LAWS OF DELAWARE
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CHAPTER 261
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 162

AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO SERVICES FOR YOUTH.

WHEREAS, one of the primary purposes of Delaware's juvenile justice system is to rehabilitate youth who are adjudicated delinquent for violating Delaware's criminal code; and

WHEREAS, statistics indicate that current efforts to rehabilitate delinquent youth are inadequate, given that an unacceptable percentage of youth committed to Delaware's secure facilities following adjudications of delinquency are re-arrested soon after their release; and

WHEREAS, in the last Delaware Statistical Analysis Center publication regarding Juvenile Recidivism in Delaware, the state reported that 81% of juveniles released from Level 4 and Level 5 facilities in Delaware were rearrested within 18 months of release; and

WHEREAS, initial estimates prepared for upcoming reports are that these re-arrest numbers have worsened in subsequent years; and

WHEREAS, multiple national studies have identified specific practices that can improve outcomes for youth who have had contact with the criminal justice system; and

WHEREAS, the General Assembly wishes to ensure that funds are dedicated specifically to programs that will directly benefit these youth after their release from secure facilities.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 51, Title 31 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Part IV ~~Training Schools for Delinquent Children~~ Services and Facilities for Youth Adjudicated Delinquent or Criminally Prosecuted

Chapter 51. ~~The Youth Services Commission of Delaware~~ Services for Justice-Involved Youth

§ 5113. Re-entry programs.

(a) There is hereby established a Fund for the Provision of Juvenile Re-Entry Services ("Juvenile Re-Entry Services Fund"). This fund shall be overseen and administered by the Department, and shall be used exclusively for the provision of re-entry services to minors who have been adjudicated delinquent or convicted of a crime and detained in a secure facility as a result of that adjudication.

(b) As used in this section, "re-entry services" means services provided to a juvenile after his or her release from a secure facility that have the specific purpose of reducing the risk that the juvenile will commit a future criminal offense or act of delinquency. This includes continuing services for up to 1 year after release, even if the juvenile turns 18 during confinement or after release.

(c) Funds appropriated to the Juvenile Re-Entry Services Fund shall be awarded by the Department to public or private third parties on a competitive basis for the provision of re-entry services. Up to 5 percent of appropriated funds may be retained by the Department for administration of funds and monitoring of services provided under this section.

(d) Funds from the Juvenile Re-Entry Services Fund may not be awarded in a manner that supplants funding from any other public source.

(e) The Department shall report to the Governor and General Assembly by December 1 of each year all expenditures made from the Juvenile Re-Entry Services Fund, the results of all monitoring of grants made from the Juvenile Re-Entry Services Fund, and its funding priorities for grants to be made in the following calendar year.

Section 2. For Fiscal Year 2022, funds from the Juvenile Re-Entry Services Fund shall be dedicated to the provision of cognitive behavioral therapy services and vocational training services to juveniles released from secure facilities.

Section 3. For Fiscal Year 2022, $500,000 is appropriated to the Department for grants from the Juvenile Re-Entry Services Fund. Any funds that are not granted by the Department by the end of Fiscal Year 2022 shall revert to the General Fund.

Approved November 8, 2021