

By Senator Webster

12-1512-99

See HB

1 A bill to be entitled
2 An act relating to the Juvenile Justice
3 Accountability Board; repealing s. 985.401,
4 F.S., relating to composition and powers and
5 duties of the Juvenile Justice Accountability
6 Board; abolishing the Juvenile Justice
7 Accountability Board; transferring all
8 obligations and assets of the board to the
9 Department of Juvenile Justice; amending s.
10 20.316, F.S., relating to the Department of
11 Juvenile Justice; conforming provisions
12 relating to guidelines for the management
13 information system; removing reference to the
14 Juvenile Justice Advisory Board made obsolete
15 by the redesignation of the advisory board as
16 the Juvenile Justice Accountability Board
17 pursuant to s. 12, ch. 98-136, Laws of Florida;
18 amending s. 216.136, F.S., relating to
19 consensus estimating conferences; removing a
20 provision authorizing the Juvenile Justice
21 Estimating Conference to call upon staff of the
22 advisory board; amending s. 984.226, F.S.,
23 relating to the pilot program for a physically
24 secure facility; conforming provisions relating
25 to evaluation reports by the department or
26 advisory board; removing provisions that have
27 served their purpose; removing obsolete
28 references to the advisory board; amending s.
29 985.227, F.S., relating to prosecution of
30 juveniles as adults by direct filing of
31 information; conforming provisions relating to

1 submission of direct-file policies and
2 guidelines by the state attorneys; removing
3 obsolete reference to the advisory board;
4 amending s. 985.315, F.S., relating to
5 vocational work training programs; conforming
6 provisions relating to evaluation of juvenile
7 work programs; removing a cross-reference;
8 amending s. 985.317, F.S., relating to literacy
9 programs for juvenile offenders; conforming
10 provisions relating to annual evaluations;
11 removing obsolete reference to the advisory
12 board; amending s. 985.414, F.S., relating to
13 county juvenile justice councils; conforming
14 provisions relating to annual reports; removing
15 obsolete reference to the advisory board;
16 amending s. 985.404, F.S., relating to the
17 administering of the juvenile justice
18 continuum; conforming provisions relating to
19 the cost-effectiveness model for commitment
20 programs; removing obsolete references to the
21 advisory board and conforming a
22 cross-reference; amending s. 985.413, F.S.,
23 relating to district juvenile justice boards;
24 conforming provisions relating to annual
25 reports; removing obsolete reference to the
26 advisory board; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Notwithstanding any other provision of law,
31 the Juvenile Justice Accountability Board is abolished, and

1 section 985.401, Florida Statutes, 1998 Supplement, is
2 repealed.

3 Section 2. All obligations and assets of the Juvenile
4 Justice Accountability Board, including any equipment and
5 unexpended balances of appropriations, are transferred to the
6 Department of Juvenile Justice.

7 Section 3. Paragraph (d) of subsection (6) of section
8 20.316, Florida Statutes, 1998 Supplement, is amended to read:

9 20.316 Department of Juvenile Justice.--There is
10 created a Department of Juvenile Justice.

11 (6) INFORMATION SYSTEMS.--

12 (d) The management information system shall, at a
13 minimum:

14 1. Facilitate case management of juveniles referred to
15 or placed in the department's custody.

16 2. Provide timely access to current data and computing
17 capacity to support ~~the~~ outcome evaluation activities as
18 provided by law of the Juvenile Justice Advisory Board as
19 ~~provided in s. 985.401~~, legislative oversight, the Juvenile
20 Justice Estimating Conference, and other research.

21 3. Provide automated support to the quality assurance
22 and program review functions.

23 4. Provide automated support to the contract
24 management process.

25 5. Provide automated support to the facility
26 operations management process.

27 6. Provide automated administrative support to
28 increase efficiency, provide the capability of tracking
29 expenditures of funds by the department or contracted service
30 providers that are eligible for federal reimbursement, and
31 reduce forms and paperwork.

1 7. Facilitate connectivity, access, and utilization of
2 information among various state agencies, and other state,
3 federal, local, and private agencies, organizations, and
4 institutions.

5 8. Provide electronic public access to juvenile
6 justice information, which is not otherwise made confidential
7 by law or exempt from the provisions of s. 119.07(1).

