

Bill as  
Introduced

HB 433 - AS INTRODUCED

2013 SESSION

13-0608  
05/01

HOUSE BILL

**433**

AN ACT

relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

SPONSORS:

Rep. Pitre, Straf 2

COMMITTEE:

Children and Family Law

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ANALYSIS

This bill provides that, unless an incident presents a serious threat to school safety, the school district shall attempt to resolve the issue through available educational interventions before filing a juvenile delinquency petition. The bill also establishes a committee to study the children in need of services (CHINS) program.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Paragraph; Juvenile Delinquency; Definition of Serious Threats to School Safety. Amend  
2 RSA 169-B:2 by inserting after paragraph XIII the following new paragraph:

3 XIV. "Serious threats to school safety" means acts involving weapons; acts involving the  
4 possession, sale, or distribution of controlled substances; acts that cause serious bodily injury to other  
5 students or school employees; threats to cause bodily injury to students or school employees, where  
6 there is a reasonable probability that such threats will be carried out; acts that constitute felonious  
7 sexual assault or aggravated felonious sexual assault under RSA 632-A; arson under RSA 634:1;  
8 robbery under RSA 636:1; and criminal mischief under RSA 634:2, II and RSA 634:2, II-a.

9 2 New Paragraphs; Juvenile Delinquency Petition. Amend RSA 169-B:6 by inserting after  
10 paragraph II the following new paragraphs:

11 III. Absent serious threats to school safety, when a delinquency petition is filed by a school  
12 official, including school resource officers assigned to a school district pursuant to a contract  
13 agreement with the local police department, or when a petition is filed by a local police department  
14 as a result of a report made by a school official or school resource officer, based upon acts committed  
15 on school grounds during the school day, information shall be included in the petition which shows  
16 that the legally liable school district has sought to resolve the expressed problem through available  
17 educational approaches, including the school discipline process, if appropriate, that the school has  
18 sought to engage the parents or guardian in solving the problem but they have been unwilling or  
19 unable to do so, that the minor has not responded to such approaches and continues to engage in  
20 delinquent behavior, and that court intervention is needed.

21 IV. When a school official, including school resource officers assigned to a school district  
22 pursuant to a contract agreement with the local police department, or a local police department as a  
23 result of a report made by a school official or school resource officer, files a petition involving a minor  
24 with a disability pursuant to RSA 186-C, information shall be included which demonstrates that the  
25 legally liable school district:

26 (a) Has determined that the minor has a disability;

27 (b) Has determined whether the conduct leading to the juvenile petition is a  
28 manifestation of the minor's disability; and

1 (c) Has reviewed for appropriateness the minor's current individualized education  
2 program (IEP), behavior intervention plan, and placement, and has made modifications where  
3 appropriate.

4 3 Committee Established. There is established a committee to study the child in need of  
5 services (CHINS) program.

6 I. The members of the committee shall be as follows:

7 (a) Three members of the house of representatives, appointed by the speaker of the  
8 house of representatives.

9 (b) One member of the senate, appointed by the president of the senate.

10 III. Members of the committee shall receive mileage at the legislative rate when attending to  
11 the duties of the committee.

12 IV. The committee shall study the CHINS program under RSA 169-D. The study shall  
13 include examination of the purpose of the program, consequences of recent changes to the program's  
14 scope and funding, how the CHINS process can be used to address truancy, and how costs in  
15 individual cases can be controlled. The committee shall solicit information and testimony from  
16 individuals and organizations with experience and expertise relevant to the study.

17 V. The members of the study committee shall elect a chairperson from among the members.  
18 The first meeting of the committee shall be called by the first-named house member. The first  
19 meeting of the committee shall be held within 45 days of the effective date of this section. Three  
20 members of the committee shall constitute a quorum.

21 VI. The committee shall report its findings and any recommendations for proposed  
22 legislation to the speaker of the house of representatives, the president of the senate, the house  
23 clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

24 4 Effective Date.

