



**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

RWH 6/5/08

§§1-3, 5-12 -  
C.52:17B-171.1 to  
52:17B-171.11  
§4,13 -  
C.2A:4A-60.2 &  
2A:4A-60.3

P.L. 2007, CHAPTER 315, *approved January 13, 2008*  
Assembly, No. 2281 (*Fourth Reprint*)

1 AN ACT concerning county juvenile detention facilities and  
2 supplementing P.L.1995, c.284 (C.52:17B-169 et seq.)<sup>3</sup> and Title  
3 2A of the New Jersey Statutes<sup>3</sup>.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. The Juvenile Justice Commission shall establish standards for  
9 suicide and mental health screening in county juvenile detention  
10 facilities in accordance with the provisions of this act. The  
11 standards shall require that each county detention facility develop  
12 written policies concerning mental health screening, suicide  
13 screening, suicide prevention protocols and other mental and  
14 emotional health-related issues and that each county juvenile  
15 detention facility make psychological or psychiatric services  
16 available to juveniles as needed.

17  
18 2. a. Upon admission to a county juvenile detention facility, a  
19 juvenile shall be screened for risk of suicide in accordance with the  
20 facility's suicide prevention protocols <sup>1</sup>and<sup>1</sup> written policies  
21 required by section 1 of this act. The suicide risk screening shall  
22 include, but not be limited to, the use of a standardized suicide risk  
23 questionnaire designated and made available by the Juvenile Justice  
24 Commission. The findings shall be recorded and brought to the  
25 attention of the appropriate medical or mental health staff as soon  
26 as possible.

27 b. If a juvenile shows evidence of suicide risk, the facility's  
28 suicide prevention protocols shall be immediately implemented.  
29 The policies shall include an increased level of supervision of a  
30 juvenile showing evidence of suicide risk until appropriate mental  
31 health services can be obtained. The facility administrator, or the  
32 administrator's designee, shall be immediately notified if a juvenile:

- 33 (1) is suspected of being at risk of attempting suicide or in  
34 emotional distress;  
35 (2) has made a suicidal gesture or attempt; or  
36 (3) scores in a suicide caution or warning range in a screening.

**EXPLANATION** – Matter enclosed in bold-faced brackets [ thus ] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ALP committee amendments adopted June 12, 2006.

<sup>2</sup>Assembly floor amendments adopted December 11, 2006.

<sup>3</sup>Senate SLP committee amendments adopted November 29, 2007.

<sup>4</sup>Senate SBA committee amendments adopted December 10, 2007.

1       <sup>1</sup>c. Every suicide gesture or attempt shall be reported to the  
2 Juvenile Justice Commission.<sup>1</sup>

3  
4       3. Between 24 and 48 hours following admission to a county  
5 juvenile detention facility, a juvenile shall undergo mental health  
6 screening using a mental health screening tool designated by the  
7 Juvenile Justice Commission and in accordance with the facility's  
8 written policies required by section 1 of this act. If the screening  
9 tool indicates that a referral for additional screening or mental  
10 health services is appropriate, that referral shall occur as soon as  
11 possible. If the screening indicates a warning or caution, the  
12 juvenile shall be placed on, and remain under, increased supervision  
13 until it is determined by a mental health clinician that a heightened  
14 level of supervision is no longer needed to ensure the safety of the  
15 juvenile.

16  
17       <sup>3</sup>4. Except as otherwise required by law, any statement made by  
18 a juvenile in the course of a suicide or mental health screening,  
19 conducted with or without the juvenile's consent, or reports or  
20 records produced pursuant to such suicide or mental health  
21 screening, shall not be:

22       a. disclosed, except by an attorney representing the juvenile and  
23 with the juvenile's consent, to the court, prosecutor, or any law  
24 enforcement officer; or

25       b. used in any investigation or delinquency or criminal  
26 proceeding involving the juvenile that is currently pending or  
27 subsequently initiated.<sup>3</sup>

28  
29       <sup>3</sup>[<sup>2</sup>4.] <sup>5.</sup><sup>3</sup> No juvenile shall be placed in isolation before  
30 undergoing screening for risk of suicide and mental health  
31 screening required by sections 2 and 3 of this act.<sup>2</sup>

32  
33       <sup>2</sup>[4.] <sup>3</sup>[<sup>5.</sup>2] <sup>6.</sup><sup>3</sup> No person shall perform a suicide risk screening  
34 pursuant to section 2 of this act or a mental health screening  
35 pursuant to section 3 of this act unless that person has been certified  
36 by the Juvenile Justice Commission as qualified to perform such  
37 screening.

38  
39       <sup>2</sup>[5.] <sup>3</sup>[<sup>6.</sup>2] <sup>7.</sup><sup>3</sup> The Juvenile Justice Commission, in  
40 conjunction with the Department of <sup>4</sup>[Human Services] Children  
41 and Families<sup>4</sup>, shall establish and maintain a confidential Statewide  
42 database of the suicide risk screenings required by section 2 of this  
43 act and the mental health screenings required by section 3 of this act  
44 to be used exclusively by persons performing suicide risk and  
45 mental health screenings.

1       <sup>2</sup>[6.] <sup>3</sup>[7.<sup>2</sup>] <sup>8.</sup><sup>3</sup> a. The Juvenile Justice Commission shall  
2 monitor the number of suicides that occur at each county juvenile  
3 detention facility.

4       b. Upon an initial suicide at a facility, the commission shall  
5 conduct an evaluation of the facility's compliance with the  
6 provisions of this act, an accountability assessment and an action  
7 report.

8       c. If a second suicide occurs within seven years of the initial  
9 suicide, the Juvenile Justice Commission shall, within 30 days, and  
10 with the approval of the Attorney General, evaluate the facility for  
11 compliance with the provisions of this act. A facility shall not  
12 admit additional juveniles until the Attorney General has certified  
13 that the facility is in compliance with the provisions of this act.

14       d. If a third or subsequent suicide occurs within seven years of  
15 an initial suicide, the facility shall be immediately closed and shall  
16 not reopen until the Governor determines that it shall reopen. A  
17 task force comprised of the following <sup>3</sup>[11] seven<sup>3</sup> members shall  
18 assist the Governor in making this determination: the Executive  
19 Director of the Juvenile Justice Commission, or a designee; the  
20 Attorney General, or a designee; the Child Advocate, or a designee;  
21 Commissioner of <sup>4</sup>[Human Services] Children and Families<sup>4</sup>, or a  
22 designee; <sup>3</sup>[two members of the General Assembly, to be chosen by  
23 the Speaker of the General Assembly, who shall not be of the same  
24 political party, and shall not represent the county within which the  
25 facility being evaluated is located; two members of the Senate, to be  
26 chosen by the Senate President, who shall not be of the same  
27 political party and shall not represent the county within which the  
28 facility being evaluated is located;]<sup>3</sup> one public member; a director  
29 of a county juvenile detention facility, but not of the county facility  
30 being evaluated; and a member of the board of chosen freeholders  
31 of the county within which the facility being evaluated is located.

