

# HOUSE BILL 1338

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By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2013

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County Juvenile Court and School Safety Workgroup**

3 **PG 306-13**

4 FOR the purpose of establishing the Prince George's County Juvenile Court and  
5 School Safety Workgroup; providing for the composition, ~~chair~~ co-chairs, and  
6 staffing of the Workgroup; prohibiting a member of the Workgroup from  
7 receiving certain compensation, but authorizing the reimbursement of certain  
8 expenses; requiring the Workgroup to develop certain policies and protocols,  
9 create a certain process, develop criteria for certain programs, and hold certain  
10 meetings, ~~and convene certain groups annually~~; requiring the Workgroup to  
11 report its findings and recommendations to the Prince George's County  
12 Delegation on or before a certain date; ~~requiring the Workgroup to report~~  
13 ~~annually under certain circumstances~~; providing for the termination of this Act;  
14 and generally relating to the Prince George's County Juvenile Court and School  
15 Safety Workgroup.

16 ~~BY adding to~~  
17 ~~Article — Education~~  
18 ~~Section 22-401 to be under the new subtitle "Subtitle 4. Prince George's County~~  
19 ~~Juvenile Court and School Safety Workgroup"~~  
20 ~~Annotated Code of Maryland~~  
21 ~~(2008 Replacement Volume and 2012 Supplement)~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (a) There is a Prince George's County Juvenile Court and School Safety  
4 Workgroup.

5 (b) The Workgroup consists of the following members:

6 (1) the Chair of the Prince George's County Delegation to the House of  
7 Delegates, or the Chair's designee;

8 (2) the Chair of the Prince George's County Delegation to the Senate,  
9 or the Chair's designee;

10 (3) the Chair of the Prince George's County Council, or the Chair's  
11 designee;

12 (4) a representative from the Prince George's County Police  
13 Department, appointed by the Prince George's County Chief of Police;

14 (5) a representative from Prince George's County Public Schools,  
15 appointed by the Superintendent of Prince George's County Public Schools;

16 (6) a representative from the Prince George's County Office of the  
17 Sheriff, appointed by the Sheriff of Prince George's County;

18 (7) a representative from the Department of Juvenile Services  
19 appointed to the Prince George's County region, appointed by the Secretary of Juvenile  
20 Services;

21 (8) a representative from the Office of the Public Defender serving  
22 District 5 who works in the Juvenile Protection Division, appointed by the District  
23 Public Defender;

24 (9) a representative from the Office of the State's Attorney for Prince  
25 George's County who works in the Juvenile Division, appointed by the Prince George's  
26 County State's Attorney;

27 (10) a member of the Prince George's County School Board, appointed  
28 by the chair of the School Board;

29 (11) a school psychologist working in Prince George's County, appointed  
30 by the President of the Maryland School Psychologists' Association;

31 (12) the Director of Security Services for Prince George's County Public  
32 Schools; and

1           (13) the following members appointed by the Prince George's County  
2 Executive:

3                   (i) a representative from the Commission for Children, Youth  
4 and Families (Local Management Board); and

5                   (ii) a representative of the Prince George's County Department  
6 of Family Services.

7           (c) The Prince George's County Executive shall designate two co-chairs of  
8 the Workgroup.

9           (d) The Department of Juvenile Services shall provide staff for the  
10 Workgroup.

11           (e) A member of the Workgroup:

12                   (1) may not receive compensation as a member of the Workgroup; but

13                   (2) is entitled to reimbursement for expenses under the Standard  
14 State Travel Regulations, as provided in the State budget.

15           (f) The Workgroup shall:

16                   (1) review and analyze school arrest and referral data collected by the  
17 Department of Juvenile Services and the Prince George's County school system and  
18 based on that data, identify the most common offenses for which students are arrested  
19 and referred to juvenile court;

20                   (2) recommend interagency policies to reduce the number of  
21 school-based arrests and referrals for certain misdemeanor offenses to the  
22 Department of Juvenile Services and the juvenile court by diverting more youth to  
23 school- and community-based programs, with the goal to decrease the  
24 overrepresentation of African American youth in the juvenile justice system;

25                   (3) recommend strategies to utilize more fully current resources and  
26 expand school- and community-based support services for youth who exhibit behavior  
27 problems in school;

28                   (4) recommend a criteria-based, decision making process for referring  
29 students to school- or community-based programs and services instead of to the  
30 juvenile justice system for misdemeanor-type delinquent acts involving offenses  
31 identified by the Workgroup;

32                   (5) recommend criteria for diversion programs developed for juveniles  
33 who have been charged with less serious delinquent acts and who the juvenile court

1 believe would benefit from community alternatives in lieu of probation or commitment  
 2 to the Department of Juvenile Services;

3 (6) hold at least two public meetings before October 1, 2013, during  
 4 which the Workgroup seeks testimony from the public and juvenile advocacy groups;  
 5 and

6 (7) develop a Collaborative Action Plan to reduce the number of  
 7 school-based arrests and referrals to the juvenile court.

