

HB1634/322419/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Juveniles – Restraint and Searches – Limitations” and substitute “Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System”; strike beginning with “prohibiting” in line 3 down through “juvenile” in line 16 and substitute “establishing the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to review, examine, determine, and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System”; and strike in their entirety lines 17 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 2

On page 2, in line 5, strike “the Laws of Maryland read as follows”; and after line 5, insert:

“(a) There is a Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System.

(b) The Task Force consists of the following members:

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- (1) three members of the Senate of Maryland, appointed by the President of the Senate;
- (2) three members of the House of Delegates, appointed by the Speaker of the House;
- (3) the Secretary of Juvenile Services, or the Secretary's designee;
- (4) the Director of the Maryland Juvenile Justice Monitoring Unit, or the Director's designee;
- (5) the Public Defender of Maryland, or the Public Defender's designee;
- (6) the Executive Director of the Governor's Office for Children, or the Executive Director's designee;
- (7) the Executive Director of Advocates for Children and Youth, or the Executive Director's designee;
- (8) the President of the Maryland Chapter of the National Association for the Advancement of Colored People (NAACP), or the President's designee;
- (9) the Executive Director of AFSCME Maryland, or the Executive Director's designee;
- (10) the Chairman of the Community Public Awareness Council, or the Chairman's designee;
- (11) the Executive Director of the Maryland Sheriff's Association, or the Executive Director's designee;
- (12) one licensed mental health expert, appointed by the Governor; and

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(13) the following three members appointed by the Secretary of Juvenile Services:

(i) one expert in juvenile restraint;

(ii) one expert in juvenile searches; and

(iii) one expert in the transport of juvenile detainees.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Juvenile Justice Monitoring Unit and the Office of the Public Defender shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

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

(f) The Task Force shall:

(1) review the policies and practices of the Department of Juvenile Services regarding shackling and strip searches of children within the juvenile justice system;

(2) examine when, by whom, and for what purposes a child in the custody of the Department of Juvenile Services is strip-searched or shackled;

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(3) determine the capital expenditures that are necessary to address issues regarding the restraint and searches of children within the juvenile justice system; and

(4) make recommendations regarding changes in policies, practices, or capital expenditures that are necessary to address issues involving the restraint and searches of children within the juvenile justice system.

(g) On or before December 31, 2016, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 6 on page 2 through line 10 on page 5, inclusive.

On page 5, in line 12, strike “October” and substitute “June”; and in the same line, after “2016.” insert “It shall remain effective for a period of 1 year and, at the end of May 31, 2017, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.