

SENATE BILL 359

E3

71r0626

By: **Senator Zirkin**

Introduced and read first time: February 1, 2007

Assigned to: Education, Health, and Environmental Affairs and Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 1, 2007

CHAPTER _____

1 AN ACT concerning

2 **Department of Juvenile Services – Reorganization and Regionalization**

3 FOR the purpose of requiring the Department of Juvenile Services to serve children in
4 the juvenile services system with certain programming that delivers services on
5 a regional basis; ~~establishing a certain number of operational regions in the~~
6 ~~State~~; requiring each region to include at least a certain number of secure
7 facilities used solely for certain purposes; requiring each region to include a
8 ~~sufficient~~ certain number of committed facilities to provide certain services to
9 certain children under certain circumstances; requiring each region to include a
10 nonpublic facility only under certain circumstances; authorizing the
11 Department to place a child into a certain facility if a certain determination is
12 made; requiring the Department to submit a certain plan to the Department of
13 Budget and Management on or before a certain date; and generally relating to
14 juvenile services.

15 ~~BY adding to~~
16 ~~Article 83C – Juvenile Services~~
17 ~~Section 2-101(c) and 2-101.5~~
18 ~~Annotated Code of Maryland~~
19 ~~(2003 Replacement Volume and 2006 Supplement)~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to

2 Article – Human Services

3 Section 9–238.1

4 Annotated Code of Maryland

5 (As enacted by Chapter 3 of the Acts of the General Assembly of 2007)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That the Laws of Maryland read as follows:

8 ~~Article 83C – Juvenile Services~~

9 ~~2–101.~~

10 Article – Human Services

11 9–238.1.

12 ~~(C)~~ (A) THE DEPARTMENT SHALL SERVE CHILDREN IN THE JUVENILE
13 SERVICES SYSTEM WITH PROGRAMMING THAT:

14 (1) ENSURES THE SAFETY OF THE COMMUNITY AND THE
15 CHILDREN SERVED;

16 (2) HOLDS DELINQUENT CHILDREN ACCOUNTABLE TO VICTIMS
17 AND COMMUNITIES;

18 (3) ASSISTS CHILDREN TO DEVELOP COMPETENCIES TO BECOME
19 SUCCESSFUL MEMBERS OF SOCIETY;

20 (4) DELIVERS SERVICES ON A REGIONAL BASIS THROUGH ~~SIX~~ AT
21 LEAST FOUR OPERATIONAL REGIONS;

22 (5) ENSURES THAT A COMMITTED FACILITY OWNED ~~OR~~
23 ~~OPERATED AND USED~~ BY THE DEPARTMENT SERVES NO MORE THAN 48
24 CHILDREN AT ONE TIME; AND

25 (6) USES DETENTION AND COMMITTED FACILITIES THAT ARE
26 ~~GEOGRAPHICALLY, PHYSICALLY, AND~~ OPERATIONALLY SEPARATE FROM EACH
27 OTHER AND THAT DO NOT SHARE COMMON ~~AREAS~~ PROGRAM SPACE, INCLUDING
28 ~~ADMINISTRATIVE BUILDINGS, DINING HALLS, AND MEDICAL, EDUCATIONAL,~~
29 HALLS AND EDUCATIONAL OR RECREATIONAL FACILITIES.

1 ~~2-101.5.~~

2 ~~(A) (1) THERE SHALL BE SIX OPERATIONAL REGIONS WITHIN THE~~
 3 ~~STATE.~~

4 ~~(2) THE SIX OPERATIONAL REGIONS WITHIN THE STATE SHALL~~
 5 ~~BE:~~

6 ~~(I) REGION 1 — BALTIMORE CITY;~~

7 ~~(II) REGION 2 — BALTIMORE COUNTY, CARROLL COUNTY,~~
 8 ~~AND HARFORD COUNTY;~~

9 ~~(III) REGION 3 — ANNE ARUNDEL COUNTY, HOWARD~~
 10 ~~COUNTY, AND MONTGOMERY COUNTY;~~

11 ~~(IV) REGION 4 — CALVERT COUNTY, CHARLES COUNTY,~~
 12 ~~PRINCE GEORGE'S COUNTY, AND ST. MARY'S COUNTY;~~

13 ~~(V) REGION 5 — CAROLINE COUNTY, CECIL COUNTY,~~
 14 ~~DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, TALBOT~~
 15 ~~COUNTY, SOMERSET COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY;~~
 16 ~~AND~~

17 ~~(VI) REGION 6 — ALLEGANY COUNTY, FREDERICK COUNTY,~~
 18 ~~GARRETT COUNTY, AND WASHINGTON COUNTY.~~

19 ~~(3)~~ (B) A REGION SHALL:

20 ~~(I)~~ (1) INCLUDE AT LEAST ONE SECURE FACILITY USED
 21 SOLELY FOR CHILDREN PENDING COURT DISPOSITION AND CHILDREN
 22 AWAITING PLACEMENT AFTER DISPOSITION;

23 ~~(II)~~ (2) INCLUDE EXCEPT FOR SPECIALIZED SERVICES AS
 24 PROVIDED IN SUBSECTION (C) OF THIS SECTION, INCLUDE A SUFFICIENT
 25 NUMBER OF COMMITTED FACILITIES ESTIMATED TO BE NECESSARY TO
 26 DIAGNOSE, CARE FOR, TRAIN, EDUCATE, AND PROPERLY REHABILITATE EVERY
 27 CHILD FROM THE REGION IN THE CUSTODY OF THE DEPARTMENT; AND

1 ~~(H)~~ **(3)** **INCLUDE A NONPUBLIC FACILITY ONLY IF THE**
 2 **DEPARTMENT DETERMINES THAT THE FACILITY:**

3 ~~1~~ **(I)** **HAS PROVIDED OR WILL EFFICIENTLY AND**
 4 **EFFECTIVELY PROVIDE ADEQUATE CARE FOR THE CHILDREN PLACED IN THE**
 5 **FACILITY; AND**

6 ~~2~~ **(II)** **HAS DEMONSTRATED OR WILL DEMONSTRATE**
 7 **A RECORD OF SUCCESS BASED ON STANDARDS PROMULGATED BY THE**
 8 **DEPARTMENT.**

9 ~~(D)~~ **(C)** **THE DEPARTMENT MAY PLACE A CHILD INTO A COMMITTED**
 10 **FACILITY OUTSIDE THE CHILD'S REGION IF A DETERMINATION IS MADE BY THE**
 11 **DEPARTMENT THAT SPECIALIZED SERVICES FOR THE CHILD REQUIRE THE**
 12 **PLACEMENT IN THE BEST INTERESTS OF THE CHILD.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November
 14 1, 2007, the Department of Juvenile Services shall submit a revised facilities master
 15 plan to the Department of Budget and Management to reflect the reorganization of
 16 operational regions as required by this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 18 October 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.