and first offender status.

NY - S83 Increases the penalties for bias-related and gang related graffiti, and graffiti upon religious property

Last Action: Print Number 83a (June 5, 2019)
Primary Sponsor: Senator Todd Kaminsky

Committee: Codes (Senate)

Summary: Increases the penalties for bias related and gang related graffiti, and graffiti upon religious

property.

NY - S277 Relates to removing the local share requirements associated with increasing the age of juvenile jurisdiction

Last Action: Referred To Finance (January 9, 2019)

Primary Sponsor: Senator Robert Ortt

Committee: Finance (Senate)

Summary: Removes the local share requirements associated with increasing the age of juvenile

jurisdiction.

NY - S370 Relates to certain assault crimes which include the aid or encouragement of additional persons

Last Action: Referred To Codes (January 9, 2019)

Primary Sponsor: <u>Senator James Tedisco</u>

Committee: Codes (Senate)

Summary: Relates to certain assault crimes wherein a person is aided or encouraged to strike the

victim in the head and cause unconsciousness.

NY - S461 Relates to segregated confinement

Last Action: Referred To Crime Victims, Crime And Correction (January 9, 2019)

Primary Sponsor: Senator Andrew J Lanza

Committee: Crime Victims, Crime and Correction (Senate)

Summary: Relates to segregated confinement; prohibits segregated confinement for certain persons.

Youth Prosecuted As Adults Weekly Legislative Roundup

NY - S520 Relates to youthful offenders

Last Action: Referred To Codes (January 9, 2019)

Primary Sponsor: Senator David Carlucci

Committee: Codes (Senate)

Summary: Alters the definition of "youth" to mean a person who is at least sixteen years old and less than twenty-one years old; provides that where the conviction is had in a local criminal court and the eligible youth charged with a crime is alleged to have been committed when he or she was at least sixteen years old and less than nineteen years had not prior to the commencement of trial or entry of a plea of guilty been convicted of a crime or found a youthful offender, the court must find that he or she is a youthful offender.

NY - S733 Ensures that parents and guardians of youth up to age 19 are notified when their child is arrested or issued an appearance ticket

Last Action: Referred To Codes (January 9, 2019)
Primary Sponsor: Senator Velmanette Montgomery

Committee: Codes (Senate)

Summary: Relates to the issuance of arrest warrants and appearance tickets upon a youth; provides for the police officer to immediately notify the parent or other person legally responsible for the care of such youth or with whom the youth is domiciled that the youth has been arrested; provides further that the police officer need not notify the parent or other person legally responsible when such youth is not also a juvenile offender and the notification would endanger the health and safety of such youth; amends provisions relating to sexually exploited children to include persons under the age of nineteen.

NY - S925 Denies youthful offender treatment to persons convicted of a class B violent felony offense

Last Action: Referred To Codes (January 9, 2019)

Primary Sponsor: Senator Catharine Young

Committee: Codes (Senate)

Summary: Denies eligibility for youthful offender treatment upon conviction of a class B violent felony, unless the court determines that such person was a minor participant in the crime or that mitigating circumstances exist which bear directly upon the manner in which the crime was committed.

NY - S966 Enacts "Renee's law" to provide greater protection and disclosure to employees of facilities where juvenile delinquents and youthful offenders are placed

Last Action: Referred To Finance (January 9, 2019)

Primary Sponsor: Senator Catharine Young

Committee: Finance (Senate)

Youth Prosecuted As Adults Weekly Legislative Roundup

Summary: Enacts "Renee's Law"; directs the commissioner of children and family services to provide training to all employees of programs and facilities in which youths are placed or committed; grants access to office of children and family services' records, juvenile delinquency records, youthful offender records and juvenile offender records of youths placed or committed to a facility, to staff members and employees who are exposed to such youths and to foster parents who take custody of such person after his or her release; grants courts and attorneys access to such records in any proceeding for the commission of a crime while a youth is in the custody of the office of children and family services; prohibits the release, discharge or transfer of any youth who has engaged in criminal activity while in custody; requires the reporting to law enforcement authorities of criminal activity by a youth in the custody of the office of children and family services; requires a police officer to escort an employee sent to find a youth who is absent without authorization.

