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By: **Senators Lawlah, Astle, Britt, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Gladden, Hafer, Hogan, Hooper, Kasemeyer, Kelley, Klausmeier, McFadden, Middleton, Pipkin, Ruben, Schrader, and Teitelbaum**

Introduced and read first time: February 13, 2006

Assigned to: Rules

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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; providing for the membership  
5 of the Coordinating Council; specifying that the Executive Director of the  
6 Governor's Office for Children is the chair of the Coordinating Council;  
7 requiring the Governor's Office for Children to provide staff support for the  
8 Coordinating Council; establishing the purposes and duties of the Coordinating  
9 Council; specifying certain requirements for juvenile delinquency prevention  
10 and diversion programs; specifying the duties of a local management board;  
11 specifying the membership and duties of a local planning group; requiring the  
12 Governor to include a certain appropriation in the annual budget bill;  
13 authorizing funds from certain sources to be used to meet a certain minimum  
14 funding requirement; requiring the Coordinating Council to report to the  
15 General Assembly by a certain date each year; defining certain terms; and  
16 generally relating to juvenile delinquency prevention and diversion programs.

17 BY adding to  
18 Article 41 - Governor - Executive and Administrative Departments  
19 Section 2-601 through 2-605, inclusive, to be under the new subtitle "Subtitle 6.  
20 At-Risk Youth Delinquency Prevention and Diversion Programs"  
21 Annotated Code of Maryland  
22 (2003 Replacement Volume and 2005 Supplement)

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

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

2 SUBTITLE 6. AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION  
3 PROGRAMS.

4 2-601.

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 SERVICES PROVIDED TO SCHOOL-AGED YOUTH AND THEIR FAMILIES TO  
9 PREVENT OR DIVERT YOUTH FROM ENTERING THE JUVENILE JUSTICE SYSTEM.10 (C) "COORDINATING COUNCIL" MEANS THE COORDINATING COUNCIL ON  
11 AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS.

12 2-602.

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;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; AND28 (7) REPRESENTATIVES OF OTHER PUBLIC OR PRIVATE AGENCIES  
29 WHOSE EXPERTISE IS NEEDED BY THE COORDINATING COUNCIL, WHO SHALL BE  
30 APPOINTED BY 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 YOUTH IN THEIR COMMUNITIES AND AT

3 HOME;

4 (2) REDUCE RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF

5 INTERVENTION FOR JUVENILE OFFENDERS;

6 (3) PROMOTE POSITIVE OUTCOMES FOR YOUTH; AND

7 (4) FUND PRACTICES TO PREVENT JUVENILE CRIME AND DELINQUENCY

8 AND REDUCE DISPROPORTIONATE CONFINEMENT OF MINORITY YOUTH.

9 (F) THE COORDINATING COUNCIL SHALL SET STANDARDS FOR LOCAL

10 MANAGEMENT BOARDS IN:

11 (1) ASSESSING COMMUNITY NEEDS;

12 (2) DEVELOPING REQUESTS FOR PROPOSALS; AND

13 (3) AWARDING GRANTS TO SELECTED PROGRAMS.

14 2-603.

15 (A) AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS

16 FUNDED UNDER THIS SUBTITLE SHALL:

17 (1) PROVIDE SERVICES TO YOUTH THAT ARE:

18 (I) SELF-REFERRED; OR

19 (II) REFERRED BY:

20 1. THE DEPARTMENT OF JUVENILE SERVICES;

21 2. THE LOCAL DEPARTMENT OF SOCIAL SERVICES;

22 3. A LAW ENFORCEMENT AGENCY;

23 4. THE JUVENILE COURT;

24 5. A SCHOOL; OR

25 6. ANY OTHER PUBLIC OR PRIVATE AGENCY;

26 (2) BE:

27 (I) NONRESIDENTIAL; AND

28 (II) COMMUNITY-BASED, NEIGHBORHOOD-BASED, SCHOOL-BASED,

29 OR FAITH-BASED; AND

1 (3) BE COORDINATED, MONITORED, AND SUPPORTED BY THE LOCAL  
2 MANAGEMENT BOARDS.

