

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Garcia offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 105-153 and insert:

5 appropriate. If, following a needs assessment, the child is
6 found to be in need of mental health services or substance abuse
7 treatment services, the department shall cooperate with the
8 child's parent, custodian, or legal guardian and the Department
9 of Children and Family Services, as appropriate, to identify the
10 most appropriate services and supports and available funding
11 sources to meet the needs of the child.

12 (10) RESTORATIVE JUSTICE.--

13 (a) It is the intent of the Legislature that the juvenile
14 justice system advance the principles of restorative justice.
15 The department shall focus on repairing the harm to victims of
16 delinquent behavior, ensuring that the child understands the

247213

Approved For Filing: 4/23/2009 9:53:36 AM

Amendment No.

17 effect of his or her delinquent behavior on the victim and the
18 community, and restoring the loss suffered by the victim. The
19 department shall ensure that victims of juvenile crime are
20 afforded all rights as enumerated in the State Constitution,
21 chapter 960, and this chapter.

22 (b) Offender accountability is one of the basic principles
23 of restorative justice. The premise of this principle is that
24 the juvenile justice system must respond to delinquent behavior
25 in such a way that the offender is made aware of and takes
26 responsibility for repaying or restoring loss, damage, or injury
27 to the victim and the community. This goal is achieved when the
28 offender understands the consequences of delinquent behavior in
29 terms of harm to others, and when the offender compensates for
30 the harm, loss, or damage through restitution, community
31 service, or other appropriate payback.

32 (11) OVERREPRESENTATION OF SPECIFIC GROUPS OF YOUTH.--When
33 specific groups of youth are overrepresented based upon their
34 gender, ethnicity, or socioeconomic status in the juvenile
35 justice system, the department shall examine and revise its
36 strategies, policies, and practices to ensure that all youth are
37 treated equally, without jeopardizing public safety. The
38 department shall solicit input from community stakeholders and
39 affected citizens to assist in the modification of strategies,
40 policies, and practices to reduce overrepresentation. For the
41 purpose of this subsection, the term "overrepresented" means a
42 condition whereby a larger proportion of a particular group of
43 youth is present at any stage of the juvenile justice system

247213

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Amendment No.

44 than would be expected based upon their percentage of the
45 overall youth population in this state.

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47 ===== T I T L E A M E N D M E N T =====

48 Remove lines 13-15 and insert:

49 the principles of restorative justice; requiring that the
50 department to revise its strategies, policies, and

51 practices to ensure that all youth are treated equally,

52 without jeopardizing public safety, when specified groups

53 of youth are overrepresented; defining the term

54 "overrepresented";