NY - S1739 Establishes a joint legislative committee on racial equity in New York state

Last Action: Print Number 1739a (April 12, 2019) Primary Sponsor: Senator Luis R. Sepúlveda

Committee: Investigations and Government Operations (Senate)

Summary: Establishes a joint legislative committee on racial equity in New York state to review and prepare a racial equity impact assessment on all legislation that is reported favorably to both houses of the legislature.

NY - S2183 Relates to conferring youthful offender status upon conviction of an eligible youth for a misdemeanor

Last Action: Committed To Rules (June 20, 2019)

Primary Sponsor: Senator Jamaal Bailey

Committees:

Codes (Senate) Rules (Senate)

NY - S3052 Relates to expungement of records for certain juveniles convicted of a nonviolent offense after seven years

Last Action: Referred To Codes (February 1, 2019)

Primary Sponsor: Senator James Sanders Jr.

Committee: Codes (Senate)

NY - S3053 Relates to a petition for expungement of records for certain juveniles convicted of a nonviolent offense after five years

Last Action: Referred To Codes (February 1, 2019)

Youth Prosecuted As Adults Weekly Legislative Roundup

Primary Sponsor: Senator James Sanders Jr.

Committee: Codes (Senate)

NY - S3197 Requires a police officer upon the arresting of a youth or upon the issuing of an appearance ticket to notify the parent or person legally responsible for such youth

Last Action: Referred To Codes (February 4, 2019)

Primary Sponsor: Senator Kevin S. Parker

Committee: Codes (Senate)

Summary: Relates to the issuance of arrest warrants and appearance tickets upon a youth; provides for the police officer to immediately notify the parent or other person legally responsible for the care of such youth with whom the youth is domiciled that the youth has been arrested; provides further that the police officer need not notify the parent or other person legally responsible when such youth is not also a juvenile offender and the notification would endanger the health and safety of such youth.

NY - S4388 Relates to racial and ethnic impact statements on bills

Last Action: Referred To Investigations And Government Operations (March 11, 2019)

Primary Sponsor: <u>Senator Kevin S. Parker</u>

Committee: Investigations and Government Operations (Senate)

NY - S6402 Relates to pleas of guilty and removal of adolescent offender proceedings to the family court

Last Action: Referred To Codes (June 19, 2019)
Primary Sponsor: Senator Velmanette Montgomery

Committees:

Codes (Assembly)
Rules (Senate)

NY - S6419 Relates to the decriminalization of sex work; repealer

Last Action: Referred To Rules (June 10, 2019)

Primary Sponsor: Senator Julia Salazar

Committee: Rules (Senate)

Summary: Decriminalizes certain prostitution offenses; amends provisions relating to prosecution of such offenses and vacating judgments.

NY - S6550 Relates to proceedings against juvenile and adolescent offenders

Last Action: Returned To Senate (June 20, 2019)

Primary Sponsor: Senator Jamaal Bailey

Committees:

Codes (Assembly)

Rules (Senate)

Summary: Relates to proceedings against juvenile and adolescent offenders and allowing district attorneys to remove such offenders to family court.

NY - S6572 Relates to the determination of youthful offender status

Last Action: Referred To Rules (June 16, 2019)

Primary Sponsor: Senator Zellnor Myrie

Committee: Rules (Senate)

Summary: Provides that an individual who was an eligible youth who was not determined to be a youthful offender by the sentencing court may apply to such court for a new determination after at least five years have passed since the imposition of the sentence, or at least five years after the individual's latest release from incarceration, if such individual was sentenced to a period of incarceration.

OH - SB99 Modify bindover of juveniles to criminal court

Last Action: Refer to Committee (March 12, 2019)

Primary Sponsor: Senator Cecil Thomas (D)

Committee: Judiciary (Senate)

OR - HB2295 Establishes process of earned review for certain young offenders serving terms of imprisonment in custody of Oregon Youth Authority.

Last Action: Referred to Judiciary with subsequent referral to Ways and Means. (January 15, 2019) Committees:

Judiciary (House)

Ways and Means (Joint)

Summary:

Establishes process of earned review for certain young offenders serving terms of imprisonment in custody of Oregon Youth Authority.

