

# HOUSE BILL 511

E3

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CF SB 787

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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–Melnyk, Reznik, S. Robinson, Simmons, Smigiel, Stocksdale, Valentino–Smith, Waldstreicher, and Wilson

Introduced and read first time: February 7, 2011

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2011

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## CHAPTER \_\_\_\_\_

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 provide a certain~~  
6 report to the General Assembly on or before a certain date; requiring the report  
7 to include 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~~**

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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 ~~9-238.1.~~

2       ~~(a) The Department shall serve children in the juvenile services system with~~  
3 ~~programming that:~~

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

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

6             ~~(3) assists children to develop competencies to become successful~~  
7 ~~members of society;~~

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

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

12                    ~~(ii) ensures that each committed facility licensed by the~~  
13 ~~Department serves no more than 48 children at one time, unless the Secretary finds~~  
14 ~~good cause for a committed facility licensed by the Department to serve more than 48~~  
15 ~~children at one time; [and]~~

16             ~~(6) uses detention and committed facilities that are operationally~~  
17 ~~separate from each other and that do not share common program space, including~~  
18 ~~dining halls and educational or recreational facilities; AND~~

19             ~~(7) PROVIDES FEMALES WITH A RANGE AND QUALITY OF SERVICES~~  
20 ~~AND PROGRAMS SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED TO MALES.~~

21       ~~(b) A region shall:~~

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

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

28             ~~(3) include a nonpublic facility only if the Department determines that~~  
29 ~~the facility:~~

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

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

3 ~~(e) The Department may place a child into a committed facility outside the~~  
4 ~~child's region if a determination is made by the Department that specialized services~~  
5 ~~for the child require the placement in the best interests of the child.~~

6 ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

7 (a) On or before ~~January 1, 2012~~ December 1, 2011, the Department of  
8 Juvenile Services shall report to the General Assembly, in accordance with § 2-1246 of  
9 the State Government Article, on the manner in which the Department will use  
10 existing resources to ensure that females receive services that are substantially  
11 equivalent to those offered to males in fiscal 2013 and subsequent years.

12 (b) The report shall include statewide and regional information on the  
13 utilization of:

- 14 (1) prevention and diversion services;
- 15 (2) alternatives to detention, including day and evening reporting and  
16 shelter care;
- 17 (3) the continuum of services for those committed to the Department  
18 for probation or residential placement, including evidence-based programs; and
- 19 (4) educational and vocational training services.

20 SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take  
21 effect July 1, 2011.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.