

FIRST REGULAR SESSION

# SENATE BILL NO. 338

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROMINE.

Read 1st time February 18, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1728S.011

## AN ACT

To repeal section 217.345, RSMo, and to enact in lieu thereof one new section relating to correctional treatment programs for offenders of a certain age.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 217.345, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 217.345, to read as follows:

217.345. 1. Correctional treatment programs for first offenders in the  
2 department shall be established, subject to the control and supervision of the  
3 director, and shall include such programs deemed necessary and sufficient for the  
4 successful rehabilitation of offenders.

5 2. Correctional treatment programs for offenders who are younger than  
6 [seventeen] **eighteen** years of age shall be established, subject to the control and  
7 supervision of the director. By January 1, 1998, such programs shall include  
8 physical separation of offenders who are younger than [seventeen] **eighteen**  
9 years of age from offenders who are [seventeen] **eighteen** years of age or older.

10 3. The department shall have the authority to promulgate rules pursuant  
11 to subsection 2 of section 217.378 to establish correctional treatment programs  
12 for offenders under age [seventeen] **eighteen**. Such rules may include:

13 (1) Establishing separate housing units for such offenders; **and**

14 (2) Providing housing and program space in existing housing units for  
15 such offenders that is not accessible to adult offenders]; and

16 (3) Establishing a regimented training program for such offenders.

17 4. Any regimented training program established pursuant to subdivision  
18 (3) of subsection 3 of this section shall include the following objectives:

19 (1) To provide a daily regimen for offenders including physical training,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 self-discipline, educational programs and work programs;

21 (2) To provide staff who have received appropriate training in the  
22 treatment of offenders under age seventeen and who are capable role models and  
23 mentors;

24 (3) To provide offenders with instruction on how to solve problems and  
25 strategies to change offenders' predisposition to commit crime;

26 (4) To provide offenders who have demonstrated positive behavioral  
27 change with the opportunity to gradually reenter the community; and

28 (5) To provide for parole supervision consisting of highly structured  
29 surveillance and monitoring, educational and treatment programs].

30 [5.] 4. The department shall have the authority to determine the number  
31 of juvenile offenders participating in any treatment program depending on  
32 available appropriations. The department may contract with any private or  
33 public entity for the provision of services and facilities for offenders under age  
34 [seventeen] **eighteen**. The department shall apply for and accept available  
35 federal, state and local public funds including project demonstration funds as well  
36 as private moneys to fund such services and facilities.

37 [6.] 5. The department shall develop and implement an [ongoing]  
38 evaluation process for all juvenile offender programs.

39 [7. Any prosecuting attorney who prosecutes an offender under the age of  
40 seventeen shall maintain records regarding the sentencing of that offender,  
41 including any treatment programs to which that offender is assigned.

42 8. The department shall submit an evaluation report to the governor and  
43 the general assembly concerning offenders under age seventeen and the programs  
44 available to them on or before each January 30, beginning in 1999. This report  
45 shall include, but is not limited to, the following items:

46 (1) The specific content and structure of programs for offenders, including  
47 staffing ratios for each program, and a description of the daily routine of  
48 offenders in those programs;

49 (2) The process used for placing offenders on parole, including whether  
50 offenders may be returned to their original environment for the parole period, the  
51 specific means of parole supervision and the specific educational and treatment  
52 programs provided to offenders during their parole period;

53 (3) The procedure for transferring an offender to another facility for  
54 vocational or training services or when an offender poses a danger to himself or  
55 others, and identification of the facilities used for such purposes;

56 (4) The specific criteria and procedures for determining successful  
57 completion of a treatment program, whether an offender cannot successfully  
58 complete a treatment program, and whether an offender's parole shall be revoked;

59 (5) The recidivism rate for offenders successfully completing a treatment  
60 program compared with the recidivism rate for offenders not successfully  
61 completing a treatment program.]

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