Specifies eligibility benchmarks. Directs authority to establish Public Safety Panel to consider circumstances of offender and make recommendation to court. Authorizes court to conditionally release young offender upon making certain findings. Refers Act to people for their approval or rejection at next regular general election.

OR - HB2502 Modifies juvenile jeopardy law to describe hearings and proceedings that trigger jeopardy.

Last Action: Referred to Judiciary. (January 15, 2019)

Committee: <u>Judiciary</u> (House)

Summary:

Modifies juvenile jeopardy law to describe hearings and proceedings that trigger jeopardy.

Declares emergency, effective on passage.

OR - HB3261 Modifies requirement to record interview with person under 18 years of age to include custodial interviews conducted inside law enforcement facility by peace officer, school resource officer or special campus security officer of investigations into misdemeanors, felonies and acts that, if committed by adult, would constitute misdemeanors or felonies.

Last Action: Chapter 216, (2019 Laws): Effective date January 1, 2020. (June 10, 2019)

Committees:

<u>Judiciary (Senate)</u> Judiciary (House)

Summary:

Modifies requirement to record interview with person under 18 years of age to include custodial interviews conducted inside law enforcement facility by peace officer, school resource officer or special campus security officer of investigations into misdemeanors, felonies and acts that, if committed by adult, would constitute misdemeanors or felonies.

Modifies requirement to record peace officer's] interview with person under 18 years of age to include custodial interviews conducted inside law enforcement facility by peace officer, school resource officer or special campus security officer of investigations into misdemeanors, felonies and acts that, if committed by adult, would constitute crimes and require recorded interviews whenever person under 18 years of age would reasonably believe person is in custody] misdemeanors or felonies. Requires recording of custodial interviews with person under 18 years of age conducted outside of law enforcement facility if officer is wearing video camera. Creates exceptions.

OR - HB3268 Redefines crime of aggravated murder.

Last Action: Referred to Judiciary. (March 11, 2019)

Committee: Judiciary (House)

Summary:

Redefines crime of aggravated murder.

Reclassifies current manners of committing aggravated murder as murder in the first degree.

Renames crime of murder to murder in the second degree. Specifies penalties. Specifies procedures for persons already sentenced to death to be resentenced to life imprisonment without possibility of parole. Takes effect on 91st day following adjournment sine die.

OR - SB15 Authorizes Youth Development Division to inspect and collect data from facilities in which juveniles are detained to ensure compliance with federal Juvenile Justice and Delinquency

Last Action: Governor signed. (June 6, 2019)

Committees:

Prevention Act.

Judiciary (Senate)

Judiciary (House)

Human Services (Senate)

Summary:

Authorizes Youth Development Division to inspect and collect data from facilities in which juveniles are detained to ensure compliance with federal Juvenile Justice and Delinquency Prevention Act.

Authorizes Youth Development Council] Division to inspect and collect data from facilities in which juveniles are detained to ensure compliance with federal Juvenile Justice and Delinquency Prevention Act.

OR - SB425 Repeals statutes requiring imposition of mandatory minimum sentences for persons under 18 years of age at time of commission of crime.

Last Action: Referred to Judiciary. (January 16, 2019)

Committee: Judiciary (Senate)

Summary:

Repeals statutes requiring imposition of mandatory minimum sentences for persons under 18 years of age at time of commission of crime.

Prohibits imposition of specified mandatory minimum sentences for persons under 25 years of age at time of commission of crime. Refers Act to people for their approval or rejection at next regular general election.

OR - SB469 Removes assault in the second degree from list of crimes requiring mandatory minimum prison sentence for person 15 years of age or older at time of commission of crime.

Last Action: Referred to Judiciary. (January 16, 2019)

Committee: Judiciary (Senate)

Summary

Summary:

Removes assault in the second degree from list of crimes requiring mandatory minimum prison sentence for person 15 years of age or older at time of commission of crime.

Requires proof of additional element of previous acts of reckless behavior that manifested extreme indifference to the value of human life for certain charges of assault in the second degree.