32

33       <sup>2</sup>[17.] <sup>3</sup>[8.<sup>2</sup>] <sup>9.</sup><sup>3</sup> The Juvenile Justice Commission shall include  
34 the following information on the commission's website:

35       a. All reports monitoring the operations of county juvenile  
36 detention centers, including, but not limited to, any corrective  
37 actions taken against or penalties imposed on a center, if applicable;  
38 and

39       b. The rated census capacity and the average monthly population  
40 for each juvenile county detention center.<sup>1</sup>

41

42       <sup>2</sup>[18.] <sup>3</sup>[9.<sup>2</sup>] <sup>10.</sup><sup>3</sup> The Juvenile Justice Commission shall, in  
43 conjunction with the Police Training Commission and mental health  
44 experts, develop a training curriculum for juvenile detention  
45 officers and youth workers focusing on the mental health needs of  
46 the juvenile detention population.<sup>1</sup>

1       <sup>1</sup>[7.] <sup>2</sup>[9.1] <sup>3</sup>[10.2] 11.<sup>3</sup> The Juvenile Justice Commission, in  
2 <sup>3</sup>[conjunction] conjunction<sup>3</sup> with the Department of <sup>4</sup>[Human  
3 Services] Children and Families<sup>4</sup>, shall annually submit to the  
4 Governor and the Legislature, for seven years following the  
5 effective date of this act, a report detailing:

- 6       a. the number of suicides and suicide attempts at each county  
7 juvenile detention facility;
- 8       b. the number of suicide and mental health screenings that have  
9 been conducted at each facility and the number of juveniles whose  
10 screenings have indicated a warning or caution;
- 11       c. the number of juveniles who have been referred for additional  
12 screening or evaluation; and
- 13       d. a summary of the diagnoses for juveniles who have received  
14 treatment.

15

16       <sup>2</sup>[110] <sup>3</sup>[11.2] 12.<sup>3</sup> The Juvenile Justice Commission, pursuant  
17 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
18 1 et seq.) shall adopt rules and regulations necessary to implement  
19 the provisions of this act, which may include <sup>2</sup>:

- 20       a. penalties for continued violations of the manual of standards  
21 applicable to county detention centers; and
- 22       b.<sup>2</sup> a graduated system of intermediate fines and penalties for  
23 violations of the provisions of the act.<sup>1</sup>

24

25       <sup>3</sup>13. Reports or records relating to mental health services  
26 provided to a juvenile prior to an adjudication of delinquency or a  
27 finding of guilt, regardless of whether such mental health services  
28 were provided with or without the consent of the juvenile, may be  
29 disclosed to the court only after an adjudication of delinquency or a  
30 finding of guilt has been entered; provided however, an attorney  
31 representing a juvenile, with the juvenile's consent, may disclose  
32 such reports or records prior to the adjudication of delinquency or  
33 finding of guilt. The provisions of this subsection shall not be  
34 construed to limit in any manner the applicability of any privilege  
35 or law that otherwise prohibits disclosure of a juvenile's mental  
36 health records.<sup>3</sup>

37

38       <sup>1</sup>[8.] <sup>2</sup>[11.1] <sup>3</sup>[12.2] 14.<sup>3</sup> This act shall take effect  
39 immediately.

40

41

42

43

44       Requires suicide and mental health screening of juveniles in  
45 county detention centers.

# ASSEMBLY, No. 2281

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

**Sponsored by:**

**Assemblyman JOSEPH CRYAN**

**District 20 (Union)**

**Assemblyman WILLIAM D. PAYNE**

**District 29 (Essex and Union)**

**SYNOPSIS**

Requires suicide and mental health screening of juveniles in county detention centers.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/7/2006)**

1 AN ACT concerning county juvenile detention facilities and  
2 supplementing P.L.1995, c.284 (C.52:17B-169 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. The Juvenile Justice Commission shall establish standards for  
8 suicide and mental health screening in county juvenile detention  
9 facilities in accordance with the provisions of this act. The  
10 standards shall require that each county detention facility develop  
11 written policies concerning mental health screening, suicide  
12 screening, suicide prevention protocols and other mental and  
13 emotional health-related issues and that each county juvenile  
14 detention facility make psychological or psychiatric services  
15 available to juveniles as needed.

16

17 2. a. Upon admission to a county juvenile detention facility, a  
18 juvenile shall be screened for risk of suicide in accordance with the  
19 facility's suicide prevention protocols written policies required by  
20 section 1 of this act. The suicide risk screening shall include, but  
21 not be limited to, the use of a standardized suicide risk  
22 questionnaire designated and made available by the Juvenile Justice  
23 Commission. The findings shall be recorded and brought to the  
24 attention of the appropriate medical or mental health staff as soon  
25 as possible.

26 b. If a juvenile shows evidence of suicide risk, the facility's  
27 suicide prevention protocols shall be immediately implemented.  
28 The policies shall include an increased level of supervision of a  
29 juvenile showing evidence of suicide risk until appropriate mental  
30 health services can be obtained. The facility administrator, or the  
31 administrator's designee, shall be immediately notified if a juvenile:

32 (1) is suspected of being at risk of attempting suicide or in  
33 emotional distress;

34 (2) has made a suicidal gesture or attempt; or

35 (3) scores in a suicide caution or warning range in a screening.

36

37 3. Between 24 and 48 hours following admission to a county  
38 juvenile detention facility, a juvenile shall undergo mental health  
39 screening using a mental health screening tool designated by the  
40 Juvenile Justice Commission and in accordance with the facility's  
41 written policies required by section 1 of this act. If the screening  
42 tool indicates that a referral for additional screening or mental  
43 health services is appropriate, that referral shall occur as soon as  
44 possible. If the screening indicates a warning or caution, the  
45 juvenile shall be placed on, and remain under, increased supervision  
46 until it is determined by a mental health clinician that a heightened  
47 level of supervision is no longer needed to ensure the safety of the  
48 juvenile.



1       4. No person shall perform a suicide risk screening pursuant to  
2 section 2 of this act or a mental health screening pursuant to section  
3 3 of this act unless that person has been certified by the Juvenile  
4 Justice Commission as qualified to perform such screening.

5  
6       5. The Juvenile Justice Commission, in conjunction with the  
7 Department of Human Services, shall establish and maintain a  
8 confidential Statewide database of the suicide risk screenings  
9 required by section 2 of this act and the mental health screenings  
10 required by section 3 of this act to be used exclusively by persons  
11 performing suicide risk and mental health screenings.

12  
13       6. a. The Juvenile Justice Commission shall monitor the number  
14 of suicides that occur at each county juvenile detention facility.

15       b. Upon an initial suicide at a facility, the commission shall  
16 conduct an evaluation of the facility's compliance with the  
17 provisions of this act, an accountability assessment and an action  
18 report.

19       c. If a second suicide occurs within seven years of the initial  
20 suicide, the Juvenile Justice Commission shall, within 30 days, and  
21 with the approval of the Attorney General, evaluate the facility for  
22 compliance with the provisions of this act. A facility shall not  
23 admit additional juveniles until the Attorney General has certified  
24 that the facility is in compliance with the provisions of this act.

