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1 A bill to be entitled
2 An act relating to community-based juvenile justice;
3 creating s. 985.665, F.S.; providing legislative intent;
4 defining the term "regional coordinating agency";
5 providing requirements for a regional coordinating agency;
6 providing for the Department of Juvenile Justice to
7 contract with regional coordinating agencies for specified
8 services relating to juvenile justice; providing for
9 annual measurement and reporting concerning the outcomes
10 and effectiveness of community-based juvenile justice
11 services; requiring regional coordinating agencies to
12 comply with specified requirements; providing for
13 liability of regional coordinating agencies and contracted
14 providers with respect to the treatment of juvenile
15 offenders; providing for governance of regional
16 coordinating agencies; providing for 2-year pilot programs
17 in specified judicial circuits; requiring reports;
18 providing an effective date.

19
20 WHEREAS, 94 percent of Florida youth grow up to be
21 productive citizens, but the 6 percent of Florida youth that
22 become delinquent cost the state of Florida an average of \$5,200
23 per child annually according to 2008 statistics, and

24 WHEREAS, according to national studies, 27 percent of
25 abused or neglected children become delinquent, and

26 WHEREAS, one of the most effective ways to reduce
27 delinquency is to prevent child abuse, abandonment, and neglect,
28 and

29 WHEREAS, Florida's juvenile commitment programs have a 39
 30 percent recidivism rate within 1 year, and

31 WHEREAS, the Department of Juvenile Justice shows that 59
 32 percent of the juveniles being rearrested offend within 120 days
 33 after being released, revealing a critical transition period
 34 currently not being addressed, and

35 WHEREAS, the State of Washington undertook a study which
 36 demonstrated that a significant level of future prison
 37 construction can be avoided, taxpayer dollars can be saved, and
 38 crime rates can be reduced by a portfolio of evidence-based
 39 youth service options, and

40 WHEREAS, it has been proven that at-risk youth benefit from
 41 a comprehensive approach through coordination of intensive
 42 prevention, diversion, and family services, and

43 WHEREAS, local management fosters all these approaches,
 44 ensures stronger relationships between providers and the family,
 45 and allows providers to assist in strengthening relationships
 46 between the child and the family, and

47 WHEREAS, instead of competing for funding, prevention,
 48 diversion, and juvenile justice services should cooperate with
 49 the goal of keeping youth out of juvenile detention, NOW,

50 THEREFORE,

51

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

53

54 Section 1. Section 985.665, Florida Statutes, is created
 55 to read:

56 985.665 Community-based juvenile justice.-

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57 (1) (a) It is the intent of the Legislature to direct the
58 department to contract with competent community-based agencies
59 to coordinate and manage juvenile justice and related services.
60 By implementing community-based juvenile justice, the community-
61 based regional coordinating agency will provide flexibility to
62 assess needs, apportion the funds allocated to the department
63 for this purpose, and build the appropriate continuum of care
64 resulting in more local ownership of juvenile justice problems
65 and better service outcomes. The community-based juvenile
66 justice model is designed to treat most of the juveniles in
67 services that are located and managed in their home communities
68 and that will promote greater family involvement and engagement,
69 promote better system and service coordination, and achieve more
70 significant economic and operational efficiencies. These
71 services may include intervention, prevention, assessment
72 centers, diversion programs, civil citation, home detention,
73 alternatives to detention, community-based services, probation,
74 day treatment, independent living, evidence-based programs,
75 residential programming, and detention.

76 (b) As used in this section, the term "regional
77 coordinating agency" means a single nonprofit or county
78 government agency with which the department shall contract for
79 the provision of juvenile justice services in a community that
80 consists of at least one entire county.

81 (c) The requirements for a regional coordinating agency
82 include, but are not limited to:

83 1. The organizational infrastructure and financial
84 capacity to coordinate, integrate, and manage all juvenile

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85 justice services in the designated community in cooperation with
86 law enforcement and the judiciary.

87 2. The ability to ensure continuity of care from entry to
88 exit for all juveniles referred to the agency by law enforcement
89 agencies, the court system, and other referral sources.

