

**Department of Legislative Services**  
 Maryland General Assembly  
 2006 Session

**FISCAL AND POLICY NOTE**

House Bill 947  
 Judiciary

(Prince George’s County Delegation)

**Prince George's County - Department of Juvenile Services - Counseling Program  
 for Delinquent Children  
 PG 320-06**

This bill requires the Secretary of Juvenile Services to establish a Department of Juvenile Services (DJS) Counseling Program for Delinquent Children in Prince George’s County. The bill provides that once DJS receives a complaint alleging that a child in Prince George’s County has committed a delinquent act, a DJS intake officer must refer the child and the child’s parents or guardians to an appropriate DJS counseling service for behavioral and life skills counseling. This provision does not apply if the intake officer determines that the juvenile court has no jurisdiction.

**Fiscal Summary**

**State Effect:** General fund expenditures could increase by at least \$2.4 million in FY 2007 for DJS to provide post-intake services. Future years reflect annualization and inflation. Potential decrease in DJS detention expenditures.

| (in dollars)   | FY 2007       | FY 2008       | FY 2009       | FY 2010       | FY 2011       |
|----------------|---------------|---------------|---------------|---------------|---------------|
| Revenues       | \$0           | \$0           | \$0           | \$0           | \$0           |
| GF Expenditure | 2,400,000     | 3,232,000     | 3,264,300     | 3,297,000     | 3,329,900     |
| Net Effect     | (\$2,400,000) | (\$3,232,000) | (\$3,264,300) | (\$3,297,000) | (\$3,329,900) |

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

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Bill Summary:** Counseling service providers must meet with the child and the child's parents to: (1) discuss the child's school performance, family and peer interactions, emotional health, and physical health, including substance abuse; (2) conduct an assessment of the child; and (3) establish a case plan for provision of services to the child, including counseling, advocacy, after-school programs, and job training services. The bill also prohibits statements made by a participant during the provision of these services from being admitted into evidence in any adjudicatory hearing or peace order proceeding or in a criminal proceeding against the participant prior to conviction.

**Current Law:** Within 25 days of receiving a complaint alleging that a child has committed a delinquent act, a juvenile intake officer may: (1) authorize the filing of a petition or a peace order request, or both; (2) propose an informal adjustment (*i.e.*, information supervision) of the matter; or (3) refuse authorization to file a petition or peace order or both. An intake officer is not required to provide for an assessment and the delivery of services before authorizing action on a complaint.

A "delinquent act" is an act which would be a crime if committed by an adult.

A juvenile intake officer must discuss a referral for mental health and substance abuse screening with a child who is the subject of a complaint within 25 days of receiving the complaint. The screening must be conducted by a qualified health, mental health, or substance abuse professional or staff trained by a qualified health, mental health, or substance abuse professional. If the screening shows that the child is mentally handicapped, seriously emotionally disturbed, or a substance abuser, the screener must conduct a comprehensive mental health or substance abuse assessment of the child.

**Background:** In its *Three Year Plan: 2003 – 2005*, released in December 2002, DJS noted that "Appropriate screening and assessment of each youth's risk and needs is crucial to supporting the Department's principles." The report goes on to say that results from the screening process are used in the development of treatment service plans, which ensure that appropriate treatment in least restrictive environments is provided to all children. According to the report, DJS developed a risk and needs screening tool and implemented it statewide in July 2002. The tool is used to gauge risk to the community and assess needs across five dimensions: mental health, physical health, substance abuse, family environment, and education.

DJS Managing for Results (MFR) outcomes for fiscal 2005, the most recent year actual data are available, show that 58% of youths admitted to DJS detention centers received a substance abuse evaluation (up from 26% for fiscal 2004) and 58% received a mental health evaluation (up from 36% for fiscal 2004). MFR outcomes also show that 80% of youth admitted to a DJS residential program received a physical performed by a

physician (up from 45% for fiscal 2004), and 100% received a health screening performed by a nurse.

For fiscal 2006, DJS projects that of the youths admitted to detention:

- 75% will receive substance abuse evaluations;
- 75% will receive mental health evaluations; and
- 98% will receive physicals performed by physicians.

Pursuant to Chapter 601 of 2005, DJS will establish a Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County. The program uses community based providers to deliver services similar to the ones proposed by this bill to children alleged to be in need of supervision. The program is set to begin on July 1, 2006. The first report on the implementation of the program is due by December 31, 2006.

**State Expenditures:** DJS reports that in fiscal 2005, there were 3,499 youths referred to DJS intake in Prince George's County, involving 4,964 cases. The results of the cases are as follows:

- 1,600 cases were referred to the State's Attorney in formal petitions;
- 928 informal adjustments; and
- 2,166 resolved at intake or dismissed.

DJS has paid for diversion-type programming in Prince George's County in the past, at a cost of approximately \$2,000 per child for six months of services. Similar programs in Baltimore City, Baltimore County, and Harford County run at a cost of \$1,852 and \$2,394 per child, respectively.

Of the approximately 5,000 cases referred to DJS intake in Prince George's County, it is assumed that at least the 1,600 cases referred to the State's Attorney would be eligible for services under this bill. Assuming each child requires approximately six months of service, at a cost of \$2,000, general fund expenditures could increase by approximately \$2.4 million in fiscal 2007, accounting for the bill's October 1, 2006 effective date. Future year estimates reflect annualization and inflation. In addition, an unknown number of cases in informal adjustment resolved at intake could be eligible for services under this bill, resulting in significant additional expenditures. To the extent that provision of these services results in fewer youth being admitted to detention, DJS expenditures for detained youth could decrease.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Juvenile Services, Prince George's County, Department of Human Resources, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - March 1, 2006  
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Analysis by: Amy A. Devadas

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510