8 9. Provide a system for the training of information
9 system users and user groups.

10 Section 4. Paragraph (b) of subsection (9) of section
11 216.136, Florida Statutes, 1998 Supplement, is amended to
12 read:

13 216.136 Consensus estimating conferences; duties and
14 principals.--

15 (9) JUVENILE JUSTICE ESTIMATING CONFERENCE.--

16 (b) Principals.--The Executive Office of the Governor,
17 the Office of Economic and Demographic Research, and
18 professional staff who have forecasting expertise from the
19 Department of Juvenile Justice, the Department of Health and
20 Rehabilitative Services Alcohol, Drug Abuse, and Mental Health
21 Program Office, the Department of Law Enforcement, the Senate
22 Appropriations Committee staff, the House of Representatives
23 Appropriations Committee staff, or their designees, are the
24 principals of the Juvenile Justice Estimating Conference. The
25 responsibility of presiding over sessions of the conference
26 shall be rotated among the principals. To facilitate policy
27 and legislative recommendations, the conference may call upon
28 ~~professional staff of the Juvenile Justice Advisory Board and~~
29 appropriate legislative staff.

30 Section 5. Subsection (6) of section 984.226, Florida
31 Statutes, 1998 Supplement, is amended to read:

1 984.226 Pilot program for a physically secure
2 facility; contempt of court.--

3 ~~(6) The Juvenile Justice Advisory Board shall monitor~~
4 ~~the operation of the pilot program and issue a preliminary~~
5 ~~evaluation report to the Legislature by December 1, 1998.~~The
6 Department of Juvenile Justice ~~and the Juvenile Justice~~
7 ~~Advisory Board~~ shall issue a joint final report to the
8 Legislature, including any proposed legislation, by December
9 1, 1999.

10 Section 6. Subsection (4) of section 985.227, Florida
11 Statutes, is amended to read:

12 985.227 Prosecution of juveniles as adults by the
13 direct filing of an information in the criminal division of
14 the circuit court; discretionary criteria; mandatory
15 criteria.--

16 (4) DIRECT-FILE POLICIES AND GUIDELINES.--Each state
17 attorney shall develop and annually update written policies
18 and guidelines to govern determinations for filing an
19 information on a juvenile, to be submitted to the Executive
20 Office of the Governor, the President of the Senate, and the
21 Speaker of the House of Representatives, ~~and the Juvenile~~
22 ~~Justice Advisory Board~~ not later than January 1 of each year.

23 Section 7. Paragraph (b) of subsection (4) of section
24 985.315, Florida Statutes, 1998 Supplement, is amended to
25 read:

26 985.315 Vocational work training programs.--

27 (4)

28 (b) Evaluations of juvenile work programs shall be
29 conducted according to the following guidelines:

30 1. Systematic evaluations and quality assurance
31 monitoring shall be implemented, in accordance with s.~~ss.~~

1 ~~985.401(4)~~ and 985.412(1), to determine whether the juvenile
2 vocational work programs are related to successful postrelease
3 adjustments.

4 2. Operations and policies of work programs shall be
5 reevaluated to determine if they are consistent with their
6 primary objectives.

7 Section 8. Subsection (5) of section 985.317, Florida
8 Statutes, 1998 Supplement, is amended to read:

9 985.317 Literacy programs for juvenile offenders.--

10 (5) EVALUATION AND REPORT.--~~The Juvenile Justice~~
11 ~~Advisory Board shall evaluate the literacy program outcomes as~~
12 ~~part of its annual evaluation of program outcomes under s.~~

13 ~~985.401.~~The department, in consultation with the Department
14 of Education, shall develop and implement an evaluation of the
15 program in order to determine the impact of the programs on
16 recidivism. The department shall submit an annual report on
17 the implementation and progress of the programs to the
18 President of the Senate and the Speaker of the House of
19 Representatives by January 1 of each year.