90 3. The ability to contract with providers to create a
91 local network of juvenile justice services.

92 4. The willingness to accept accountability for meeting
93 the outcomes and performance standards related to juvenile
94 justice established by the Legislature and the Federal
95 Government.

96 5. The capability and willingness to serve all juveniles
97 referred to the agency by law enforcement agencies and the court
98 system with funding from the department.

99 6. The willingness to ensure that each individual who
100 provides juvenile justice services has successfully completed
101 the training required by the department as of July 1, 2011.

102 (2) The department shall contract with the regional
103 coordinating agency for the delivery, administration, and
104 management of services, including the services specified in
105 subsection (1) relating to juvenile justice, and other related
106 services or programs, as appropriate. The department shall
107 retain responsibility for the quality of contracted services and
108 programs and shall ensure that services are delivered in
109 accordance with applicable federal and state statutes and
110 regulations.

111 (3) (a) The department, in partnership with an objective,
112 competent entity, shall establish a quality assurance program

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113 for community-based juvenile justice. The quality assurance
114 program must include national standards for each specific
115 component of these services. The department, in consultation
116 with the regional coordinating agencies that are undertaking
117 community-based juvenile justice, shall establish minimum
118 thresholds for each component of service. Each regional
119 coordinating agency must be evaluated annually by the department
120 or by an objective, competent entity designated by the
121 department under the provisions of the quality assurance
122 program.

123 (b) The department shall establish and operate a
124 comprehensive system to measure and report annually the outcomes
125 and effectiveness of the services that are part of the regional
126 coordinating agencies' community-based juvenile justice service
127 programs. The department shall use these findings in making
128 recommendations to the Governor and the Legislature for future
129 program and funding priorities in the juvenile justice system.

130 (4) The regional coordinating agency must comply with
131 statutory requirements and agency regulations in the provision
132 of contractual services. Each regional coordinating agency must
133 contract with providers meeting the current department standards
134 under this chapter. The department, in order to eliminate or
135 reduce the number of duplicate inspections by various program
136 offices, shall coordinate inspections required pursuant to
137 approval of agencies under this section.

138 (5) With respect to the treatment of juvenile offenders
139 under this section, regional coordinating agencies and
140 contracted providers shall be treated as the state and its

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141 agencies and subdivisions for liability purposes under s.
142 768.28.

143 (6) The operations of a regional coordinating agency shall
144 be governed by a local board of directors, of which 75 percent
145 of the membership shall be comprised of persons residing within
146 the service area of the regional coordinating agency.

147 (7) Beginning in the 2011-2012 fiscal year, the department
148 shall establish a minimum of three pilot sites to operate for 2
149 years each. These pilot sites must be established in judicial
150 circuits 2, 6, and 11. Regional coordinating agencies may be
151 selected from a single source pursuant to s. 287.057(3)(c) and
152 must be established organizations within the circuit. The
153 department shall select the regional coordinating agencies for
154 each of the pilot sites by December 1, 2011. Contracts with
155 organizations responsible for the pilots shall include the
156 management and administration of all juvenile justice services
157 specified in subsection (1). The department is required to
158 transfer all administrative and operational funding associated
159 with these services to the regional coordinating agency, less
160 those funds necessary to provide and coordinate management of
161 quality assurance and oversight. Each regional coordinating
162 agency that participates in the pilot effort or any future
163 community-based juvenile justice effort as described in this
164 section must thoroughly analyze and report the complete direct
165 and indirect costs of delivering these services through the
166 department and the full cost of community-based juvenile
167 justice, including the cost of monitoring and evaluating the
168 contracted services. No later than January 31 of each year,

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169 beginning in 2013, the department shall submit the evaluation
170 regarding quality performance, outcome measure attainment, and
171 cost efficiency, as provided in paragraph (3) (b), for each pilot
172 program in operation during the preceding fiscal year, to the
173 President of the Senate, the Speaker of the House of
174 Representatives, the minority leaders of the Senate and the
175 House of Representatives, and the Governor.

176 Section 2. This act shall take effect July 1, 2011.