

STORAGE NAME: h4443z.jj
DATE: June 29, 1998

****FINAL ACTION****
****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
JUVENILE JUSTICE
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: PCB JJ 98-04A (HB 4443)
RELATING TO: Juvenile Justice Prevention Coordination
SPONSOR(S): Committee on Juvenile Justice, Representative Bainter and others

COMPANION BILL(S): SB 2198

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) JUVENILE JUSTICE YEAS 7 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

HB 4443 did not pass the 1998 Legislative session. See Comments section for bill history.

SUMMARY:

The bill creates the Florida Children's Cabinet in the Executive Office of the Governor to serve as the forum for state-level interagency coordination of prevention policy and funding. The Governor, Lieutenant Governor, the Commissioner of Education and the secretaries of the departments of Children and Family Services, Health, Juvenile Justice and Labor and Employment Security will serve on the cabinet.

The Children's Cabinet will develop and annually update a coordinated multi-agency prevention policy and plan for funding and delivering prevention services. The plan will be submitted to the Legislature by October 15, 1999. In fiscal year 2000-2001 and thereafter, the Governor's Budget Recommendations and the General Appropriations Act will link each agency's funding for prevention services with the coordinated multi-agency prevention policy and plan.

The Children's Cabinet will work with local representatives of juvenile and child care agencies to develop and implement a coordinated interagency prevention policy and plan at the community level.

Each agency represented in the Children's Cabinet will revise its performance-based program budgeting measures, standards, outputs and outcomes to conform with the Children's Cabinet multi-agency prevention and plan.

The effective date is January 1, 1999.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The Committee on Juvenile Justice drafted The bill following a recommendation from the Juvenile Justice Advisory Board (JJAB). In its 1998 Annual Report and Juvenile Justice Fact Book, the JJAB recommended the Legislature create a Children's Cabinet to serve as the forum for state-level interagency coordination of prevention policy and funding.

The JJAB based its recommendation on the lack of coordinated efforts by state agencies to prevent juvenile crime and on the number of agencies conducting prevention activities. In Fiscal Year 1996-97, 23 state agencies performed 77 juvenile prevention activities. The Department of Juvenile Justice (DJJ) performed six of the 77 activities with 19 other agencies performing the remaining 71. Funding for prevention efforts was also spread across state agencies. Although the Department of Juvenile Justice (DJJ) holds the bulk of prevention expenditures (\$36,000,000-FY 1996-97), nineteen other agencies spent \$1.245 billion on prevention activities. (Commission on Government Accountability to the People, March 1998 Report entitled Building the Road to Results: State Agency Impacts on Juvenile Crime).

The Legislature established its intent for the juvenile justice system in s. 985.02, Florida Statutes, stating that "it is the policy of the state . . . to first protect the public from acts of delinquency." It is further stated that effective methods of preventing and reducing acts of delinquency will be developed. The state is committed to focusing on diversion programs aimed at keeping youth out of the traditional juvenile justice system and providing well-trained personnel, quality services and cost-effective programs within the juvenile justice system. Local governments and communities are involved in the full spectrum of juvenile prevention efforts.

The DJJ is the state agency with the responsibility of carrying out the Legislative intent for the juvenile justice system. It has combined its statutory responsibilities with general trends and conditions in the area of juvenile justice to focus on three priorities: reduce juvenile crime through prevention, early intervention and commitment initiatives; reduce juvenile crime through participation of local communities and local juvenile justice organizations; and build accountability in the juvenile justice system.

In Fiscal Year 1997-98, over \$47 million is earmarked for prevention programs and services. The programs range from the Practical and Cultural Educational (PACE) Center for Girls, Inc. to an Alternative Education Program. However, four programs account for two-thirds of the DJJ's prevention budget.

The Florida Network of Youth and Family Services is a non-profit statewide organization. Member agencies serve homeless, runaway and troubled youth, 10 and older, and their families. The Network members work to preserve and strengthen the family.

The PACE Center for Girls is a two-phase program for girls 12-18 years of age. Phase I is a day treatment program emphasizing educational and social development. Phase II uses an intensive follow-up services model to treat girls for as long as three years.

Hurricane Island Outward Bound School uses a short-term wilderness program to help youth 13-17 years of age develop decision making, problem solving, anger management

and communication leadership skills. Upon the completion of the 18-day wilderness expedition, youth complete a transition period lasting for 10 to 30 days.