8 (g) On or before December 15, 2013, the Workgroup shall report its findings,  
 9 action plan, and recommendations to the Prince George's County Delegation.

10 ~~Article—Education~~

11 ~~SUBTITLE 4. PRINCE GEORGE'S COUNTY JUVENILE COURT AND SCHOOL~~  
 12 ~~SAFETY WORKGROUP.~~

13 ~~22-401.~~

14 ~~(A) THERE IS A PRINCE GEORGE'S COUNTY JUVENILE COURT AND~~  
 15 ~~SCHOOL SAFETY WORKGROUP.~~

16 ~~(B) THE WORKGROUP CONSISTS OF THE FOLLOWING MEMBERS:~~

17 ~~(1) THE CHAIR OF THE PRINCE GEORGE'S COUNTY DELEGATION~~  
 18 ~~TO THE HOUSE OF DELEGATES, OR THE CHAIR'S DESIGNEE;~~

19 ~~(2) THE CHAIR OF THE PRINCE GEORGE'S COUNTY DELEGATION~~  
 20 ~~TO THE SENATE, OR THE CHAIR'S DESIGNEE;~~

21 ~~(3) THE JUVENILE COURT JUDGE OF THE PRINCE GEORGE'S~~  
 22 ~~COUNTY CIRCUIT COURT, JUVENILE DIVISION, APPOINTED BY THE CIRCUIT~~  
 23 ~~ADMINISTRATIVE JUDGE OF THE SEVENTH CIRCUIT;~~

24 ~~(4) THE CHAIR OF THE PRINCE GEORGE'S COUNTY COUNCIL, OR~~  
 25 ~~THE CHAIR'S DESIGNEE;~~

26 ~~(5) A REPRESENTATIVE FROM THE PRINCE GEORGE'S COUNTY~~  
 27 ~~POLICE DEPARTMENT, APPOINTED BY THE PRINCE GEORGE'S COUNTY CHIEF~~  
 28 ~~OF POLICE;~~

29 ~~(6) A REPRESENTATIVE FROM PRINCE GEORGE'S COUNTY~~  
 30 ~~PUBLIC SCHOOLS, APPOINTED BY THE SUPERINTENDENT OF PRINCE~~  
 31 ~~GEORGE'S COUNTY PUBLIC SCHOOLS;~~

1           ~~(7) A REPRESENTATIVE FROM THE PRINCE GEORGE'S COUNTY~~  
2 ~~OFFICE OF THE SHERIFF, APPOINTED BY THE SHERIFF OF PRINCE GEORGE'S~~  
3 ~~COUNTY;~~

4           ~~(8) A REPRESENTATIVE FROM THE DEPARTMENT OF JUVENILE~~  
5 ~~SERVICES APPOINTED TO THE PRINCE GEORGE'S COUNTY REGION, APPOINTED~~  
6 ~~BY THE SECRETARY OF JUVENILE SERVICES;~~

7           ~~(9) A REPRESENTATIVE FROM THE OFFICE OF THE PUBLIC~~  
8 ~~DEFENDER SERVING DISTRICT 5 WHO WORKS IN THE JUVENILE PROTECTION~~  
9 ~~DIVISION, APPOINTED BY THE DISTRICT PUBLIC DEFENDER;~~

10           ~~(10) A REPRESENTATIVE FROM THE OFFICE OF THE STATE'S~~  
11 ~~ATTORNEY FOR PRINCE GEORGE'S COUNTY WHO WORKS IN THE JUVENILE~~  
12 ~~DIVISION, APPOINTED BY THE PRINCE GEORGE'S COUNTY STATE'S ATTORNEY;~~  
13 ~~AND~~

14           ~~(11) THE FOLLOWING MEMBERS APPOINTED BY THE CHAIR OF~~  
15 ~~THE PRINCE GEORGE'S COUNTY DELEGATION TO THE HOUSE OF DELEGATES:~~

16           ~~(I) A REPRESENTATIVE FROM THE COMMISSION FOR~~  
17 ~~CHILDREN, YOUTH AND FAMILIES (LOCAL MANAGEMENT BOARD); AND~~

