

SENATE BILL 410

Unofficial Copy
E3

1999 Regular Session
9r1544
CF 9r0885

By: **Senators Green, Kasemeyer, and Mitchell**
Introduced and read first time: February 5, 1999
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law - Juvenile Detention Facilities - Standards**

3 FOR the purpose of requiring the Department of Juvenile Justice to adopt certain
4 standards for juvenile detention facilities; requiring the Department to ensure
5 that certain juvenile detention facilities come into compliance with certain
6 standards by a certain date; requiring the Department to adopt certain
7 regulations; requiring the Department to submit certain reports to the Governor
8 and the General Assembly on or before a certain date; defining a certain term;
9 and generally relating to standards for juvenile detention centers.

10 BY adding to

11 Article 83C - Juvenile Justice
12 Section 2-134
13 Annotated Code of Maryland
14 (1998 Replacement Volume)

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

17 **Article 83C - Juvenile Justice**

18 2-134.

19 (A) IN THIS SECTION, "JUVENILE DETENTION FACILITY" MEANS A FACILITY
20 OPERATED BY THE DEPARTMENT OR BY A PRIVATE AGENCY UNDER CONTRACT WITH
21 THE DEPARTMENT AND USED TO TEMPORARILY DETAIN CHILDREN WHO ARE
22 AWAITING AN ADJUDICATORY HEARING UNDER § 3-819 OF THE COURTS ARTICLE, A
23 DISPOSITION HEARING UNDER § 3-820 OF THE COURTS ARTICLE, OR PLACEMENT BY
24 THE JUVENILE COURT AFTER A DISPOSITION HEARING.

25 (B) THE DEPARTMENT SHALL ADOPT STANDARDS FOR JUVENILE DETENTION
26 FACILITIES BASED ON THE JUVENILE DETENTION STANDARDS ARTICULATED IN THE
27 AMERICAN BAR ASSOCIATION'S ANNOTATED JUVENILE JUSTICE STANDARDS.

28 (C) THE DEPARTMENT SHALL ENSURE THAT:

1 (1) A JUVENILE DETENTION FACILITY IN OPERATION ON OCTOBER 1,
2 1999, IS IN COMPLIANCE WITH THE STANDARDS DESCRIBED IN SUBSECTION (B) OF
3 THIS SECTION BY OCTOBER 1, 2002; AND

4 (2) A JUVENILE DETENTION FACILITY IN OPERATION AFTER OCTOBER 1,
5 1999, IS IN COMPLIANCE WITH THE STANDARDS DESCRIBED IN SUBSECTION (B) OF
6 THIS SECTION ON THE DATE THAT THE FACILITY BEGINS TO OPERATE.

7 (D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE
8 PROVISIONS OF THIS SECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That, for juvenile detention
10 facilities in operation on October 1, 1999, the Department shall:

11 (1) on or before October 1, 2000, submit a report to the Governor and, subject
12 to § 2-1246 of the State Government Article, to the General Assembly that:

13 (i) outlines a model for independent monitoring of the Department's
14 implementation of the standards described in this Act; and

15 (ii) describes the Department's plan for ensuring that each facility comes
16 into compliance with the standards described in this Act by the date specified by this
17 Act; and

18 (2) on or before October 1, 2001, submit a progress report to the Governor and,
19 subject to § 2-1246 of the State Government Article, to the General Assembly on the
20 implementation of the standards described in this Act.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1999.