
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**

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 2006

CHAPTER _____

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~~ an Advisory Council to the Children's Cabinet; establishing the purpose
 10 of the Council; specifying certain requirements for juvenile delinquency at-risk
 11 youth prevention and diversion programs; specifying the duties of a local
 12 management board; specifying the membership ~~and duties~~ of a local planning
 13 group; ~~requiring the Governor to~~ providing that it is the intent of the General
 14 Assembly that the Governor include a certain appropriation in the annual
 15 budget bill; authorizing funds from certain sources to be used to meet a certain
 16 minimum funding requirement; requiring the ~~Coordinating Council~~ Governor's
 17 Office for Children to report to the General Assembly by a certain date each
 18 year; defining certain terms; and generally relating to juvenile delinquency
 19 at-risk youth prevention and diversion programs.

20 BY adding to

21 Article 41 - Governor - Executive and Administrative Departments

22 Section ~~2-601 through 2-605~~ 2-501 through 2-504, inclusive, to be under the

23 new subtitle "Subtitle 6. 5. At-Risk Youth ~~Delinquency~~ Prevention and

1 Diversion Programs"
 2 Annotated Code of Maryland
 3 (2003 Replacement Volume and 2005 Supplement)

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

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

7 SUBTITLE ~~6.~~ 5. AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION
 8 PROGRAMS.

9 ~~2-601.~~ 2-501.

10 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 11 INDICATED.

12 (B) "AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION PROGRAM"
 13 MEANS SERVICES PROVIDED TO SCHOOL-AGED YOUTH AND THEIR FAMILIES TO
 14 PREVENT OR DIVERT YOUTH FROM ENTERING THE JUVENILE JUSTICE SYSTEM AND
 15 TO HELP MAKE THEM READY FOR ADULTHOOD BY AGE 21.

16 (C) "~~COORDINATING~~ ADVISORY COUNCIL" MEANS THE ~~COORDINATING~~
 17 ADVISORY COUNCIL ON AT-RISK YOUTH DELINQUENCY PREVENTION AND
 18 DIVERSION PROGRAMS TO THE CHILDREN'S CABINET.

19 (D) "3-YEAR PLAN" MEANS THE 3-YEAR PLAN DEVELOPED BY THE
 20 CHILDREN'S CABINET ESTABLISHING PRIORITIES AND STRATEGIES FOR THE
 21 COORDINATED DELIVERY OF SERVICES FOR CHILDREN AND FAMILIES.

22 ~~2-602.~~ 2-502.

23 (A) THERE IS A ~~COORDINATING~~ AN ADVISORY COUNCIL ON AT-RISK YOUTH
 24 ~~DELINQUENCY PREVENTION AND DIVERSION PROGRAMS~~ TO THE CHILDREN'S
 25 CABINET.

26 (B) ~~THE COORDINATING COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:~~

27 (1) ~~THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR~~
 28 ~~CHILDREN OR ANY SUCCESSOR ENTITY;~~

29 (2) ~~THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S~~
 30 ~~DESIGNEE;~~

31 (3) ~~THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S~~
 32 ~~DESIGNEE;~~

33 (4) ~~THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE~~
 34 ~~SECRETARY'S DESIGNEE;~~

1 (5) ~~THE STATE SUPERINTENDENT OF SCHOOLS, OR THE~~
2 ~~SUPERINTENDENT'S DESIGNEE;~~

3 (6) ~~THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND~~
4 ~~PREVENTION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND~~

5 (7) ~~REPRESENTATIVES OF OTHER PUBLIC OR PRIVATE AGENCIES~~
6 ~~WHOSE EXPERTISE IS NEEDED BY THE COORDINATING COUNCIL, WHO SHALL BE~~
7 ~~APPOINTED BY THE CHAIR.~~

8 (C) ~~THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR CHILDREN~~
9 ~~SHALL BE THE CHAIR OF THE COORDINATING COUNCIL.~~

