

Department of Legislative Services
 Maryland General Assembly
 2001 Session

FISCAL NOTE

House Bill 1426 (Delegates Montague and Doory)
 Judiciary

Juvenile Justice - Office for Children, Youth, and Families - Office of the Independent Monitor

This bill creates the Office of the Independent Monitor within the Governor's Office for Children, Youth, and Families (OCYF).

Fiscal Summary

State Effect: This bill codifies existing practice. Program expenditures are expected to be \$417,600 in FY 2002. Of this amount, \$150,000 is reimbursed by the Department of Juvenile Justice (DJJ) and \$267,600 is federal grant funds. These amounts are included in the Governor's proposed FY 2002 budget. Future years reflect a declining federal grant and inflation. Revenues would not be affected.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	150,000	367,400	448,700	463,800	479,600
FF Expenditure	267,600	66,900	0	0	0
Net Effect	(\$417,600)	(\$434,300)	(\$448,700)	(\$463,800)	(\$479,600)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The office must evaluate the following at each residential facility operated by DJJ or a private entity under contract with DJJ: (1) the child advocacy grievance process; (2) DJJ's monitoring process; (3) the treatment of and services to youth; and (4) the physical conditions of the facility. The office is also required to: (1) review and investigate all reports of disciplinary actions, grievances, and grievance dispositions received from each facility; (2) receive and investigate grievances; and (3) perform unannounced site visits and on-site inspections of facilities. The office is required to make specified reports to the Special Secretary for OCYF. In addition, beginning in 2002, by November 30 of each year the office must report to the Special Secretary, the Secretary of Juvenile Justice, the Governor, and the General Assembly on all the activities of the office and the actions taken by DJJ in response to the findings and recommendations presented in the reports.

The bill requires the office to employ a full-time executive director and up to four independent monitors.

Current Law: This legislation codifies the existing independent monitoring program that was established in fiscal 2000.

Background: OCYF is a part of the Executive Department and has the following units within it: (1) Advisory Committee for Children, Youth, and Families; (2) Children's councils; (3) Governor's Council on Adolescent Pregnancy; (4) State Coordinating Council for Residential Placement of Handicapped Children; and (5) other multiple agency initiatives for children, youth, and families that are not reserved by law to another agency. The Office of the Independent Monitor would be an additional unit within OCYF. The current monitoring program was requested by DJJ to evaluate certain functions of juvenile justice facilities, monitor resolution of complaints regarding juvenile justice programs and to make recommendations to DJJ based on its findings.

State Fiscal Effect: The Independent Monitoring program is currently supported by an annual renewable Memorandum of Agreement (MOA) with DJJ, which reimburses OCYF's expenditures up to \$150,000 each fiscal year, and a federal grant award from the Office of Crime Control and Prevention (OCCP) in the amount of \$267,603. These funds support salaries, fringe benefits, travel, and other operating expenditures for the following positions: (1) one director; (2) four monitors (one full-time and three contractual); and (3) one part-time administrative assistant. The funding from DJJ comes up for renewal in December 2001, but it is assumed in this analysis that funding will continue in the out-years if this bill is enacted. The current federal grant terminates in September 2001, but is renewable for at least one more year. For purposes of this analysis, federal funding has

been projected through September 2002, as OCYF is currently in the re-application phase and is confident that the federal funding will be approved. Future years assume that federal funding will expire during fiscal 2003, and that the program will be funded solely by State general funds beginning in fiscal 2004. All start-up costs were included in the fiscal 2001 budget.

The Governor's proposed fiscal 2002 budget includes a total of \$417,603 (\$267,603 federal funds, \$150,000 reimbursable funds) for this program.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Governor's Office on Children, Youth, and Families;
Department of Juvenile Justice, Department of Legislative Services

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