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## Probation Recommendations

- Return to Intake

Amend current law to authorize the practice of returning certain petitions back to DJS intake for assessment, services and supervision. The process shall require that all the parties (the youth, child's counsel, prosecutor and court) agree to return the petition to intake for an informal adjustment. If the informal pre-court supervision is successful, the case would be dismissed. If unsuccessful, the case may move forward through the formal court process.

- Probation Duration

If the child is adjudicated for an offense that would be a misdemeanor if committed by an adult, the term of community supervision shall not exceed six (6) months, unless the court finds after a hearing that there is good cause to extend the term of community supervision for the **purposes of completing a treatment program or rehabilitative services**. Additional supervision terms shall not exceed three months. The maximum community supervision term shall not exceed twelve (12) months.

If the child is adjudicated for an offense that would be a felony if committed by an adult, the term of community supervision shall not exceed twelve (12) months, unless the court finds after a hearing that there is good cause to extend the term of community supervision for the **purposes of completing a treatment program or rehabilitative services**. Additional supervision terms shall not exceed three months. The maximum term of community supervision shall not exceed twenty-four (24) months.

If the child is adjudicated for an offense that would be a crime that carries a penalty of life if committed by an adult, the term of community supervision shall not exceed twenty-four (24) months, unless the court finds after a hearing that there is good cause to extend the term of community supervision for the **purposes of completing a treatment program or rehabilitative services**. Additional supervision terms shall not exceed three months. Community supervision may continue as long as the court has jurisdiction (until age 21).

- Violations of Community Supervision

An intake officer or the court may not authorize detention or commit a child to the Department of Juvenile Services due to a technical violation, as defined in the Correctional Services Article.

MD Code, Correctional Service Article, 6-101

**(m) Technical violation.** -- "Technical violation" means a violation of a condition of probation, parole, or mandatory supervision that does not involve:

- (1) an arrest or a summons issued by a commissioner on a statement of charges filed by a law enforcement officer;
- (2) a violation of a criminal prohibition other than a minor traffic offense;
- (3) a violation of a no-contact or stay-away order; or
- (4) absconding.

**(b) Absconding.** --

- (1) "Absconding" means willfully evading supervision.
- (2) "Absconding" does not include missing a single appointment with a supervising authority.

- Utilizing Evidence Based/Outcome Based Services

(1) A Maryland state institute for public policy, a University of Maryland evidence-based practice institute, in consultation with the Department of Juvenile Services and the Department of Human Services, and relevant stakeholders (hereafter The Collaborative) shall publish descriptive definitions of evidence-based, research-based, and promising practices in the areas of child welfare, juvenile rehabilitation, and children's mental health services.

(2) The Collaborative shall prepare an inventory of evidence-based, research-based, and promising practices for prevention and intervention services that will be used for the purpose of completing the baseline assessment described in subsection (3.) The inventory shall be periodically updated as more practices are identified.

(3) In identifying evidence-based and research-based services, the Collaborative shall:

(i) Consider any available systemic evidence-based assessment of a program's efficacy and cost-effectiveness; and

(ii) Attempt to identify assessments that use valid and reliable evidence.

(iii) Identify ways to make assessments available to community-based organizations to help validate successful programming already in existence with an emphasis on programs that represent under-served communities.

(4) Using state, federal, or private funds, the department shall prioritize the assessment of promising practices identified in (a) of this subsection with the goal of increasing the number of such practices that meet the standards for evidence-based and research-based practices.