10 (D) ~~THE GOVERNOR'S OFFICE FOR CHILDREN SHALL PROVIDE STAFF~~
11 ~~SUPPORT FOR THE COORDINATING COUNCIL.~~

12 (E) ~~THE PURPOSE OF THE COORDINATING COUNCIL IS TO:~~

13 (1) ~~BUILD CAPACITY TO SERVE YOUTH IN THEIR COMMUNITIES AND AT~~
14 ~~HOME;~~

15 (2) ~~REDUCE RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF~~
16 ~~INTERVENTION FOR JUVENILE OFFENDERS;~~

17 (3) ~~PROMOTE POSITIVE OUTCOMES FOR YOUTH; AND~~

18 (4) ~~FUND PRACTICES TO PREVENT JUVENILE CRIME AND DELINQUENCY~~
19 ~~AND REDUCE DISPROPORTIONATE CONFINEMENT OF MINORITY YOUTH.~~

20 (F) ~~THE COORDINATING COUNCIL SHALL SET STANDARDS FOR LOCAL~~
21 ~~MANAGEMENT BOARDS IN:~~

22 (1) ~~ASSESSING COMMUNITY NEEDS;~~

23 (2) ~~DEVELOPING REQUESTS FOR PROPOSALS; AND~~

24 (3) ~~AWARDING GRANTS TO SELECTED PROGRAMS. THE PURPOSE OF THE~~
25 ~~ADVISORY COUNCIL IS TO MAKE RECOMMENDATIONS TO THE CHILDREN'S CABINET~~
26 ~~ON:~~

27 (1) ~~METHODS FOR MEETING THE POLICY AND PROGRAM GOALS OF THE~~
28 ~~STATE FOR INTEGRATED CHILDREN AND FAMILY PROGRAMS;~~

29 (2) ~~COORDINATING STATE PROGRAMS WITH PROGRAMS OPERATED BY~~
30 ~~LOCAL GOVERNMENTS, LOCAL MANAGEMENT BOARDS, AND PRIVATE GROUPS;~~

31 (3) ~~BUILDING CAPACITY TO SERVE YOUTHS IN THEIR COMMUNITIES~~
32 ~~AND AT HOME;~~

33 (4) ~~REDUCING RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF~~
34 ~~INTERVENTION FOR AT-RISK YOUTH OFFENDERS;~~

1 (5) PROMOTING POSITIVE OUTCOMES FOR YOUTHS;

2 (6) FUNDING PRACTICES THAT PREVENT JUVENILE CRIMES AND
3 DELINQUENCY; AND

4 (7) REDUCING DISPROPORTIONATE MINORITY CONFINEMENT.

5 ~~2-603; 2-503.~~

6 (A) ~~AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS~~
7 ~~FUNDED UNDER THIS SUBTITLE SHALL:~~

8 (1) ~~PROVIDE SERVICES TO YOUTH THAT ARE:~~

9 (I) ~~SELF-REFERRED; OR~~

10 (II) ~~REFERRED BY:~~

11 1. ~~THE DEPARTMENT OF JUVENILE SERVICES;~~

12 2. ~~THE LOCAL DEPARTMENT OF SOCIAL SERVICES;~~

13 3. ~~A LAW ENFORCEMENT AGENCY;~~

14 4. ~~THE JUVENILE COURT;~~

15 5. ~~A SCHOOL; OR~~

16 6. ~~ANY OTHER PUBLIC OR PRIVATE AGENCY;~~

17 (2) ~~BE:~~

18 (I) ~~NONRESIDENTIAL; AND~~

19 (II) ~~COMMUNITY-BASED, NEIGHBORHOOD-BASED, SCHOOL-BASED,~~
20 ~~OR FAITH-BASED; AND~~

21 (3) ~~BE COORDINATED, MONITORED, AND SUPPORTED BY THE LOCAL~~
22 ~~MANAGEMENT BOARDS. AN AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAM~~
23 ~~MAY BE:~~

24 (1) (I) COMMUNITY-BASED;

25 (II) SCHOOL-BASED;

26 (III) NEIGHBORHOOD-BASED; OR

27 (IV) FAITH-BASED; AND

28 (2) NONRESIDENTIAL.

1 (B) AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAMS SHALL BE
2 COORDINATED, MONITORED, AND SUPPORTED BY LOCAL MANAGEMENT BOARDS.

3 ~~(B)~~ (C) A LOCAL MANAGEMENT BOARD SHALL APPLY TO THE
4 ~~COORDINATING COUNCIL GOVERNOR'S OFFICE FOR CHILDREN FOR FUNDS FOR~~
5 ~~LOCAL AT RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS~~
6 FUNDING FOR THE AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAM.