20 Section 9. Paragraph (b) of subsection (2) of section
21 985.414, Florida Statutes, 1998 Supplement, is amended to
22 read:

23 985.414 County juvenile justice councils.--

24 (2)

25 (b) The duties and responsibilities of a county
26 juvenile justice council include, but are not limited to:

27 1. Developing a county juvenile justice plan based
28 upon utilization of the resources of law enforcement, the
29 school system, the Department of Juvenile Justice, the
30 Department of Children and Family Services, and others in a
31 cooperative and collaborative manner to prevent or discourage

1 juvenile crime and develop meaningful alternatives to school
2 suspensions and expulsions.

3 2. Entering into a written county interagency
4 agreement specifying the nature and extent of contributions
5 each signatory agency will make in achieving the goals of the
6 county juvenile justice plan and their commitment to the
7 sharing of information useful in carrying out the goals of the
8 interagency agreement to the extent authorized by law. The
9 interagency agreement must include as parties, at a minimum,
10 local school authorities or representatives, local law
11 enforcement agencies, state attorneys, public defenders, and
12 local representatives of the Department of Juvenile Justice
13 and the Department of Children and Family Services. The
14 agreement must specify how community entities will cooperate,
15 collaborate, and share information to achieve the goals of the
16 county juvenile justice plan.

17 3. Applying for and receiving public or private
18 grants, to be administered by one of the community partners,
19 that support one or more components of the county juvenile
20 justice plan.

21 4. Designating the county representatives to the
22 district juvenile justice board pursuant to s. 985.413.

23 5. Providing a forum for the presentation of
24 interagency recommendations and the resolution of
25 disagreements relating to the contents of the county
26 interagency agreement or the performance by the parties of
27 their respective obligations under the agreement.

28 6. Assisting and directing the efforts of local
29 community support organizations and volunteer groups in
30 providing enrichment programs and other support services for
31 clients of local juvenile detention centers.

1 7. Providing an annual report and recommendations to
2 the district juvenile justice board,~~the Juvenile Justice~~
3 ~~Advisory Board~~,and the district juvenile justice manager.

4 Section 10. Subsection (11) of section 985.404,
5 Florida Statutes, 1998 Supplement, is amended to read:

6 985.404 Administering the juvenile justice
7 continuum.--

8 (11)(a) The Department of Juvenile Justice, in
9 consultation with the ~~Juvenile Justice Advisory Board~~, the
10 Division of Economic and Demographic Research,~~and~~ contract
11 service providers, shall develop a cost-effectiveness model
12 and apply the model to each commitment program. Program
13 recommitment rates shall be a component of the model. The
14 cost-effectiveness model shall compare program costs to client
15 outcomes and program outputs. It is the intent of the
16 Legislature that continual development efforts take place to
17 improve the validity and reliability of the cost-effectiveness
18 model and to integrate the standard methodology developed as
19 provided by law ~~under s. 985.401(4)~~for interpreting program
20 outcome evaluations.

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

25 (c) Based on reports ~~of the Juvenile Justice Advisory~~
26 ~~Board~~ on client outcomes and program outputs and on the
27 department's most recent cost-effectiveness rankings, the
28 department may terminate a program operated by the department
29 or a provider if the program has failed to achieve a minimum
30 threshold of program effectiveness. This paragraph does not
31 preclude the department from terminating a contract as

1 provided under s. 985.412 or as otherwise provided by law or
2 contract, and does not limit the department's authority to
3 enter into or terminate a contract.

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

13 (e) Contingent upon specific appropriation, the
14 department, in consultation with the ~~Juvenile Justice Advisory~~
15 ~~Board~~, the Division of Economic and Demographic Research, and
16 contract service providers, shall:

17 1. Construct a profile of each commitment program that
18 uses the results of the quality assurance report required by
19 s. 985.412, the outcome evaluation report compiled as provided
20 by law ~~by the Juvenile Justice Advisory Board under s.~~
21 ~~985.401~~, the cost-effectiveness report required in this
22 subsection, and other reports available to the department.

23 2. Target, for a more comprehensive evaluation, any
24 commitment program that has achieved consistently high, low,
25 or disparate ratings in the reports required under
26 subparagraph 1.

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

29 4. Use the results of these evaluations in developing
30 or refining juvenile justice programs or program models,
31

1 client outcomes and program outputs, provider contracts,
2 quality assurance standards, and the cost-effectiveness model.