18           ~~(II) A MEMBER OF THE PRINCE GEORGE'S COUNTY~~  
19 ~~SCHOOL BOARD.~~

20           ~~(C) THE PRINCE GEORGE'S COUNTY EXECUTIVE SHALL DESIGNATE~~  
21 ~~THE CHAIR OF THE WORKGROUP.~~

22           ~~(D) THE PRINCE GEORGE'S COUNTY EXECUTIVE SHALL PROVIDE~~  
23 ~~STAFF FOR THE WORKGROUP.~~

24           ~~(E) A MEMBER OF THE WORKGROUP:~~

25           ~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE~~  
26 ~~WORKGROUP; BUT~~

27           ~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE~~  
28 ~~STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE~~  
29 ~~BUDGET.~~

30           ~~(F) THE WORKGROUP SHALL:~~

1           ~~(1) DEVELOP INTERAGENCY POLICIES TO REDUCE THE NUMBER~~  
2 ~~OF SCHOOL BASED ARRESTS AND REFERRALS FOR CERTAIN MISDEMEANOR~~  
3 ~~OFFENSES TO THE DEPARTMENT OF JUVENILE SERVICES AND THE JUVENILE~~  
4 ~~COURT BY DIVERTING MORE YOUTH TO SCHOOL AND COMMUNITY BASED~~  
5 ~~PROGRAMS, WITH THE GOAL TO DECREASE THE OVERREPRESENTATION OF~~  
6 ~~AFRICAN AMERICAN YOUTH IN THE JUVENILE JUSTICE SYSTEM;~~

7           ~~(2) DEVELOP PROTOCOL TO UTILIZE MORE FULLY CURRENT~~  
8 ~~RESOURCES AND EXPAND SCHOOL AND COMMUNITY BASED SUPPORT~~  
9 ~~SERVICES FOR YOUTH WHO EXHIBIT BEHAVIOR PROBLEMS IN SCHOOL;~~

10           ~~(3) CREATE A CRITERIA BASED, DECISION MAKING PROCESS FOR~~  
11 ~~REFERRING STUDENTS TO SCHOOL OR COMMUNITY BASED PROGRAMS AND~~  
12 ~~SERVICES INSTEAD OF TO THE JUVENILE JUSTICE SYSTEM FOR~~  
13 ~~MISDEMEANOR TYPE DELINQUENT ACTS INVOLVING OFFENSES AGAINST~~  
14 ~~PUBLIC ORDER, INCLUDING FIGHTING, DISRUPTING PUBLIC SCHOOL,~~  
15 ~~DISORDERLY CONDUCT, TRUANCY IN WHICH A STUDENT FAILS TO OBEY AN~~  
16 ~~OFFICER'S COMMAND TO STOP OR NOT LEAVE CAMPUS, AND CRIMINAL~~  
17 ~~TRESPASS NOT INVOLVING DAMAGE TO PROPERTY;~~

18           ~~(4) DEVELOP CRITERIA FOR DIVERSION PROGRAMS, INCLUDING~~  
19 ~~EDUCATIONAL PROGRAMS DEVELOPED FOR JUVENILES WHO HAVE BEEN~~  
20 ~~CHARGED WITH LESS SERIOUS DELINQUENT ACTS AND WHO THE JUVENILE~~  
21 ~~COURT BELIEVES ARE NOT DELINQUENT JUVENILES AND LIKELY DO NOT~~  
22 ~~REQUIRE PROBATION OR COMMITMENT TO THE DEPARTMENT OF JUVENILE~~  
23 ~~SERVICES;~~

24           ~~(5) HOLD AT LEAST THREE PUBLIC MEETINGS BEFORE OCTOBER~~  
25 ~~1, 2013, DURING WHICH THE WORKGROUP ACCEPTS PUBLIC TESTIMONY; AND~~

26           ~~(6) CONVENE STAKEHOLDERS ANNUALLY TO ASSESS AND REVISE,~~  
27 ~~IF NECESSARY, THE DECISION MAKING PROCESS AND PROCEDURES.~~

28           ~~(G) (1) ON OR BEFORE OCTOBER 1, 2013, THE WORKGROUP SHALL~~  
29 ~~REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE PRINCE GEORGE'S~~  
30 ~~COUNTY DELEGATION.~~

31           ~~(2) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE WORKGROUP~~  
32 ~~SHALL REPORT TO THE PRINCE GEORGE'S COUNTY DELEGATION ANY~~  
33 ~~REVISIONS TO THE WORKGROUP'S RECOMMENDATIONS MADE AFTER ITS~~  
34 ~~ANNUAL STAKEHOLDER MEETING.~~

35           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 June 1, 2013. It shall remain effective for a period of 1 year and 7 months and, at the

1 end of December 31, 2014, with no further action required by the General Assembly.  
2 this Act shall be abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.