OR - SB549 Authorizes juvenile offender charged with offense subject to mandatory minimum sentence, who receives mandatory minimum sentence or other sentence of imprisonment, to be eligible for conditional release after serving at least one-half of sentence imposed.

Last Action: Referred to Judiciary. (January 16, 2019)

Committee: Judiciary (Senate)

Summary: Authorizes juvenile offender charged with offense subject to mandatory minimum sentence, who receives mandatory minimum sentence or other sentence of imprisonment, to be eligible for conditional release after serving at least one-half of sentence imposed.

OR - SB862 Prohibits court from imposing certain sentences on juvenile offenders.

Last Action: Referred to Judiciary. (February 27, 2019)

Committee: Judiciary (Senate)

Summary:

Prohibits court from imposing certain sentences on juvenile offenders.

Requires court to authorize leave from custody, conditional release and sentencing reductions unless otherwise prohibited by law. Prohibits State Board of Parole and Post-Prison Supervision from taking any action that causes juvenile offender to serve greater sentence than minimum required by law. Directs court to hold resentencing proceedings for juvenile offenders previously sentenced to terms of imprisonment within this state.

OR - SB966 Provides that person in custody of Oregon Youth Authority for offense committed while person was under 18 years of age, for which person was sentenced to term of imprisonment with projected release date that falls after person attains 25 years of age but before person attains 27 years of age, is eligible for conditional release hearing.

Last Action: Work Session scheduled. (March 28, 2019)

Committee: Judiciary (Senate)

Summary:

Provides that person in custody of Oregon Youth Authority for offense committed while person was under 18 years of age, for which person was sentenced to term of imprisonment with

projected release date that falls after person attains 25 years of age but before person attains 27 years of age, is eligible for conditional release hearing.

Requires court to include in judgment document age of defendant at time of committing offense if defendant sentenced to term of incarceration and physical custody of defendant is related to age of defendant at time of committing crime. Takes effect on 91st day following adjournment sine die.

OR - SB967 Requires court to include in judgment document age of defendant at time of committing offense if defendant sentenced to term of incarceration and physical custody of defendant is related to age of defendant at time of committing crime.

Last Action: Work Session scheduled. (March 28, 2019)

Committee: Judiciary (Senate)

Summary:

Requires court to include in judgment document age of defendant at time of committing offense if defendant sentenced to term of incarceration and physical custody of defendant is related to age of defendant at time of committing crime.

Directs Department of Corrections to transfer person sentenced to term of incarceration for offense committed when person was under 18 years of age to physical custody of Oregon Youth Authority even if criminal proceedings were initiated after person attained 18 years of age. Takes effect on 91st day following adjournment sine die.

OR - SB968 Prohibits person who was under 18 years of age at time of committing offense from being sentenced to life imprisonment without possibility of release or parole.

Last Action: Work Session scheduled. (March 28, 2019)

Committee: <u>Judiciary (Senate)</u>

Summary:

Prohibits person who was under 18 years of age at time of committing offense from being sentenced to life imprisonment without possibility of release or parole.

Requires court to consider certain factors as mitigation when sentencing person who was under 18 years of age at time of committing offense. Directs court to include in judgment document age of defendant at time of committing offense and fact that person is eligible for hearing and release after serving 15 years of sentence of imprisonment. Establishes process for hearing with State Board of Parole and Post-Prison Supervision for persons who were under 18 years of age at time of committing offense and who have served 15 years of sentence of imprisonment. Authorizes release of person on parole or post-prison supervision if certain findings are made. Takes effect on 91st day following adjournment sine die.

OR - SB969 Eliminates mandatory adult prosecution for certain offenses committed when person charged is 15, 16 or 17 years of age at time of offense.

Last Action: Work Session scheduled. (March 28, 2019)

Committee: Judiciary (Senate)

Summary:

Eliminates mandatory adult prosecution for certain offenses committed when person charged is 15, 16 or 17 years of age at time of offense.

Requires juvenile court, upon filing by state of motion requesting waiver hearing, to hold hearing to determine whether person should be prosecuted as adult. Takes effect on 91st day following adjournment sine die.

