

CHAPTER 7

JUVENILE DELINQUENCY PREVENTION AND REHABILITATION

§7001. Responsibility of the department

The department is responsible for: [PL 1983, c. 459, §6 (NEW).]

1. Services. Within the limits of available funding, ensuring the provision of all services necessary to:

A. Prevent juveniles from coming into contact with the Juvenile Court; and [PL 1983, c. 459, §6 (NEW).]

B. Support and rehabilitate those juveniles who do come into contact with the Juvenile Court; [PL 1983, c. 459, §6 (NEW).]
[PL 1983, c. 459, §6 (NEW).]

2. Information. Gathering standardized information on the characteristics of and the present and past services needs of juveniles who have come into contact with the Juvenile Court and gathering standardized information on the extent to which those needs are being met; [PL 1983, c. 459, §6 (NEW).]

3. Proposals. Making proposals for meeting the prevention and rehabilitation services needs which are not being addressed; and [PL 1983, c. 459, §6 (NEW).]

4. Coordination. Coordinating its efforts in discharging the responsibility given under this section with those of other state or local agencies in order to effectively use existing resources to the maximum extent possible to achieve the purposes of this chapter and Title 15, Part 6. [PL 1983, c. 459, §6 (NEW).]

SECTION HISTORY

PL 1983, c. 459, §6 (NEW).

§7002. Powers and duties of the department

The department has the following powers and duties with respect to the responsibility defined in section 7001. [PL 1983, c. 459, §6 (NEW).]

1. Services. The department shall provide, directly or through purchase or contract, services to children and their families, including, but not limited to:

A. Administering, supervising and ensuring the provision of correctional programs for juveniles adjudicated as having committed juvenile crimes; [PL 1983, c. 459, §6 (NEW).]

B. Providing technical assistance and additional financial resources to assist communities to establish and provide necessary preventive and rehabilitative services for juveniles; [PL 1983, c. 459, §6 (NEW).]

C. Coordinating its efforts with those of other state and local agencies in order to effectively use all existing resources to the maximum extent possible; [PL 1983, c. 459, §6 (NEW).]

D. Working with other public and voluntary agencies as resources for the purchase of care and services; and [PL 1983, c. 459, §6 (NEW).]

E. Stimulating the creation of voluntary services. [PL 1983, c. 459, §6 (NEW).]
[PL 1983, c. 459, §6 (NEW).]

2. Planning. The department shall carry out planning for identifying, evaluating and meeting the service needs for prevention of juvenile crime and rehabilitation of juveniles adjudicated as having committed juvenile crimes. To ensure that the department's efforts to plan for and deliver prevention programs avoid duplication of the efforts of other state departments which serve juveniles and promote access to services, the commissioner shall:

A. Constitute an interdepartmental coordinating committee on primary prevention, which must be chaired by the commissioner or the commissioner's designee and must include representation from the Department of Education, Department of Health and Human Services, Department of Labor, Department of Public Safety, the Juvenile Justice Advisory Group and such other public or private agencies as the commissioner may wish to nominate that have responsibilities associated with preventing not only delinquency, but also child abuse, substance use disorder, running away from home, truancy and failing to complete school and other destructive behavior that affects juveniles. This coordinating committee shall:

(1) Develop a state primary prevention plan that provides for the use of state resources in ways that will strengthen the commitment of local communities to altering conditions that contribute to delinquency and other destructive behaviors that affect juveniles, so that the burden of state-funded treatment and crisis-responsive service programs will be reduced. The plan must provide for the coordination and consolidation of the primary prevention planning efforts of each of the state agencies specified in this section. The plan must set forth quantifiable and time-limited goals, objectives and strategies and must include proposals to integrate and build upon successful primary prevention programs;

(2) Provide for the evaluation of policies and programs developed and implemented pursuant to the plan; and

(3) Prepare, annually by November 1st, an appraisal of the State's primary prevention activities during the previous year and its recommendations for programs and activities relating to primary prevention. [PL 2017, c. 407, Pt. A, §155 (AMD).]

[PL 2017, c. 407, Pt. A, §155 (AMD).]

3. Evaluation. The department shall evaluate prevention and rehabilitation services with regard to, among other things:

A. Compliance with all regulations for the use of funds for those services; and [PL 1983, c. 459, §6 (NEW).]

B. Quality and cost of effectiveness of those services. [PL 1983, c. 459, §6 (NEW).]
[PL 1983, c. 459, §6 (NEW).]

4. Appeals. The department shall provide structure for appeals, fair hearings and a review of grievances by children and their parents, guardian or legal custodian regarding provision of services for which the department has been given responsibility under this chapter, including, but not limited to, protecting the rights of individuals to appeal from denials of or exclusion from the services to which they are entitled, actions that preclude the individual's right of choice to specific programs, or actions that force involuntary participation in a service program.

[PL 1983, c. 459, §6 (NEW).]

5. Training. The department shall train personnel to perform the functions necessary to implement this chapter, including, but not limited to:

A. Meeting the need for professional personnel for juvenile services, through in-service training, institutes, conferences and educational leave grants; [PL 1983, c. 459, §6 (NEW).]

B. Upgrading education and competence of professional and other personnel and volunteers; and [PL 1983, c. 459, §6 (NEW).]

C. Making staff and training facilities available for training of staff and volunteers in contracting agencies or facilities to assure effective provision of purchased services. [PL 1983, c. 459, §6 (NEW).]

[PL 1983, c. 459, §6 (NEW).]

