

1 A bill to be entitled
2 An act relating to juvenile justice; amending
3 s. 943.053, F.S.; authorizing the release of
4 certain juvenile criminal history records to a
5 private entity under contract with the
6 Department of Juvenile Justice; providing that
7 such records remain confidential and exempt
8 from the public records law; amending s.
9 985.307, F.S.; postponing the date on which the
10 authority of the Department of Juvenile Justice
11 to create or operate juvenile assignment
12 centers is scheduled to expire; providing for
13 pre-adjudicatory assessments; amending s.
14 985.401, F.S.; requiring the Juvenile Justice
15 Advisory Board to develop a standard
16 methodology for interpreting outcome-evaluation
17 reports; specifying information to be included;
18 requiring the board to consult with other
19 agencies, providers, and interested parties;
20 requiring the board to report to the
21 Legislature; amending s. 985.404, F.S.;
22 requiring the Department of Juvenile Justice
23 and other agencies to develop a
24 cost-effectiveness model for each commitment
25 program; requiring the department to rank
26 programs and report to the Legislature;
27 authorizing the department to terminate a
28 program that fails to achieve a minimum
29 threshold of effectiveness; requiring that the
30 cost-effectiveness model be consistent with
31 certain requirements for performance-based

1 budgeting; requiring the department to conduct
2 certain evaluations of commitment programs and
3 identify the factors that contribute to various
4 program ratings; amending s. 985.41, F.S.;
5 requiring a determination whether a proposed
6 site for a juvenile justice facility is
7 appropriate for public use under local
8 government plans and ordinances; providing
9 appropriations; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (8) is added to section 943.053,
14 Florida Statutes, to read:

15 943.053 Dissemination of criminal justice information;
16 fees.--

17 (8) Notwithstanding s. 943.0525 or any user agreement
18 adopted under s. 943.0525, and notwithstanding the
19 confidentiality of sealed records provided in s. 943.059, the
20 Department of Juvenile Justice and any other state or local
21 criminal justice agency may provide a copy of the criminal
22 history records of a juvenile offender currently or formerly
23 detained or housed in a contracted juvenile assessment center
24 or detention facility, or treated through a treatment program,
25 or the criminal history records of an employee or other
26 individual who has access to a contracted juvenile assessment
27 center, detention facility, or treatment program, only to an
28 entity under direct contract with the Department of Juvenile
29 Justice to operate a juvenile assessment center, detention
30 facility, or treatment program. The criminal justice agency
31 may assess a charge for providing the records as provided in

1 chapter 119. A sealed record received by a private entity
2 under this subsection remains confidential and exempt from s.
3 119.07(1) and s. 24(a), Art. I of the State Constitution.
4 Information provided under this subsection may be used only
5 for the criminal justice purpose for which it was requested
6 and may not be further disseminated.

7 Section 2. Subsection (6) of section 985.307, Florida
8 Statutes, is amended, and subsection (7) is added to that
9 section to read:

10 985.307 Juvenile assignment centers.--

11 (6) Notwithstanding any provision to the contrary,
12 this section expires July 1, 2000 ~~1998~~, unless reenacted by
13 the Legislature. ~~The department may not create or operate a~~
14 ~~juvenile assignment center after July 1, 1998, without further~~
15 ~~legislative authority.~~ Unless reenacted by the Legislature,
16 any juvenile assignment center created under this section
17 shall be converted to a high-level or maximum-level
18 residential commitment program, subject to availability of
19 funds.

20 (7) The department may utilize juvenile assignment
21 centers to the fullest extent possible for the purpose of
22 conducting pre-adjudicatory assessments and evaluations of
23 youth referred to the department. Prior to July 1, 1999, the
24 department must transition any assignment centers to provide
25 the capacity necessary to perform the intake and assessment
26 functions currently performed pursuant to s. 985.209.

27 Section 3. Present subsection (4) of section 985.401,
28 Florida Statutes, is renumbered as subsection (5) and amended,
29 a new subsection (4) is added to that section, and present
30 subsection (5) is renumbered as subsection (6), to read:

31 985.401 Juvenile Justice Advisory Board.--

1 (4)(a) The board shall establish and operate a
2 comprehensive system to annually measure and report program
3 outcomes and effectiveness for each program operated by the
4 Department of Juvenile Justice or operated by a provider under
5 contract with the department. The system shall include a
6 standard methodology for interpreting the board's
7 outcome-evaluation reports, using, where appropriate, the
8 performance-based program budgeting measures approved by the
9 Legislature. The methodology must include:

10 1. Common terminology and operational definitions for
11 measuring the performance of system administration, program
12 administration, program outputs, and client outcomes.

13 2. Program outputs for each group of programs within
14 each level of the juvenile justice continuum and specific
15 program outputs for each program or program type.

16 3. Specification of desired client outcomes and
17 methods by which to measure client outcomes for each program
18 operated by the department or by a provider under contract
19 with the department.

20 4. Recommended annual minimum thresholds of
21 satisfactory performance for client outcomes and program
22 outputs.

