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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 200      Session of  
2007

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INTRODUCED BY KASUNIC, GREENLEAF, STOUT, BOSCOLA, STACK,  
FONTANA, KITCHEN AND RHOADES, MARCH 7, 2007

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REFERRED TO JUDICIARY, MARCH 7, 2007

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AN ACT

1 Establishing a motivational boot camp system for juveniles;  
2 imposing powers and duties on the Department of Public  
3 Welfare and the Department of Health; and providing for a  
4 performance audit.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Juvenile  
9 Motivational Boot Camp Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Department." The Department of Public Welfare of the  
15 Commonwealth.

16 "Juvenile." A first-time or second-time juvenile offender  
17 who has not in the past demonstrated violent behavior and who  
18 does not presently demonstrate violent behavior.

1 "Secretary." The Secretary of Public Welfare of the  
2 Commonwealth.

3 "System." The motivational boot camp system for juveniles  
4 established under section 3.

5 Section 3. System.

6 (a) Establishment.--The department shall develop and  
7 implement a motivational boot camp system for juveniles  
8 committed to the system by the court pursuant to 42 Pa.C.S. §  
9 6352 (relating to disposition of delinquent child).

10 (b) Criteria.--The system shall be based on all of the  
11 following criteria:

12 (1) The system shall include a highly structured routine  
13 of discipline; a dress code; physical exercise; manual labor  
14 assignments; substance abuse education, treatment and  
15 rehabilitation; academic and vocational education; training  
16 in decision making; and personal development and prerelease  
17 counseling.

18 (2) The substance abuse education, treatment and  
19 rehabilitation programs shall be licensed by the Office of  
20 Drug and Alcohol Programs in the Department of Health.

21 (3) Participants must be medically and psychologically  
22 fit to participate in the motivational boot camp.  
23 Participants must remain medically and psychologically fit  
24 throughout participation in the system.

25 (4) If a participant in the system becomes unmanageable  
26 or is determined to be medically or psychologically unfit to  
27 continue the system, the department shall return the  
28 participant to the court for further disposition.

29 (5) The system shall use staff models and mentors to  
30 promote within a participant the development of socially

1       accepted attitudes and behaviors.

2           (6) The system shall provide participants the  
3       opportunity to gradually reenter the community while  
4       demonstrating the capacity for self-discipline and the  
5       attainment of respect for the community.

6           (7) Upon the participant's completion of the system, the  
7       department shall submit a report to the court that describes  
8       the participant's performance. If the participant's  
9       performance has been satisfactory, the court may issue an  
10      order modifying the disposition imposed and place the  
11      participant on probation.

12      (c) Staff.--The secretary shall have final approval on the  
13      hiring and transferring of staff for the system. In staffing the  
14      system, the department shall select persons who are trained in  
15      the treatment of juveniles or will be trained in the treatment  
16      of juveniles prior to working with such juveniles, are trained  
17      to act as role models and mentors and are best equipped to  
18      enable the system to meet the purposes of this act. The  
19      secretary shall make a recommendation to the Secretary of  
20      Administration regarding the classification of positions with  
21      the system, taking into account the level of education and  
22      training required for such positions.

23      (d) Probation supervision.--The system shall provide for  
24      probation supervision which shall consist of highly structured  
25      surveillance and monitoring and educational and treatment  
26      programs. The system shall also provide for community service by  
27      juveniles while on probation. This subsection shall be  
28      implemented and administered jointly by the department and the  
29      county juvenile probation office.

30      Section 4. Departmental duties.

1 (a) Rules and regulations.--The department shall promulgate  
2 rules and regulations for the system.

3 (b) Numbers.--The number of juveniles under the system shall  
4 be determined by the department within available appropriations.

5 (c) Report.--Beginning with the first full calendar year,  
6 and annually thereafter, the secretary shall submit a report to  
7 the Governor and the General Assembly concerning the system that  
8 includes, but is not limited to, the following:

9 (1) The specific content and structure of the programs  
10 for juveniles in the system, including staffing ratios for  
11 each program, a description of the daily routine of juveniles  
12 that includes the amount of juveniles' time that is allocated  
13 to each program and an explanation of how the programs are  
14 related.

15 (2) The process used for transition to probation  
16 supervision, whether juveniles may be returned to their  
17 original environment for the probation period, the specific  
18 means of probation supervision and the specific educational  
19 and treatment programs provided to juveniles during their  
20 probation period.

21 (3) The procedure for transferring a juvenile to another  
22 facility for vocational or training services or when a  
23 juvenile poses a danger to himself or others and  
24 identification of the facilities used for such purposes.

25 (4) The specific criteria and procedures for determining  
26 successful completion of the programs in the system, for  
27 determining whether a juvenile cannot successfully complete  
28 the sentence and for revocation of probation.

29 Section 5. Program site.

30 The department shall operate or, through a contract, arrange

1 for the operation of the program established under this act.

2 Section 6. Performance audit.

3 The Legislative Budget and Finance Committee shall submit to  
4 the General Assembly and the secretary a performance audit as  
5 defined under the act of December 22, 1981 (P.L.508, No.142),  
6 known as the Sunset Act, within two years of the effective date  
7 of this act.

8 Section 7. Placement of motivational boot camp.

9 The Secretary of Corrections shall cooperate with the  
10 secretary in the placement of the motivational boot camps. The  
11 camps may be placed next to similar existing camps. Although the  
12 camps shall be separate, agreements may be made to share some of  
13 the facilities.

14 Section 8. Effective date.

15 This act shall take effect in 60 days.