25 I. Section 3 of this act shall take effect upon its passage.

26 II. The remainder of the act shall take effect January 1, 2014.

# Amendments

Amendment to HB 433

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to procedures for juvenile delinquency petitions filed by a school district or  
4 school official.  
5

6 Amend RSA 169-B:6, IV as inserted by section 2 of the bill by replacing it with the following:

7

8 IV. When a school official, including school resource officers assigned to a school district  
9 pursuant to a contract agreement with the local police department, or a local police department as a  
10 result of a report made by a school official or school resource officer, files a petition involving a minor  
11 with a disability pursuant to RSA 186-C, upon submission of a juvenile petition, but prior to the  
12 child's initial appearance the legally liable school district shall provide assurance that prior to its  
13 filing:

14 (a) It was determined whether or not the child is a child with a disability according to  
15 RSA 186-C:2, I.

16 (b) If the school district has determined that the child is a child with a disability, a  
17 manifestation review pursuant to 20 U.S.C. section 1415(k)(1)(E) occurred.

18 (c) If the child's conduct was determined to be a manifestation of the child's disability,  
19 the school district followed the process set forth in 20 U.S.C. section 1415(k)(1)(F).

20 (d) It has reviewed for appropriateness the minor's current individualized education  
21 program (IEP), behavior intervention plan, and placement, and has made modifications where  
22 appropriate.

23

24 Amend the bill by replacing all after section 2 with the following:

25

26 3 Effective Date. This act shall take effect January 1, 2014.

Amendment to HB 433

- Page 2 -

2013-0566h

AMENDED ANALYSIS

This bill provides that, unless an incident presents a serious threat to school safety, the school district shall attempt to resolve the issue through available educational interventions before filing a juvenile delinquency petition.

# Speakers





# Hearing Minutes

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** January 29, 2013

**LOB ROOM:** 206      **Time Public Hearing Called to Order:** 11:30 am

**Time Adjourned:** 12:30 pm

(please circle if present)

**Committee Members:** Reps. Walz, Long, Rollo, Flockhart, Friedrich, Chase, M. MacKay, Alicea, Frambach, Gulick, Stevens, Gargas, DeSimone, Hoell, Itse, Kelleigh Murphy, Nigrello, Ohigny, Tremblay and Dumaine

**Bill Sponsor:** Rep. Pitre, Straf 2

**TESTIMONY**

\* Use asterisk if written testimony and/or amendments are submitted.

**\*Rep. Pitre, sponsor**

Introduced the bill to committee and submitted written testimony.

**\*Michelle Wangerin, New Hampshire Legal Assistance - support**

Submitted written testimony and answered questions from Reps. Walz, Dumaine and Nigrello.

**Michael Skibbie, Disabilities Rights Center - support**

Answered questions from Reps. Dumaine, Stevens and Nigrello.

**Attorney Byry Kennedy, Department of Health and Human Services, Division of Children, Youth and Families (DHHS/DCYF) - informational only**

Testified to inform the committee of his legal concerns and submitted written testimony. He also answered questions from Reps. Walz, MacKay, Gulick, Itse, Tremblay and Dumaine.

The Chair called for a subcommittee and appointed: Reps. Long, Chair; Reps. Gulick, Kelleigh Murphy, MacKay and Dumaine.

Respectfully submitted,



Rep. Debra L. DeSimone, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** {Type HEARING DATE here} 1-29-83

**LOB ROOM:** 206      **Time Public Hearing Called to Order:** {Time} 11:30

**Time Adjourned:** {Time} 12:30

(please circle if present)

**Committee Members:** Reps. Walz, Long, Rolle, Flockhart, Friedrich, Chase, M. MacKay, Alicea, Erambach, Gulick, Stevens, Gargas, DeSimone, Hoell, Ise, Kelleigh Murphy, Nigrello, Ohgny, Tremblay and Dumaine. 12:00

**Bill Sponsor:** Rep. Pitre, Straf 2

**TESTIMONY**

\* Use asterisk if written testimony and/or amendments are submitted.

REP PITRE SUBMITTED WRITTEN TESTIMONY

MS RANGERIO SUBMITTED WRITTEN TESTIMONY.

Respectfully submitted,

Rep. Debra DeSimone, Committee Clerk

# Sub-Committee Minutes

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

SUBCOMMITTEE WORK SESSION ON HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** February 5, 2013

**Subcommittee Members:** Reps. Long Chair; Reps. Gulick, MacKay, Murphy and Dumaine

**Comments and Recommendations:** Discussion ensued on two issues:

- 1) Confidentiality, whereas the School Resource Officer (RSO) is required to qualify the special needs of the student.
- 2) Reduced cost to state and municipality via early intervention. Subcommittee agreed to draft language that addresses issue 1. Representatives from New Hampshire Legal Assistance (NHLA), New Hampshire Department of Education (NHDOE), and New Hampshire Department of Health and Human Services will draft proposed language and distribute to subcommittee members for consideration at next meeting.