OR - SB1007 Provides that person convicted of offense requiring mandatory minimum sentence is entitled to reduction in term of imprisonment for good conduct if person had no prior convictions at time of sentencing.

Last Action: Referred to Judiciary. (March 6, 2019)

Committee: <u>Judiciary (Senate)</u>

Summary: Provides that person convicted of offense requiring mandatory minimum sentence is entitled to reduction in term of imprisonment for good conduct if person had no prior convictions at time of sentencing.

OR - SB1008 Requires court to include in judgment document age of defendant at time of committing offense if defendant is sentenced to term of incarceration and physical custody of defendant is related to age of defendant at time of committing offense.

Last Action: President signed. (May 29, 2019)

Committees:

Judiciary (Senate)
Judiciary (House)

Summary:

Requires court to include in judgment document age of defendant at time of committing offense if defendant is sentenced to term of incarceration and physical custody of defendant is related to age of defendant at time of committing offense.

Directs Department of Corrections to transfer person sentenced to term of incarceration for offense committed when person was under 18 years of age to physical custody of Oregon Youth Authority even if criminal proceedings were initiated after person attained 18 years of age. Eliminates mandatory adult prosecution for certain offenses committed when person charged is 15, 16 or 17 years of age at time of offense. Requires juvenile court, upon filing by state of motion requesting waiver hearing, to hold hearing to determine whether person should be prosecuted as adult. Authorizes juvenile offender charged with offense subject to mandatory minimum sentence, who receives mandatory minimum sentence or other sentence of imprisonment, to be eligible for conditional release hearing after serving at least one-half of sentence imposed. Provides that person in custody of Oregon Youth Authority for offense committed while person was under 18 years of age, for which person was sentenced to term of imprisonment with projected release date that falls after person attains 25 years of age but before person attains 27 years of age, is eligible for conditional release hearing. Prohibits person who was under 18 years of age at time of committing offense from being sentenced to life imprisonment without possibility of release or parole. Requires court to consider certain factors when sentencing person who was under 18 years of age at time of committing offense. Prohibits court from considering age as aggravating factor. Directs court to include in judgment document fact that person is eligible for hearing and release after serving 15 years of sentence of imprisonment. Establishes process for hearing with State Board of Parole and Post-Prison Supervision for persons who were under 18 years of age at time of committing offense and who have served 15 years of sentence of imprisonment. Authorizes release of person on parole or post-prison supervision if certain findings are made. Directs Department of Justice to adopt model policies for providing victim notification concerning conditional release and waiver hearings. Directs district attorney victim assistance programs to provide notice to victims in accordance with model policies. Takes effect on 91st day following adjournment sine die.

OR - SB1009 Establishes process of earned review for certain young offenders serving terms of imprisonment in custody of Oregon Youth Authority.

Last Action: Referred to Judiciary, then Rules. (March 6, 2019)

Committees:

Judiciary (Senate)

Rules (Senate)

Summary:

Establishes process of earned review for certain young offenders serving terms of imprisonment in custody of Oregon Youth Authority.

Specifies eligibility benchmarks. Directs authority to establish Public Safety Panel to consider circumstances of offender and make recommendation to court. Authorizes court to conditionally release young offender upon making certain findings. Refers Act to people for their approval or rejection at next regular general election.

PA - HB497 An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, providing for solitary confinement.

Last Action: Referred to JUDICIARY (February 12, 2019)

Primary Sponsor: Representative Tina M. Davis (D)

PA - HB652 An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of assault by knocking out another; and, in juvenile matters, further providing for definitions and for transfer from criminal proceedings.

Last Action: Referred to JUDICIARY (March 1, 2019)

Primary Sponsor: Representative Dan Moul (R)

RI - HB5333 AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE

(Provides that prisoners who committed offenses prior to age eighteen (18) and were sentenced as adults would be eligible for parole after completing fifteen (15) years of their sentence.)

Last Action: Committee recommended measure be held for further study (March 5, 2019)

Primary Sponsor: Representative Marcia R. Ranglin-Vassell

RI - HB5334 AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN --

PROCEEDINGS IN FAMILY COURT (Prohibits any questioning of a juvenile who is suspected of delinquent or criminal behavior, unless the parent of guardian of the juvenile is present, or unless an attorney is present or the juvenile and their parents have waived their presence.)