25       d. If a third or subsequent suicide occurs within seven years of  
26 an initial suicide, the facility shall be immediately closed and shall  
27 not reopen until the Governor determines that it shall reopen. A  
28 task force comprised of the following 11 members shall assist the  
29 Governor in making this determination: the Executive Director of  
30 the Juvenile Justice Commission, or a designee; the Attorney  
31 General, or a designee; the Child Advocate, or a designee;  
32 Commissioner of Human Services, or a designee; two members of  
33 the General Assembly, to be chosen by the Speaker of the General  
34 Assembly, who shall not be of the same political party, and shall  
35 not represent the county within which the facility being evaluated is  
36 located; two members of the Senate, to be chosen by the Senate  
37 President, who shall not be of the same political party and shall not  
38 represent the county within which the facility being evaluated is  
39 located; one public member; a director of a county juvenile  
40 detention facility, but not of the county facility being evaluated; and  
41 a member of the board of chosen freeholders of the county within  
42 which the facility being evaluated is located.

43  
44       7. The Juvenile Justice Commission, in conjunction with the  
45 Department of Human Services, shall annually submit to the  
46 Governor and the Legislature, for seven years following the  
47 effective date of this act, a report detailing:

- 1 a. the number of suicides and suicide attempts at each county  
2 juvenile detention facility;
- 3 b. the number of suicide and mental health screenings that have  
4 been conducted at each facility and the number of juveniles whose  
5 screenings have indicated a warning or caution;
- 6 c. the number of juveniles who have been referred for additional  
7 screening or evaluation; and
- 8 d. a summary of the diagnoses for juveniles who have received  
9 treatment.

10

11 8. This act shall take effect immediately.

12

13

14

#### STATEMENT

15

16 This bill would require the Juvenile Justice Commission (JJC) to  
17 adopt standards for suicide and mental health screening in county  
18 juvenile detention facilities. The bill would require county  
19 detention facilities to have written policies concerning mental  
20 health screening, suicide screening, suicide prevention protocols  
21 and other mental and emotional health-related issues and to make  
22 psychological or psychiatric services available to juveniles as  
23 needed.

24 The bill also would require juveniles to be screened for risk of  
25 suicide upon admission to a county juvenile detention facility. The  
26 suicide risk screening would include, but need not be limited to, the  
27 use of a standardized suicide risk questionnaire designated and  
28 made available by the JJC. The findings are to be recorded and  
29 brought to the attention of the appropriate medical or mental health  
30 staff as soon as possible. If a juvenile displays evidence of suicide  
31 risk, the facility's suicide prevention protocols would be  
32 immediately implemented. The procedures would require an  
33 increased level of supervision of a juvenile showing evidence of  
34 suicide risk until appropriate mental health services can be  
35 obtained. The bill further requires that the facility administrator, or  
36 the administrator's designee, be immediately notified if a juvenile is  
37 suspected of being at risk of attempting suicide or in emotional  
38 distress, has made a suicidal gesture or attempt, or scores in a  
39 suicide caution or warning range in a screening.

40 Additionally, juveniles would be required by the bill to undergo  
41 mental health screening using a mental health screening tool  
42 designated by the JJC within 24 to 48 hours of admission to a  
43 county juvenile detention facility. If the screening tool indicates  
44 that a referral for additional screening or mental health services is  
45 appropriate, that referral shall occur as soon as possible. If the  
46 screening indicates a warning or caution the juvenile shall be placed  
47 on, and remain under, increased supervision until it is determined  
48 by a mental health clinician that the heightened level of supervision

1 is no longer needed to ensure the safety of the juvenile. Currently,  
2 all 17 county juvenile detention facilities employ the Massachusetts  
3 Youth Screening Instrument-2 (MAYSI-2) to screen for mental  
4 health needs.

5 Under the bill, persons performing the required suicide risk and  
6 mental health screenings would have to be certified by the JJC.

7 The bill would required the JJC, in conjunction with the  
8 Department of Human Services, to establish and maintain a  
9 confidential Statewide database of suicide and mental health  
10 screenings performed at county juvenile detention facilities.

11 The JJC also is required to monitor the number of suicides at  
12 each county juvenile detention facility. When a suicide occurs at a  
13 facility, the JJC must evaluate the facility's compliance with the  
14 bill's provisions and prepare an accountability assessment and  
15 action report. If a second suicide occurs within seven years of the  
16 first suicide, the bill requires the JJC, with the approval of the  
17 Attorney General, to evaluate the facility for compliance with the  
18 bill's provisions within 30 days. The facility would be prohibited  
19 from admitting additional juveniles until the Attorney General has  
20 certified that the facility is in compliance with the bill's provisions.  
21 If a third or subsequent suicide occurs within seven years of the  
22 first suicide, the facility is to be immediately closed and is  
23 prohibited from reopening until the Governor determines it should  
24 reopen. An 11-member task force would be appointed to assist the  
25 Governor in making the determination. Members of the task force  
26 include: the Executive Director of the JJC; the Attorney General;  
27 the Child Advocate; the Commissioner of Human Services; two  
28 members of the General Assembly; two members of the Senate; one  
29 public member; a director of a county juvenile detention facility;  
30 and a member of the board of chosen freeholders of the county  
31 within which the facility being evaluated is located.

32 Finally, the bill requires the JJC to submit annually for seven  
33 years a report to the Governor and the Legislature detailing: 1) the  
34 number of suicides and suicide attempts at each county juvenile  
35 detention facility; 2) the number of suicide and mental health  
36 screenings that have been conducted at each facility and the number  
37 of juveniles whose screenings have indicated a warning or caution;  
38 3) the number of juveniles who have been referred for additional  
39 screening or evaluation; and 4) a summary of the diagnoses for  
40 juveniles who have received treatment.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2281**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 12, 2006

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2281.

As amended and reported by the committee, Assembly Bill No. 2281 requires the Juvenile Justice Commission (JJC) to adopt standards for suicide and mental health screening in county juvenile detention facilities. The bill would require county detention facilities to have written policies concerning mental health screening, suicide screening, suicide prevention protocols and other mental and emotional health-related issues and to make psychological or psychiatric services available to juveniles as needed.

The amended bill also requires juveniles to be screened for risk of suicide upon admission to a county juvenile detention facility. The suicide risk screening would include, but need not be limited to, the use of a standardized suicide risk questionnaire designated and made available by the JJC. The findings are to be recorded and brought to the attention of the appropriate medical or mental health staff as soon as possible. If a juvenile displays evidence of suicide risk, the facility's suicide prevention protocols would be immediately implemented. The procedures would require an increased level of supervision of a juvenile showing evidence of suicide risk until appropriate mental health services can be obtained. The bill further requires that the facility administrator, or the administrator's designee, be immediately notified if a juvenile is suspected of being at risk of attempting suicide or in emotional distress, has made a suicidal gesture or attempt, or scores in a suicide caution or warning range in a screening. The facility must report to the JJC every suicide gesture or attempt.

