

STORAGE NAME: h2149.ga
DATE: March 24, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
GENERAL APPROPRIATIONS
ANALYSIS**

BILL #: HB 2149 (PCB GA 00-18)
RELATING TO: Reducing the Cost of Government -- Juvenile Justice
SPONSOR(S): Committee on General Appropriations and Representative Villalobos
TIED BILL(S):

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

- (1) GENERAL APPROPRIATIONS YEAS 18 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This bill would create mandatory eligibility requirements and accountability standards for all entities that receive or use state appropriations through contracts or grants for juvenile justice prevention services.

Specifically, this bill would require, as a condition of receiving state funds, :

- All such entities to design programs that would further certain established prevention strategies targeting risk factors associated with entering or reentering the juvenile justice system
- All such entities to track uniform statewide outcome measures through a data-collection methodology developed by the department to measure criminal activity by program participants
- All private sector entities receiving such funds to enter into an agreement with one or more referring entities that work with children on a regular basis, specifying the criteria to be used to refer children to the program

In addition to the maintenance fees already imposed by the Department of Juvenile Justice, this bill would also allow for a daily subsistence fee for children in detention or commitment programs of the department. Furthermore, the total amount of the maintenance and daily subsistence fees would be limited so as to not exceed the actual cost of care.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Chapters 984 and 985 contain several provisions that require the courts to order parents of juveniles served by department programs to pay for the actual cost of care for the child. These provisions generally allow wide discretion to the courts, however, to waive fees. The 1999 Annual Report of the Juvenile Justice Accountability Board reports that payment of fees is rarely ordered by the court. Currently, the House version of the General Appropriations Act contains approximately \$557 million for FY 2000-01 for direct services to juvenile offenders. According to budget documents submitted by the Department of Juvenile Justice, the agency expects to collect approximately \$133,000 in 1st, 2nd and 3rd party maintenance fees during FY 2000-01.

In March 1998, the Florida Commission on Governmental Accountability to the People (GAP) published a report entitled, "Building the Road to Results: State Agency Impacts on Preventing Juvenile Crime," ("GAP Report"). The GAP Report was undertaken as an effort to identify a single outcome that is affected by multiple agency programs. The report described Florida's juvenile crime-fighting efforts as "a fragmented array of nearly 200 activities spread across 23 state entities."

During the 1999-2000 interim, the Governor issued Executive Order 2000-7 which established a Juvenile Justice Review Panel. The panel is charged with determining if juvenile justice projects meet certain minimum threshold criteria specified in the executive order. Among the criteria are requirements that the project serve children most likely to enter or re-enter the juvenile justice system and that the project must agree to track outcome data on program effectiveness. The executive order does not specify the outcome measures to be tracked other than recidivism. The Governor is expected to use the Panel's findings in reviewing the General Appropriations Act.

The Panel has met twice to date. Their work has primarily focused on prospective requests for funding for member sponsored projects during FY 2000-01. There is, however, a statement in Executive Order 2000-7 that programs funded in the base will be expected to adhere to the same standards set forth in the executive order.

Concurrently, the House Criminal Justice Appropriations Committee conducted an extensive review of juvenile justice prevention activities funded in the base. The decision was made to examine juvenile justice prevention programs in the base according to the

same standards applied to projects that came before the Review Panel. In response, the department obtained data on 500 grants and contracts funded in the base. Based on the spreadsheet prepared by the department, most would appear to meet the minimum criteria established in executive order 2000-7. A sample of 20 randomly drawn documents from the individual submissions by providers, however, revealed little consistency in outcome measures among the individual contractors and grantees. Also, there is little to indicate that consistent strategies are being pursued statewide.

C. EFFECT OF PROPOSED CHANGES:

The bill will require each state-funded prevention program to track a single outcome measure on criminal activity by program participants developed by the department. Further, each program must fall within at least one established strategy as follows: (1) Programs designed to encourage school attendance by at-risk youth, (2) programs designed to engage at-risk youth in wholesome activities during non-school hours or other times when juvenile crime is most likely to occur, (3) programs designed to help at-risk youth to avoid gangs and violence, (4) programs designed to help at-risk youth acquire the skills they need to find meaningful employment, and (5) strategies developed by the department based on documented risk factors. Each program must track a single outcome measure developed for the particular strategy it falls within in addition to the criminal activity measure required for all programs. The bill further provides that each program must agree to establish relationships with agencies that work with children on a routine basis for referrals into the program.

The bill provides for a \$2.00 daily subsistence fee to be collected by the department for each day a juvenile is in detention or a court-ordered program of the department. The court, in determining the amount of maintenance fees to order, is required to subtract the daily fee so that the total amount of fees collected does not exceed the actual cost of care. The department is directed to make all reasonable efforts to collect fees and is authorized to engage the services of a collection agency.

D. SECTION-BY-SECTION ANALYSIS:

See Effect of Proposed Changes.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Actual revenue collections from the \$2 daily fee will be dependent upon the department's ability to collect. Assuming 50% success in collecting this fee from youth and a 3 month delay in implementation, revenues are projected to be approximately \$15 million for FY 2000-01. The extent to which the department is able to increase collections of court-ordered fees is indeterminate.

2. Expenditures:

The department will have to ensure that its data system can capture outcome data required by the bill. Since the basic systems to do this are in place, the expected impact is minimal.

The department would incur costs if it engages a private sector collection agency to assist in collecting statutory and court ordered fees.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

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 spend funds to take any actions requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenues in the aggregate, as such authority existed on February 1, 1989.

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

This bill does not reduce the percentage of state tax shared with counties and municipalities as an aggregate on February 1, 1989.

V. COMMENTS:

STORAGE NAME: h2149.ga

DATE: March 24, 2000

PAGE 5

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON GENERAL APPROPRIATIONS:

Prepared by:

Staff Director:

Jim DeBeaugrine

David K. Coburn