

HOUSE BILL 511

E3

11r1548
CF 11r1222

By: **Delegates Dumais, Alston, Anderson, Arora, Aumann, Barkley, Barnes, Bates, Clippinger, Eckardt, Feldman, Frush, Gaines, Glenn, Gutierrez, Haddaway–Riccio, Healey, Hough, Hubbard, Jameson, Kaiser, A. Kelly, Lee, Luedtke, Malone, McComas, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Nathan–Pulliam, Niemann, O’Donnell, Parrott, Pena–Melnik, Reznik, S. Robinson, Simmons, Smigiel, Stocksdales, Valentino–Smith, Waldstreicher, and Wilson**

Introduced and read first time: February 7, 2011

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Services – Services and Programs for Females**

3 FOR the purpose of requiring the Department of Juvenile Services to serve children in
4 the juvenile services system with programming that provides females with
5 certain services and programs; requiring the Department to report to the
6 General Assembly on or before a certain date; requiring the report to include
7 certain information; and generally relating to juvenile services.

8 BY repealing and reenacting, with amendments,
9 Article – Human Services
10 Section 9–238.1
11 Annotated Code of Maryland
12 (2007 Volume and 2010 Supplement)

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

15 **Article – Human Services**

16 9–238.1.

17 (a) The Department shall serve children in the juvenile services system with
18 programming that:

19 (1) ensures the safety of the community and the children served;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) holds delinquent children accountable to victims and communities;

2 (3) assists children to develop competencies to become successful
3 members of society;

4 (4) delivers services on a regional basis through at least four
5 operational regions;

6 (5) (i) ensures that each committed facility owned by the
7 Department serves no more than 48 children at one time; and

8 (ii) ensures that each committed facility licensed by the
9 Department serves no more than 48 children at one time, unless the Secretary finds
10 good cause for a committed facility licensed by the Department to serve more than 48
11 children at one time; [and]

12 (6) uses detention and committed facilities that are operationally
13 separate from each other and that do not share common program space, including
14 dining halls and educational or recreational facilities; **AND**

15 **(7) PROVIDES FEMALES WITH A RANGE AND QUALITY OF SERVICES**
16 **AND PROGRAMS SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED TO MALES.**

17 (b) A region shall:

18 (1) include at least one secure facility used solely for children pending
19 court disposition and children awaiting placement after disposition;

20 (2) except for specialized services as provided in subsection (c) of this
21 section, include a number of committed facilities estimated to be necessary to
22 diagnose, care for, train, educate, and properly rehabilitate every child from the region
23 in the custody of the Department; and

24 (3) include a nonpublic facility only if the Department determines that
25 the facility:

26 (i) has provided or will efficiently and effectively provide
27 adequate care for the children placed in the facility; and

28 (ii) has demonstrated or will demonstrate a record of success
29 based on standards promulgated by the Department.

30 (c) The Department may place a child into a committed facility outside the
31 child's region if a determination is made by the Department that specialized services
32 for the child require the placement in the best interests of the child.

1 SECTION 2. AND BE IT FURTHER ENACTED, That:

2 (a) On or before January 1, 2012, the Department of Juvenile Services shall
3 report to the General Assembly, in accordance with § 2-1246 of the State Government
4 Article, on the manner in which the Department will use existing resources to ensure
5 that females receive services that are substantially equivalent to those offered to
6 males in fiscal 2013 and subsequent years.

7 (b) The report shall include information on the utilization of:

8 (1) prevention and diversion services;

9 (2) alternatives to detention, including day and evening reporting and
10 shelter care;

11 (3) the continuum of services for those committed to the Department
12 for probation or residential placement, including evidence-based programs; and

13 (4) educational and vocational training services.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2011.