

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 796

(Senators Middleton and Forehand)

Judicial Proceedings

Appropriations

Criminal Procedure - Child Advocacy Centers

This bill requires the Department of Human Resources (DHR) and the Governor's Office of Crime Control and Prevention (GOCCP) to jointly establish and sustain child advocacy centers in the State. The bill also requires the State Board of Victim Services, in fiscal 2012, to approve a grant of \$20,833 from the State Victims of Crime Fund to each county government that intends to establish a child advocacy center or demonstrates a financial need for assistance in keeping an existing center open.

Fiscal Summary

State Effect: None. To the extent that the bill alters the purposes for which existing funds may be used, GOCCP can use existing funds to support existing centers and to establish and sustain additional centers. Assuming that the bill codifies the current practice of certain child advocacy centers being located within local departments of social services, DHR can handle the bill's requirements using existing resources.

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.

DHR is authorized to contract with public or private nonprofit organizations to operate the child advocacy centers. DHR, with input from GOCCP, must include a report on the child advocacy centers in its annual report to the General Assembly.

On or before December 15, 2010, the State Board of Victim Services must report to the Senate Budget and Taxation Committee and the Senate Judicial Proceedings Committee on the amount of revenue that would be needed to expand the purposes of the State Victims of Crime Fund to include supporting child advocacy centers in the State while continuing to fully support the current purposes of the fund.

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.

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: DHR currently provides funding to 12 child advocacy centers at a cost of \$1 million in federal funds per year. 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.

Pursuant to this legislation, DHR and GOCCP must jointly establish and sustain child advocacy centers. To the extent that the requirement for DHR to “establish and sustain” centers is a codification of the existing practice of certain centers being located within local departments of social services, there is no additional fiscal impact for this provision. However, although DHR currently provides funding for some centers using VOCA (Victims of Crime Act) funds, under SB 470 (the Annual Corrective Bill), the VOCA funds will be transferred to GOCCP. If DHR is required to continue providing some level of funding for the centers, general fund expenditures will increase because DHR will no longer administer the federal funds that are currently being used for the centers. If DHR is required to continue funding the existing centers at the same funding level, general fund expenditures would increase by approximately \$1 million annually.

GOCCP can use existing funds to support existing centers and to establish and sustain additional centers. These funds include Byrne Justice Assistance Grants and VOCA funds. The proposed fiscal 2011 State budget for GOCCP includes \$1.3 million in VOCA funds and \$16.9 million in Byrne Justice Assistance Grants. In addition, there is currently \$7.4 million in federal VOCA funds appropriated to DHR, which will be transferred to GOCCP if SB 470 passes.

In addition, the bill requires the State Board of Victims Services to approve a grant of \$20,833 in fiscal 2012 from the State Victims of Crime Fund to each county government that intends to establish a child advocacy center or demonstrates a financial need for assistance in keeping an existing center open. Because this provision alters the purposes for which existing funding may be used, GOCCP can implement this requirement using existing resources. GOCCP notes that child advocacy centers are already eligible to apply for this funding, and a typical first year grant award is \$35,000.

The bill also requires the State Board of Victim Services to submit a report on the amount of revenue needed to fund child advocacy centers while continuing to fully support the current purposes of the State Victims of Crime Fund. GOCCP advises that the board is a citizen board without specified staff, therefore, requiring it to report may increase administrative expenditures, thereby reducing available grant funding for victim services.

Additional Information

Prior Introductions: None.

Cross File: HB 1043 (Delegate Conway, *et al.*) - Appropriations.

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
mam/hlb Revised - Senate Third Reader - April 5, 2010

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