

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 816 (Delegate T. Murphy)
Judiciary

Juvenile Justice - Civil Citation Program

This bill requires the Department of Juvenile Justice (DJJ) to establish a civil citation program for youths to divert less serious offenders into community service programs. DJJ is to adopt regulations for the program by October 1, 1996, in consultation with law enforcement officials in each county.

Fiscal Summary

State Effect: None, as discussed below.

Local Effect: None. It is assumed that the bill's requirements can be handled with existing budgeted resources.

Fiscal Analysis

Bill Summary: A citation is issued by a law enforcement officer and must be mailed to the DJJ Community Service Coordinator in the jurisdiction where the offense occurred. The Community Service Coordinator must hold a hearing within 30 days after notification of issuance of a citation. After the hearing, the Community Service Coordinator is authorized to dismiss the charges, file a complaint with an intake officer, or assign the youth to community service work.

Background: The DJJ intake system determines if formal court intervention is necessary or if a youth can be served and the community protected without court intervention by handling the case informally or by closing a case at intake. Closing a case at intake occurs when it is believed that the youth can be diverted from the juvenile justice system without formal supervision. The informal handling of a case is often enough to prevent youths from committing another offense. It includes a short-term period of intervention and supervision

and through referrals to prevention and diversion programs and Youth Services Bureaus. Only about 40% of intake cases require formal court intervention.

State Expenditures: *The Department of Juvenile Justice did not respond to requests for information regarding the fiscal effect of this bill.*

The civil citation program authorizes police officers to issue citations to juveniles in lieu of filing a complaint with an intake officer. The bill appears to establish an alternative intake system to the one that already exists. Although the bill specifies “Community Service Coordinators” as the DJJ staff persons who would handle intake, the Department of Fiscal Services (DFS) advises that DJJ intake officers are currently serving the same functions required by the bill. As a result, Fiscal Services assumes that the bill’s requirements can be handled with existing resources. Further, Fiscal Services does not anticipate any reduction in the number of youths held in detention or in residential treatment services.

Information Source(s): Judiciary (Administrative Office of the Courts), Worcester County, Washington County, Department of Fiscal Services

Fiscal Note History: First Reader - March 6, 1996

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