Additionally, juveniles are required by the bill to undergo mental health screening using a mental health screening tool designated by the JJC within 24 to 48 hours of admission to a county juvenile detention facility. If the screening tool indicates that a referral for additional screening or mental health services is appropriate, that referral shall occur as soon as possible. If the screening indicates a warning or caution the juvenile shall be placed on, and remain under, increased supervision until it is determined by a mental health clinician that the

heightened level of supervision is no longer needed to ensure the safety of the juvenile. Currently, all 17 county juvenile detention facilities employ the Massachusetts Youth Screening Instrument-2 (MAYSI-2) to screen for mental health needs.

Under the amended bill, persons performing the required suicide risk and mental health screenings would have to be certified by the JJC.

The amended bill requires the JJC, in conjunction with the Department of Human Services, to establish and maintain a confidential Statewide database of suicide and mental health screenings performed at county juvenile detention facilities.

The JJC also is required to monitor the number of suicides at each county juvenile detention facility. When a suicide occurs at a facility, the JJC must evaluate the facility's compliance with the bill's provisions and prepare an accountability assessment and action report. If a second suicide occurs within seven years of the first suicide, the bill requires the JJC, with the approval of the Attorney General, to evaluate the facility for compliance with the bill's provisions within 30 days. The facility would be prohibited from admitting additional juveniles until the Attorney General has certified that the facility is in compliance with the bill's provisions. If a third or subsequent suicide occurs within seven years of the first suicide, the facility is to be immediately closed and is prohibited from reopening until the Governor determines it should reopen. An 11-member task force would be appointed to assist the Governor in making the determination. Members of the task force include: the Executive Director of the JJC; the Attorney General; the Child Advocate; the Commissioner of Human Services; two members of the General Assembly; two members of the Senate; one public member; a director of a county juvenile detention facility; and a member of the board of chosen freeholders of the county within which the facility being evaluated is located.

The amended bill also requires the JJC to include on its website all reports monitoring the operations of county juvenile detention centers, including any corrective actions or penalties imposed on the center, and the rated census capacity and average monthly population of each center.

The JJC, in conjunction with the Police Training Commission and mental health experts, is required by the bill to develop a training curriculum for juvenile detention officers and youth workers focusing on the mental health needs of the juvenile detention population.

Under the amended bill, the JJC also would be required to submit annually for seven years a report to the Governor and the Legislature detailing: 1) the number of suicides and suicide attempts at each county juvenile detention facility; 2) the number of suicide and mental health screenings that have been conducted at each facility and the number of juveniles whose screenings have indicated a warning or

caution; 3) the number of juveniles who have been referred for additional screening or evaluation; and 4) a summary of the diagnoses for juveniles who have received treatment.

Finally, the JJC is required by the amended bill to adopt regulations necessary to implement the bill's provisions and these regulations may include a graduated system of intermediate fines and penalties for violations under the bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to require:

(1) county juvenile detention facilities to report to the JJC every suicide gesture or attempt by a juvenile;

(2) the JJC to include on its website all reports monitoring the operations of county juvenile detention centers, including any corrective actions or penalties imposed on the center, and the rated census capacity and average monthly population of each center;

(3) the JJC, in conjunction with the Police Training Commission and mental health experts, to develop a training curriculum for juvenile detention officers and youth workers focusing on the mental health needs of the juvenile detention population; and

(4) the JJC to adopt regulations necessary to implement the bill's provisions, which regulations may include a graduated system of intermediate fines and penalties for violations of the bill.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

[Second Reprint]  
**ASSEMBLY, No. 2281**

with committee amendments

**STATE OF NEW JERSEY**

DATED: NOVEMBER 29, 2007

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2281 (2R).

As amended and reported by the committee, Assembly Bill No. 2281 (2R) requires the Juvenile Justice Commission (JJC) to adopt standards for suicide and mental health screenings in county juvenile detention facilities. The amended bill would require county detention facilities to have written policies concerning mental health screenings, suicide screening, suicide prevention protocols, and other mental and emotional health-related issues and to make psychological or psychiatric services available to juveniles as needed.

The amended bill also requires juveniles to be screened for risk of suicide upon admission to a county juvenile detention facility. The suicide risk screening would include, but need not be limited to, the use of a standardized suicide risk questionnaire designated and made available by the JJC. The findings are to be recorded and brought to the attention of the appropriate medical or mental health staff as soon as possible. If a juvenile displays evidence of suicide risk, the facility's suicide prevention protocols would be immediately implemented. The procedures would require an increased level of supervision of a juvenile showing evidence of suicide risk until appropriate mental health services can be obtained. The amended bill further requires that the facility administrator, or the administrator's designee, be immediately notified if a juvenile is suspected of being at risk of attempting suicide or in emotional distress, has made a suicidal gesture or attempt, or scores in a suicide caution or warning range in a screening. The facility must report to the JJC every suicide gesture or attempt.

Additionally, juveniles are required by the amended bill to undergo mental health screening using a mental health screening tool designated by the JJC within 24 to 48 hours of admission to a county juvenile detention facility. If the screening tool indicates that a referral

for additional screening or mental health services is appropriate, that referral shall occur as soon as possible. If the screening indicates a warning or caution the juvenile shall be placed on, and remain under, increased supervision until it is determined by a mental health clinician that the heightened level of supervision is no longer needed to ensure the safety of the juvenile. Currently, all 17 county juvenile detention facilities employ the Massachusetts Youth Screening Instrument-2 (MAYSI-2) to screen for mental health needs.

Under the amended bill, persons performing the required suicide risk and mental health screenings would have to be certified by the JJC.

The amended bill requires the JJC, in conjunction with the Department of Human Services, to establish and maintain a confidential Statewide database of suicide and mental health screenings performed at county juvenile detention facilities.

The JJC also is required to monitor the number of suicides at each county juvenile detention facility. When a suicide occurs at a facility, the JJC must evaluate the facility's compliance with the amended bill's provisions and prepare an accountability assessment and action report. If a second suicide occurs within seven years of the first suicide, the amended bill requires the JJC, with the approval of the Attorney General, to evaluate the facility for compliance with the bill's provisions within 30 days. The facility would be prohibited from admitting additional juveniles until the Attorney General has certified that the facility is in compliance with the bill's provisions. If a third or subsequent suicide occurs within seven years of the first suicide, the facility is to be immediately closed and is prohibited from reopening until the Governor determines it should reopen. Under the amended bill, a seven-member task force would be appointed to assist the Governor in making the determination. Members of the task force include: the Executive Director of the JJC; the Attorney General; the Child Advocate; the Commissioner of Human Services; one public member; a director of a county juvenile detention facility; and a member of the board of chosen freeholders of the county within which the facility being evaluated is located. As referred to the committee, the task force also included two members of the Senate and two members of the General Assembly.

The amended bill also requires the JJC to include on its website all reports monitoring the operations of county juvenile detention centers, including any corrective actions or penalties imposed on the center, and the rated census capacity and average monthly population of each center.

