

HOUSE BILL 721

E3

7lr1920
CF SB 674

By: **Delegate Dumais**

Introduced and read first time: February 2, 2017

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

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 the
4 juvenile services system with programming that provides females with certain
5 services and programs; altering the duties of the State Advisory Board for Juvenile
6 Services; requiring the Department of Juvenile Services to submit certain reports to
7 the Governor and the General Assembly on or before certain dates; and generally
8 relating to juvenile services.

9 BY repealing and reenacting, with amendments,
10 Article – Human Services
11 Section 9–215 and 9–238.1
12 Annotated Code of Maryland
13 (2007 Volume and 2016 Supplement)

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

16 **Article – Human Services**

17 9–215.

18 In addition to its other duties specified in this title, the State Advisory Board shall:

19 (1) consult with and advise the Secretary on:

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 (i) each aspect of the juvenile services program in the State;
2 (ii) the educational programs and services of the Department; [and]
3 (iii) programs designed to divert children from the juvenile justice
4 system; AND

5 **(IV) THE TREATMENT AND PROGRAMMING NEEDS OF FEMALES**
6 **IN THE JUVENILE JUSTICE SYSTEM;**

- 7 (2) recommend to the Secretary policies and programs to improve juvenile
8 services in the State;
- 9 (3) participate in interpreting for the public the objectives of the
10 Department; and
- 11 (4) participate in planning the development and use of available resources
12 to meet the needs of the Department.
- 13 9–238.1.

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

- 16 (1) ensures the safety of the community and the children served;
- 17 (2) holds delinquent children accountable to victims and communities;
- 18 (3) assists children to develop competencies to become successful members
19 of society;
- 20 (4) delivers services on a regional basis through at least four operational
21 regions;
- 22 (5) (i) ensures that each committed facility owned by the Department
23 serves no more than 48 children at one time; and
- 24 (ii) ensures that each committed facility licensed by the Department
25 serves no more than 48 children at one time, unless the Secretary finds good cause for a
26 committed facility licensed by the Department to serve more than 48 children at one time;
27 **[and]**
- 28 (6) uses detention and committed facilities that are operationally separate
29 from each other and that do not share common program space, including dining halls and
30 educational or recreational facilities; **AND**

1 **(7) PROVIDES FEMALES WITH A RANGE AND QUALITY OF SERVICES**
2 **AND PROGRAMS ~~SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED TO MALES TO~~**
3 **MEET THEIR SPECIFIC NEEDS, INCLUDING:**

4 **(I) DIVERSION PROGRAMS;**

5 **(II) COMMUNITY DETENTION SERVICES AND PROGRAMS; AND**

6 **(III) REENTRY SERVICES AND PROGRAMS.**

7 (b) A region shall:

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

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

14 (3) include a nonpublic facility only if the Department determines that the
15 facility:

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

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

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

23 **SECTION 2. AND BE IT FURTHER ENACTED, That:**

24 (a) On or before December 31, 2017, the Department of Juvenile Services shall
25 submit an interim report to the Governor and, in accordance with § 2-1246 of the State
26 Government Article, the General Assembly on the implementation of the requirements
27 specified in § 9-238.1(a)(7) of the Human Services Article, as enacted by this Act.

28 (b) On or before December 31, 2018, the Department shall submit a final report
29 to the Governor and, in accordance with § 2-1246 of the State Government Article, the
30 General Assembly on the implementation of the requirements specified in § 9-238.1(a)(7)
31 of the Human Services Article, as enacted by this Act.

1 SECTION ~~2~~ 3 AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.