
By: Senator Kelley

Introduced and read first time: January 22, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Chronic Juvenile Offenders**

3 FOR the purpose of creating the Task Force to Study Chronic Juvenile Offenders;
4 specifying the composition, powers, and duties of the Task Force; requiring the
5 Task Force to report its findings and recommendations by a certain date; providing
6 for the termination of this Act; and generally relating to the Task Force to Study
7 Chronic Juvenile Offenders.

8 BY adding to

9 Article 41 - Governor - Executive and Administrative Departments
10 Section 18-310
11 Annotated Code of Maryland
12 (1993 Replacement Volume and 1995 Supplement)

13 Preamble

14 WHEREAS, A recent National Institute of Justice study found that abused and
15 neglected children are more likely to become violent, are arrested at an early age, commit
16 more offenses and are arrested more frequently; and

17 WHEREAS, The National Youth Survey found that the majority of offenses were
18 committed by a small portion of the population, i.e. more than one-half of all offenses
19 reported nationally and 83% of serious crimes were committed by 5% of the youth; and

20 WHEREAS, In 1992, the most recent year that comparative data from the FBI is
21 available, law enforcement agencies made nearly 2.3 million arrests of persons under 18,
22 juveniles accounted for 13% of all violent crimes reported and 18% of all violent crime
23 arrests, and the States of New York, Florida, New Jersey, Maryland, and California had
24 the highest juvenile violent crime arrests rates; and

25 WHEREAS, After more than a decade of relative stability, the juvenile violent
26 crime rate soared between 1988 and 1992, and the juvenile arrest rate for weapons
27 violations increased 75% between 1987 and 1992; and

28 WHEREAS, If trends continue as they have over the past 10 years, juvenile
29 arrests for violent crime will double by the year 2010; and

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1 WHEREAS, Studies have shown a direct correlation between child abuse,
2 neglect, and maltreatment and the incidences and severity of chronic juvenile crime; and

3 WHEREAS, Parents who abuse, neglect or maltreat their children and thus
4 contribute to the growing problem of chronic juvenile offenders should be held
5 responsible and accountable for those children who repeatedly commit criminal offenses
6 while in their custody; now, therefore,

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

9 **Article 41 - Governor - Executive and Administrative Departments**

10 18-310.

11 (A) THERE IS A TASK FORCE TO STUDY CHRONIC JUVENILE OFFENDERS.

12 (B) THE TASK FORCE CONSISTS OF 12 MEMBERS, AS FOLLOWS:

13 (1) TWO REPRESENTATIVES OF THE DEPARTMENT OF JUVENILE
14 JUSTICE APPOINTED BY THE SECRETARY;

15 (2) TWO REPRESENTATIVES OF THE OFFICE OF CHILDREN, YOUTH AND
16 FAMILIES APPOINTED BY THE SPECIAL SECRETARY;

17 (3) ONE MEMBER OF THE SENATE OF MARYLAND APPOINTED BY THE
18 PRESIDENT OF THE SENATE;

19 (4) ONE MEMBER OF THE HOUSE OF DELEGATES APPOINTED BY THE
20 SPEAKER OF THE HOUSE;

21 (5) TWO JUVENILE COURT MASTERS OF THE CIRCUIT COURT OF
22 BALTIMORE CITY APPOINTED BY THE ADMINISTRATIVE JUDGE OF THE CIRCUIT
23 COURT OF BALTIMORE CITY; AND

24 (6) FOUR MEMBERS OF THE GENERAL PUBLIC APPOINTED BY THE
25 GOVERNOR.

26 (C) THE GOVERNOR SHALL DESIGNATE THE CHAIRMAN OF THE TASK FORCE.

27 (D) THE DEPARTMENT OF JUVENILE JUSTICE SHALL PROVIDE STAFF FOR THE
28 TASK FORCE.

29 (E) A MEMBER OF THE TASK FORCE:

30 (1) MAY NOT RECEIVE COMPENSATION; BUT

31 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
32 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

33 (F) THE TASK FORCE SHALL:

34 (1) EXAMINE THE SCOPE OF THE PROBLEM OF THE CHRONIC JUVENILE
35 CRIME IN MARYLAND AND EXISTING LEGAL MECHANISMS FOR ADDRESSING IT;

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1 (2) STUDY THE CONNECTION BETWEEN CHILD ABUSE, NEGLECT, AND
2 MALTREATMENT AND THE INCIDENCES AND SEVERITY OF CHRONIC JUVENILE
3 CRIME;

4 (3) REVIEW THE LAW RELATING TO PARENTAL RESPONSIBILITY FOR
5 CRIMES COMMITTED BY JUVENILES AND WHETHER LEGAL RESPONSIBILITY
6 SHOULD BE ASSIGNED TO PARENTS WHO KNOW AND APPROVE OF THE COMMISSION
7 OF CRIMES BY JUVENILES IN THEIR CARE AND CUSTODY; AND

8 (4) DEVELOP ANY RECOMMENDATIONS THAT IT CONSIDERS
9 APPROPRIATE FOR CHANGES IN STATUTES, REGULATIONS, PROGRAMS, AND
10 GUIDELINES TO ADDRESS THE PROBLEM OF CHRONIC JUVENILE CRIME.

11 (G) (1) THE TASK FORCE MAY REPORT ANY PRELIMINARY FINDINGS TO
12 THE GOVERNOR AND GENERAL ASSEMBLY, PRIOR TO THE FINAL REPORT, AT ANY
13 TIME THE TASK FORCE CONSIDERS SUCH A REPORT APPROPRIATE.

14 (2) THE TASK FORCE SHALL MAKE A FINAL REPORT TO THE GOVERNOR
15 AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL
16 ASSEMBLY NOT LATER THAN JUNE 30, 1997.

17 (H) THIS SECTION SHALL BE VOID AFTER JUNE 30, 1997.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1996.