

JAN 9 1996

JUDICIARY

HOUSE FILE 2033
BY KLEMME

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to detaining juveniles in adult jail facilities.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2033

1 Section 1. Section 232.22, subsection 6, Code Supplement
2 1995, is amended to read as follows:

3 ~~6. If the court has waived its jurisdiction over the child~~
4 ~~for the alleged commission of a forcible~~ Notwithstanding any
5 other provisions of this Code, the restrictions contained in
6 this section relating to the placement of a child in a
7 facility under subsection 2, paragraph "c", apply to all cases
8 involving a child, except that once a child has been charged
9 with a felony offense in district court pursuant to section
10 232.8, subsection 1, paragraph "c", or section 232.45 or
11 232.45A, and there is a serious risk that the child may commit
12 an act which would inflict serious bodily harm on another
13 person, the child may shall be held in the county jail,
14 notwithstanding section 356.3, unless another suitable secure
15 facility is available. However, wherever possible the child
16 shall be held in sight and sound separation from adult
17 offenders. A child held in the county jail under this
18 subsection shall have all the rights of adult postarrest or
19 pretrial detainees.

20 EXPLANATION

21 This bill provides that a dangerous juvenile who is
22 excluded from the jurisdiction of the juvenile court for a
23 forcible felony or drug or weapons offense or waived from
24 juvenile court for a felony offense shall be held in the
25 county jail unless another secure facility is available.

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