

Regular Session, 2014

SENATE BILL NO. 54

BY SENATOR BROOME

CHILDREN. Provides for an early intervention program in East Baton Rouge Parish.
(8/1/14)

1 AN ACT

2 To amend and reenact Children's Code Articles 793.1, 793.3 and 793.4, relative to early
3 intervention programs; to authorize the program in East Baton Rouge Parish; to
4 provide certain procedures, terms, conditions and fees; to provide for a method of
5 collecting and depositing fees to fund such early intervention program; and to
6 provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Children's Code Articles 793.1, 793.3 and 793.4 are hereby amended and
10 reenacted to read as follows:

11 Art. 793.1. Early intervention programs; authorization; purpose

12 The purpose of this Article and Articles 793.2 through 793.4 is to authorize the
13 creation of ~~an~~ early intervention programs, hereinafter referred to as the "program", in the
14 parishes of **East Baton Rouge**, Iberia, St. Mary, and St. Martin. The purpose of the program
15 shall be to address the underlying causes of behavioral problems and school performance
16 problems related to behavior by pooling existing resources targeted at the child and family
17 through appropriate action by service and treatment providers. The legislature finds:

1 (1) Research indicates that early identification and intervention of
2 aggressive, antisocial, or delinquent behaviors are critical to the prevention of
3 juvenile delinquency in later years.

4 (2) Research also indicates that school-based preventive tactics for violent
5 or aggressive behaviors are beneficial to the overall academic success of children,
6 especially when such programs include parental involvement in prevention and
7 intervention strategies.

8 (3)(a) The district attorney of Iberia, St. Mary, and St. Martin parishes, in
9 conjunction with the local school boards in such parishes, has demonstrated a
10 willingness to address behavioral problems or school performance problems related
11 to behavior by providing physical locations in each parish where personnel can work
12 together in a coordinated effort.

13 **(b) The district attorney of East Baton Rouge Parish, in conjunction with**
14 **the local school boards in such parish, has demonstrated a willingness to**
15 **address behavioral problems or school performance problems related to**
16 **behavior by providing physical locations in the parish where personnel can**
17 **work together in a coordinated effort.**

18 (4) Early intervention has been demonstrated as the key to providing the
19 greatest chance for correcting the actions of youth who demonstrate a propensity for
20 destructive or criminal behavior.

21 (5) The earliest possible venue for addressing the problem begins in the
22 elementary grades.

23 (6) By intervening at this phase, it is possible to correct potential delinquent
24 behavior before the changes for correction become insurmountable.

25 * * *

26 Art. 793.3. Reporting; funding; implementation; termination

27 A. No later than June fifteenth of each year, the district attorney shall report
28 statistical data indicating the effectiveness of the program to the appropriate standing
29 committees of the legislature for use by the committees in consideration of

1 expansion of the program.

2 B. The program shall be implemented in three phases as follows:

3 (1) Phase one shall be implemented in grades pre-kindergarten through six.

4 (2) Phase two shall be implemented in grades seven and eight.

5 (3) Phase three shall be implemented in grades nine through twelve.

6 C. All children who enroll in a public school within the Sixteenth Judicial
7 District or the Nineteenth Judicial District in grades pre-kindergarten to sixth shall
8 be required to follow all compulsory attendance requirements in R.S. 17:221 et seq.
9 and all families in need of services provisions in Children's Code Article 726 et seq.

10 D. The implementation of this program may be subject to appropriation of
11 funds by the legislature for such purpose.

12 Art. 793.4. Early intervention fund; fees collected

13 A. In all criminal matters except for matters involving traffic violations in
14 the parishes of East Baton Rouge, Iberia, St. Mary, and St. Martin, there shall be
15 taxed against every defendant who is convicted after trial or after a plea of guilty or
16 nolo contendere or who forfeits his bond, a sum in the amount of twenty-five dollars
17 for each misdemeanor and fifty dollars for each felony, which shall be in addition to
18 all other fines, costs, or forfeitures lawfully imposed, and which shall be transmitted
19 to the sheriff of the respective parish for further disposition in accordance with the
20 provisions of this Article.

21 B.(1) The sheriff of the respective parish in the Sixteenth Judicial District
22 shall deposit all sums collected or received pursuant to this Article in a separate
23 account to be designated as the Sixteenth Judicial District Attorney Early
24 Intervention Fund.

25 (2) The sheriff of East Baton Rouge Parish shall deposit all sums
26 collected or received pursuant to this Article in a separate account to be
27 designated as the Nineteenth Judicial District Attorney Early Intervention
28 Fund.

29 C. The sheriff shall remit on a quarterly basis funds collected in such

1 account to the office of the district attorney **of the respective parish.**

2 **D.** The district attorney shall cause to be conducted on an annual basis an
3 audit of the fund and the books and accounts relating thereto and shall file such audit
4 information with the office of the legislative auditor where it shall be available for
5 public inspection.

6 **E.** In matters involving any court other than the district court, the clerk of
7 court or the appropriate court personnel shall remit the money to the sheriff of the
8 respective parish.

The original instrument was prepared by Julie J. Baxter. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

Broome (SB 54)

Present law provides for the creation, structure and funding of an early intervention program in the Sixteenth Judicial District (parishes of Iberia, St. Mary, and St. Martin) to address the underlying causes of juvenile behavioral problems and school performance problems related to behavior in order to attempt to prevent juvenile delinquency in later years.

Present law provides certain program procedures and conditions, including: (1) duly authorized representatives of the local school board, law enforcement agencies, including sheriff's offices and city and municipal police offices, courts exercising jurisdiction over juveniles and their caretakers, and designated service providers sign interagency agreements specific to each parish representing a commitment by each entity to agree to provide certain services; (2) reports are to be provided by the district attorney concerning certain statistical information; and (3) the creation of the Sixteenth Judicial District Attorney Early Intervention Fund, and providing that in all criminal matters except traffic violations in the parishes of Iberia, St. Mary, and St. Martin, there is taxed against every defendant who is convicted after trial or after a plea of guilty or nolo contendere or who forfeits his bond, an additional \$25 for each misdemeanor and \$50 for each felony, to be placed into the fund.

Proposed law retains present law and adds the Nineteenth Judicial District (parish of East Baton Rouge) within the present law concerning the early intervention program.

Proposed law further creates the Nineteenth Judicial District Attorney Early Intervention Fund and provides for the placement into the fund of the additional amounts collected against criminal defendants in East Baton Rouge Parish.

Effective on August 1, 2014.

(Amends Ch. C. Arts. 793.1, 793.3 and 793.4)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical bureau note changes.