

Department of Legislative Services
 Maryland General Assembly
 2005 Session

FISCAL AND POLICY NOTE
 Revised

House Bill 1343

(Delegate Zirkin, *et al.*)

Judiciary

Judicial Proceedings

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

This bill expands the jurisdiction of the Office of the Independent Juvenile Justice Monitor (OIJJM) to include group homes and child care institutions that exercise care, custody, or control over a child receiving services from the Department of Juvenile Services (DJS). The bill states that it is the intent of the General Assembly that the Governor include full funding in the fiscal 2007 budget for six positions to perform the additional duties required by the bill.

The bill takes effect July 1, 2006 and is contingent on funding being included in the fiscal 2007 budget for six additional positions in OIJJM.

Fiscal Summary

State Effect: General fund expenditures for the Governor’s Office of Crime Control and Prevention (GOCCP) would increase by \$466,000 in FY 2007. Future year expenditure increases reflect annualization and inflation. Revenues would not be affected.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Revenues	\$0	\$0	\$0	\$0	\$0
Expenditure	0	466,400	458,000	482,800	508,700
Net Effect	\$0	(\$466,400)	(\$458,000)	(\$482,800)	(\$508,700)

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

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: “Facility” means:

- a residential facility operated by DJS; and
- a residential facility owned by DJS but privately operated.

The office must evaluate the child advocacy grievance process, the DJS monitoring process, the treatment of and services to youth, the physical conditions of residential facilities, and the adequacy of staffing at residential facilities. The office must review reports of disciplinary actions, grievances, and grievance dispositions from each facility and changes in the status or placement of a child that result in more security, additional obligations, or less personal freedom. The office also must receive copies of grievances submitted to DJS, perform unannounced site visits and onsite inspections of facilities, receive and review all incident reports submitted to DJS from facilities, and receive reports of findings of child protective services investigations of allegations of abuse or neglect of a child in a facility. The office may also review relevant laws, policies, procedures, juvenile justice records, and DJS reports relating to youth in facilities. It also may conduct interviews with staff, youth, and other individuals on request and participate in a local department of social services child protective services investigation concerning any allegation of abuse or neglect within any assigned facility.

Background: An independent juvenile justice monitor was established through a memorandum of agreement between the then Department of Juvenile Justice and the Office for Children, Youth, and Families (OCYF) and has operated since September 2000. OIJM was codified by Chapter 255 of 2002.

State Expenditures: DJS advises that there are 260 facilities that fall into the category of “group home or child care institution” exercising care, custody, or control over a child receiving DJS services. OIJM currently monitors 22 facilities with a staff of 4 monitors. During fiscal 2004, OIJM made 500 visits to these 22 facilities and submitted approximately 100 “timely reports,” 4 quarterly reports, and 1 annual report. OIJM assumes that the 22 facilities that are currently being monitored fall into the expanded category and expect the monitoring responsibility to expand by 238 facilities.

General fund expenditures would increase by an estimated \$466,361 in fiscal 2007. This estimate reflects the cost of hiring six additional monitors to monitor the group homes and child care institutions, as specified in the bill. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salaries and Fringe Benefits	\$379,791
Operating Expenses	<u>86,570</u>
Total FY 2007 State Expenditures	\$466,361

Future year expenditures reflect: (1) full salaries with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Comments: SB 222 of 2005 would transfer the Office of the Independent Juvenile Justice Monitor from OCYF to GOCCP for administrative and budgetary purposes. In the Governor's proposed fiscal 2006 budget, OIJJM funding is transferred to GOCCP.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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