The JJC, in conjunction with the Police Training Commission and mental health experts, is required by the bill to develop a training curriculum for juvenile detention officers and youth workers focusing on the mental health needs of the juvenile detention population.



Under the amended bill, the JJC also would be required to submit, for seven years, a annual report to the Governor and the Legislature detailing: 1) the number of suicides and suicide attempts at each county juvenile detention facility; 2) the number of suicide and mental health screenings that have been conducted at each facility and the number of juveniles whose screenings have indicated a warning or caution; 3) the number of juveniles who have been referred for additional screening or evaluation; and 4) a summary of the diagnoses for juveniles who have received treatment.

The JJC is required by the amended bill to adopt regulations necessary to implement the bill's provisions and these regulations may include a graduated system of intermediate fines and penalties for violations under the amended bill.

Finally, the committee amended the bill to include two provisions concerning the confidentiality of juvenile statements, reports, and records made under the bill's provisions. One amendment provides that statements made by a juvenile during suicide or mental health screenings and subsequent reports or records are not to be disclosed to the court, prosecutor, or any other law enforcement officer unless done so by the juvenile's attorney with the juvenile's consent. Further, this information may not be used in a pending or subsequent investigation or delinquency or criminal proceeding involving the juvenile. The other amendment provides that reports or records relating to mental health services received by a juvenile prior to an adjudication of delinquency or a finding of guilt, regardless of whether such mental health services were provided with or without the consent of the juvenile, may only be disclosed to the court after an adjudication of delinquency or a finding of guilt has been entered, but the juvenile's attorney may disclose such reports or records prior to the adjudication of delinquency or finding of guilt if the juvenile consents.

The committee amended the bill to:

(1) reduce the task force advising the Governor on when a facility should be reopened from 11 to seven members by removing the two members of the Senate and the two members of the General Assembly;

(2) provide that any statement made by a juvenile in the course of a suicide or mental health screening, conducted with or without the juvenile's consent, or reports or records produced pursuant to such suicide or mental health screening, are not to be disclosed, except by an attorney representing the juvenile and with the juvenile's consent, to the court, prosecutor, or any law enforcement officer; or used in any investigation or delinquency or criminal proceeding involving the juvenile that is currently pending or subsequently initiated;

(3) provide that reports or records relating to mental health services provided to a juvenile prior to an adjudication of delinquency or a finding of guilt, regardless of whether such mental health services were provided with or without the consent of the juvenile, may be disclosed to the court only after an adjudication of delinquency or a

finding of guilt has been entered; provided however, an attorney representing a juvenile, with the juvenile's consent, may disclose such reports or records prior to the adjudication of delinquency or finding of guilt. This provisions of this subsection are not to be construed to limit in any manner the applicability of any privilege or law that otherwise prohibits disclosure of a juvenile's mental health records; and

(4) make technical corrections.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[Third Reprint]

## **ASSEMBLY, No. 2281**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 10, 2007

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2971 (3R) with committee amendments.

The bill, as amended, requires the Juvenile Justice Commission (JJC) to adopt standards for suicide and mental health screenings in county juvenile detention facilities. The bill requires county detention facilities to have written policies concerning mental health screenings, suicide screening, suicide prevention protocols, and other mental and emotional health-related issues and to make psychological or psychiatric services available to juveniles as needed.

The bill also requires juveniles to be screened for risk of suicide upon admission to a county juvenile detention facility. The suicide risk screening will include, but need not be limited to, the use of a standardized suicide risk questionnaire designated and made available by the JJC. The findings are to be recorded and brought to the attention of the appropriate medical or mental health staff as soon as possible. If a juvenile displays evidence of suicide risk, the facility's suicide prevention protocols will be implemented immediately. The procedures will require an increased level of supervision of a juvenile showing evidence of suicide risk until appropriate mental health services can be obtained. The bill further requires that the facility administrator, or the administrator's designee, be immediately notified if a juvenile is suspected of being at risk of attempting suicide or in emotional distress, has made a suicidal gesture or attempt, or scores in a suicide caution or warning range in a screening. The facility must report to the JJC every suicide gesture or attempt.

Additionally, juveniles will be required to undergo mental health screening using a mental health screening tool designated by the JJC within 24 to 48 hours of admission to a county juvenile detention facility. If the screening tool indicates that a referral for additional screening or mental health services is appropriate, that referral shall occur as soon as possible. If the screening indicates a warning or caution the juvenile shall be placed on, and remain under, increased supervision until it is determined by a mental health clinician that the

heightened level of supervision is no longer needed to ensure the safety of the juvenile. Currently, all 17 county juvenile detention facilities employ the Massachusetts Youth Screening Instrument-2 (MAYSI-2) to screen for mental health needs.

Under the bill, persons performing the required suicide risk and mental health screenings will have to be certified by the JJC.

The bill requires the JJC, in conjunction with the Department of Human Services, to establish and maintain a confidential Statewide database of suicide and mental health screenings performed at county juvenile detention facilities.

The JJC also is required to monitor the number of suicides at each county juvenile detention facility. When a suicide occurs at a facility, the JJC must evaluate the facility's compliance with the provisions of the bill and prepare an accountability assessment and action report. If a second suicide occurs within seven years of the first suicide, the bill requires the JJC, with the approval of the Attorney General, to evaluate the facility for compliance with the bill's provisions within 30 days. The facility would be prohibited from admitting additional juveniles until the Attorney General has certified that the facility is in compliance with the bill's provisions. If a third or subsequent suicide occurs within seven years of the first suicide, the facility is to be immediately closed and is prohibited from reopening until the Governor determines it should reopen. A seven-member task force will be appointed to assist the Governor in making the determination. Members of the task force include: the Executive Director of the JJC; the Attorney General; the Child Advocate; the Commissioner of Children and Families; one public member; a director of a county juvenile detention facility; and a member of the board of chosen freeholders of the county within which the facility being evaluated is located.

The bill also requires the JJC to include on its website all reports monitoring the operations of county juvenile detention centers, including any corrective actions or penalties imposed on the center, and the rated census capacity and average monthly population of each center.

The JJC, in conjunction with the Police Training Commission and mental health experts, is required to develop a training curriculum for juvenile detention officers and youth workers focusing on the mental health needs of the juvenile detention population.

Under the bill, the JJC also is required to submit, for seven years, an annual report to the Governor and the Legislature detailing: 1) the number of suicides and suicide attempts at each county juvenile detention facility; 2) the number of suicide and mental health screenings that have been conducted at each facility and the number of juveniles whose screenings have indicated a warning or caution; 3) the number of juveniles who have been referred for additional screening or

evaluation; and 4) a summary of the diagnoses for juveniles who have received treatment.

The JJC is to adopt regulations necessary to implement the bill which may include a graduated system of intermediate fines and penalties for violations under the bill.