3 Section 11. Paragraph (d) of subsection (3) of section
4 985.413, Florida Statutes, 1998 Supplement, is amended to
5 read:

6 985.413 District juvenile justice boards.--

7 (3) DISTRICT JUVENILE JUSTICE BOARDS.--

8 (d) A district juvenile justice board has the purpose,
9 power, and duty to:

10 1. Advise the district juvenile justice manager and
11 the district administrator on the need for and the
12 availability of juvenile justice programs and services in the
13 district.

14 2. Develop a district juvenile justice plan that is
15 based upon the juvenile justice plans developed by each county
16 within the district, and that addresses the needs of each
17 county within the district.

18 3. Develop a district interagency cooperation and
19 information-sharing agreement that supplements county
20 agreements and expands the scope to include appropriate
21 circuit and district officials and groups.

22 4. Coordinate the efforts of the district juvenile
23 justice board with the activities of the Governor's Juvenile
24 Justice and Delinquency Prevention Advisory Committee and
25 other public and private entities.

26 5. Advise and assist the district juvenile justice
27 manager in the provision of optional, innovative delinquency
28 services in the district to meet the unique needs of
29 delinquent children and their families.

30 6. Develop, in consultation with the district juvenile
31 justice manager, funding sources external to the Department of

1 Juvenile Justice for the provision and maintenance of
2 additional delinquency programs and services. The board may,
3 either independently or in partnership with one or more county
4 juvenile justice councils or other public or private entities,
5 apply for and receive funds, under contract or other funding
6 arrangement, from federal, state, county, city, and other
7 public agencies, and from public and private foundations,
8 agencies, and charities for the purpose of funding optional
9 innovative prevention, diversion, or treatment services in the
10 district for delinquent children and children at risk of
11 delinquency, and their families. To aid in this process, the
12 department shall provide fiscal agency services for the
13 councils.

14 7. Educate the community about and assist in the
15 community juvenile justice partnership grant program
16 administered by the Department of Juvenile Justice.

17 8. Advise the district health and human services
18 board, the district juvenile justice manager, and the
19 Secretary of Juvenile Justice regarding the development of the
20 legislative budget request for juvenile justice programs and
21 services in the district and the commitment region, and, in
22 coordination with the district health and human services
23 board, make recommendations, develop programs, and provide
24 funding for prevention and early intervention programs and
25 services designed to serve children in need of services,
26 families in need of services, and children who are at risk of
27 delinquency within the district or region.

28 9. Assist the district juvenile justice manager in
29 collecting information and statistical data useful in
30 assessing the need for prevention programs and services within
31 the juvenile justice continuum program in the district.

1 10. Make recommendations with respect to, and monitor
2 the effectiveness of, the judicial administrative plan for
3 each circuit pursuant to Rule 2.050, Florida Rules of Judicial
4 Administration.

5 11. Provide periodic reports to the health and human
6 services board in the appropriate district of the Department
7 of Children and Family Services. These reports must contain,
8 at a minimum, data about the clients served by the juvenile
9 justice programs and services in the district, as well as data
10 concerning the unmet needs of juveniles within the district.

11 12. Provide a written annual report on the activities
12 of the board to the district administrator and, the Secretary
13 of Juvenile Justice, ~~and the Juvenile Justice Advisory Board.~~
14 The report should include an assessment of the effectiveness
15 of juvenile justice continuum programs and services within the
16 district, recommendations for elimination, modification, or
17 expansion of existing programs, and suggestions for new
18 programs or services in the juvenile justice continuum that
19 would meet identified needs of children and families in the
20 district.

21 Section 12. This act shall take effect July 1, 1999.

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24 LEGISLATIVE SUMMARY

25
26 Abolishes the Juvenile Justice Accountability Board.
27 Transfers all obligations and assets of the board to the
28 Department of Juvenile Justice. Repeals specified
29 provisions relating to composition and powers and duties
30 of the board. Conforms cross-references and other
31 provisions relating to the board. Removes obsolete
 references to the Juvenile Justice Advisory Board, which
 was redesignated as the Juvenile Justice Accountability
 Board pursuant to s. 12, ch. 98-136, Laws of Florida.
 (See bill for details.)