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By: **Delegates Marriott, Anderson, Benson, Bronrott, Cane, C. Davis, Franchot, Frush, Goodwin, Gutierrez, Healey, Hixson, Hubbard, Kaiser, King, Lee, Love, Menes, Paige, Petzold, Pugh, Ramirez, Sophocleus, F. Turner, V. Turner, and Zirkin**

Introduced and read first time: February 8, 2006

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **At-Risk Youth Delinquency Prevention and Diversion Programs**

3 FOR the purpose of establishing the Coordinating Council on At-Risk Youth  
4 Delinquency Prevention and Diversion Programs in the Governor's Office for  
5 Children; providing for the membership of the Coordinating Council; specifying  
6 that the Executive Director of the Governor's Office for Children is the chair of  
7 the Coordinating Council; requiring the Governor's Office for Children to  
8 provide staff support for the Coordinating Council; establishing the purposes  
9 and duties of the Coordinating Council; specifying the requirements for at-risk  
10 delinquency prevention and diversion programs; specifying the duties of a local  
11 management board; specifying the duties of a local planning group; specifying  
12 the membership of a local planning group; requiring the Governor to include a  
13 certain amount of money in the budget each fiscal year to fund the at-risk youth  
14 delinquency prevention and diversion programs; providing for other sources of  
15 funds that may be used to fulfill the funding requirement; requiring the  
16 Coordinating Council to report to the General Assembly by a certain date each  
17 year; defining certain terms; and generally relating to at-risk youth  
18 delinquency prevention and diversion programs.

19 BY adding to

20 Article 41 - Governor - Executive and Administrative Departments  
21 Section 2-501 through 2-504, inclusive, to be under the new subtitle Subtitle 5.  
22 "At-Risk Youth Delinquency Prevention and Diversion Programs"  
23 Annotated Code of Maryland  
24 (2003 Replacement Volume and 2005 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 41 - Governor - Executive and Administrative Departments**

2 SUBTITLE 5. AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION  
3 PROGRAMS.

4 2-501.

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
6 INDICATED.

7 (B) "AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAM"  
8 MEANS THE SERVICES PROVIDED TO SCHOOL-AGED YOUTHS AND THEIR FAMILIES  
9 TO PREVENT OR DIVERT YOUTH FROM ENTERING THE JUVENILE SERVICES SYSTEM.

10 (C) "COORDINATING COUNCIL" MEANS THE COORDINATING COUNCIL ON  
11 AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS.

12 2-502.

13 (A) THERE IS A COORDINATING COUNCIL ON AT-RISK YOUTH DELINQUENCY  
14 PREVENTION AND DIVERSION PROGRAMS.

15 (B) THE COORDINATING COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

16 (1) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR  
17 CHILDREN, OR ANY SUCCESSOR ENTITY OR SUCCESSOR AGENCY;

18 (2) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S  
19 DESIGNEE;

20 (3) THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S  
21 DESIGNEE;

22 (4) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE  
23 SECRETARY'S DESIGNEE;

24 (5) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE  
25 SUPERINTENDENT'S DESIGNEE;

26 (6) THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND  
27 PREVENTION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

28 (7) REPRESENTATIVES OF OTHER PUBLIC OR PRIVATE AGENCIES  
29 WHOSE EXPERTISE IS NEEDED BY THE COORDINATING COUNCIL, AS APPOINTED BY  
30 THE CHAIR.

31 (C) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR CHILDREN  
32 SHALL BE THE CHAIR OF THE COORDINATING COUNCIL.

33 (D) THE GOVERNOR'S OFFICE FOR CHILDREN SHALL PROVIDE STAFF  
34 SUPPORT FOR THE COORDINATING COUNCIL.

1 (E) THE PURPOSE OF THE COORDINATING COUNCIL IS TO:

2 (1) BUILD CAPACITY TO SERVE YOUTHS IN THEIR COMMUNITIES AND AT  
3 HOME;

4 (2) REDUCE RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF  
5 INTERVENTION FOR AT-RISK YOUTH OFFENDERS;

6 (3) PROMOTE POSITIVE OUTCOMES FOR YOUTHS;

7 (4) FUND PRACTICES THAT PREVENT JUVENILE CRIME AND  
8 DELINQUENCY; AND

9 (5) REDUCE DISPROPORTIONATE MINORITY CONFINEMENT.

10 (F) THE COORDINATING COUNCIL SHALL SET STANDARDS FOR LOCAL  
11 MANAGEMENT BOARDS IN:

12 (1) ASSESSING COMMUNITY NEED;

13 (2) DEVELOPING A REQUEST FOR PROPOSALS; AND

14 (3) AWARDING GRANTS TO SELECTED PROGRAMS.

15 2-503.