6. Research and demonstration. The department may conduct research and demonstration projects, including, but not limited to, entering into contracts with other agencies and making grants for research, including basic research into the causes of juvenile crime, evaluation of methods of service delivery in use, and development of new approaches.

[PL 1983, c. 459, §6 (NEW).]

7. Wards. With respect to individual juveniles for whom the department has accepted responsibility, it may take necessary action for the appointment of a guardian of a juvenile who does not have a parent to exercise effective guardianship, and it shall:

A. Assure that appropriate services are made available to them, either directly or by purchase of those services; [PL 1983, c. 459, §6 (NEW).]

B. Assume responsibility, to the extent that parents are unable to do so, for payment for services; and [PL 1983, c. 459, §6 (NEW).]

C. Assume legal custody of children or legal guardianship when vested by the court. [PL 1983, c. 459, §6 (NEW).]

[PL 1983, c. 459, §6 (NEW).]

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 1987, c. 198 (AMD). PL 1989, c. 700, §A162 (AMD). PL 1995, c. 560, §K82 (AMD). PL 1995, c. 560, §K83 (AFF). PL 2001, c. 354, §3 (AMD). RR 2003, c. 2, §100 (COR). PL 2017, c. 407, Pt. A, §155 (AMD).

§7003. Transfer

(REPEALED)

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 2007, c. 536, §9 (RP).

§7004. Agreements and contracts with public and private agencies

1. Commissioner's power. The commissioner may enter into agreements or contracts with any governmental unit or agency or private facility or program cooperating or willing to cooperate in a program to carry out the purposes of this chapter and Title 15, Part 6.

[PL 1983, c. 459, §6 (NEW).]

2. Nature of agreements or contracts. Agreements or contracts entered into under subsection 1 may provide, among other things, for the type of work to be performed, for the rate of payment for that work and for other matters relating to the care and treatment of juveniles.

[PL 1983, c. 459, §6 (NEW).]

3. Custody. Placement of juveniles by the department in any public or private facility or program not under the jurisdiction of the department does not terminate the legal custody of the department.

[PL 1983, c. 459, §6 (NEW).]

4. Inspection. The department may inspect all facilities used by it and may examine and consult with persons in its legal custody who have been placed in any such facility.

[PL 1983, c. 459, §6 (NEW).]

SECTION HISTORY

PL 1983, c. 459, §6 (NEW).

§7005. Administrators of facilities and programs**(REPEALED)**

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 2007, c. 536, §10 (RP).

§7006. Rules**(REPEALED)**

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 2007, c. 536, §11 (RP).

§7007. Expenses for transporting children long distances**(REPEALED)**

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 2007, c. 536, §12 (RP).

§7008. Community conference committee**(REPEALED)**

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 2007, c. 536, §13 (RP).

§7009. Publication of data

By February 15, 2024, the department shall develop and publish on its publicly accessible website data regarding the number of juveniles involved in the juvenile justice system. The data must be updated monthly and include information regarding the numbers of juveniles referred, diverted, detained, placed on probation, ordered to serve a period of confinement and committed to the department. The department shall deidentify the data and remove any potential personal identifying information of the juveniles. The data must be organized by region of the State and broken down by age, gender and race. [PL 2023, c. 425, §4 (NEW).]

SECTION HISTORY

PL 2023, c. 425, §4 (NEW).

§7010. Reports regarding juvenile justice system

1. Annual report regarding reducing detention rates and expanding community-based alternatives. By February 15th of each year, the department shall provide an annual report in person to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must include detailed information regarding:

A. The efforts of the department and the Department of Health and Human Services to offer diversion options for juveniles involved in the juvenile justice system and to reduce the rates of detention and commitment of youths across the State; [PL 2023, c. 425, §5 (NEW).]

B. The successes and challenges of the department and the Department of Health and Human Services in expanding access to community-based therapeutic services or programs for the purpose of diverting juveniles involved in the juvenile justice system from detention and commitment; [PL 2023, c. 425, §5 (NEW).]

C. A summary of the Long Creek Youth Development Center, including, but not limited to, the number of staff as of the December 1 preceding the report, staffing levels and the challenges at the facility; [PL 2023, c. 425, §5 (NEW).]

D. The strategic plan developed by the department and the Department of Health and Human Services and the Department of Corrections in consultation with the task force established by the Juvenile Justice Advisory Group; [PL 2023, c. 425, §5 (NEW).]

E. The specific juvenile-focused community-based programs and services receiving funding from the department, including the amount of funding received by the community-based organizations providing the programs and services; [PL 2023, c. 425, §5 (NEW).]

F. The successes and challenges of the department in expanding juvenile-focused community-based programs and services; and [PL 2023, c. 425, §5 (NEW).]

G. Any other information the department determines is relevant to the report. [PL 2023, c. 425, §5 (NEW).]

[PL 2023, c. 425, §5 (NEW).]

2. Annual report regarding possible locations for secure, therapeutic residences for detained and committed youths. By January 1st of each year, the department shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the status of the identification and development of 2 small, secure, therapeutic residences for youths for the purpose of providing detention and confinement for committed youths in a therapeutic setting. These 2 residences shall provide for a maximum occupancy of 20 youths. The report must include rationale for the consideration of each identified residence, as well as an estimate on the number of youths that will be served at the residence, an estimate of the cost for construction and operation of the residence and staffing options for providing services at the residence to youths living at the residence, including therapeutic programs and educational services.

[PL 2023, c. 425, §5 (NEW).]

SECTION HISTORY

PL 2023, c. 425, §5 (NEW).

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