

CHAPTER 498

(Senate Bill 359)

AN ACT concerning

Department of Juvenile Services – Reorganization and Regionalization

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

~~BY adding to~~

~~Article 83C – Juvenile Services~~

~~Section 2-101(e) and 2-101.5~~

~~Annotated Code of Maryland~~

~~(2003 Replacement Volume and 2006 Supplement)~~

BY adding to

Article – Human Services

Section 9-238.1

Annotated Code of Maryland

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

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

~~Article 83C – Juvenile Services~~

~~2-101.~~

Article – Human Services

9-238.1.

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

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

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

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

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

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

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

2-101.5.

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

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

~~(i) REGION 1—BALTIMORE CITY;~~

~~(ii) REGION 2—BALTIMORE COUNTY, CARROLL COUNTY, AND HARFORD COUNTY;~~

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

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

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

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

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

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

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

~~(3)~~ (3) INCLUDE A NONPUBLIC FACILITY ONLY IF THE DEPARTMENT DETERMINES THAT THE FACILITY:

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

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

~~(B)~~ (C) THE DEPARTMENT MAY PLACE A CHILD INTO A COMMITTED FACILITY OUTSIDE THE CHILD'S REGION IF A DETERMINATION IS MADE BY THE

DEPARTMENT THAT SPECIALIZED SERVICES FOR THE CHILD REQUIRE THE PLACEMENT IN THE BEST INTERESTS OF THE CHILD.

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

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

Approved by the Governor, May 17, 2007.