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,



Rep. Patrick T. Long  
Subcommittee Chairman

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

SUBCOMMITTEE WORK SESSION ON HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** February 5, 2013

**Subcommittee Members:** Reps. Long, Chair, Reps. Gulick, MacKay, Murphy and Dumaine

**Comments and Recommendations:** DISCUSSION ENSUED ON TWO ISSUE'S: SPECIAL NEEDS  
1) CONFIDENTIALITY, WHEREAS THE RSO IS REQUIRED TO QUALIFY THE SPECIAL NEEDS OF THE STUDENT.  
2) REDUCED COST TO STATE + MUNICIPALITY VIA EARLY INTERVENTION.  
SUB-COMMITTEE AGREED TO DRAFT LANGUAGE THAT ADDRESSES ISSUE 1)  
REPRESENTATIVES FROM NHLA, NHDOE + NH DITHS WILL DRAFT PROPOSED LANGUAGE AND DISTRIBUTE TO SUB-COMMITTEE MEMBERS FOR CONSIDERATION AT NEXT MEETING.

**Amendments:**

Sponsor: Rep.

OLS Document #: \_\_\_\_\_

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Patrick Long, *Gulick*  
Subcommittee Chairman

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

SUBCOMMITTEE WORK SESSION ON HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** February 21, 2013

**Subcommittee Members:** Reps. Long, Chair; Reps. Gulick, MacKay, Murphy and Dumaine

**Comments and Recommendations:**

After consultation with Michelle Wangerin, New Hampshire Legal Assistance (NHLA), the following language was inserted: "upon submission of a petition but prior to a child's initial appearance".

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, (amendment) OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Murphy

Seconded by Rep. Gulick

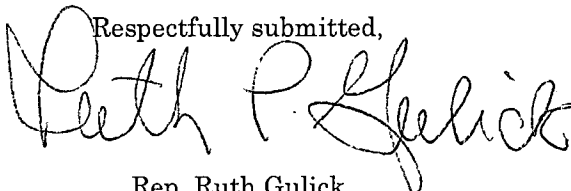
Vote: 3-0

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Murphy

Seconded by Rep. Gulick

Vote: 3-0

Respectfully submitted,  


Rep. Ruth Gulick  
Subcommittee Clerk



HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

SUBCOMMITTEE WORK SESSION ON HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** February 21, 2013

**Subcommittee Members:** Rep. Long, Chair; Reps. Gulick, MacKay, Murphy and Dumaine

**Comments and Recommendations:** AFTER CONSULTATION with michelle wagner in (NH) NH LEGAL ASSISTANCE the following LANGUAGE WAS INSERTED: Upon submission of a petition but prior to a child's initial appearance.

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *MURPHY*

Seconded by Rep. *Gulick*

Vote: *3-0*

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *MURPHY*

Seconded by Rep. *Gulick*

Vote: *3-0*

Respectfully submitted,

*Keith Gulick* Clerk  
Rep. Patrick Long, Subcommittee Chairman

# Testimony

2

## House Bill 433

### Sponsor: Representative Joe Pitre Strafford District 2

An Act relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**Analysis:** This bill provides an avenue through the court for students that present a serious threat to school safety. The school district shall attempt to resolve the issue through available educational interventions before filing a juvenile delinquency petition.

**History:** House Bill 2 removed the ability of a school district or school officials to file juvenile delinquency petitions by removing funding for the children need of services (CHINS), thereby limiting available educational interventions and threat of more serious penalties to students that pose a threat school safety and general well-being of the school population. There were rumors that funds for this program were being abused i.e. purchase of prom dresses, taxi fares etc. were the impetus for ending the program.

As a Farmington school board member, I have been approached by School Administrators to find a way to revive this valuable program for rehabilitating troubled students. I have observed many newspaper articles citing constant problems with truancy and serious student behavior problems throughout the state. Some students soon realized that a disciplinary tool was no longer in place and emboldened some of these students to challenge even the police. Farmington Police Chief Kevin Willey, approached me to file this bill.