Finally, the bill includes two provisions concerning the confidentiality of juvenile statements, reports, and records made under the bill. One provides that statements made by a juvenile during suicide or mental health screenings and subsequent reports or records are not to be disclosed to the court, prosecutor, or any other law enforcement officer unless done so by the juvenile's attorney with the juvenile's consent. Further, this information may not be used in a pending or subsequent investigation or delinquency or criminal proceeding involving the juvenile. The other provides that reports or records relating to mental health services received by a juvenile prior to an adjudication of delinquency or a finding of guilt, regardless of whether such mental health services were provided with or without the consent of the juvenile, may only be disclosed to the court after an adjudication of delinquency or a finding of guilt has been entered, but the juvenile's attorney may disclose such reports or records prior to the adjudication of delinquency or finding of guilt if the juvenile consents.

#### COMMITTEE AMENDMENTS:

The committee amendments replace the Department of Human Services with the Department of Children and Families: (1) in the provisions of the bill concerning the confidential Statewide database of suicide risk screenings and mental health screenings to be maintained in conjunction with the JJC, and (2) as part of the membership of a county juvenile detention facility closing task force, if such a task force is needed.

#### FISCAL IMPACT:

The Office of Legislative Services (OLS) notes that the JJC has instituted, or is in the process of instituting, most of the requirements of this bill and therefore the overall cost to the State will be relatively minimal.

The bill requires the JJC, in conjunction with Department of Human Services, to establish and maintain a database to track mental health screenings. The JJC has created a database meeting those criteria, however only five detention centers are presently using the system. Currently, JJC does not have the IT staffing to support the remaining 12 centers and is thus accepting paper reports from these centers. This is a slower reporting process and could be sped up if all 17 centers were on the same system. This would require at least one full time IT position initially to get the 12 non-system using centers online and then maintain that system.

This bill also requires that the mental health screening staff be certified by the JJC. The JJC currently has guidelines for hiring screeners, however it is unclear in the bill if the current standards fulfill that requirement or if JJC would need to do more to ensure that criterion is being met.

Finally, the bill requires the JJC to adopt rules and regulations that may include fines and penalties for facilities that violate the provisions of the bill. The bill does not specify the disposition of any fines or penalties that may be imposed under such regulations.

# STATEMENT TO

[First Reprint]

## **ASSEMBLY, No. 2281**

with Assembly Floor Amendments  
(Proposed By Assemblyman CRYAN)

ADOPTED: DECEMBER 11, 2006

Assembly Bill No. 2281 (1R) requires suicide and mental health screening of juveniles held in county detention centers.

These Assembly amendments prohibit a juvenile from being placed in isolation before undergoing the risk of suicide and mental health screenings required by the bill. The amendments also authorize the Juvenile Justice Commission to impose on county juvenile detention centers penalties for continued violations of the manual of standards applicable to their operations.

# LEGISLATIVE FISCAL ESTIMATE

[Third Reprint]

**ASSEMBLY, No. 2281**

## **STATE OF NEW JERSEY 212th LEGISLATURE**

DATED: DECEMBER 12, 2007

### SUMMARY

- Synopsis:** Requires suicide and mental health screening of juveniles in county detention centers.
- Type of Impact:** Expenditure Increase. General Fund.
- Agencies Affected:** Department of Law and Public Safety; Juvenile Justice Commission; County Juvenile Detention Centers; Public Defenders; Department of Human Services; Department of Children and Families

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate - See comments below		
<b>State Revenue</b>	Minimal Revenue from Fines		

- The Office of Legislative Services has determined that the Juvenile Justice Commission (JJC) has instituted, or is in the process of instituting, most of the requirements of this bill and therefore the overall cost to the State will be relatively minimal;
- Requires suicide and mental health screening of juveniles in county detention centers;
- Requires JJC to certify screeners for the 17 county detention facilities;
- Requires JJC to adopt a standardized suicide risk screening questionnaire and other screening tools;
- Requires county juvenile detention centers to have written policies and procedures for various mental health issues;
- Requires JJC, along with the Department of Human Services, to establish and maintain a Statewide Database of screening performed;



- Requires that JJC submit, for seven years, an annual report to the Governor and the Legislature;
- Requires that JJC, in conjunction with the Police Training Commission and mental health experts, shall develop a training curriculum for juvenile detention officers and youth workers;

## **BILL DESCRIPTION**

Assembly Bill No. 2281 (3R) of 2006 requires the JJC to adopt standards for suicide and mental health screenings in county juvenile detention facilities. The bill requires county detention facilities to screen juveniles, within 48 hours of admission, for risk of suicide upon admission to a county juvenile detention facility by a JJC certified screener. Additionally, the detention centers are required to have written policies concerning mental health screenings, suicide screenings, suicide prevention protocols, and other mental and emotional health-related issues and to make psychological or psychiatric services available to juveniles as needed.

The bill requires that the suicide risk screening would include the use of a standardized suicide risk questionnaire adopted and made available by the JJC. Currently, all 17 county juvenile detention facilities employ the Massachusetts Youth Screening Instrument-2 (MAYSI-2) to screen for mental health needs.

The bill requires the JJC, in conjunction with the Department of Human Services, to establish and maintain a confidential Statewide database of suicide and mental health screenings performed at county juvenile detention facilities.

The JJC also is required to monitor the number of suicides at each county juvenile detention facility. If a suicide occurs at a facility, the JJC must evaluate the facility's compliance with the bill's provisions and prepare an accountability assessment and action report. In these cases, a seven-member task force established by this bill, will evaluate the facility where the suicide occurred.

The bill also requires the JJC to include on its website all reports monitoring the operations of county juvenile detention centers, including any corrective actions or penalties imposed on the center, and the rated census capacity and average monthly population of each center.

The JJC, in conjunction with the Police Training Commission and mental health experts, is required by the bill to develop a training curriculum for juvenile detention officers and youth workers focusing on the mental health needs of the juvenile detention population.

The JJC would be required to submit, for seven years, an annual report to the Governor and the Legislature detailing: 1) the number of suicides and suicide attempts at each county juvenile detention facility; 2) the number of suicide and mental health screenings that have been conducted at each facility and the number of juveniles whose screenings have indicated a warning or caution; 3) the number of juveniles who have been referred for additional screening or evaluation; and 4) a summary of the diagnoses for juveniles who have received treatment.

The JJC is required by the bill to adopt regulations necessary to implement the bill's provisions and these regulations may include a graduated system of intermediate fines and penalties for violations under the bill.

Finally, the bill includes provisions concerning the confidentiality of juvenile statements, reports, and records made under the bill's provisions.

**FISCAL ANALYSIS*****EXECUTIVE BRANCH***

None received.

***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services has determined that JJC has instituted, or is in the process of instituting, most of the requirements of this bill and therefore the overall cost to the State will be relatively minimal.

The bill requires the JJC, in conjunction with Department of Human Services, to establish and maintain a database to track mental health screenings. The JJC has created a database meeting those criteria, however only five detention centers are presently using the system. Currently, JJC does not have the IT staffing to support the remaining 12 centers and is thus accepting paper reports from these centers. This is a slower reporting process and could be sped up if all 17 centers were on the same system. This would require at least one full time IT position initially to get the 12 non-system using centers online and then maintain that system.