The Intensive Learning Alternatives Program (ILAP) serves middle school youth in the Hillsborough county area. Through special classes, daily counseling and frequent family communication, youth correct at-risk behaviors such as failing grades, unexcused absences and school suspensions.

All of the prevention programs provided by the DJJ have as a basis four components that impact a child's healthy development. The components used by prevention programs are staying in school, keeping busy, living violence free and obtaining employment.

The first component of delinquency prevention programs or services is staying in school (Preventing Delinquency, A Path to the Future prepared by the DJJ, April 1997). Youth at risk of delinquent behavior are also youth with substantially lower grades. In addition, a link between illiteracy and delinquent behavior has also been established by a 1993 Department of Justice study. Therefore, prevention programs continue to encourage successful educational achievement in appropriate learning environments.

A second component of delinquency prevention programs or services is keeping youth busy. Youth report committing delinquent acts when structured or positive alternatives are unavailable. The DJJ uses its prevention initiatives to reduce the occurrence of juvenile crime during non-school hours and increase the number of youth involved in positive alternatives during non-school hours.

The third component of delinquency prevention programs or services is ensuring a violence free living environment for youth. There is an established correlation between abuse and neglect and delinquent behavior. Prevention programs use techniques such as anger management counseling to reduce the rate of domestic violence incidents and aggressive/delinquent behaviors by youth.

The fourth component of delinquency prevention programs or services is skills development and employment. The DJJ reports that 42 percent of offenders were unemployed. Therefore, prevention programs focus on job skills training and employment to transition youth from adolescence to adulthood.

In addition to the statutory duties of the DJJ, the Legislature have spread prevention services and funding to over 20 state agencies.

For example, The Department of Labor and Employment Security (LES) performs prevention activities through their Job Training Partnership Act (JTPA) Youth Programs. The JTPA offers economically disadvantaged youth or youth qualifying for free meals under the National School Lunch Act educational and skills development assistance. Youth are encouraged to graduate from high school or enroll in an alterative school. They are also provided job training and work assignments. The LES works with public schools, local businesses, community based organizations and regional workforce development boards to accomplish the goals of the JTPA program.

Another example of juvenile justice prevention efforts is the Department of Insurance's (DOI) Junior Fire Marshall Program. The DOI provides fire prevention and safety

education to elementary school children located in primarily rural areas. The program uses private funds to teach fire safety and to reduce the number of intentional fires. The DOI works with public schools, and fire and rescue departments and the Florida Professional Firefighters Inc.

Based on multiple agencies providing delinquency prevention services and the lack of coordination and accountability, the JJAB made the following recommendations to the Legislature:

- Create a Children's Cabinet to serve as the forum for state-level interagency coordination of prevention policy and funding.
- designate the Governor, Lieutenant Governor, Commissioner of Education and the secretaries of the departments of Juvenile Justice, Children and Family Services, Health, and Labor and Employment Security as members of the Children's Cabinet.
- require the Children's Cabinet to develop and annually update a coordinated multi-agency plan for funding and delivering prevention services.
- direct the Children's Cabinet to complete the first coordinated multi-agency prevention services plan by October 15, 1999.
- require the General Appropriations Act and the Governor's Budget Recommendations for FY 2000-2001 and beyond would link each agency's funding for prevention services with the coordinated multi-agency prevention services plan developed by the Children's Cabinet.
- require each agency represented in the Children's Cabinet to revise its performance-based program budgeting measures, standards, outputs and outcomes making them consistent with each agency's responsibilities under the coordinated multi-agency prevention services plan.
- requires the Children's Cabinet to work with local boards and organizations to develop a coordinated interagency prevention policy, funding and service delivery plan at the community level.

B. EFFECT OF PROPOSED CHANGES:

A Children's Cabinet would be created to serve as the forum for state-level interagency coordination of prevention policy and funding. The Governor, Lieutenant Governor, Commissioner of Education and the secretaries of the departments of Juvenile Justice, Children and Family Services, Health, and Labor and Employment Security would serve on the Children's Cabinet.

The Children's Cabinet would develop and annually update a coordinated multi-agency plan for funding and delivering prevention services. At a minimum, the plan would:

- incorporate the latest research-based knowledge concerning effective prevention strategies and interventions;

- identify and describe the population to be targeted for services;
- include all state and federal sources of funding for prevention services;
- identify those portions of the targeted population that each agency will have primary responsibility for serving;
- describe the means by which the services to common clients of multiple agencies will be coordinated, including the designation of a lead agency; and
- describe the means by which each agency will share appropriate information about common clients for the purpose of planning, delivering or evaluating prevention services.