In researching this bill, I found the cost of not properly addressing juvenile delinquency in our schools and on the streets can be far more costly in the long term. Without an education this leaves a young adult with limited means to earn a living. A glaring statistic of incarcerated inmates at the Strafford County jail revealed that only 35% (gathered at intake) of the inmate population had a high school diploma or equivalent. The approximate cost of \$35,000 per year to incarcerate an inmate is much more costly than early intervention by school administrators, the police and the courts.

The bill **establishes a study committee** for the CHINS program under RSA 169-D. The study shall include examination of the purpose of the program, consequences of recent changes to the program, scope and funding and how the CHINS process can be used to address truancy, and how costs in individual cases can be controlled. The committee shall solicit information and testimony from individuals and organizations with experience and expertise relevant to the study.

I asked for your support in reinstating this program.

My name is Michelle Wangerin and I am appearing on behalf of New Hampshire Legal Assistance and the Youth Law Project. New Hampshire Legal Assistance is a nonprofit law firm providing civil legal services to low-income individuals. The Youth Law Project is a subset of that firm that focuses on providing civil advocacy to children and youth struggling in the cross between the education and juvenile justice systems.

HB 433 follows work that was done in the last biennium in the education committee, where NHLA advised on and supported the bill. Following an interim work session, the bill was reintroduced and referred here, likely because it tracks some of the work being done on CHINS reform.

In recent years, a lot of national and state specific research has been conducted to determine best practices to address escalating youth behaviors in schools and in the community. By and large the research has focused on the impact of harsh school disciplinary policies and arrests on youth outcomes and their long-term effects. What the research has found is this:

1. Over-reliance on the juvenile justice system for non-violent behavior has not proven effective and does not reduce future delinquency;
2. A single juvenile court appearance increases school dropout rates and the dropout rates only increase as youth move deeper into the system; and
3. The costs to the state for using the juvenile system to address non-violent behavior can be astronomical, particularly taking into account the disappointing outcomes, including decreased school performance, recidivism, and incarceration through both the juvenile and adult justice systems.

A number of studies highlight the fact that as school resource officers, or police officers assigned to schools, have become more prevalent, the number of children arrested in school has increased, even though there hasn't been a similar increase in the negative behaviors exhibited by children. While the movement toward school resource officers has, to some extent, decreased violent crime in schools, there has been a striking increase in utilization of the court system to address ordinary school misbehavior. In addition, rather than learning that police officers are sources of protection, children come to see them as the enemy, fostering distrust of our community protectors that may last a lifetime.

This bill seeks to ensure that when ordinary discipline issues arise in the school environment, strategies are used to help children learn from their behavior through collaboration between the parent and the school district before the child's behavior is criminalized through the juvenile justice system.

The research I've described makes evident that investing in school based interventions like PBIS, peer to peer conflict resolution, and restorative justice, along with collaboration with families generally leads to the best long term outcomes for children and youth, while court involvement often leads to children's removal from their homes for technical probation violations, long-lasting psychological harm, gravitation toward deviant peer groups, lower school performance, and increased risk of dropping out of school.

In addition to parents often losing control over their child's welfare once their child enters the system, schools also lose a large amount of decision making power that, in some cases, leads to very costly outcomes. For instance, if a child identified for special education is referred to the juvenile justice system, instituting a comprehensive behavior plan for that child often results in positive outcomes both for the child's behavioral difficulties, as well as his academics. However, if a juvenile court simply reacts, or if the child commits a technical probation violation as a result of the referral, the court may disrupt the child's education entirely by placing him or her in a temporary facility until the next court date, 30-60 days down the road, when it has time and information to determine the next steps. During that time, the school district may be responsible for steep education rates while the child is in a residential environment. The state is required to pay up to hundreds of dollars a day for the child's residential care, and the parent is required to reimburse the state for whatever a court determines they are able to pay.

These potential costs are in addition to court costs, attorney costs, the costs associated with the juvenile probation officer that oversees the case, the costs of outside mediation and counseling if it is not conducted by the school guidance counselor, and many more.

This bill asks schools to take a step back before reacting to a child's non-violent behavior through the court system. It says that if a child misbehaves in school, the school will first determine whether it can use its own resources and collaborate with the parents to teach the child better conduct. Does the child need a behavior plan? Would mediation be helpful to address an ongoing issue between the child and another student? Is there appropriate community service work that the child can do to benefit the school and foster a better relationship between the child and the school? Are the parents even aware of the child's behavior and do they have strategy ideas on how to get through to their child so that this type of behavior is minimized in the future?

