

## Summary of House Bill 132 Committee Substitute

HB 132 is intended to modify some key provisions of HB 239, the comprehensive juvenile justice reform legislation that was adopted last year.

Less than a year after Utah passed juvenile justice reform, already the state is seeing signs of progress:

- Evidence-based services for youth expanded across the state; and
- Fewer youth are unnecessarily separated from their families and put in facilities.

HB 132 was developed after members of the Juvenile Justice Oversight Committee met with educators, law enforcement and other juvenile justice stakeholders involved in implementation. This bill addresses implementation concerns and clarifies language from last year's HB 239.

**Section 1 allows school districts to use funding from the Board of Education's at-risk students program for the purposes of addressing truancy.**

**Sections 2, 3 and 4 modify provisions regarding school-based offenses:**

- A key concern we heard from law enforcement during our meetings since HB 239 passed last year is that they no longer have the ability to intervene in matters of public safety in schools. These sections make it clear that School Resource Officers (SROs) do have this authority, and that SROs play a critical role in schools, supporting and protecting students and school staff.
- These sections also modify options available to schools to address low-level offenses, including truancy, and gives juvenile justice system stakeholders an extended implementation period – two more years – to develop even more options to deal with truancy offenses. In the meantime, schools will still be able to rely on court referral in certain circumstances.
- Prior to last year's HB 239, youth referred to court for truancy were frequently sent to detention facilities with serious offenders who committed violent offenses such as assault or even homicide. These sections would not allow that to happen while court continues to be a resource for schools over the next two years.
- These sections allow all school districts to work with the Board of Education and the courts to expand resources to educators over the next two years, while moving toward our original truancy policy goals clearly stated in last year's law.

**Sections 5, 6 and 7 modify the non-judicial adjustment process** (which is a pre-court diversion process administered by juvenile probation) and further clarify the role that prosecutors have in screening cases prior to filing a petition.

- These sections make it clear under what circumstances prosecutors have to screen cases, and carve out certain offenses from the mandatory non-judicial adjustment process to allow for prosecutorial review prior to that determination.