

IN THE SENATE

SENATE BILL NO. 1003

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-518, IDAHO CODE, TO REVISE THE STANDARDS FOR THE DETENTION OF JUVENILES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 20-518, Idaho Code, be, and the same is hereby amended to read as follows:

20-518. STANDARDS FOR DETENTION. The following shall be minimum standards for the detention of juveniles provided for in section 20-517, Idaho Code:

(1) Juvenile detention facilities must be so constructed and/or maintained as to keep juveniles segregated from adult offenders ~~or those being treated as adult offenders under section 20-508 or 20-509, Idaho Code,~~ with there to be no contact as to sight and/or sound between the two (2) classes. Those juveniles being treated as adult offenders pursuant to section 20-508 or 20-509, Idaho Code, may be housed in a juvenile detention center if so ordered by the court. Such juveniles may be housed in the general juvenile population without sight and sound separation if it is determined by the detention administration that the safety and security of the other juveniles would not be at risk.

(2) Juvenile detention facilities must provide supervision and observation of juveniles ~~detainees~~ sufficient to protect the physical and mental health of the detainees.

(3) Juveniles held in detention must be provided with at least three (3) adequate and nutritional meals per day.

(4) Juveniles held in detention must have access to reading materials on a regular and systematic basis. ~~Detained juveniles may receive books, newspapers and periodicals from any source including delivery to the detention facilities by family members,~~ are subject to the right of detention authorities to inspect and remove dangerous or harmful materials. Detention authorities may forbid the introduction into holding quarters of obscene books or periodicals.

(5) A visiting program shall be established in juvenile detention facilities which will allow for family visits to each juvenile for at least two (2) hours each week.

(6) The juvenile detention facility shall meet the standards and rules set forth in IDAPA 05.01.02 and IDAPA 11.11.02.

(7) Notwithstanding any other provision in this chapter, the minimum standards set forth herein shall not apply to any person who attains his or her eighteenth birthday prior to beginning or while in detention. When such person attains his or her eighteenth birthday, he or she shall be transferred from juvenile detention to the county jail.