CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “      ” to H.P. 96, L.D. 155, “An Act Regarding Community-based Services for Youth Involved in the Juvenile Justice System”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §19132, sub-§9, as enacted by PL 2019, c. 450, §7, is amended to read:

9. Program implementation and oversight. Initiate, implement and oversee programs, policies and services consistent with the purposes of this chapter; and

Sec. 2. 5 MRSA §19132, sub-§10, as enacted by PL 2019, c. 450, §7, is amended to read:

10. Maine Children's Cabinet Early Childhood Advisory Council. Oversee the Maine Children's Cabinet Early Childhood Advisory Council, established under section 24051, and direct a representative of the cabinet to meet at least once yearly with the Maine Children's Cabinet Early Childhood Advisory Council and consult with one or more state-designated groups representing youth issues regarding goals selected by the Maine Children's Cabinet Early Childhood Advisory Council; and

Sec. 3.  5 MRSA §19132, sub-§11 is enacted to read:

11. Coordination across state agencies. Establish a working group that includes the Department of Corrections and the Department of Health and Human Services to promote coordinated policies, finances, programs and service delivery systems to support juveniles involved in the juvenile justice system. The working group shall conduct a review of other states in regard to best practices and organizational structures for juvenile justice services.

Sec. 4. 34-A MRSA §7009 is enacted to read:

§7009. Grants for local and regional planning and services
The department shall establish a grant program to assist local or regional communities with creating and implementing plans to increase programs and services available to juveniles in a local or regional community.

1. Grants. Under the grant program, the department shall offer:

   A. Planning grants to be used for mapping assets, identifying needs and creating a plan for establishing needed programs and services for juveniles within a community, with a focus on juveniles involved, or at risk of involvement, with the juvenile justice system; and

   B. Implementation grants to be used to fund programs and services identified in paragraph A.

2. Recipients. Eligible grant recipients include municipalities, counties, local law enforcement agencies and local nonprofit organizations. Recipients of grants shall coordinate with a broad range of local stakeholders to undertake the planning and implementation process, including, but not limited to, municipal officials, local school systems, local law enforcement, the recipient's regional care team, existing juvenile-serving organizations in the recipient's area and affected community members. For the purposes of this subsection, "regional care team" means a team organized within a department administrative region to facilitate the health, safety and well-being of juveniles involved, or at risk of involvement, with the juvenile justice system.

The department may use other department funds and funds from federal and private sources for the purposes of this section.

Sec. 5. 34-A MRSA §7010 is enacted to read:

§7010. Publication of data

By February 15, 2024, the department shall develop and publish on its publicly accessible website data regarding the number of juveniles involved in the juvenile justice system. The data must be updated monthly and include information regarding the numbers of juveniles referred, diverted, detained, placed on probation, ordered to serve a period of confinement and committed to the department. The department shall deidentify the data and remove any potential personal identifying information of the juveniles. The data must be organized by region of the State and broken down by age, gender and race.

Sec. 6. 34-A MRSA §7011 is enacted to read:

§7011. Reports regarding juvenile justice system

1. Annual report regarding reducing detention rates and expanding community-based alternatives. By February 15th of each year, the department shall provide an annual report in person to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must include detailed information regarding:

   A. The efforts of the department and the Department of Health and Human Services to offer diversion options for juveniles involved in the juvenile justice system and to reduce the rates of detention and commitment of youths across the State;

   B. The successes and challenges of the department and the Department of Health and Human Services in expanding access to community-based therapeutic services or
programs for the purpose of diverting juveniles involved in the juvenile justice system from detention and commitment;

C. A summary of the Long Creek Youth Development Center, including, but not limited to, the number of staff as of the December 1 preceding the report, staffing levels and the challenges at the facility;

D. The strategic plan developed by the department and the Department of Health and Human Services and the Department of Corrections in consultation with the task force established by the Juvenile Justice Advisory Group;

E. The specific juvenile-focused community-based programs and services receiving funding from the department, including the amount of funding received by the community-based organizations providing the programs and services;

F. The successes and challenges of the department in expanding juvenile-focused community-based programs and services; and

G. Any other information the department determines is relevant to the report.

2. Annual report regarding possible locations for secure, therapeutic residences for detained and committed youths. By January 1st of each year, the department shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the status of the identification and development of 2 small, secure, therapeutic residences for youths for the purpose of providing detention and confinement for committed youths in a therapeutic setting. These 2 residences shall provide for a maximum occupancy of 20 youths. The report must include rationale for the consideration of each identified residence, as well as an estimate on the number of youths that will be served at the residence, an estimate of the cost for construction and operation of the residence and staffing options for providing services at the residence to youths living at the residence, including therapeutic programs and educational services.

Sec. 7. PL 2021, c. 398, §KKKK-4 is repealed.

Sec. 8. PL 2021, c. 398, §KKKK-5 is repealed.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: Provides funding for one Public Service Coordinator II position and related costs to implement and administer the grant program.

<table>
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<th>GENERAL FUND</th>
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<td>POSITIONS - LEGISLATIVE COUNT</td>
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Initiative: Provides ongoing funding to local or regional communities to support the creation and implementation of plans to increase programs and services available to juveniles in the locality or region.

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Corrections, Department of

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill, which is a concept draft. The amendment does the following.

1. It establishes a working group in the Children's Cabinet consisting of the Department of Corrections and the Department of Health and Human Services to promote coordination in the provision of services to juveniles involved in the juvenile justice system and to examine other states in regard to best practices and organizational structures for juvenile justice services.

2. It creates a grant program to assist local or regional communities with creating and implementing plans to increase programs and services available to juveniles in the local or regional community. It provides an ongoing appropriation of $1,000,000 per year to the Department of Corrections for the purpose of funding the grant program.

3. It requires the Department of Corrections to develop and publish data regarding the number of juveniles involved in the juvenile justice system.

4. It requires the Department of Corrections to submit an annual report in person to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the diversion of youths out of the juvenile justice system and expanding access to community-based therapeutic services for juveniles.

5. It requires the Department of Corrections to submit an annual report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the status of the identification and development of 2 small, secure, therapeutic residences for youths for the purpose of providing detention and confinement for committed youths in a therapeutic setting.
6. It repeals provisions of prior enacted public laws that are enacted in statute in similar form in this amendment.

FISCAL NOTE REQUIRED

(See attached)