

Department of Legislative Services
 Maryland General Assembly
 2014 Session

FISCAL AND POLICY NOTE

House Bill 842 (Delegate Rosenberg)
 Judiciary

Public Safety - Drug Treatment Court - Baltimore City

This bill requires, for fiscal 2016 and each fiscal year thereafter, the Judiciary to include in its annual budget submission to the General Assembly funding to provide (1) drug treatment services to, at a minimum, the same number of individuals that participated in the Baltimore City Drug Treatment Court in fiscal 2013 and (2) public transportation, including metro bus fare, for Baltimore City Drug Treatment Court participants.

Fiscal Summary

State Effect: General fund expenditures increase by a minimum of \$2.5 million beginning in FY 2016 for the Judiciary to include funding in its budget for drug treatment and transportation services for drug court participants. **This bill establishes a mandated appropriation beginning in FY 2016.**

(\$ in millions)	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	2.5	2.5	2.5	2.5
Net Effect	\$0	(\$2.5)	(\$2.5)	(\$2.5)	(\$2.5)

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

Local Effect: Significant increase in local revenues as the Baltimore City Circuit Court receives mandated funding for its drug court program from the State.

Small Business Effect: None.

Analysis

Current Law/Background: Maryland's first two drug courts were established in Baltimore City in 1994. A drug court is a specialized docket that handles drug and dependency-related cases through judicial intervention, intensive monitoring, and continuous substance abuse treatment. These programs are used for offenders who are charged with less serious drug crimes and who do not have a history of violence. The drug court program provides options other than commitment or incarceration. Participants are generally assigned to one of two tracks: probation or diversion from prosecution in exchange for a plea of guilty or admission of a delinquent act. Terms of program participation require intensive supervision and alcohol and other drug treatment.

State Fiscal Effect: General fund expenditures increase by a minimum of \$2,522,894 annually for the Judiciary to support drug treatment services for Baltimore City drug court participants. This estimate reflects total funding for drug courts in Baltimore City based on fiscal 2013 funding levels, which supported 114 drug court participant treatment slots. Because the bill requires the Judiciary to include funding in its annual budget submission, the estimate reflects total funding for Baltimore City drug courts based on fiscal 2013 expenditures.

However, the Department of Legislative Services advises that most funding for drug courts is not allocated within the Judiciary's budget. Out of the approximately \$2.5 million in total funding for fiscal 2013, the Judiciary provided \$70,467 to support drug court services, including approximately \$9,200 for transportation for drug court participants in the District Court. Money for drug court treatment is instead generally budgeted through the Department of Health and Mental Hygiene (DHMH). DHMH advises that in fiscal 2013, it provided \$61,248 for drug court treatment services in Baltimore City. Drug courts have also received significant federal grant funding in the past. For example, in fiscal 2013, the High Intensity Drug Trafficking Area (HIDTA) grant provided federal funds totaling \$523,341 for Baltimore City drug courts. The Judiciary also advises that providing transportation services to drug court participants increases expenditures by approximately \$25,000 annually. These expenditures are reflected in the above estimate.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Judiciary (Administrative Office of the Courts), Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2014
ncs/kdm

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