This bill also requires that people who perform the mental health screenings be certified by the JJC. The JJC currently has guidelines set forth in which to hire screeners, however it is unclear in the bill if the current standards fulfill that requirement or if JJC would need to do more to ensure that criterion is being met.

Finally, the bill requires the JJC to adopt monetary penalties for those facilities that are violating the provisions of the bill. The bill does not specify if these fees will go toward changes in the detention center for improving mental health services or if the fines will be placed in the General Fund.

*Section: Law and Public Safety*

*Analyst: Kristin A. Brunner  
Senior Fiscal Analyst*

*Approved: David J. Rosen  
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L. 1980, c.67 (C. 52:13B-1 et seq.).

**SENATE, No. 3027**

**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

INTRODUCED DECEMBER 17, 2007

**Sponsored by:**  
**Senator SHIRLEY K. TURNER**  
**District 15 (Mercer)**

**SYNOPSIS**

Requires suicide and mental health screening of juveniles in county detention centers.

**CURRENT VERSION OF TEXT**

As introduced.



S3027 TURNER

2

1 AN ACT concerning county juvenile detention facilities and  
2 supplementing P.L.1995, c.284 (C.52:17B-169 et seq.) and Title  
3 2A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. The Juvenile Justice Commission shall establish standards for  
9 suicide and mental health screening in county juvenile detention  
10 facilities in accordance with the provisions of this act. The  
11 standards shall require that each county detention facility develop  
12 written policies concerning mental health screening, suicide  
13 screening, suicide prevention protocols and other mental and  
14 emotional health-related issues and that each county juvenile  
15 detention facility make psychological or psychiatric services  
16 available to juveniles as needed.

17  
18 2. a. Upon admission to a county juvenile detention facility, a  
19 juvenile shall be screened for risk of suicide in accordance with the  
20 facility's suicide prevention protocols and written policies required  
21 by section 1 of this act. The suicide risk screening shall include,  
22 but not be limited to, the use of a standardized suicide risk  
23 questionnaire designated and made available by the Juvenile Justice  
24 Commission. The findings shall be recorded and brought to the  
25 attention of the appropriate medical or mental health staff as soon  
26 as possible.

27 b. If a juvenile shows evidence of suicide risk, the facility's  
28 suicide prevention protocols shall be immediately implemented.  
29 The policies shall include an increased level of supervision of a  
30 juvenile showing evidence of suicide risk until appropriate mental  
31 health services can be obtained. The facility administrator, or the  
32 administrator's designee, shall be immediately notified if a juvenile:

33 (1) is suspected of being at risk of attempting suicide or in  
34 emotional distress;

35 (2) has made a suicidal gesture or attempt; or

36 (3) scores in a suicide caution or warning range in a screening.

37 c. Every suicide gesture or attempt shall be reported to the  
38 Juvenile Justice Commission.

39  
40 3. Between 24 and 48 hours following admission to a county  
41 juvenile detention facility, a juvenile shall undergo mental health  
42 screening using a mental health screening tool designated by the  
43 Juvenile Justice Commission and in accordance with the facility's  
44 written policies required by section 1 of this act. If the screening  
45 tool indicates that a referral for additional screening or mental  
46 health services is appropriate, that referral shall occur as soon as  
47 possible. If the screening indicates a warning or caution, the  
48 juvenile shall be placed on, and remain under, increased supervision

1 until it is determined by a mental health clinician that a heightened  
2 level of supervision is no longer needed to ensure the safety of the  
3 juvenile.

4

5 4. Except as otherwise required by law, any statement made by a  
6 juvenile in the course of a suicide or mental health screening,  
7 conducted with or without the juvenile's consent, or reports or  
8 records produced pursuant to such suicide or mental health  
9 screening, shall not be:

10 a. disclosed, except by an attorney representing the juvenile and  
11 with the juvenile's consent, to the court, prosecutor, or any law  
12 enforcement officer; or

13 b. used in any investigation or delinquency or criminal  
14 proceeding involving the juvenile that is currently pending or  
15 subsequently initiated.

16

17 5. No juvenile shall be placed in isolation before undergoing  
18 screening for risk of suicide and mental health screening required  
19 by sections 2 and 3 of this act.

20

21 6. No person shall perform a suicide risk screening pursuant to  
22 section 2 of this act or a mental health screening pursuant to section  
23 3 of this act unless that person has been certified by the Juvenile  
24 Justice Commission as qualified to perform such screening.

25

26 7. The Juvenile Justice Commission, in conjunction with the  
27 Department of Human Services, shall establish and maintain a  
28 confidential Statewide database of the suicide risk screenings  
29 required by section 2 of this act and the mental health screenings  
30 required by section 3 of this act to be used exclusively by persons  
31 performing suicide risk and mental health screenings.

32

33 8. a. The Juvenile Justice Commission shall monitor the number  
34 of suicides that occur at each county juvenile detention facility.

35 b. Upon an initial suicide at a facility, the commission shall  
36 conduct an evaluation of the facility's compliance with the  
37 provisions of this act, an accountability assessment and an action  
38 report.

39 c. If a second suicide occurs within seven years of the initial  
40 suicide, the Juvenile Justice Commission shall, within 30 days, and  
41 with the approval of the Attorney General, evaluate the facility for  
42 compliance with the provisions of this act. A facility shall not  
43 admit additional juveniles until the Attorney General has certified  
44 that the facility is in compliance with the provisions of this act.

45 d. If a third or subsequent suicide occurs within seven years of  
46 an initial suicide, the facility shall be immediately closed and shall  
47 not reopen until the Governor determines that it shall reopen. A  
48 task force comprised of the following seven members shall assist

1 the Governor in making this determination: the Executive Director  
2 of the Juvenile Justice Commission, or a designee; the Attorney  
3 General, or a designee; the Child Advocate, or a designee;  
4 Commissioner of Human Services, or a designee; one public  
5 member; a director of a county juvenile detention facility, but not of  
6 the county facility being evaluated; and a member of the board of  
7 chosen freeholders of the county within which the facility being  
8 evaluated is located.

9  
10 9. The Juvenile Justice Commission shall include the following  
11 information on the commission's website:

12 a. All reports monitoring the operations of county juvenile  
13 detention centers, including, but not limited to, any corrective  
14 actions taken against or penalties imposed on a center, if applicable;  
15 and

16 b. The rated census capacity and the average monthly population  
17 for each juvenile county detention center.

18  
19 10. The Juvenile Justice Commission shall, in conjunction with  
20 the Police Training Commission and mental health experts, develop  
21 a training curriculum for juvenile detention officers and youth  
22 workers focusing on the mental health needs of the juvenile  
23 detention population.

24  
25 11. The Juvenile Justice Commission, in conjunction with the  
26 Department of Human Services, shall annually submit to the  
27 Governor and the Legislature, for seven years following the  
28 effective date of this act, a report detailing:

29 a. the number of suicides and suicide attempts at each county  
30 juvenile detention facility;

31 b. the number of suicide and mental health screenings that have  
32 been conducted at each facility and the number of juveniles whose  
33 screenings have indicated a warning or caution;

34 c. the number of juveniles who have been referred for additional  
35 screening or evaluation; and

36 d. a summary of the diagnoses for juveniles who have received  
37 treatment.

