

HB33 INTRODUCED



1 HB33
2 77AAVV2-1
3 By Representative Ingram
4 RFD: Ways and Means General Fund
5 First Read: 04-Feb-25
6 PFD: 29-Aug-24



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SYNOPSIS:

This bill would require the Department of Youth Services to create a pilot program in certain counties to provide a process whereby children who commit a nonviolent offense are to be detained in a juvenile detention facility and required to complete an intervention class.

This bill would also require the child and a parent, legal guardian, or legal custodian to complete an intervention class, require the child to pass a written test, and provide for penalties for failure to complete the class or test.

This bill would require a law enforcement officer who has contact with a child who is suspected of committing a nonviolent offense to contact a juvenile probation officer and report the conduct.

This bill would require annual reports to be submitted to the Governor and the Legislature, including the number of juveniles who complete the intervention class who reoffend.

This bill would also provide for automatic repeal on October 1, 2030.

A BILL



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29 TO BE ENTITLED

30 AN ACT

31

32 Relating to juveniles; to require the Department of
33 Youth Services to create a pilot program in certain counties
34 to provide a process whereby children who commit a nonviolent
35 offense are to be detained in a juvenile detention facility
36 for a period of time; to require the child and at least one
37 parent or guardian to complete an intervention class; to
38 require the child to successfully pass a written test upon
39 completion of the intervention class; to provide for penalties
40 for violations; to require a law enforcement officer who has
41 contact with a child who is suspected of committing a
42 nonviolent offense to contact a juvenile probation officer to
43 report the conduct; to require annual reports be submitted to
44 the Governor and the Legislature; and to provide for automatic
45 repeal.

46 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

47 Section 1. For the purpose of this act, the following
48 terms have the following meanings:

49 (1) CHILD. As defined in Section 12-15-102, Code of
50 Alabama 1975.

51 (2) JUVENILE COURT. As defined in Section 12-15-102,
52 Code of Alabama 1975.

53 (3) JUVENILE DETENTION FACILITY. As defined in Section
54 12-15-102, Code of Alabama 1975.

55 (4) LAW ENFORCEMENT OFFICER. An officer employed by the
56 state, county, or municipality who is certified by the Alabama



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57 Peace Officers' Standards and Training Commission and who has
58 the power of arrest.

59 (5) NONVIOLENT OFFENSE. Offenses listed in Section
60 12-25-32, Code of Alabama 1975.

61 Section 2. (a) The procedures outlined in this act
62 shall supersede conflicting state law but otherwise shall be
63 construed in pari materia with existing law.

64 (b) No later than September 1, 2025, the Department of
65 Youth Services shall establish and administer a juvenile
66 intervention pilot program for children who commit nonviolent
67 offenses, as further provided in Section 3.

68 (c) The pilot program shall operate for five years,
69 beginning on October 1, 2025.

70 (d) The pilot program shall operate in no more than
71 five counties, as determined by the Department of Youth
72 Services, that have:

73 (1) A high number of juvenile delinquency cases filed
74 in the state;

75 (2) A high number of juvenile delinquency adjudications
76 in the state; and

77 (3) A high population in the state based on the 2020
78 Census.

79 Section 3. (a) The juvenile intervention pilot program
80 shall include guidelines and procedures that require:

81 (1) A law enforcement officer to contact a juvenile
82 probation officer when a child is suspected to have committed
83 a nonviolent offense;

84 (2) If a juvenile probation officer, with the approval



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85 of the juvenile court, detains a child, the law enforcement
86 officer transport the child to a juvenile detention facility;

87 (3) A child detained pursuant to subdivision (2) shall
88 be held at a juvenile detention facility for a minimum of two
89 hours;

90 (4) During the detention period, or within 30 days of
91 being released from the juvenile detention facility, the child
92 and at least one parent, legal guardian, or legal custodian
93 shall complete a two-hour intervention class, to be
94 established and conducted by the Alabama State Law Enforcement
95 Agency; and

96 (5) The child to successfully complete a test at the
97 conclusion of the intervention class.

98 (b) The pilot program shall provide that:

99 (1) Subdivisions (a) (3), (4), and (5) shall be required
100 by a juvenile probation officer if conducted pursuant to an
101 informal adjustment as provided in Section 12-15-119, Code of
102 Alabama 1975, or the court if based on a petition filed in the
103 juvenile court, in addition to any other penalties further
104 provided by law.

105 (2) If the child or a parent, legal guardian, or legal
106 custodian fails to satisfy the requirements of subdivisions
107 (a) (3), (4), or (5):

108 a. If based on an informal adjustment, the juvenile
109 probation officer shall deliver for filing a petition alleging
110 the child is delinquent or in need of supervision, and the
111 parent, legal guardian, or legal custodian shall be made a
112 party to the proceedings.



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113 b. If based on a petition filed in the juvenile court,
114 the child and the parent, legal guardian, or legal custodian
115 shall be held in contempt of court.

116 (3) A law enforcement officer taking a child into
117 custody pursuant to this section shall follow the requirements
118 of Chapter 15 of Title 12, Code of Alabama 1975.

119 Section 4. Nothing in this act shall limit a juvenile
120 court's abilities pursuant to Chapter 15 of Title 12, Code of
121 Alabama 1975.

122 Section 5. The Department of Youth Services shall
123 report annually to the Governor and the Legislature by January
124 1 each year. The report shall include the number of juveniles
125 who completed the two-hour intervention course and whether
126 each juvenile was adjudicated, convicted, or adjudicated a
127 youthful offender for any offense within five years of
128 completing the intervention course.

129 Section 6. This act is repealed on October 1, 2030.

130 Section 7. This act shall become effective June 1,
131 2025.