

## Session 123 - (2019-2020)

### H 4719 General Bill, By Rutherford, Magnuson and Clyburn

#### Summary: Prearrest diversion programs

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA 1976, BY ADDING SECTIONS 63-19-500 AND 63-19-510 SO AS TO PROVIDE FOR THE ESTABLISHMENT AND OVERSIGHT OF PREARREST DIVERSION PROGRAMS IN EACH JUDICIAL CIRCUIT IN THE STATE FOR CERTAIN JUVENILE OFFENSES AND TO PROVIDE FOR THE ESTABLISHMENT AND PURPOSES OF THE JUVENILE JUSTICE IMPROVEMENT FUND IN THE BUDGET OF THE DEPARTMENT OF JUVENILE JUSTICE; TO AMEND SECTION 63-3-510, RELATING TO THE JURISDICTION OF THE FAMILY COURT, SO AS TO PROVIDE FOR TERMS OF PROBATION BASED ON THE TYPE OF ADJUDICATED OFFENSE; TO AMEND SECTION 63-19-10, RELATING TO THE JUVENILE JUSTICE CODE, SO AS TO PROVIDE GOALS AND POLICIES; TO AMEND SECTION 63-19-350, RELATING TO COMMUNITY SERVICES PROVIDED BY THE DEPARTMENT, SO AS TO REQUIRE THE USE OF STRUCTURED DECISION-MAKING TOOLS DURING THE JUVENILE JUSTICE PROCESS; TO AMEND SECTION 63-19-360, RELATING TO COMMUNITY AND RESIDENTIAL EVALUATIONS, SO AS TO REQUIRE COMPREHENSIVE, INDIVIDUALIZED BIOPSYCHOSOCIAL ASSESSMENTS; TO AMEND SECTION 63-19-820, RELATING TO SECURE DETENTION OF A CHILD, SO AS TO CHANGE THE ELIGIBILITY CRITERIA FOR SECURE DETENTION; TO AMEND SECTION 63-19-830, RELATING TO JUVENILE DETENTION, SO AS TO PROVIDE FOR DETENTION IN AN APPROVED HOME, PROGRAM, OR FACILITY OTHER THAN A SECURE JUVENILE DETENTION FACILITY; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN CRIME VICTIMS TO INSTITUTE LEGAL PROCEEDINGS AGAINST A JUVENILE OFFENDER, SO AS TO REQUIRE CHILD AND FAMILY COUNSELING FOR A REFERRAL FOR THE STATUS OFFENSES OF INCORRIGIBILITY OR RUNAWAY AND FOR OTHER PURPOSES; TO AMEND SECTION 63-19-1210, RELATING TO JURISDICTION OF THE FAMILY COURT, SO AS TO CHANGE THE AGE REQUIREMENTS FOR TRANSFER OF CERTAIN CASES INVOLVING A CHILD TO ADULT JURISDICTION; TO AMEND SECTION 63-19-1410, RELATING TO ADJUDICATION OF A CHILD, SO AS TO PROVIDE FOR TERMS OF PROBATION BASED ON THE TYPE OF ADJUDICATED OFFENSE, TO REQUIRE A MONTHLY PAYMENT SCHEDULE FOR THE PAYMENT OF RESTITUTION BY A CHILD ON PROBATION, TO ALLOW FOR ADMINISTRATIVE SUPERVISION OF A CHILD WITH THE DEPARTMENT, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF A CHILD, SO AS TO PROVIDE CRITERIA WHEREBY A CHILD MAY BE COMMITTED TO THE DEPARTMENT, TO PROVIDE THE FAMILY COURT WITH ADDITIONAL DISPOSITIONAL OR SENTENCING OPTIONS, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-19-1820, RELATING TO CHILDREN COMMITTED TO THE DEPARTMENT ON AN INDETERMINATE SENTENCE, SO AS PROVIDE THAT THE RELEASING ENTITY SHALL BASE LENGTH OF STAY GUIDELINES ON EVIDENCE-BASED BEST PRACTICES AND FOR OTHER PURPOSES; TO AMEND SECTION 63-19-1835, RELATING TO CHILDREN UNDER PROBATION OR PAROLE SUPERVISION, SO AS TO REQUIRE THE DEPARTMENT ESTABLISH AND ADMINISTER AN ADMINISTRATIVE SANCTIONS POLICY AND PROGRAM; AND FOR OTHER PURPOSES.

11/20/19 House Prefiled

11/20/19 House Referred to Committee on Judiciary

01/14/20 House Introduced and read first time (House Journal-page 77)

01/14/20 House Referred to Committee on Judiciary (House Journal-page 77)