

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 7
Judiciary

(Delegate Montague, *et al.*)

State Juvenile Justice Disciplinary and Grievance Advisory Commission

This bill creates a seven-member State Juvenile Justice Disciplinary and Grievance Advisory Commission, independent from the Department of Juvenile Justice (DJJ), to inform and advise the Secretary of Juvenile Justice on issues regarding the care and supervision of children under the jurisdiction of DJJ.

Fiscal Summary

State Effect: General fund expenditures would increase by an estimated \$257,900 in FY 2002 for the State Juvenile Justice Disciplinary and Grievance Advisory Commission staff. Future year expenditures reflect annualization, salary increases, employee turnover, and inflation. No effect on revenues.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	257,900	318,100	334,200	351,400	369,800
Net Effect	(\$257,900)	(\$318,100)	(\$334,200)	(\$351,400)	(\$369,800)

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

Local Effect: Any additional travel expenses required for representatives of local governments who are appointed to an Area Advocacy Board could be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The commission will employ a full-time executive director, two administrative assistants, and three commission monitors. Salaries and expenses necessary for the work of the commission shall be as provided in the State budget. The commission must report annually to the Governor, the General Assembly, the Chief Judge of the Court of Appeals, and the Secretary of Juvenile Justice.

The bill establishes Area Advocacy Boards in each of the five State regions that are identified by DJJ for the purpose of administering intake, detention, probation, and aftercare for delinquent children. Each board will consist of five members appointed by the commission. The advocacy boards review quarterly reports submitted by the commission monitors in order to identify any patterns of abuse or other systemic failings within DJJ.

The bill also requires DJJ to cooperate with the commission and to adopt a specified policy for addressing disciplinary actions and grievances within facilities.

Current Law: None applicable.

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 replaced the ousted team and 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 five State regions identified by DJJ for the purpose of administering intake, detention, probation, and aftercare for delinquent children are: (1) Baltimore City; (2) Baltimore, Carroll, Harford, and Howard counties; (3) Allegany, Frederick, Garrett, Montgomery, and Washington counties; (4) Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties; and (5) Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's counties.

State Expenditures: General fund expenditures would increase by an estimated \$257,902 in fiscal 2002, which accounts for the bill's October 1, 2001 effective date. This estimate reflects the cost of hiring an executive director, two administrative assistants, and three commission monitors as specified in the bill. The estimate includes salaries, fringe benefits, communications, travel, one-time equipment purchases, and rental space.

Salaries and Fringe Benefits	\$207,212
Office Equipment	26,592
Ongoing Operating Expenses	<u>24,098</u>
Total FY 2002 State Expenditures	\$257,902

Future year expenditures reflect: (1) full salaries with a 6.5% increase in fiscal 2003 and a 4.5% increase each year thereafter, with 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

DJJ could adopt the required disciplinary policy using existing budgeted resources.

Additional Information

Prior Introductions: HB 1088 passed the House in the 2000 session but was not reported from of the Senate Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Juvenile Justice, Department of Legislative Services

Fiscal Note History: First Reader – February 25, 2001
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