16 (A) AN AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION  
17 PROGRAM MAY BE:

18 (1) COMMUNITY-BASED;

19 (2) SCHOOL-BASED;

20 (3) NEIGHBORHOOD-BASED;

21 (4) FAITH-BASED; OR

22 (5) NONRESIDENTIAL.

23 (B) AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS  
24 FUNDED UNDER THIS SUBTITLE SHALL BE COORDINATED, MONITORED, AND  
25 SUPPORTED BY LOCAL MANAGEMENT BOARDS.

26 (C) (1) A LOCAL MANAGEMENT BOARD SHALL APPLY TO THE  
27 COORDINATING COUNCIL FOR LOCAL PROGRAM FUNDS.

28 (2) BEFORE SUBMITTING AN APPLICATION TO THE COORDINATING  
29 COUNCIL, THE LOCAL MANAGEMENT BOARD SHALL CONVENE A LOCAL PLANNING  
30 GROUP CONSISTING OF REPRESENTATIVES OF AGENCIES WHO HAVE EXPERIENCE  
31 WORKING WITH AT-RISK YOUTHS AND THEIR FAMILIES, PARENTS, AND YOUTHS.

1 (3) THE LOCAL PLANNING GROUP SHALL:

2 (I) ASSESS ADEQUACY, AVAILABILITY, AND ACCESSIBILITY OF  
3 CURRENT COMMUNITY-BASED SERVICES THAT:

4 1. PREVENT AND DIVERT ENTRY AND RE-ENTRY IN THE  
5 JUVENILE SYSTEM;

6 2. PROVIDE ALTERNATIVES TO INCARCERATION AND  
7 INSTITUTIONALIZATION;

8 3. PREVENT AND DIVERT CRIMINAL BEHAVIOR; AND

9 4. INCREASE PERSONAL RESPONSIBILITY AND  
10 SELF-SUFFICIENCY;

11 (II) IDENTIFY UNSERVED NEIGHBORHOODS AND COMMUNITIES  
12 WITH CRITICAL NEEDS AND SIGNIFICANT NUMBERS OF AT-RISK OR DELINQUENT  
13 YOUTHS; AND

14 (III) RECOMMEND PROGRAMS THAT CAN BE ESTABLISHED OR  
15 ENHANCED TO ADDRESS THE UNMET NEEDS OF YOUTHS AND THEIR FAMILIES.

16 (D) THE LOCAL MANAGEMENT BOARD SHALL:

17 (1) DEVELOP A REQUEST FOR FUNDS BASED ON THE  
18 RECOMMENDATIONS OF THE LOCAL PLANNING GROUP;

19 (2) AWARD FUNDS TO LOCAL AGENCIES OR ORGANIZATIONS TO  
20 PROVIDE DIRECT SERVICES;

21 (3) MONITOR AND EVALUATE AT-RISK YOUTH DELINQUENCY  
22 PREVENTION AND DIVERSION PROGRAM PERFORMANCE;

23 (4) PROVIDE TECHNICAL ASSISTANCE TO AT-RISK YOUTH  
24 DELINQUENCY PREVENTION AND DIVERSION PROGRAMS AS NEEDED;

25 (5) PROMOTE COST-EFFECTIVENESS STRATEGIES;

26 (6) MEASURE AT-RISK YOUTH DELINQUENCY PREVENTION AND  
27 DIVERSION PROGRAM OUTCOMES; AND

28 (7) PROVIDE FISCAL AND PROGRAM REPORTS TO THE GOVERNOR'S  
29 OFFICE FOR CHILDREN.

30 2-504.

31 (A) THE GOVERNOR SHALL INCLUDE AT LEAST \$10,000,000 IN THE FISCAL  
32 YEAR 2008 BUDGET AND FOR EACH SUBSEQUENT YEAR TO FUND THE AT-RISK  
33 YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS.

1 (B) FUNDS FROM ONE OR MORE OF THE FOLLOWING SOURCES MAY BE USED  
2 TO MEET THE MINIMUM FUNDING REQUIREMENT SPECIFIED IN SUBSECTION (A) OF  
3 THIS SECTION:

4 (1) FEDERAL FUNDS FROM THE TEMPORARY ASSISTANCE FOR NEEDY  
5 FAMILIES BLOCK GRANT;

6 (2) FEDERAL FUNDS FROM THE OFFICE OF JUVENILE JUSTICE  
7 DELINQUENCY PREVENTION;

8 (3) FEDERAL FUNDS FROM TITLE I PROGRAMS FOR NEGLECTED OR  
9 DELINQUENT CHILDREN;

10 (4) BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE  
11 ABUSE;

12 (5) GENERAL FUNDS; OR

13 (6) PRIVATE RESOURCES.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Coordinating Council  
15 shall report to the General Assembly on or before December 31 of each year, in  
16 accordance with § 2-1246 of the State Government Article, on the implementation  
17 and effectiveness of at-risk youth delinquency prevention and diversion programs.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2006.