38  
39 12. The Juvenile Justice Commission, pursuant to the  
40 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
41 seq.) shall adopt rules and regulations necessary to implement the  
42 provisions of this act, which may include:

43 a. penalties for continued violations of the manual of standards  
44 applicable to county detention centers; and

45 b. a graduated system of intermediate fines and penalties for  
46 violations of the provisions of the act.

1       13. Reports or records relating to mental health services  
2 provided to a juvenile prior to an adjudication of delinquency or a  
3 finding of guilt, regardless of whether such mental health services  
4 were provided with or without the consent of the juvenile, may be  
5 disclosed to the court only after an adjudication of delinquency or a  
6 finding of guilt has been entered; provided however, an attorney  
7 representing a juvenile, with the juvenile's consent, may disclose  
8 such reports or records prior to the adjudication of delinquency or  
9 finding of guilt. The provisions of this subsection shall not be  
10 construed to limit in any manner the applicability of any privilege  
11 or law that otherwise prohibits disclosure of a juvenile's mental  
12 health records.

13

14       14. This act shall take effect immediately.

15

16

17

STATEMENT

18

19       This bill requires the Juvenile Justice Commission (JJC) to adopt  
20 standards for suicide and mental health screenings in county  
21 juvenile detention facilities. The bill would require county  
22 detention facilities to have written policies concerning mental  
23 health screenings, suicide screening, suicide prevention protocols,  
24 and other mental and emotional health-related issues and to make  
25 psychological or psychiatric services available to juveniles as  
26 needed.

27       The bill also requires juveniles to be screened for risk of suicide  
28 upon admission to a county juvenile detention facility. The suicide  
29 risk screening would include, but need not be limited to, the use of  
30 a standardized suicide risk questionnaire designated and made  
31 available by the JJC. The findings are to be recorded and brought  
32 to the attention of the appropriate medical or mental health staff as  
33 soon as possible. If a juvenile displays evidence of suicide risk, the  
34 facility's suicide prevention protocols would be immediately  
35 implemented. The procedures would require an increased level of  
36 supervision of a juvenile showing evidence of suicide risk until  
37 appropriate mental health services can be obtained. The bill further  
38 requires that the facility administrator, or the administrator's  
39 designee, be immediately notified if a juvenile is suspected of being  
40 at risk of attempting suicide or in emotional distress, has made a  
41 suicidal gesture or attempt, or scores in a suicide caution or warning  
42 range in a screening. The facility must report to the JJC every  
43 suicide gesture or attempt.

44       Additionally, juveniles are required by the bill to undergo mental  
45 health screening using a mental health screening tool designated by  
46 the JJC within 24 to 48 hours of admission to a county juvenile  
47 detention facility. If the screening tool indicates that a referral for  
48 additional screening or mental health services is appropriate, that

1 referral shall occur as soon as possible. If the screening indicates a  
2 warning or caution the juvenile shall be placed on, and remain  
3 under, increased supervision until it is determined by a mental  
4 health clinician that the heightened level of supervision is no longer  
5 needed to ensure the safety of the juvenile. Currently, all 17 county  
6 juvenile detention facilities employ the Massachusetts Youth  
7 Screening Instrument-2 (MAYSI-2) to screen for mental health  
8 needs.

9 Under the bill, persons performing the required suicide risk and  
10 mental health screenings would have to be certified by the JJC.

11 The bill requires the JJC, in conjunction with the Department of  
12 Human Services, to establish and maintain a confidential Statewide  
13 database of suicide and mental health screenings performed at  
14 county juvenile detention facilities.

15 The JJC also is required to monitor the number of suicides at  
16 each county juvenile detention facility. When a suicide occurs at a  
17 facility, the JJC must evaluate the facility's compliance with the  
18 bill's provisions and prepare an accountability assessment and  
19 action report. If a second suicide occurs within seven years of the  
20 first suicide, the bill requires the JJC, with the approval of the  
21 Attorney General, to evaluate the facility for compliance with the  
22 bill's provisions within 30 days. The facility would be prohibited  
23 from admitting additional juveniles until the Attorney General has  
24 certified that the facility is in compliance with the bill's provisions.  
25 If a third or subsequent suicide occurs within seven years of the  
26 first suicide, the facility is to be immediately closed and is  
27 prohibited from reopening until the Governor determines it should  
28 reopen. Under the bill, a seven-member task force would be  
29 appointed to assist the Governor in making the determination.  
30 Members of the task force include: the Executive Director of the  
31 JJC; the Attorney General; the Child Advocate; the Commissioner  
32 of Human Services; one public member; a director of a county  
33 juvenile detention facility; and a member of the board of chosen  
34 freeholders of the county within which the facility being evaluated  
35 is located.

36 The bill also requires the JJC to include on its website all reports  
37 monitoring the operations of county juvenile detention centers,  
38 including any corrective actions or penalties imposed on the center,  
39 and the rated census capacity and average monthly population of  
40 each center.

41 The JJC, in conjunction with the Police Training Commission  
42 and mental health experts, is required by the bill to develop a  
43 training curriculum for juvenile detention officers and youth  
44 workers focusing on the mental health needs of the juvenile  
45 detention population.

46 Under the bill, the JJC also would be required to submit, for  
47 seven years, a annual report to the Governor and the Legislature  
48 detailing: 1) the number of suicides and suicide attempts at each



1 county juvenile detention facility; 2) the number of suicide and  
2 mental health screenings that have been conducted at each facility  
3 and the number of juveniles whose screenings have indicated a  
4 warning or caution; 3) the number of juveniles who have been  
5 referred for additional screening or evaluation; and 4) a summary of  
6 the diagnoses for juveniles who have received treatment.

7 The JJC is required by the bill to adopt regulations necessary to  
8 implement the bill's provisions and these regulations may include a  
9 graduated system of intermediate fines and penalties for violations  
10 under the bill.

11 Finally, the bill includes two provisions concerning the  
12 confidentiality of juvenile statements, reports, and records made  
13 under the bill's provisions. One provides that statements made by a  
14 juvenile during suicide or mental health screenings and subsequent  
15 reports or records are not to be disclosed to the court, prosecutor, or  
16 any other law enforcement officer unless done so by the juvenile's  
17 attorney with the juvenile's consent. Further, this information may  
18 not be used in a pending or subsequent investigation or delinquency  
19 or criminal proceeding involving the juvenile. The other provides  
20 that reports or records relating to mental health services received by  
21 a juvenile prior to an adjudication of delinquency or a finding of  
22 guilt, regardless of whether such mental health services were  
23 provided with or without the consent of the juvenile, may only be  
24 disclosed to the court after an adjudication of delinquency or a  
25 finding of guilt has been entered, but the juvenile's attorney may  
26 disclose such reports or records prior to the adjudication of  
27 delinquency or finding of guilt if the juvenile consents.