

HB 2498 -- THE CERTIFICATION OF A JUVENILE FOR TRIAL AS AN ADULT

SPONSOR: Christ

Currently, if a juvenile who is not currently certified as an adult is taken into custody for an offense that would be a felony if committed by an adult, the arresting officer is required to take fingerprints for the central repository. This bill requires the fingerprints to be taken when the offense would be reportable if committed by an adult. The bill also repeals a provision requiring the fingerprint card to be made in such a way so as to not reveal the juvenile's name to the central repository.

The bill also authorizes a court to order a hearing to determine whether a juvenile should be certified as an adult if a motion is filed by the office of the prosecuting attorney or the office of the Attorney General if the Attorney General is acting as a special prosecuting attorney. Currently, the juvenile officer is permitted to consult with the prosecuting attorney about any offense for which a juvenile could be certified as an adult. This bill requires the juvenile officer to consult with the prosecuting attorney about any such offense, and it allows the prosecuting or circuit attorney to have access to any completed Missouri Juvenile Detention Assessment (JDTA) form that was used in determining detention. Use of the JDTA or any other assessment will be used as a guideline but is not mandatory. The juvenile officer and the court that has jurisdiction over the juvenile must report all adjudication, delinquency, and custody information to the central repository, and all information reported under the provisions of this bill will be available to criminal justice agencies through the Missouri Uniform Law Enforcement System (MULES) for the administration of justice.

The bill specifies that parents, guardians, or other persons legally charged with the care or custody of a child who recklessly fail or refuse to exercise reasonable diligence in the care or control of the child to prevent the child from being a repeat offender of an offense over which the juvenile court has exclusive jurisdiction will be charged with the offense of endangering the welfare of a child in the second degree. An adult who knowingly encourages, aids, or causes a child to engage in conduct that violates provisions under the chapter related to weapons or controlled substances will be charged with endangering the welfare of a child in the first degree.