

1 A bill to be entitled
2 An act relating to community-based juvenile justice;
3 creating s. 985.665, F.S.; requiring the Department of
4 Juvenile Justice to establish community-based juvenile
5 justice pilot programs in specified judicial circuits;
6 providing the purpose of the pilot programs; requiring the
7 department to contract with specified entities to serve as
8 the regional coordinating agency for each pilot program;
9 providing contract requirements; requiring the department
10 to award contracts in accordance with s. 287.057, F.S., to
11 entities that meet specified requirements; requiring the
12 department to establish a quality assurance program;
13 requiring the department to establish minimum thresholds
14 for services provided by the pilot program; requiring the
15 department to ensure pilot program services are delivered
16 in accordance with state and federal laws and regulations;
17 requiring the department to annually evaluate regional
18 coordinating agencies; requiring the department to
19 establish and operate a system to measure and annually
20 report specified information and make recommendations to
21 specified entities; providing that the department retains
22 responsibility for the quality of the pilot program
23 services; requiring the regional coordinating agency to
24 comply with statutes and regulations when providing
25 contractual services; requiring regional coordinating
26 agencies to contract with providers who meet specified
27 requirements; specifying that regional coordinating
28 agencies and contracted providers will be treated as the

29 | state and its agencies and subdivisions for sovereign
30 | immunity purposes; requiring the department to annually
31 | submit a report to specified entities regarding quality
32 | performance, outcome measure attainment, and cost
33 | efficiency for each pilot program; providing for
34 | inapplicability of specified provisions to existing
35 | contracts; providing an effective date.

36

37 | WHEREAS, 94 percent of Florida youth grow up to be
38 | productive citizens, but the 6 percent of Florida youth that
39 | become delinquent cost the state of Florida an average of \$5,200
40 | per child annually according to 2008 statistics, and

41 | WHEREAS, according to national studies, 27 percent of
42 | abused or neglected children become delinquent, and

43 | WHEREAS, one of the most effective ways to reduce
44 | delinquency is to prevent child abuse, abandonment, and neglect,
45 | and

46 | WHEREAS, Florida's juvenile commitment programs have a 39
47 | percent recidivism rate within 1 year, and

48 | WHEREAS, the Department of Juvenile Justice shows that 59
49 | percent of the juveniles being rearrested offend within 120 days
50 | after being released, revealing a critical transition period
51 | currently not being addressed, and

52 | WHEREAS, the State of Washington undertook a study which
53 | demonstrated that a significant level of future prison
54 | construction can be avoided, taxpayer dollars can be saved, and
55 | crime rates can be reduced by a portfolio of evidence-based
56 | youth service options, and

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

60 WHEREAS, local management fosters all these approaches,
 61 ensures stronger relationships between providers and the family,
 62 and allows providers to assist in strengthening relationships
 63 between the child and the family, and

64 WHEREAS, instead of competing for funding, prevention,
 65 diversion, and juvenile justice services should cooperate with
 66 the goal of keeping youth out of juvenile detention, NOW,
 67 THEREFORE,

68

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

70

71 Section 1. Section 985.665, Florida Statutes, is created
 72 to read:

73 985.665 Community-based juvenile justice; pilot program.-

74 (1) The department is directed to establish community-
 75 based juvenile justice pilot programs in the 2nd, 6th, and 11th
 76 judicial circuits. Each pilot program must be established during
 77 the 2011-2012 fiscal year and must operate for 2 years. The
 78 purpose of the programs is to:

79 (a) Provide local communities the flexibility to assess
 80 and more readily address juvenile justice needs.

81 (b) Provide juveniles a continuum of services that are
 82 located in the juveniles' home communities and managed by a
 83 regional coordinating agency.

84 (c) Provide enhanced juvenile justice service

85 coordination.

86 (d) Promote greater involvement and engagement by a
 87 juvenile's family and community.

88 (e) Result in better outcomes for juveniles and provide
 89 significant economic and operational efficiencies.