This is not to say that no juveniles should be referred to the justice system, nor does it discourage the use of school resource officers to protect the students within the schools. This bill would allow schools to continue using the juvenile justice system to address violent offenses, drug offenses, and vandalism. It also allows schools to refer juveniles that continue to exhibit delinquent behavior on school grounds when school-based strategies are attempted, but prove ineffective.

I urge this committee to consider that that schools are in a unique position to recognize youth misbehavior, collaborate with parents, and use educational strategies to divert the child from the juvenile justice system so the child is able to learn from his behavior, rather than potentially suffering the negative long-term effects of court-involvement and delinquency. If we are going to invest resources in New Hampshire's children, I ask that, in the first instance, we invest in education and strategies that are proven to work, rather than strategies that have been proven largely ineffective. I ask for this committee's support in passing this legislation. I am happy to answer any questions or provide copies of pertinent research studies.

HD 433

The legally liable school district shall provide assurance that prior to filing of a juvenile petition:

- (a) It was determined whether or not the child is a child with a disability according to RSA 186-C:2, I;
- (b) If the school district has determined that the child is a child with a disability, a manifestation review pursuant to 20 USC 1415(k)(1)(E) occurred; and
- (c) If the child's conduct was determined to be a manifestation of the child's disability, the school district followed the process set forth in 20 USC 1415(k)(1)(F).

# Voting Sheets



HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** February 3, 2013

**LOB ROOM:** 206

**Amendments:**

Sponsor: Rep. Long OLS Document #: 2013 0566h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP (amendment), OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Long

Seconded by Rep. Gulick

Vote: 14-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Long

Seconded by Rep. Gulick

Vote: 15-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 15-0 YES

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

*Debra L. DeSimone*

Rep. Debra L. DeSimone, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 433

**BILL TITLE:** relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**DATE:** {Type DATE} 3-5-13

**LOB ROOM:** 206

Amendments:

Sponsor: Rep. Long	OLS Document #: 2013-05664
Sponsor: Rep. <del>Gulick</del>	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: **AMENDMENT**  
OTP, OTPIA, ITL, Retained (Please circle one.)

Moved by Rep. LONG  
Seconded by Rep. GULICK  
Vote: 14/0 (Please attach record of roll call vote.)

Motions: OTP, OTPIA, ITL, Retained (Please circle one.)

Moved by Rep. LONG  
Seconded by Rep. GULICK  
Vote: 15/0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: {Type VOTE} YES 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,  
*Debra DeSimone*  
Rep. Debra DeSimone, Clerk



2013 SESSION

CHILDREN AND FAMILY LAW

Bill #: HB433

Title: Relating to procedures for juvenile delinquency petitions filed by school district or school official and establishing a committee to study CHANS

PH Date: 1 / 1

Exec Session Date: 3 / 5 / 13

Motion: AMENDMENT

Amendment #: 2013-0566h

<u>MEMBER</u>	<u>YEAS</u>	<u>NAYS</u>
Walz, Mary Beth E, Chairman	✓	
Long, Patrick T, V Chairman	✓	
Rollo, Deanna S	ABSENT	
Flockhart, Eileen C	✓	
Friedrich, Carol H	✓	
Chase, Cynthia L	✓	
Alicea, Caroletta C	✓	
Frambach, Mary E	✓	
Gulick, Ruth P	✓	
MacKay, Mariellen J	NO LONGER	
Stevens, Audrey M	ABSENT	
Gargas, Carolyn M	✓	
Itse, Daniel C	ABSENT	
DeSimone, Debra L	✓	
Oigny, Jeffrey D	✓	
Dumaine, Dudley D	ABSENT	
Hoell, J.R.	ABSENT	
Tremblay, Stella S	✓	
Murphy, Kelleigh D	✓	
Nigrello, Robert L	✓	
<b>TOTAL VOTE:</b>	<b>14</b>	<b>0</b>



2013 SESSION

CHILDREN AND FAMILY LAW

Bill #: 439

Title: *Relative to procedure for summary delinquency petitions filed by a school district & establishing a committee to study child*

