

SENATE BILL 1134

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8lr3681
CF HB 1524

By: **Senator Ferguson**

Introduced and read first time: February 16, 2018

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 23, 2018

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: April 4, 2018

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Justice Coordinating Council**

3 FOR the purpose of establishing the Juvenile Justice Coordinating Council; providing for
4 the composition, chair, and staffing of the Council; prohibiting a member of the
5 Council from receiving certain compensation, but authorizing the reimbursement of
6 certain expenses; specifying the duties of the Council; authorizing the Council to
7 request certain technical assistance; requiring the Council to report its findings and
8 recommendations to the Governor and the General Assembly on or before a certain
9 date; providing for the termination of this Act; and generally relating to the Juvenile
10 Justice Coordinating Council.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That:

13 (a) There is a Juvenile Justice Coordinating Council in the ~~Governor's Office of~~
14 ~~Crime Control and Prevention~~ Department of Juvenile Services.

15 (b) The Council consists of the following members:

16 (1) three members of the Senate of Maryland, appointed by the President
17 of the Senate;

18 (2) three members of the House of Delegates, appointed by the Speaker of
19 the House;

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 (3) the Secretary of Public Safety and Correctional Services, or the
2 Secretary's designee;

3 (4) the Secretary of Juvenile Services, or the Secretary's designee;

4 (5) the Attorney General of Maryland, or the Attorney General's designee;

5 (6) the Public Defender of Maryland, or the Public Defender's designee;

6 (7) a representative of the Maryland Judiciary, appointed by the Chief
7 Judge of the Court of Appeals; ~~and~~

8 (8) a representative of a bargaining unit of the Department of Juvenile
9 Services, appointed by the President of the American Federation of State, County and
10 Municipal Employees Council 3; and

11 (9) the following members, appointed by the Executive Director of the
12 Governor's Office of Crime Control and Prevention:

13 (i) a representative of local law enforcement agencies;

14 (ii) a representative of the Maryland State's Attorneys' Association;

15 (iii) any other member with expertise relevant to the work of the
16 Council; and

17 (iv) an advocate for juvenile justice reform.

18 (c) The Executive Director shall be the chair of the Council.

19 (d) ~~The Governor's Office of Crime Control and Prevention~~ Department of
20 Juvenile Services shall provide staff for the Council.

21 (e) A member of the Council:

22 (1) may not receive compensation as a member of the Council; but

23 (2) is entitled to reimbursement for expenses under the Standard State
24 Travel Regulations.

25 (f) The Council shall:

26 (1) convene an advisory stakeholder group that includes organizations
27 with experience in:

28 (i) juvenile justice policy reform;

- 1 (ii) advocating for groups with disproportionate contact with the
2 juvenile justice and criminal justice systems;
- 3 (iii) advocating for victims of crime; and
- 4 (iv) community conferencing and mediation for restorative justice;
- 5 (2) working with the advisory stakeholder group, conduct roundtable
6 discussion forums seeking public input in all geographic regions of the State;
- 7 (3) review information related to:
- 8 (i) the results of complaints against juveniles, including:
- 9 1. the recidivism rate of juveniles whose complaints are
10 diverted from the juvenile justice system;
- 11 2. the number of times the juvenile court dismisses juvenile
12 cases contrary to the recommendations of the Department of Juvenile Services;
- 13 3. the reasons for the dismissal of juvenile complaints by the
14 State's Attorney; ~~and~~
- 15 4. data on juveniles against whom multiple complaints have
16 been filed, but whose cases are processed without court involvement;
- 17 5. the lengths of probation and commitments imposed; and
- 18 6. the use of out-of-home placements;
- 19 (ii) the number of juvenile cases handled by the Office of the Public
20 Defender by jurisdiction;
- 21 (iii) the number of staff the Office of the Public Defender has
22 dedicated to the representation of juvenile clients by jurisdiction, including attorneys,
23 support staff, social workers, and therapists;
- 24 (iv) the proportion of complaints in which the juvenile is represented
25 by private counsel compared to the Office of the Public Defender;
- 26 ~~(iv)~~ (v) continued contact by the Office of the Public Defender with a
27 juvenile client after the juvenile's case is completed;
- 28 ~~(v)~~ (vi) effective out-of-school programs for juveniles found to be
29 delinquent or at risk of delinquency;

1 ~~(vii)~~ (vii) the number of Assistant State's Attorneys who handle
2 juvenile cases;

3 (viii) the number of experts, support staff, therapists, and social
4 workers employed by State's Attorneys' offices that prosecute juvenile complaints;

5 ~~(viii)~~ (ix) the qualifications and number of staff employed by the
6 Department of Juvenile Services who directly interact with juveniles;

7 ~~(viii)~~ (x) wrap-around services for juveniles and their families; ~~and~~

8 ~~(ix)~~ (xi) best practices and evidence-based practices in juvenile
9 justice, including practices recommended by the Office of Juvenile Justice and Delinquency
10 Prevention and in other states;

11 (xii) the State's residential facilities for juveniles, including the
12 continuum of care, facility staffing, and capital improvement needs for each facility;

13 (xiii) objective assessment tools utilized in the State's juvenile justice
14 system, ensuring that any objective assessment tools are validated;

15 (xiv) juvenile records, including best practices related to sealing,
16 expungement, and confidentiality; and

17 (xv) gender, racial, and ethnic disparities present in the State's
18 juvenile justice system;

19 (4) study any other relevant information available from the Department of
20 Juvenile Services; and

21 (5) make recommendations regarding:

22 (i) improvements to the juvenile justice system in the State; and

23 (ii) the efficacy of antiviolence curriculum in public schools.

24 (g) In conducting the study and making recommendations as required under
25 subsection (f) of this section, the Council may request technical assistance from the Abell
26 Foundation and the Council of State Governments.

27 (h) On or before December 31, ~~2019~~ ~~2020~~ 2021, the Council shall report its
28 findings and recommendations to the Governor and, in accordance with § 2-1246 of the
29 State Government Article, the General Assembly.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2018. It shall remain effective for a period of ~~2~~ ~~3~~ 4 years and, at the end of June 30, ~~2020~~

1 ~~2021~~ 2022, this Act, with no further action required by the General Assembly, shall be
2 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.