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24 For the purposes of this section, the term "program" or
25 "program type" means an individual state-operated or
26 contracted facility, site, or service delivered to at-risk or
27 delinquent youth as prescribed in a contract, program
28 description, or program services manual; and the term "program
29 group" means a collection of programs or program types with
30 sufficient similarity of function, services, and clientele to
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1 permit appropriate comparisons among programs within the
2 program group.

3 (b) In developing the standard methodology, the board
4 shall consult with the department, the Division of Economic
5 and Demographic Research, contract service providers, and
6 other interested parties. It is the intent of the Legislature
7 that this effort result in consensus recommendations, and, to
8 the greatest extent possible, integrate the goals and
9 legislatively approved measures of performance-based program
10 budgeting provided in chapter 94-249, Laws of Florida, the
11 quality assurance program provided in s. 985.412, and the
12 cost-effectiveness model provided in s. 985.404(11). The board
13 shall notify the Office of Program Policy Analysis and
14 Government Accountability of any meetings to develop the
15 methodology.

16 (c) The board shall annually submit its Outcome
17 Evaluation Report to the Legislature by February 15, which
18 must describe:

19 1. The methodology for interpreting outcome
20 evaluations, including common terminology and operational
21 definitions.

22 2. The recommended minimum thresholds of satisfactory
23 performance for client outcomes and program outputs applicable
24 to the year for which the data are reported.

25 3. The actual client outcomes and program outputs
26 achieved by each program operated by the department or by a
27 provider under contract with the department, compared with the
28 recommended minimum thresholds of satisfactory performance for
29 client outcomes and program outputs for the year under review.
30 The report shall group programs or program types with
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1 similarity of function and services, and make appropriate
2 comparisons between programs within the program group.

3 (d) The board shall use its evaluation research to
4 make advisory recommendations to the Legislature, the
5 Governor, and the department concerning the effectiveness and
6 future funding priorities of juvenile justice programs.

7 (e) The board shall annually review and revise the
8 methodology as necessary to ensure the continuing improvement
9 and validity of the evaluation process.

10 (5)(4) The board shall:

11 (a) Review and recommend programmatic and fiscal
12 policies governing the operation of programs, services, and
13 facilities for which the Department of Juvenile Justice is
14 responsible.

15 (b) Monitor the development and implementation of
16 long-range juvenile justice policies, including prevention,
17 early intervention, diversion, adjudication, and commitment.

18 (c) Monitor all activities of the executive and
19 judicial branch and their effectiveness in implementing
20 policies pursuant to this chapter.

21 ~~(d) Establish and operate a comprehensive system to~~
22 ~~annually measure and report program outcome and effectiveness~~
23 ~~for each program operated by the Department of Juvenile~~
24 ~~Justice or operated by a provider under contract with the~~
25 ~~department. The board shall use its evaluation research to~~
26 ~~make advisory recommendations to the Legislature, the~~
27 ~~Governor, and the department concerning the effectiveness and~~
28 ~~future funding priorities of juvenile justice programs.~~

29 (d)(e) Advise the President of the Senate, the Speaker
30 of the House of Representatives, the Governor, and the
31 department on matters relating to this chapter.

1 ~~(e)(f)~~ Serve as a clearinghouse to provide information
2 and assistance to the district juvenile justice boards and
3 county juvenile justice councils.

4 ~~(f)(g)~~ Hold public hearings and inform the public of
5 activities of the board and of the Department of Juvenile
6 Justice, as appropriate.

7 ~~(g)(h)~~ Monitor the delivery and use of services,
8 programs, or facilities operated, funded, regulated, or
9 licensed by the Department of Juvenile Justice for juvenile
10 offenders or alleged juvenile offenders, and for prevention,
11 diversion, or early intervention of delinquency, and to
12 develop programs to educate the citizenry about such services,
13 programs, and facilities and about the need and procedure for
14 siting new facilities.

15 ~~(h)(i)~~ Contract for consultants as necessary and
16 appropriate. The board may apply for and receive grants for
17 the purposes of conducting research and evaluation activities.

18 ~~(i)(j)~~ Conduct such other activities as the board may
19 determine are necessary and appropriate to monitor the
20 effectiveness of the delivery of juvenile justice programs and
21 services under this chapter.

22 ~~(j)(k)~~ The board shall submit an annual report to the
23 President of the Senate, the Speaker of the House of
24 Representatives, the Governor, and the secretary of the
25 department not later than February 15 of each calendar year,
26 summarizing the activities and reports of the board for the
27 preceding year, and any recommendations of the board for the
28 following year.

29 ~~(6)(5)~~ Each state agency shall provide assistance when
30 requested by the board. The board shall have access to all
31 records, files, and reports that are material to its duties

1 and that are in the custody of a school board, a law
2 enforcement agency, a state attorney, a public defender, the
3 court, the Department of Children and Family Services, and the
4 department.

