

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 604
Judiciary

(Delegate Hough)

Judicial Proceedings

Department of Juvenile Services - Graduated Responses - Report

This bill requires the Department of Juvenile Services (DJS) to report to the Senate Judicial Proceedings and House Judiciary committees, by December 1, 2014, on the implementation of a system of “graduated responses” for children under the jurisdiction of DJS. “Graduated responses” means an accountability-based series of sanctions, including incentives, treatment, and services, applicable to children within the juvenile justice system, administered to hold children accountable for their actions, and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a child is adjudicated delinquent, by encouraging law-abiding behavior, and by preventing subsequent involvement in the juvenile justice system.

Fiscal Summary

State Effect: DJS can handle the bill’s reporting requirement using existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Once a juvenile has been adjudicated delinquent, the juvenile court, at a disposition hearing, may place a child under supervision in the child’s own home or in the custody or under the guardianship of a relative or other fit person, on terms the court deems appropriate, including community detention. A child may also be committed to the custody or guardianship of DJS or other agency on terms that the court considers appropriate. The court may also order the child or the child’s parents, guardian, or

custodian to participate in rehabilitative services that are in the best interest of the child and the family.

A disposition may include the suspension or revocation of the child's driving privileges under specified circumstances. In addition to other sanctions, if property of a victim was stolen or damaged or the victim suffered personal out-of-pocket losses or loss of wages as a result of the delinquent act, the court may order the child, the child's parents, or both to pay restitution in an amount not exceeding \$10,000 to the victim.

Background: Some components of a "graduated response system" are included in the Violence Prevention Initiative (VPI). In 2008, VPI began in Baltimore City and expanded statewide. VPI is an intensive supervision program intended to reduce the number of juvenile homicides and nonfatal shootings. It focuses on youth under supervision who are believed to be at high risk of either violent offending or violent victimization. VPI includes intensive surveillance with frequent contacts with youth at nontraditional hours on evenings and weekends and electronic monitoring, as well as enhanced service delivery such as drug treatment and employment training. VPI incorporates a continuum of graduated responses to ensure that immediate and appropriate actions are consistently applied when juveniles are noncompliant.

Additional Information

Prior Introductions: None.

Cross File: SB 536 (Senators Shank and Zirkin) - Judicial Proceedings.

Information Source(s): Department of Juvenile Services, Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2013
ncs/kdm

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