

Department of Legislative Services
 Maryland General Assembly
 1999 Session

FISCAL NOTE

Revised

Senate Bill 410 (Senator Green. *et al.*)

Judicial Proceedings

Juvenile Law - Juvenile Detention Facilities - Standards

This bill requires the Department of Juvenile Justice (DJJ) to adopt standards for "juvenile detention facilities" based on the juvenile detention standards articulated in the American Bar Association's Annotated Juvenile Justice Standards. DJJ must ensure that:

- a juvenile detention facility in operation on October 1, 1999 is in compliance with the standards by October 1, 2002; and
- a juvenile detention facility in operation after October 1, 1999 is in compliance with the standards on the date that the facility begins to operate.

DJJ must submit a report to the Governor and General Assembly by October 1, 2000 outlining a model for independent monitoring of DJJ's implementation of the standards as to facilities in operation on October 1, 1999, and describing DJJ's plan for ensuring that each facility timely comes into compliance with the standards. DJJ must also submit a progress report to the Governor and General Assembly by October 1, 2001.

Fiscal Summary

State Effect: Increase in general fund expenditures of \$10.4 million in FY 2003. Out-year expenditures reflect 2% inflation. In addition, capital expenditures would increase by a total of \$140.8 million in FY 2000 and 2001.

(in millions)	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
GF Revenues	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
GF Expenditures	\$0.0	\$0.0	\$0.0	\$10.4	\$10.6
Net Effect	\$0.0	\$0.0	\$0.0	(\$10.4)	(\$10.6)

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

Local Effect: Potential indeterminate increase in expenditures.

Small Business Effect: Potential meaningful.

Fiscal Analysis

State Expenditures: One of the American Bar Association (ABA) standards is that no facility exceed 20 beds. All five of the regional detention facilities currently used by DJJ have an operational capacity in excess of 20 beds. In order to meet the needs of its peak detention population, which is estimated at 530, DJJ would need a total of 27 facilities under the ABA standard. The cost to design, construct, and equip a 20-bed facility is estimated at \$6.4 million, based on current estimates for the construction of 24-bed detention facilities on the Eastern Shore and in Western Maryland. Total capital costs to build 22 new facilities would be \$140.8 million.

Operating costs for each of the 27 facilities are estimated at \$1.3 million per year, for a total of \$35.1 million. Operating costs for the existing five facilities are currently \$27.3 million annually. Of this amount, \$2 million would not be available to offset the costs of the new configuration because of requirements to maintain the existing physical plants. Consequently, the net operating cost increase would be \$9.8 million per year. Applying a 2% inflation rate, operating costs would be \$10.4 million in fiscal 2003, when full compliance must be achieved, and \$10.6 million in fiscal 2004.

Local Effect: The ABA standards require that a detained youth's local school continue to be involved in the youth's education while in detention. Currently, educational services in detention are provided and funded by DJJ. The involvement of local school systems in the detention education system could result in an increase in expenditures for local governments. The precise amount of any such increase cannot be determined at this time.

Small Business Effect: The construction of 22 new juvenile detention facilities could create work for construction-related small businesses.

Information Source(s): Department of Juvenile Justice, Department of Legislative Services

Fiscal Note History: First Reader - March 8, 1999
Inc/jr Revised - Corrected - March 9, 1999

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