5 Section 4. Subsection (11) of section 985.404, Florida
6 Statutes, is amended to read:

7 985.404 Administering the juvenile justice
8 continuum.--

9 (11)(a) The Department of Juvenile Justice, in
10 consultation with the Juvenile Justice Advisory Board, the
11 Economic and Demographic Research Division, and contract
12 service providers, shall develop a cost-effectiveness
13 ~~cost-benefit~~ model and apply the model to each commitment
14 program. Program recommitment rates shall be a component of
15 the model. The cost-effectiveness ~~cost-benefit~~ model shall
16 compare program costs to client outcomes and program outputs
17 ~~benefits. A report ranking commitment programs based on~~
18 ~~cost-benefit shall be submitted to the appropriate substantive~~
19 ~~and appropriations committees of each house of the~~
20 ~~Legislature, no later than December 31 of each year. It is~~
21 the intent of the Legislature that continual development
22 efforts take place to improve the validity and reliability of
23 the cost-effectiveness ~~cost-benefit~~ model and to integrate the
24 standard methodology developed under s. 985.401(4) for
25 interpreting program outcome evaluations.

26 (b) The department shall rank commitment programs
27 based on the cost-effectiveness model and shall submit a
28 report to the appropriate substantive and fiscal committees of
29 each house of the Legislature by December 31 of each year.

30 (c) Based on reports of the Juvenile Justice Advisory
31 Board on client outcomes and program outputs and on the

1 department's most recent cost-effectiveness rankings, the
2 department may terminate a program operated by the department
3 or a provider if the program has failed to achieve a minimum
4 threshold of program effectiveness. This paragraph does not
5 preclude the department from terminating a contract as
6 provided under s. 985.412 or as otherwise provided by law or
7 contract, and does not limit the department's authority to
8 enter into or terminate a contract.

9 (d) In collaboration with the Juvenile Justice
10 Advisory Board, the Division of Economic and Demographic
11 Research, and contract service providers, the department shall
12 develop a work plan to refine the cost-effectiveness model so
13 that the model is consistent with the performance-based
14 program budgeting measures approved by the Legislature to the
15 extent the department deems appropriate. The department shall
16 notify the Office of Program Policy Analysis and Government
17 Accountability of any meetings to refine the model.

18 (e) Contingent upon specific appropriation, the
19 department, in consultation with the Juvenile Justice Advisory
20 Board, the Division of Economic and Demographic Research, and
21 contract service providers, shall:

22 1. Construct a profile of each commitment program
23 which uses the results of the quality assurance report
24 required by s. 985.412, the outcome-evaluation report compiled
25 by the Juvenile Justice Advisory Board under s. 985.401, the
26 cost-effectiveness report required in this subsection, and
27 other reports available to the department.

28 2. Target, for a more comprehensive evaluation, any
29 commitment program that has achieved consistently high, low,
30 or disparate ratings in the reports required under
31 subparagraph 1.

1 3. Identify the essential factors that contribute to
2 the high, low, or disparate program ratings.

3 4. Use the results of these evaluations in developing
4 or refining juvenile justice programs or program models,
5 client outcomes and program outputs, provider contracts,
6 quality assurance standards, and the cost-effectiveness model.

7 Section 5. Subsection (5) of section 985.41, Florida
8 Statutes, is amended to read:

9 985.41 Siting of facilities; study; criteria.--

10 (5) When the department or a contracted provider
11 proposes a site for a juvenile justice state facility, the
12 department or provider ~~it~~ shall request that the local
13 government having jurisdiction over such proposed site
14 determine whether or not the proposed site is appropriate for
15 public use under ~~in compliance with~~ local government
16 comprehensive plans, local land use ordinances, local zoning
17 ordinances or regulations, and other local ordinances in
18 effect at the time of such request. If no such determination
19 is made within 90 days after the request, it shall be presumed
20 that the proposed site is in compliance with such plans,
21 ordinances, or regulations.

22 Section 6. The sum of \$100,000 is appropriated from
23 the General Revenue Fund to the Department of Juvenile Justice
24 for the purpose of funding a study by nondepartmental experts
25 in the area of using economic models to evaluate juvenile
26 justice commitment programs.

27 Section 7. The sum of \$355,128 is appropriated from
28 recurring funds in the General Revenue Fund to the Department
29 of Juvenile Justice for the purpose of funding the ongoing
30 evaluation of commitment programs as defined in section
31 985.404(11)(e), Florida Statutes. The Department of Juvenile

1 Justice shall design and implement a process to document the
2 factors that contribute to high or low program effectiveness.
3 This process shall include, but need not be limited to,
4 on-site reviews of records and interviews with staff, youth
5 served, and others as required by the circumstances and intent
6 of the program. Analyses and findings must address, at a
7 minimum, program operations, implementation of policy, and the
8 management of finances, contracts, personnel, facilities,
9 equipment, and any other resources used in the delivery of the
10 programs' services. The department shall use the results of
11 this process to implement program improvements and terminate
12 ineffective programs.

13 Section 8. This act shall take effect July 1, 1998.

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