**CHILDREN’S CABINET**

**REPRESENTATIVE MICHELLE STRINDEN, CHAIR**

**AUGUST 20, 2024**

**Lisa Bjergaard, Chair, Presented a report on the activities of the Commission on Juvenile Justice**

Chair Strinden and members of the Children’s Cabinet, my name is Lisa Bjergaard, and I am the chair of the Commission on Juvenile Justice. I am here to report on behalf of the Commission.

The Commission on Juvenile Justice is a time limited, 16-member working group tasked to gather information, receive reports, and make recommendations regarding effective interventions, resources, and services for children. Recommendations may include legislative strategies to implement recommendations. The Commission on Juvenile Justice is to report to the Children’s Cabinet. This body has periodically received updates regarding the activities of the Commission on Juvenile Justice, and so today’s report will begin where the last report ended.

This body received an update from the Commission in August, 2022. At that time, the Cabinet was apprised of the work on a proposed bill to amend some omissions and oversights that had been discovered in HB1035, the juvenile justice reform bill, which passed during the 67th session (2021). HB1137 was considered and passed during the 68th legislative assembly (2023).

One section of the bill clarified the method for making a delinquency referral and included updated and improved language related to school-based infractions and misdemeanors. This area of practice was new for schools and would take effect August 1, 2023. Therefore, in preparation for the passing of HB1137, the Commission formed a workgroup during the December 2022 meeting to assist schools with the anticipated changes.

Working with the Central Regional Education Association (CREA), the workgroup developed a comprehensive platform of recommendations for schools who wanted to create action plans in response to school-based infractions and misdemeanors. The recommendations were presented to the Commission midsummer, 2023. The Commission voted at its September 2023 meeting to continue to assist schools with the implementation of the recommendations.

During the first 3 ½ years of work, the Commission formed several different workgroups that were tasked with various projects. Frequently, the workgroups were made aware of areas where conflict occurs when the criminal justice code is applied to juveniles within the practice of juvenile justice. In 2022, the Commission recommended further study of these issues, and Representative Klemin supported the drafting of a study resolution. HB 1195 was also passed during the 68th assembly (2023) and included “consideration of the desirability and feasibility of a separate juvenile delinquency offense code, whether a separate and unique classification of criminal offenses for juveniles should be created, and which criminal offenses should receive a distinct classification for juvenile offenders, if any”. Legislative management assigned the study to the Juvenile Justice Interim Committee, who is working with the Commission.

The Commission formed a workgroup, much in the same manner as it has approached other topics, as this has proven to be an effective strategy. The workgroup concluded that many areas of practice that create conflict can be best defined as the “collateral consequences” of the interactions between adult criminal code and juvenile justice practice. Therefore, the workgroup proposed that time might be better spent tackling the effects of collateral consequences than rewriting an entirely new juvenile delinquency code.

The National Governor’s Association describes “collateral consequences” as thus: “youth involved in the juvenile justice system routinely face a variety of repercussions beyond detention. Although some of these may be directly related to the violation that occurred, there are many other secondary effects that can result from their system involvement. These secondary repercussions, or collateral consequences, can negatively impact youth and their families upon even the lowest level of engagement with the juvenile justice system. Such side effects can restrict a youth’s ability to recover and develop into a productive and self-sustaining adult citizen” (Moise, Simonsen and Kearl, 2023).

With the support of the Juvenile Justice Interim Committee and the Commission on Juvenile Justice, the workgroup has prepared a document that might become a bill draft for consideration in the 69th legislative assembly. The work product was reviewed at the June 6, 2024 Commission meeting and passed along for presentation to the Interim Juvenile Justice Committee.

The Commission has now entered its final year of work. The next meeting is scheduled for August 29, 2024. At that time, the Commission will devote a portion of the meeting to a discussion about interest in continuing the Commission past its sunset date of August 1, 2025.

**SUMMARY**

Since the last report delivered to this group, the Commission has concerned itself with three primary efforts: amending the original 2021 juvenile justice reform bill, assisting and supporting schools as they develop strategies for addressing school-based infractions and misdemeanors, and working to create a policy proposal which aims to address collateral consequences that are the result of current juvenile justice practice.

This concludes my updates for the Cabinet regarding the activities of the Commission on Juvenile Justice, and I thank you for receiving this report.

Moise, J, Simonsen, E., and Kearl, M. (2023, February) State Strategies to Address the Needs of Justice-Involved Youth Impacted by Collateral Consequences. <https://www.nga.org/wp-content/uploads/2023/02/NGA_Juvenile_Justice_Collateral_Consequences_Feb2023.pdf>, retrieved August 14, 2024.