

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 474

(Delegate Montague, *et al.*)

Judiciary

Judicial Proceedings

Department of Juvenile Justice - Juvenile Justice System - Standards

This bill requires the Department of Juvenile Justice (DJJ) to:

- adopt a code of conduct for its employees and require private agencies under contract with DJJ to adopt a code of conduct for private agency staff that is in substantial compliance with the code of conduct for personnel of DJJ;
- adopt regulations that require each facility to provide specified services and programs;
- adopt regulations that provide standards for juvenile detention facilities operated by DJJ and private agencies under contract with DJJ; and
- develop and adopt regulations providing standards for nonsecure alternatives for the placement of committed children.

To the purposes of the juvenile causes provisions, the bill also adds the provision of: (1) a safe, humane, and caring environment for children in State care; and (2) access to required services for children in State care.

Fiscal Summary

State Effect: It is assumed that the Department of Juvenile Justice could develop and adopt the necessary codes and regulations with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The majority of the bill's provisions are not currently contained in statute.

The Department of Juvenile Justice (DJJ) is required to develop and provide within each facility certain educational programs, alcohol and drug abuse assessment services, and either referral services or a treatment program for alcohol and drug abuse.

Background: In the fall of 1999, reports of abusive behavior by staff at DJJ Youth Camps in Western Maryland appeared in several *Baltimore Sun* articles. The reports lead to the removal of DJJ's Secretary and Deputy Secretary. A new management team has established the Office of Professional Responsibility and Accountability (OPRA) "for the purpose of ensuring that DJJ employees and private service providers perform their duties and responsibilities in accordance with professional standards and practices, applicable law, rules of conduct, regulations, policy, procedure, and written directives."

OPRA has four units, one of which is the Investigations and Child Advocacy Unit. This unit is charged with investigating allegations of abuse or misconduct and assisting juveniles who express a desire to initiate a grievance. These functions will be carried out through scheduled and unscheduled site visits, inspections of case files, and interviews with juveniles, staff, volunteers, victims, clients, parents or guardians, and organizational and community representatives. The other OPRA units are the Audits Unit, the Professional Standards Unit, and the Management Services and Quality Assurance Unit.

State Fiscal Effect: It is assumed that DJJ could develop a code of conduct, adopt regulations, and meet the bill's other requirements using existing budgeted resources. Depending on the particular regulations that are developed and other eventual effects of the bill, significant costs could be incurred in the future.

Additional Information

Prior Introductions: This bill was cross filed in the 2000 session as HB 1082/SB 821. HB 1082 passed in the House but was not reported out of the Senate Judicial Proceedings Committee. SB 821 passed in the Senate and passed with amendments in the House; however, it was not referred to a conference committee.

Cross File: None.

Information Source(s): Department of Legislative Services

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