

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 1007
Appropriations

(Delegate Shetty, *et al.*)

Judicial Proceedings

Child Advocacy Centers - Expansion

This bill alters and establishes numerous requirements for child advocacy centers in the State. The Governor's Office of Crime Control and Prevention (GOCCP) must ensure that every child in the State has access to a child advocacy center. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: The bill is not anticipated to impact State finances, as discussed below.

Local Effect: Potential increase in expenditures for local jurisdictions that fund child advocacy centers.

Small Business Effect: None.

Analysis

Bill Summary: The bill specifies that child advocacy centers must assist in the response to or investigation of allegations of sexual crimes against children and sexual abuse of minors. Child advocacy centers may assist in the response to or investigation of allegations of child abuse and neglect or a crime of violence in the presence of a minor. The bill adds local child advocacy centers to the list of entities that must enter into a written agreement that specifies standard operating procedures for investigations and prosecutions of reported cases of suspected abuse and neglect.

The bill requires child advocacy centers to provide a level of care that meets or exceeds national accreditation standards established by the Maryland Statewide Organization for

Child Advocacy Centers. GOCCP must contract with a nonprofit organization that represents urban, rural, and suburban child advocacy centers in the State to establish a statewide organization. The purpose of the statewide organization is to provide training, technical assistance, data collection, and capacity building to meet local, State, and national requirements for child advocacy centers. The statewide organization must establish standards for child advocacy centers in the State that meet national accreditation standards and include specified items, including cultural competency and diversity, medical evaluations, mental health services, a formal case review process, and forensic interviews that are neutral, fact finding, and avoid duplicative interviewing.

Money for child advocacy centers (1) must be distributed in accordance with a formula agreed on by the Maryland Statewide Organization for Child Advocacy Centers and GOCCP; (2) must be used to supplement, and not supplant, money that the program receives from other sources; and (3) may be used to assist centers in meeting the required standards specified within the bill.

The bill alters, from January 1 to June 1, the date by which an annual report on child advocacy centers must be submitted to the General Assembly by GOCCP. All child advocacy centers established prior to the bill's July 1, 2019 effective date must, within six months of the effective date, implement demonstrable reforms in policies and procedures to comply with the bill.

Current Law: GOCCP is required to establish and sustain child advocacy centers in the State. The centers (1) may be based in private nonprofit organizations, local departments of social services, local law enforcement agencies, or a partnership among any of these entities; (2) must be developed and located to facilitate their use by alleged victims residing in the surrounding area; (3) must investigate allegations of sexual crimes against children and sexual abuse of minors; (4) must provide or facilitate referrals to appropriate counseling, legal, medical, and advocacy services for victims; and (5) must be included in all joint investigation procedures, as specified. GOCCP may contract with public or private nonprofit organizations to operate child advocacy centers.

Local departments of social services, appropriate law enforcement agencies, the State's Attorneys in the counties and Baltimore City, and the local health officers must enter into a written agreement pertaining to standard operating procedures for investigations of suspected abuse or neglect. A joint investigation procedure must be implemented for conducting investigations of sexual abuse, which must include techniques for expediting validation of sexual abuse complaints and other techniques to decrease trauma to the child. Statutory provisions specify timeframes by which investigations and reports must be completed.

Background: According to GOCCP’s most recent report, child advocacy centers provide a comprehensive, multidisciplinary, community response to child abuse and neglect. Research shows that children who receive services from a child advocacy center are more likely to have access to medical evaluations and other forms of medical care, have a referral to therapeutic services, and have greater access to community resources.

State Expenditures: The fiscal 2020 budget includes \$300,000 in funding for child advocacy centers; the same amount was appropriated in the fiscal 2019 and 2018 budgets. For purposes of this estimate, it is assumed that at least this level of funding continues in future years. Accordingly, the bill’s requirements are anticipated to be absorbable within existing budgeted resources. GOCCP also advises that it already provides federal grant funding to an entity capable of serving as the statewide organization for child advocacy centers, and anticipates that the entity can meet the bill’s requirements using existing grant funds.

Local Fiscal Effect: Expenditures for child advocacy centers may increase to comply with accreditation standards as developed by the statewide organization.

Additional Information

Prior Introductions: None.

Cross File: SB 739 (Senator Lee, *et al.*) - Judicial Proceedings.

Information Source(s): Montgomery County; Comptroller’s Office; Governor’s Office of Crime Control and Prevention; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State’s Attorneys’ Association; Department of Budget and Management; Department of Human Services; Department of Legislative Services

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