



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 817

PRINTERS NO. 1830

PRIME SPONSOR: Baker

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	\$0

SUMMARY: Senate Bill 817 amends the Judicial Code concerning the use of restraints on children in court hearings. It would take effect in 60 days.

ANALYSIS: This legislation adds a section to the Judicial Code concerning the use of restraints on children during court proceedings. It restricts the use of restraints, such as handcuffs, chains, shackles, irons or straitjackets on a child in court, and provides for exceptions.

Restraints may be used during a court proceeding if the court determines, on the record, after providing the child with an opportunity to be heard, that they are necessary to prevent physical harm to the child or another person; to prevent disruptive courtroom behavior, evidenced by a history of such behavior; or to prevent a child with a history of escape attempts from fleeing the courtroom.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds. The May 2010 Final Report of the Interbranch Commission on Juvenile Justice (ICJJ) recommended that the Pennsylvania Commission on Crime and Delinquency undertake a study and develop recommendations on how to reduce and if possible eliminate the shackling of juveniles in Pennsylvania's juvenile courtrooms.

The Juvenile Court Procedural Rules Committee of the Supreme Court of Pennsylvania adopted a new Rule 139 on April 26, 2011 that includes the restraint restrictions listed in Senate Bill 817. Therefore, this legislation simply puts these restrictions in statute.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: April 3, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.