The Children's Cabinet would complete the first coordinated multi-agency prevention services plan by October 15, 1999. The General Appropriations Act and the Governor's Budget Recommendations for FY 2000-2001 and beyond would link each agency's funding for prevention services with the coordinated multi-agency prevention services plan developed by the Children's Cabinet.

Each agency represented in the Children's Cabinet would revise its performance-based program budgeting measures, standards, outputs and outcomes making them consistent with each agency's responsibilities under the coordinated multi-agency prevention services plan. The Office of Program Policy Analysis and Government Accountability (OPPAGA), would assist those agencies with necessary revisions.

The Children's Cabinet would hold regional workshops to receive input on effective strategies for the implementation of a coordinated interagency prevention policy, funding and service delivery plan at the community level. County juvenile justice councils, district juvenile justice boards, district health and human services boards, children's services councils, local health councils and regional planning councils and other local organizations would assist the Children's Cabinet in its planning efforts. The Children's Council report for community level coordination would be presented to the Legislature by December 1, 1999.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

- a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, the Children's Cabinet would require the assistance of all state agencies involved in juvenile prevention activities. Local juvenile organizations and OPPAGA would work with the Children's Cabinet to fulfill its legislative responsibilities as well.

- (3) any entitlement to a government service or benefit?

N/A

- b. If an agency or program is eliminated or reduced:

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

- (2) what is the cost of such responsibility at the new level/agency?

N/A

- (3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

- b. Does the bill require or authorize an increase in any fees?

N/A

- c. Does the bill reduce total taxes, both rates and revenues?

N/A

- d. Does the bill reduce total fees, both rates and revenues?

N/A

- e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Affecting Chapter 14 relating to the Executive Branch and Chapter 216 relating to Planning and Budgeting.

E. SECTION-BY-SECTION RESEARCH:

Section 1 creates s. 14.40, Florida Statutes, Florida Children's Cabinet -- placing the Florida Children's Cabinet in the Executive Office of the Governor with funding from a separate line item appropriation. Designating the Governor, Lieutenant Governor, the Commissioner of Education and the secretaries of the departments of Children and Family Services, health, Juvenile Justice and Labor and Employment Security as members of the Children's Cabinet. Requiring the Children's Cabinet to serve as the forum for state level interagency coordination of prevention policy and funding.

Section 2 creates s. 14.401, Florida Statutes -- requiring the Children's Cabinet to develop and annually update a coordinated multi-agency prevention policy and plan for funding and delivering prevention services. Stipulates minimum standards for the plan. Directing the Children's Cabinet to submit its first plan to the Legislature by October 15,

1999. The plan will guide agency legislative budget requests for FY 2000-2001 and succeeding years. In FY 2000-2001 and thereafter, the Governor's Budget Recommendations and the General Appropriations Act will link each agency's funding for prevention services with the coordinated multi-agency prevention services plan developed by the Children's Cabinet.

Section 3 creates s. 14.410, Florida Statutes, Community interagency prevention policy planning and coordination -- directing the Children's Cabinet to work with local representatives of juvenile and child care agencies to develop and implement a coordinated interagency prevention policy, funding and service delivery at the community level.

Section 4 creates s. (3) of s. 216.0166 (9) Florida Statutes -- requiring each agency represented in the Children's Cabinet plan to revise its performance-based program budgeting measures, standards, outputs and outcomes making them consistent with the Children's Cabinet multi-agency prevention services plan.

Section 5 provides an effective date of January 1, 1999.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

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2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties and municipalities.

V. COMMENTS:

03/25/98 H Filed; Introduced -HJ 00356

04/06/98 H Referred to Children & Family Empowerment (GSC); Governmental Operations (GRC); Health & Human Services Appropriations -HJ 00463

05/01/98 H Died in Committee on Children & Family Empowerment (GSC)

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The bill passed with one technical amendment correcting a statutory reference.

VII. SIGNATURES:

COMMITTEE ON JUVENILE JUSTICE:

Prepared by:

Legislative Research Director:

Bridget Edmond

Kenneth Winker

FINAL RESEARCH PREPARED BY COMMITTEE ON JUVENILE JUSTICE:

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