

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1043
Appropriations

(Delegate Conway, *et al.*)

Judicial Proceedings

Criminal Procedure - Child Advocacy Centers

This bill requires the Governor's Office of Crime Control and Prevention (GOCCP) to establish and sustain child advocacy centers in the State. The State Victims of Crime Fund must be used to support the centers and grants awarded by the State Board of Victim Services must be equitably distributed among all purposes of the fund. However, this bill does not affect any grants awarded by the board for fiscal 2011. GOCCP must ensure that grants to child advocacy centers support the development and operation of the centers. These grants must supplement and not replace any funds the centers receive from other sources.

Fiscal Summary

State Effect: None. GOCCP can use existing funds to support existing child advocacy centers and to establish and sustain additional centers.

Local Effect: Local jurisdictions may receive additional support for child advocacy centers. Jurisdictions that are currently without child advocacy centers may receive funding to establish and sustain centers.

Small Business Effect: None.

Analysis

Bill Summary: The child advocacy centers:

- may be based in private, nonprofit organizations, local departments of social services, local law enforcement agencies, or a partnership among any of these entities;
- must be developed and located to facilitate their use by alleged victims residing in the surrounding areas;
- must investigate allegations of sexual crimes against children and sexual abuse of minors;
- must provide or facilitate referrals to appropriate counseling, legal, medical, and advocacy services for victims; and
- must be included in all joint investigation procedures as specified in statute for the investigation of suspected child abuse or neglect.

GOCCP is authorized to contract with public or private nonprofit organizations to operate the child advocacy centers. GOCCP must submit an annual report on the child advocacy centers to the General Assembly by January 1.

Current Law/Background: Child advocacy centers are defined as a child-focused entity within or outside a health care facility that investigates, diagnoses, and treats children who may have been abused or neglected. The centers include local law enforcement officers, prosecutors, and the local departments of social services, and may include child mental health service providers and other children and family service providers. (See Health-General Article § 13-2201.) The centers provide a centralized location to investigate allegations of abuse against a child. The centers are intended to reduce trauma on abuse victims by eliminating the need to have the child repeat their story to multiple individuals, which also reduces the amount of resources used in obtaining information.

DHR currently provides funding to 12 child advocacy centers. The centers are located throughout the State in the following jurisdictions: Baltimore City and Allegany, Anne Arundel, Cecil, Dorchester, Frederick, Harford, Howard, Talbot, Washington, Wicomico, and Worcester counties. The majority of the centers are located within the local departments of social services. Other jurisdictions also have child advocacy centers, however, Caroline, Calvert, Kent, and Queen Anne's counties do not.

The State Victims of Crime Fund is used to provide services for victims and witnesses of crimes and delinquent acts. The fund is administered by the State Board of Victim Services, which is under the authority of GOCCP.

State Fiscal Effect: GOCCP can use existing funds to support existing centers and to establish and sustain additional centers. These funds include Byrne Justice Assistance Grants and federal Victims of Crime Act (VOCA) funds. The fiscal 2011 State budget

for GOCCP includes \$1.3 million in VOCA funds and \$16.9 million in Byrne Justice Assistance Grants.

The bill also expands the mandatory uses of the State Victims of Crime Fund to include the support of child advocacy centers, but specifies that it does not affect grants awarded by the State Board of Victim Services in fiscal 2011. GOCCP can use existing resources to ensure that grants awarded in future years are equitably distributed among all purposes of the fund.

Additional Information

Prior Introductions: None.

Cross File: SB 796 (Senators Middleton and Forehand) - Judicial Proceedings.

Information Source(s): Dorchester, Garrett, and Montgomery counties; Governor's Office of Crime Control and Prevention; Department of Budget and Management; Department of Human Resources; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - March 8, 2010
mpc/hlb Revised - House Third Reader - April 2, 2010
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Analysis by: Jennifer K. Botts

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