90 (2) (a) By December 1, 2011, the department shall contract
 91 with a nonprofit or county government agency to serve as the
 92 regional coordinating agency for each pilot program. The
 93 contract shall:

94 1. Require the regional coordinating agency to provide, or
 95 contract with community-based service providers to provide, the
 96 full continuum of juvenile justice services in the judicial
 97 circuit in which the pilot program is located. These services
 98 include, but are not limited to, prevention services,
 99 intervention services, assessment centers, diversion programs,
 100 civil citation programs, alternatives to detention, community-
 101 based treatment programs, probation services, detention
 102 services, home detention, day treatment, independent living,
 103 evidence-based programs, and residential programs.

104 2. Require the regional coordinating agency to administer
 105 and manage the full continuum of juvenile justice services in
 106 the judicial circuit in which the pilot program is located.

107 3. Require the department to transfer all funding
 108 associated with the administration and provision of services
 109 described in subparagraph 1. to the regional coordinating
 110 agency, less those funds the department needs to provide and
 111 coordinate management of quality assurance and oversight.

112 4. Require the regional coordinating agency to thoroughly

113 analyze and report to the department the complete direct and
 114 indirect costs of administering and providing the services
 115 described in subparagraph 1.

116 (b) The department shall award each contract in accordance
 117 with the competitive bidding requirements in s. 287.057 to a
 118 nonprofit or county government agency that:

119 1. Is located within the judicial circuit being served by
 120 the pilot program.

121 2. Possesses the organizational infrastructure and
 122 financial capacity to administer and provide the services
 123 described in subparagraph (a)1.

124 3. Can ensure continuity of care from entry to exit for
 125 all juveniles referred by law enforcement agencies, the court
 126 system, and other referral sources.

127 4. Has the ability to contract with local providers to
 128 create a network of juvenile justice services.

129 5. Can ensure that each individual who provides juvenile
 130 justice services has successfully completed any training
 131 required by the department.

132 6. Is willing to accept accountability for meeting the
 133 outcomes and performance standards related to juvenile justice
 134 established by the Legislature and the Federal Government.

135 7. Has a board of directors, of which at least 75 percent
 136 of the membership is comprised of persons residing within the
 137 judicial circuit being served by the pilot program.

138 (3) The department shall:

139 (a) In partnership with an objective, competent entity,
 140 establish a quality assurance program. The quality assurance

141 program must include national standards for each specific
142 component of services that are part of a regional coordinating
143 agency's continuum of juvenile justice services.

144 (b) In consultation with the regional coordinating agency,
145 establish minimum thresholds for each of the services that are
146 part of the agency's juvenile justice service continuum.

147 (c) Ensure that regional coordinating agencies and the
148 local providers who contract with regional coordinating agencies
149 deliver services in accordance with applicable federal and state
150 laws and regulations.

151 (d) Annually evaluate each regional coordinating agency
152 using the provisions of the quality assurance program.

153 (e) Establish and operate a comprehensive system to
154 measure and report annually the outcomes and effectiveness of
155 the services described in subparagraph (2) (a)1. The department
156 shall use these findings in making recommendations to the
157 Governor and the Legislature for future program and funding
158 priorities in the juvenile justice system.

159 (f) Retain responsibility for the quality of the services
160 that are part of a regional coordinating agency's juvenile
161 justice service continuum.

162 (4) The regional coordinating agency must comply with
163 statutory requirements and department regulations in the
164 provision of contractual services. Each regional coordinating
165 agency must contract with providers meeting the current
166 department standards under this chapter.

167 (5) With respect to the treatment of juvenile offenders
168 under this section, regional coordinating agencies and local

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169 providers who contract with regional coordinating agencies shall
170 be treated as the state and its agencies and subdivisions for
171 liability purposes under s. 768.28.

172 (6) No later than January 31 of each year, beginning in
173 2013, the department shall submit a report regarding quality
174 performance, outcome measure attainment, and cost efficiency for
175 each pilot program in operation during the preceding fiscal year
176 to the President of the Senate, the Speaker of the House of
177 Representatives, and the Governor.

178 Section 2. Section 985.665(2), Florida Statutes, as
179 created by this act, does not affect the right of the Department
180 of Juvenile Justice to maintain any statewide contract with a
181 provider in existence on the effective date of this act.

182 Section 3. This act shall take effect July 1, 2011.