

1-24-96 Do Pass
4-9-96 MAR 9 1996
Adopted
5-4/10/96 Do Pass
JUDICIARY
5-5/1/96 Adopted

1 HOUSE CONCURRENT RESOLUTION NO. 28
2 BY CONNORS
3 A Concurrent Resolution requesting that the United
4 States Congress repeal the decriminalization of
5 status offenses mandate contained in the federal
6 Juvenile Justice Delinquency Prevention Act of 1974.
7 WHEREAS, status offenses consist of conduct which
8 is not criminal when committed by adults, such as
9 truancy and running away from home; and
10 WHEREAS, the decriminalization of status offenses
11 has given children of all ages a license to decide
12 what is best for themselves, regardless of whether or
13 not they place themselves in jeopardy or have the
14 ability to handle that license; and
15 WHEREAS, parents and families are acutely
16 experiencing the effects of this idealistic, illusory,
17 and ineffective public policy which has led to the
18 undermining of parental responsibility thus
19 contributing to a breakdown in family discipline; and
20 WHEREAS, temporary, secure detention of status
21 offenders before they engage in a dangerous or
22 unhealthy lifestyle is a part of society's
23 responsibility to protect children who are at risk,
24 and the exercise of which is prevented by the status
25 offender mandates; NOW THEREFORE,
26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
27 SENATE CONCURRING, That Congress should repeal the
28 decriminalization of status offenses mandate contained
29 in the federal Juvenile Justice Delinquency Prevention
30 Act of 1974 and return control over juvenile justice

1 to the states.

2 BE IT FURTHER RESOLVED, That copies of this
3 Resolution be transmitted to the President of the
4 United States, the Speaker of the United States House
5 of Representatives, the President of the United States
6 Senate, and all of the members of Iowa's congressional
7 delegation.

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HOUSE CONCURRENT RESOLUTION 28

S-5781

1 Amend House Concurrent Resolution No. 28 as
2 follows:

3 1. By striking page 1, line 3, through page 2,
4 line 1, and inserting the following:

5 "A Concurrent Resolution requesting that the United
6 States Congress amend the federal Juvenile Justice
7 Delinquency Prevention Act of 1974 and provide
8 adequate funding to the states to achieve and maintain
9 compliance with that Act's mandates, including its
10 mandate to decriminalize status offenses.

11 WHEREAS, status offenses consist of conduct which
12 is not criminal when committed by adults, such as
13 truancy and running away from home; and

14 WHEREAS, the federal decriminalization of status
15 offenses prohibits the placing of status offenders in
16 secure detention; and

17 WHEREAS, the behavior of some status offenders
18 places them in jeopardy and demands immediate
19 intervention to halt their self-destructive behavior
20 and ameliorate factors contributing to such behavior;
21 and

22 WHEREAS, intervention for status offenders must be
23 responsive to many types of children, families, and
24 communities, including situations where a status
25 offender refuses to cooperate with appropriate
26 parental or community rules and standards; and

27 WHEREAS, assuring the continued presence and safety
28 of a status offender may require the offender's
29 placement in a controlled, secure setting; and

30 WHEREAS, Congress has established guidelines
31 granting states authority to make exceptions to the
32 prohibition on the placing of status offenders in
33 secure detention; and

34 WHEREAS, states and local jurisdictions within
35 states are responsible for the development of policies
36 and the funding of programs that respond to the
37 federal prohibition on the placing of status offenders
38 in secure detention; and

39 WHEREAS, complex, time-consuming procedures and
40 resources are required to implement currently allowed
41 exceptions to the prohibition on the placing of status
42 offenders in secure detention; and

43 WHEREAS, Congress is currently considering
44 reauthorizing the federal Juvenile Justice and
45 Delinquency Prevention Act of 1974; NOW THEREFORE,

46 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
47 SENATE CONCURRING, That Congress should provide states
48 with sufficient funds through the federal Juvenile
49 Justice and Delinquency Prevention Act's formula grant
50 program to meet that Acts' mandates; and that Congress

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1 should amend the Act to decrease the administrative
2 complexities of the Act's exceptions to prohibitions
3 on the placing of status offenders in secure
4 detention."

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*Withdrawn
5/1/96 (p.1567)*