

HB 2038 -- JONATHAN'S LAW

SPONSOR: Wallingford

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 12 to 0.

This bill establishes Jonathan's Law which requires a child be convicted in a court of general jurisdiction in order for the jurisdiction of the juvenile court over that child to forever terminate for an act that would be a violation of a state law or municipal ordinance. Currently, if a child is under 17 years old and has been convicted in a court of general jurisdiction, the court is allowed to invoke dual jurisdiction of both the criminal and juvenile codes. The bill raises the age to 17 and six months of age and requires the court to consider dual jurisdiction.

If the Division of Youth Services within the Department of Social Services agrees to accept a youth and the court does not impose a juvenile disposition, the court must make findings on the record as to why the division was not appropriate for an offender prior to imposing an adult criminal sentence.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPONENTS: Supporters say that the bill is a bipartisan effort of many Missouri agencies and organizations. The timeframe for youth to be eligible for the program should be extended, and judges should affirmatively be considering the program. Judges should consider dual jurisdiction for certified youth and issue findings. The bill will help Missouri youth because it will expand the number of youth eligible for this program and it will keep Missouri safe. Studies show that kids who end up in the adult system have a higher rate of recidivism. It will also save taxpayer dollars because there is a cost savings.

Testifying for the bill were Representatives Wallingford and Colona; Division of Youth Services, Department of Social Services; Caleb Johnson; Jamond Carter; Robert Johnson; Tracy McClard; Vivian Murphy; and Missouri Juvenile Justice Association.

OPPONENTS: There was no opposition voiced to the committee.