

months, this requirement for a written report would be eliminated by House Bill 979 and replaced with a requirement that the Department appear in court with the child to verbally explain the reasons for the continued detention and reappear every 25 days thereafter. Since courts currently receive a written report, have the authority to schedule a hearing at any appropriate time, and can require the presence of any necessary parties to review the report and any continuing detention, House Bill 979 duplicates existing law and needlessly imposes a mandatory scheduling burden on the juvenile justice system, the child and the Department.

House Bill 979 also creates a new joint legislative committee to review all required reports from the Department of Juvenile Services as well as the Department's operations, including implementation of the Facilities Master Plan. As a former member of the General Assembly, I recognize the importance of having legislators fully informed about programs in the Executive Department. The review and oversight of the programs and activities undertaken by the Department of Juvenile Services is already accomplished through the work of the Senate Budget and Taxation Committee, the Senate Judicial Proceedings Committee, the House Appropriations Committee, and the House Judiciary Committee. The General Assembly's Joint Committee on Children, Youth and Families, created in 1999, has the statutory authority to review and make recommendations on state policies that "can work to achieve conditions of well-being for Maryland children, youth and families." Other legislative committees, including the Senate Finance Committee and the House Ways and Means Committee, consider juvenile prevention and intervention programs as part of a broad policy review of programs impacting children and youth.

In addition to the legislative committees already performing the functions assigned to the new joint committee established in House Bill 979, a member of the Senate and a member of the House of Delegates are statutorily designated to serve on the State Advisory Board for the Department of Juvenile Services. This Board is empowered to consult with and advise the Secretary of the Department on "each aspect of the juvenile justice program in this State" as well as "the educational programs and services of the Department." The Board is also authorized to recommend "policies and programs to improve juvenile justice in the State" and "participate in planning the development and use of available resources to meet the needs of the Department." I can appreciate that the work of these legislative committees and the State Advisory Board for the Department of Juvenile Services already place a tremendous burden on the time and talent of our legislators. All of these groups have made important contributions over the years to the quality of our juvenile services programs and the effectiveness of our juvenile justice system. I do not believe that an additional legislative committee with a mandate already within the jurisdiction of other General Assembly committees and the State Advisory Board can do anything other than dilute the attention that these issues require and add to the already heavy workload of our part-time legislators. I encourage the General Assembly to continue its efforts through the work of the existing groups.

Finally, the mandates of House Bill 979 with respect to responses from the Department of Juvenile Services to reports from the Independent Juvenile Justice Monitor duplicate existing law establishing protocols for the submission, responses and consideration of the Monitor's reports. Likewise, the work of the 2004 Task Force