

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 1176
Judiciary

(Delegate Cryor, *et al.*)

Juvenile Facilities - Prohibition of Employment

This bill prohibits a juvenile detention, correction, or treatment facility from employing an individual if a criminal history records check discloses a felony conviction, a probation before judgment disposition for a felony charge, or a not criminally responsible conviction for a felony charge.

Fiscal Summary

State Effect: Any additional review and screening of employees of juvenile facilities used by the Department of Juvenile Justice (DJJ) could be handled with the department's existing resources. The Criminal Justice Information System already performs records checks on employees of juvenile facilities operated by or contracting with DJJ.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Juvenile detention, correction, and treatment facilities must require employees and employers to obtain a criminal history records check, but facilities are not prohibited from employing workers with criminal records.

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 led 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.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services (Information Technology and Communication Division), Department of Legislative Services

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