

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 39 (Chairman, Judicial Proceedings Committee)
(Departmental - Juvenile Justice)

Judicial Proceedings

Department of Juvenile Justice - Facilities - Places of Confinement

This departmental bill adds the Baltimore City Juvenile Justice Center and the Victor Cullen Center to the list of juvenile facilities qualifying as a “place of confinement” for purposes of provisions prohibiting escape and contraband in places of confinement.

Fiscal Summary

State Effect: The bill would not significantly impact governmental operations or finances.

Local Effect: None.

Small Business Effect: The Department of Juvenile Justice (DJJ) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Background: The bill makes individuals detained or committed to the Baltimore City Juvenile Justice Center or the Victor Cullen Center subject to criminal charges of escape. The bill also subjects individuals who deliver contraband to persons detained in or confined to one of those two facilities to criminal charges.

The Victor Cullen Center is a currently operating privately-run DJJ facility with a 225-bed capacity. The Baltimore City Juvenile Justice Center is scheduled to open in fiscal 2002 and will have a 144-bed capacity.

Current Law: DJJ “places of confinement” include the J. DeWeese Carter Center; the

Charles H. Hickey, Jr. School; the Alfred D. Noyes Children’s Center; the Cheltenham Youth Facility; the Thomas J. S. Waxter Children’s Center; and the youth centers.

State Fiscal Effect: The bill is not expected to have a significant impact on governmental operations or finances. The number of escape and contraband charges filed in connection with DJJ facilities was not provided to the Department of Legislative Services, but the number of such charges is believed to be minimal.

Moreover, although a facility is not specifically listed as a DJJ “place of confinement,” that does not necessarily preclude a person confined or committed to the facility from being subject to charges of escape. *See United States v. Minger*, 976 F.2d 185 (4th Cir. 1992). Pursuant to Art. 27, § 136(c)(5), “place of confinement” also means “[a]ny other facility in which a person is confined under color of law.” Therefore, it could be said that this bill merely clarifies current law.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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