PH Date: 1 / 1

Exec Session Date: 3 15 13

Motion: OTPA

Amendment #: 2013-0566b

MEMBER	YEAS	NAYS
Walz, Mary Beth E, Chairman	✓	
Long, Patrick T, V Chairman	✓	
Rollo, Deanna S	AB	
Flockhart, Eileen C	✓	
Friedrich, Carol H	✓	
Chase, Cynthia L	✓	
Alicea, Caroletta C	✓	
Frambach, Mary E	✓	
Gulick, Ruth P	✓	
Mackay, Mariellen J	NO	
Stevens, Audrey M	AB	
Gargas, Carolyn M	✓	
Itse, Daniel C	✓	
DeSimone, Debra L, Clerk	✓	
Oigny, Jeffrey D	✓	
Dumaine, Dudley D	A	
Hoell, J.R.	A	
Tremblay, Stella S	✓	
Murphy, Kelleigh D	✓	
Nigrello, Robert L	✓	
<b>TOTAL VOTE:</b>	<b>15</b>	<b>0</b>

# Committee Report

**CONSENT CALENDAR**

**March 6, 2013**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on CHILDREN AND FAMILY LAW to  
which was referred HB 433,**

**AN ACT relative to procedures for juvenile delinquency  
petitions filed by a school district or school official and  
establishing a committee to study the children in need  
of services (CHINS) program. Having considered the  
same, report the same with the following amendment,  
and the recommendation that the bill OUGHT TO PASS  
WITH AMENDMENT.**

**Rep. Patrick T Long**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>CHILDREN AND FAMILY LAW</b>
Bill Number:	<b>HB433</b>
Title:	<b>relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.</b>
Date:	<b>March 6, 2013</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT</b>

### STATEMENT OF INTENT

This bill clarifies for school resource officers (SRO's) and school districts their specific responsibilities prior to filing a juvenile delinquency petition. The bill also clarifies that the child has had the opportunity to resolve their issue through normalized approaches. (Programs designed to help the child without court oversight). The amendment removes the study committee and more clearly defines the petitioner's responsibility.

Vote 15-0.

Rep. Patrick T Long  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### CHILDREN AND FAMILY LAW

**HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

#### **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick T Long for CHILDREN AND FAMILY LAW. This bill clarifies for school resource officers (SRO's) and school districts their specific responsibilities prior to filing a juvenile delinquency petition. The bill also clarifies that the child has had the opportunity to resolve their issue through normalized approaches. (Programs designed to help the child without court oversight). The amendment removes the study committee and more clearly defines the petitioner's responsibility. **Vote 15-0.**



# CONSENT CALENDAR

## CHILDREN AND FAMILY LAW

### MAJORITY REPORT

**HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**RECOMMENDATION: OUGHT TO PASS WITH AMENDMENT**

**VOTE: 15-0**

This bill clarifies for school resource officers (SRO's) and school districts their specific responsibilities prior to filing a juvenile delinquency petition. The bill also clarifies that the child has had the opportunity to resolve their issue through normalized approaches. (Programs designed to help the child without court oversight). The amendment removes the study committee and more clearly defines the petitioner's responsibility.

Rep. Patrick T. Long

*mu*

COMMITTEE REPORT

COMMITTEE: CBFL

BILL NUMBER: HB 433

TITLE: Relative to procedures for juvenile delinquency  
petitions filed by a school district or school official  
and establishing a committee to study the CANS

DATE: 3-5-13 CONSENT CALENDAR: YES  NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.  
\_\_\_\_\_

STATEMENT OF INTENT:


COMMITTEE VOTE: 15-0

- Copy to Committee Bill File
  - Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. Patricia Tracy  
For the Committee

HB 433 OTP as Amended

This Bill Clarifies For School Resource Officers (SRO's) And School Districts Their Specific Responsibilities Prior to Filing A Juvenile Delinquency Petition. This Bill Also Clarifies That The Child Has Had The Opportunity To ~~Be~~ Resolve Their Issue Through ~~every~~ Normalized Approaches (Programs Designed To Help The Child Without Court Oversight)

The Amendment Removes The Study Committee And More Clearly Defines The Petitioners Responsibility.

MW

~~HB 578 ITL~~

~~I'm Having Difficulty writing This Blurb!!~~

~~Call me 203-3232~~

~~I Have A meeting @ 3 in Manchester~~