7 ~~(C)~~ (D) BEFORE SUBMITTING AN APPLICATION TO THE ~~COORDINATING~~
8 ~~COUNCIL GOVERNOR'S OFFICE FOR CHILDREN,~~ THE LOCAL MANAGEMENT BOARD
9 SHALL ~~CONVENE~~ DEMONSTRATE THAT THE LOCAL MANAGEMENT BOARD HAS
10 CONVENED A LOCAL PLANNING GROUP CONSISTING OF PARENTS, YOUTH, AND
11 REPRESENTATIVES OF PUBLIC AND PRIVATE AGENCIES THAT HAVE KNOWLEDGE OF
12 AND EXPERIENCE WORKING WITH AT-RISK YOUTH AND FAMILIES.

13 ~~(D)~~ (E) THE LOCAL ~~PLANNING GROUP~~ MANAGEMENT BOARD SHALL, AS
14 PART OF THE PREVENTION ELEMENT OF THE 3-YEAR PLAN:

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

17 (I) PREVENT AND DIVERT ENTRY AND REENTRY INTO THE
18 JUVENILE SYSTEM;

19 (II) PROVIDE ALTERNATIVES TO INCARCERATION AND
20 INSTITUTIONALIZATION;

21 (III) PREVENT AND DIVERT CRIMINAL BEHAVIOR; AND

22 (IV) INCREASE PERSONAL RESPONSIBILITY AND
23 SELF-SUFFICIENCY;

24 (2) IDENTIFY UNSERVED NEIGHBORHOODS OR COMMUNITIES WITH
25 CRITICAL NEEDS AND SIGNIFICANT NUMBERS OF AT-RISK OR DELINQUENT YOUTH;
26 AND

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

29 ~~(E)~~ (F) THE LOCAL MANAGEMENT BOARD SHALL:

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

32 (2) AWARD FUNDS TO LOCAL AGENCIES OR ORGANIZATIONS TO
33 PROVIDE DIRECT SERVICES;

34 (3) MONITOR AND EVALUATE AT-RISK YOUTH PREVENTION AND
35 DIVERSION PROGRAM PERFORMANCE;

1 (4) PROVIDE TECHNICAL ASSISTANCE TO ~~LOCAL~~ AT-RISK YOUTH
2 PREVENTION AND DIVERSION PROGRAMS AS NEEDED;

3 (5) PROMOTE COST-EFFECTIVENESS STRATEGIES;

4 (6) MEASURE AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAM
5 OUTCOMES; AND

6 (7) PROVIDE ~~QUARTERLY~~ FISCAL AND PROGRAM REPORTS TO THE
7 GOVERNOR'S OFFICE FOR CHILDREN.

8 ~~2-604, 2-504.~~

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

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

15 (1) ~~FEDERAL FUNDS FROM THE TEMPORARY ASSISTANCE FOR NEEDY~~
16 ~~FAMILIES BLOCK GRANT;~~

17 (2) ~~FEDERAL FUNDS FROM THE OFFICE OF JUVENILE JUSTICE AND~~
18 ~~DELINQUENCY PREVENTION;~~

19 (3) ~~FEDERAL FUNDS FROM THE TITLE I PROGRAM FOR NEGLECTED AND~~
20 ~~DELINQUENT CHILDREN;~~

21 (4) ~~BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE~~
22 ~~ABUSE;~~

23 (5) ~~GENERAL FUNDS; AND~~

24 (6) ~~PRIVATE SOURCES.~~

25 ~~2-605.~~

26 ~~THE COORDINATING COUNCIL~~ GOVERNOR'S OFFICE FOR CHILDREN SHALL
27 REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31 OF EACH YEAR,
28 IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE
29 IMPLEMENTATION AND EFFECTIVENESS OF AT-RISK YOUTH ~~DELINQUENCY~~
30 PREVENTION AND DIVERSION PROGRAMS FUNDED UNDER THIS SUBTITLE.

31 SECTION 2. AND BE IT FURTHER ENACTED, That:

32 (1) it is the intent of the General Assembly that the Governor shall
33 include at least \$10,000,000 in the fiscal year 2008 State budget and, in the State
34 budget for each fiscal year thereafter, shall include sufficient funds to maintain
35 support for the programs implemented under this Act; and

1 (2) federal funds, general funds, and private resources may be used to
2 meet the funding specified in this section.

3 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect July 1, 2006.