3 (B) A LOCAL MANAGEMENT BOARD SHALL APPLY TO THE COORDINATING  
4 COUNCIL FOR FUNDS FOR LOCAL AT-RISK YOUTH DELINQUENCY PREVENTION AND  
5 DIVERSION PROGRAMS.

6 (C) BEFORE SUBMITTING AN APPLICATION TO THE COORDINATING COUNCIL,  
7 THE LOCAL MANAGEMENT BOARD SHALL CONVENE A LOCAL PLANNING GROUP  
8 CONSISTING OF PARENTS, YOUTH, AND REPRESENTATIVES OF PUBLIC AND PRIVATE  
9 AGENCIES THAT HAVE KNOWLEDGE OF AND EXPERIENCE WORKING WITH AT-RISK  
10 YOUTH AND FAMILIES.

11 (D) THE LOCAL PLANNING GROUP SHALL:

12 (1) ASSESS THE ADEQUACY, AVAILABILITY, AND ACCESSIBILITY OF  
13 CURRENT COMMUNITY-BASED SERVICES THAT:

14 (I) PREVENT AND DIVERT ENTRY AND REENTRY INTO THE  
15 JUVENILE SYSTEM;

16 (II) PROVIDE ALTERNATIVES TO INCARCERATION AND  
17 INSTITUTIONALIZATION;

18 (III) PREVENT AND DIVERT CRIMINAL BEHAVIOR; AND

19 (IV) INCREASE PERSONAL RESPONSIBILITY AND  
20 SELF-SUFFICIENCY;

21 (2) IDENTIFY UNSERVED NEIGHBORHOODS OR COMMUNITIES WITH  
22 CRITICAL NEEDS AND SIGNIFICANT NUMBERS OF AT-RISK OR DELINQUENT YOUTH;  
23 AND

24 (3) RECOMMEND PROGRAMS THAT CAN BE ESTABLISHED OR  
25 ENHANCED TO ADDRESS THE UNMET NEEDS OF YOUTH AND THEIR FAMILIES.

26 (E) THE LOCAL MANAGEMENT BOARD SHALL:

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

29 (2) AWARD FUNDS TO LOCAL AGENCIES OR ORGANIZATIONS TO  
30 PROVIDE DIRECT SERVICES;

31 (3) MONITOR AND EVALUATE PROGRAM PERFORMANCE;

32 (4) PROVIDE TECHNICAL ASSISTANCE TO LOCAL PROGRAMS AS  
33 NEEDED;

34 (5) PROMOTE COST-EFFECTIVENESS STRATEGIES;

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1 (6) MEASURE PROGRAM OUTCOMES; AND  
2 (7) PROVIDE QUARTERLY REPORTS TO THE GOVERNOR'S OFFICE FOR  
3 CHILDREN.

4 2-604.

5 (A) BEGINNING IN FISCAL YEAR 2008 AND EACH FISCAL YEAR THEREAFTER,  
6 THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION  
7 EQUAL TO AT LEAST \$10,000,000 TO FUND AT-RISK YOUTH DELINQUENCY  
8 PREVENTION AND DIVERSION PROGRAMS.

9 (B) FUNDS FROM ANY OF THE FOLLOWING SOURCES MAY BE USED TO MEET  
10 THE MINIMUM FUNDING REQUIREMENT UNDER SUBSECTION (A) OF THIS SECTION:

11 (1) FEDERAL FUNDS FROM THE TEMPORARY ASSISTANCE FOR NEEDY  
12 FAMILIES BLOCK GRANT;

13 (2) FEDERAL FUNDS FROM THE OFFICE OF JUVENILE JUSTICE AND  
14 DELINQUENCY PREVENTION;

15 (3) FEDERAL FUNDS FROM THE TITLE I PROGRAM FOR NEGLECTED AND  
16 DELINQUENT CHILDREN;

17 (4) BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE  
18 ABUSE;

19 (5) GENERAL FUNDS; AND

20 (6) PRIVATE SOURCES.

21 2-605.

22 THE COORDINATING COUNCIL SHALL REPORT TO THE GENERAL ASSEMBLY ON  
23 OR BEFORE DECEMBER 31 OF EACH YEAR, IN ACCORDANCE WITH § 2-1246 OF THE  
24 STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION AND EFFECTIVENESS OF  
25 AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS FUNDED  
26 UNDER THIS SUBTITLE.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 2006.