Last Action: Committee recommended measure be held for further study (April 2, 2019)

Primary Sponsor: Representative Rebecca M. Kislak (D)

RI - SB230 AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION (Provides that only those juveniles over the age of fourteen (14) be required to register as sex offenders and that the offense be comparable or more severe than those defined in 18 U.S.C. § 2241.)

Last Action: Committee recommended measure be held for further study (June 4, 2019)

Primary Sponsor: Senator Harold M. Metts (D)

RI - SB341 AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE (Provides that juveniles sentenced as adults parole eligible after completing 15 years of their sentence.)

Last Action: Committee recommended measure be held for further study (April 9, 2019)

Primary Sponsor: Senator Harold M. Metts (D)

RI - SB496 AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN --

PROCEEDINGS IN FAMILY COURT (Prohibits any questioning of a juvenile who is suspected of delinquent or criminal behavior, unless the parent of guardian of the juvenile is present, or unless an attorney is present or the juvenile and their parents have waived their presence.)

Last Action: Referred to House Judiciary (June 7, 2019)

Primary Sponsor: Senator William J. Conley (D)

VA - HB1642 Restrictive housing; data collection and reporting, Department of Corrections to submit report.

Last Action: Acts of Assembly Chapter text (CHAP0453) (March 18, 2019)

Primary Sponsor: Delegate Patrick A. Hope

Committees:

Appropriations (House)

Militia, Police and Public Safety (House)

Rehabilitation and Social Services (Senate)

Summary: Department of Corrections; restrictive housing; data collection and reporting; report.

Requires the Department of Corrections to report to the General Assembly and the Governor on or before October 1 of each year certain population statistics of persons incarcerated in state correctional institutions, including certain statistics regarding offenders placed in and released from restrictive housing and Shared Allied Management Units. This bill is identical to SB 1777.

VA - SB1777 Restrictive housing; data collection and reporting. Department of Corrections to submit report.

Last Action: Acts of Assembly Chapter text (CHAP0516) (March 18, 2019)

Primary Sponsor: Senator Richard L. Saslaw

Committees:

Courts of Justice (House)

Rehabilitation and Social Services (Senate)

Summary: Department of Corrections; restrictive housing; data collection and reporting; report.

Requires the Department of Corrections to report to the General Assembly and the Governor on or before October 1 of each year certain population statistics of persons incarcerated in state

correctional institutions, including certain statistics regarding offenders placed in and released from restrictive housing and Shared Allied Management Units. This bill incorporates SB 1085 and SB 1140 and is identical to HB 1642.

VT - S133 An act relating to juvenile jurisdiction

Last Action: Signed by Governor on May 30, 2019 (May 30, 2019)

Primary Sponsor: Senator Dick Sears (D)

Committees:

<u>Judiciary (Senate)</u> <u>Judiciary (House)</u>

Summary: Act

WA - HB1646 Concerning confinement in juvenile rehabilitation facilities.

Last Action: Effective date 7/28/2019. (May 9, 2019)

WA - SB5288 Sentencing for persistent offenders.

Last Action: Effective date 7/28/2019. (April 29, 2019)

WI - AB41 Relating to: prosecuting a person under the age of 18 with committing an act of prostitution.

Last Action: Representative Murphy withdrawn as a coauthor (May 14, 2019)

Primary Sponsor: Representative Jill Billings (D)

WI - SB49 Relating to: prosecuting a person under the age of 18 with committing an act of prostitution.

Last Action: Representative Murphy withdrawn as a cosponsor (May 14, 2019)

Primary Sponsor: Senator Alberta Darling (R)

WI - SB59 Relating to: state finances and appropriations, constituting the executive budget act of the 2019 legislature.

Last Action: Referred to committee on Senate Organization (June 26, 2019)

WY - HB44 Expungement of juvenile court records.

Last Action: Governor Signed HEA No. 0017 (February 15, 2019)

Primary Sponsor: Judiciary

Summary: Introduced