

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 68
Judiciary

(Delegate T. Branch)

Baltimore City and Prince George's County - Diversionary and Reentry Program

This bill requires the Offices of the State's Attorney for Baltimore City and Prince George's County to each establish, in their respective jurisdictions, a Diversionary and Reentry Program for at-risk youth and youth offenders. The programs' purposes are to (1) improve public safety; (2) develop skills for at-risk youth; and (3) reduce recidivism by youth offenders.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: Prince George's County expenditures increase by \$566,400 in FY 2022 and a minimum of \$755,000 annually thereafter. Baltimore City expenditures likely increase significantly, as discussed below. Revenues are not directly affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Bill Summary: The Offices of the State's Attorney for Baltimore City and Prince George's County must each establish a Judicial Research and Youth Development Center to operate their respective programs. The centers must employ or engage specified individuals, including career development specialists, educators, and behavioral health professionals, for the provision of program services.

The centers must also:

- select and supervise 150 individuals who are at least age 16 and younger than age 25, including (1) students suspended or expelled from schools; (2) individuals referred to the diversionary and reentry program by the court; and (3) individuals committed to the Department of Juvenile Services or sentenced to short-term detention or incarceration in a correctional facility;
- conduct assessments of program participants initially, during program participation at 30-day increments, on graduation from the program, and, as required, following graduation from the program;
- deliver comprehensive counseling and services to at-risk youth and youth offenders, as specified;
- encourage the participation of the family or the guardian of a program participant in the program; and
- develop a youth diversion and reentry roadmap manual for use by program participants and for distribution by the State's Attorney to at-risk youth.

Before the graduation of a participant from a diversion and reentry program, a center must meet with the participant and with interested family members or the participant's guardian to (1) review specified continuing program requirements as appropriate for the participant and (2) discuss familial relationships and other networks of support essential for success.

On completion of and graduation from a program, a youth offender participant may be eligible for release into the community, contingent on the youth offender's ongoing contact with a center and cooperation with ongoing assessment and program requirements. After graduation from the program by a youth offender, the center must conduct an evaluation every 30 days to ensure that the youth offender has access to all needed services and, as applicable, is successfully enrolled in school and has secured and remained in suitable, stable housing.

Participation by a youth offender in the program must continue until the youth offender reaches age 18 or is no longer subject to judicial oversight, whichever is later. Ongoing voluntary participation by a youth offender may continue beyond these requirements if both the youth offender and the center agree.

Program participation by an at-risk youth must continue until the at-risk youth reaches age 18, and may continue beyond this requirement if both the at-risk youth and the center agree. After graduation from a program by an at-risk youth, a center must conduct an evaluation every 30 days to ensure that the at-risk youth has access to all needed services and, as applicable, is successfully enrolled in school and has secured and remained in suitable, stable housing.

A center may release a youth offender or an at-risk youth from participation if the center determines that participation is no longer beneficial to the youth.

Each center must provide a quarterly report to the appropriate State's Attorney regarding the status and progress of each program participant. The Offices of the State's Attorneys for the relevant jurisdictions may adopt rules, regulations, policies, or procedures necessary to carry out the bill's requirements.

Current Law: While statute contains provisions regarding similar programs, it does not specifically address youth diversionary and reentry programs operated by local State's Attorneys' offices. The Secretary of Juvenile Services is responsible for establishing specified programs for juveniles, including predelinquent diversion services, community detention, and aftercare services. Under Title 8, Subtitle 6 of the Human Services Article, "at-risk youth prevention and diversion programs" must be coordinated, monitored, and supported by local management boards. These programs are services provided to school-age youth and their families to prevent or divert youth from entering the juvenile justice system and to help make them ready for adulthood by age 21.

Local Fiscal Effect: Prince George's County expenditures increase by approximately \$566,400 in fiscal 2022, which reflects the bill's October 1, 2021 effective date, and by a minimum of \$755,000 annually thereafter. This estimate reflects costs associated with two new positions (one assistant State's Attorney and one coordinator) to oversee and coordinate referrals and program eligibility. The estimate also assumes contractual costs of approximately \$450,000 in fiscal 2022 (\$600,000 annually thereafter) for the county to contract with nonprofit service providers and specialists to provide specified services to at-risk youth and youth offenders through the centers as required by the bill.

Baltimore City did not respond to a request for details regarding the fiscal impact of the bill. However, it is assumed that expenditures likely increase significantly, potentially in line with those shown above for Prince George's County, to implement the bill's requirements in Baltimore City.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 115 (Senator Patterson) - Judicial Proceedings.

Information Source(s): Baltimore City; Prince George's County; Judiciary (Administrative Office of the Courts); Maryland State's Attorneys' Association; Department of Juvenile Services; Department of Legislative Services

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