

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

House Bill 1011 (Chairman, Judiciary Committee)
(Departmental - Juvenile Justice)

Judiciary

Judicial Proceedings

Baltimore City Juvenile Justice Center - Intake - Assessment - Detention

This departmental bill requires the Department of Juvenile Justice (DJJ) to operate the new Baltimore City Juvenile Justice Center (BCJJC) and: (1) provides for management positions; (2) establishes intake procedures; (3) authorizes DJJ to submit fingerprints to and obtain specified juvenile data from the Central Repository; and (4) authorizes DJJ to include writ information in specified information systems to apprehend a child named in the writ and to access court records and fingerprints of a child for confidential use. The bill also requires DJJ to provide medical and mental health assessment services in each of its residential facilities.

The bill takes effect July 1, 2002.

Fiscal Summary

State Effect: The Governor's proposed FY 2003 budget includes \$10.2 million for DJJ's operating expenses, start-up costs, and salaries and fringe benefits for 230.2 new positions in anticipation of a FY 2003 opening of this center. Estimated general fund expenditure increase of \$208,900 (nonbudgeted) for the Department of Public Safety and Correctional Services in FY 2003.

Local Effect: Although some local agencies will be housed in the new center, this bill is not expected to have any significant impact on Baltimore City finances.

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

Analysis

Bill Summary: The bill requires DJJ to operate and manage BCJJC as a centralized regional juvenile intake, assessment, court, and detention facility for Baltimore City. BCJJC must include DJJ, the Baltimore City juvenile court, an office of the State's Attorney for Baltimore City, an office of the Baltimore City Department of Social Services, Baltimore City police services, and courthouse security services of the Baltimore City Sheriff. A managing director (to be chief administrator), deputy director, and director of detention (to be administrator of juvenile detention) for the facility must be appointed by and serve at the pleasure of the Secretary of DJJ.

The bill provides DJJ with enhanced access to criminal justice information systems. Among other qualified agencies, DJJ may include information about a court-ordered writ of attachment, for the sole purpose of apprehending a child named in the writ, in law enforcement computer information systems. DJJ may access court records and a child's fingerprints maintained in the Criminal Justice Information System Central Repository. Upon intake, DJJ must obtain photographs and fingerprints of any juvenile brought to BCJJC and submit them to the Central Repository and any other automated juvenile justice information or repository approved by the Secretary of DJJ. DJJ must also conduct a criminal and juvenile history record check and an automated search for outstanding warrants and writs of attachment.

Upon processing of fingerprints, the Central Repository must provide DJJ with data pertaining to arrested juveniles in accordance with State and federal law and regulation. Such data is classified as a police record subject to existing statutes governing dissemination of police records.

The bill also requires DJJ to develop and provide medical and mental health assessment services within each residential facility it operates.

Current Law: There are no statutes relating to BCJJC, which is a new facility that is currently expected to be operational in September 2002. The Criminal Justice Information System Central Repository may disseminate only limited information to DJJ.

Background: Construction on the 239,000 square-foot complex comprising BCJJC is currently expected to be completed by the end of fiscal 2002. When fully operational, BCJJC will include an intake unit, DJJ support services, the city's juvenile court, and space for the State's Attorney, Public Defender, DJJ aftercare and probation, and other services necessary to process youth from detention through the judicial system. The center will have 144 detention beds and 13 courtrooms. Originally scheduled for completion in August 1999, the opening of the center has been delayed several times.

Approximately 400 to 500 juveniles are processed on a weekly basis by Baltimore City police at the Northern Precinct Station; these juveniles will be processed at BCJJC when it opens.

In response to a prior year introduction of a similar bill, DJJ advised that complete records are necessary to ensure that juveniles brought to the center are identified properly. DJJ relies on law enforcement agencies to identify youths before notifying a DJJ intake officer. DJJ further advised that, with the involvement of several agencies in a single location, it is important to identify the lead agency responsible for coordination of activities within the complex and to ensure the other agencies maintain a presence in the facility. The Department of Public Safety and Correctional Services notes that discussions are ongoing regarding the method by which DJJ will obtain all of the criminal history information it must obtain on juveniles processed through BCJJC, some of which DJJ will not have authority to access either by existing law or this bill's provisions (*i.e.*, criminal and juvenile history record checks and writs of attachment).

New juvenile detention centers in Western Maryland and on the Eastern Shore are also due to open in late September 2002 and January 2003, respectively. Each of these facilities will have 24 detention beds.

State Expenditures: Funding and positions for DJJ to run the BCJJC have been included in the fiscal 2003 budget. The bill's procedures for processing juveniles could result in additional (nonbudgeted) expenditure increases for the Department of Public Safety and Correctional Services (DPSCS).

DJJ Expenditures

The Governor's fiscal 2003 budget *allowance* includes a total of \$10,214,040 for DJJ to staff and operate the new BCJJC facility. This consists of \$2,601,820 for operating expenses, and \$7,612,220 for 230.2 full-time equivalent positions. These allowances are annualized in the fiscal 2003 budget under the assumption that the facility will be fully operational for the entire fiscal 2003 year, although the current projected opening date is September 2002.

DPSCS Expenditures

General fund expenditures for DPSCS could increase by an estimated \$208,906 in fiscal 2003, which accounts for a 90-day start-up delay from the bill's July 1, 2002 effective date. This estimate reflects the cost of hiring four fingerprint technicians and two data device operators to process and quickly return the fingerprint data and photograph images emanating from BCJJC, assuming that BCJJC will operate as a 24-hour facility. It includes salaries, fringe benefits and supplies, plus one verification workstation at the

CJIS Central Repository to receive information from BCJJC. These DPSCS expenditures are not included in the fiscal 2003 budget. The information and assumptions used in calculating the estimate are shown below:

Salaries, Fringe Benefits, Supplies	\$158,906
Verification Workstation	<u>50,000</u>
Total FY 2003 DPSCS Expenditures	\$208,906

Future year expenditures reflect: (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Local Expenditures: The State's Attorney's Office for Baltimore City provided the Secretary of Juvenile Justice with estimated costs for the BCJJC State's Attorney's office. These estimates were presumably incorporated into the fiscal 2003 budget allowance for BCJJC. They included \$13,000 in moving expenses, \$12,600 for purchases of new telephones, and \$36,000 in annual telephone usage costs.

Additional Information

Prior Introductions: A similar bill was introduced in the 2001 session as HB 1359. HB 1359 received an unfavorable report from the Judiciary Committee.

Cross File: None.

Information Source(s): State's Attorneys' Association, Department of Public Safety and Correctional Services, Department of Legislative Services

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