**148TH GENERAL ASSEMBLY**

**FISCAL NOTE**

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| BILL: | HOUSE BILL NO. 211 |
| SPONSOR: | Representative J. Johnson |
| DESCRIPTION: | AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUVENILE DELINQUENCY PROCEEDINGS AND THE USE OF RESTRAINTS ON A CHILD. |

ASSUMPTIONS:

1. This legislation is effective upon enactment.

2. This Act limits the use of shackles and other physical restraints on children appearing in juvenile delinquency proceedings except in situations where the court determines that the use of restraints is necessary and there are no less restrictive alternatives that will prevent flight or physical harm to the child or other courtroom participants.

3. The Department of Children, Youth and Their Families, Division of Youth Rehabilitative Services (YRS) is responsible for the transportation of juveniles from both the New Castle County Detention Center (NCCDC) and the Stevenson House facilities to Family Court that would be impacted by this Act.

4. There are currently 9.0 full-time and 1.0 casual/seasonal positions dedicated as Youth Rehabilitative Counselors, two of which are Youth Rehabilitative Counselor Supervisors. The current population at NCCDC is approximately 50 juveniles and 45 juveniles at Stevenson House. This unit is responsible for transportation to and from Family Court, Superior Court, and any medical related transports.

5. Based on current resources, YRS has indicated for the safety of all involved, 4.0 additional full-time Youth Rehabilitative Counselors are required to cover statewide Family Court trips. This will enable two YRS staff members to be present with each youth in a court room. In order to meet the requirements of Preventing Prison Rap Act (PREA), at least one position will be female.

6. The estimated State agency costs for the 4.0 additional full-time Youth Rehabilitative Counselors is $232,996.24 (estimate includes salary and other employment costs (OEC's)).

Cost:

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| Fiscal Year 2017 | $232,996.24 |
| Fiscal Year 2018 | $232,996.24 |
| Fiscal Year 2019 | $232,996.24 |

Office of Controller General
March 15, 2016
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(Amounts are shown in whole dollars)