

By Senator Fasano

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

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

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

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

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

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

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

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

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

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

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

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

57 985.665 Community-based juvenile justice.-

58 (1) (a) It is the intent of the Legislature to direct the

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

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

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

84 1. The organizational infrastructure and financial capacity  
85 to coordinate, integrate, and manage all juvenile justice  
86 services in the designated community in cooperation with law  
87 enforcement and the judiciary.

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

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

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

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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  
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

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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 shall transfer all  
158 administrative and operational funding associated with these  
159 services to the regional coordinating agency, less those funds  
160 necessary to provide and coordinate management of quality  
161 assurance and oversight. Each regional coordinating agency that  
162 participates in the pilot effort or any future community-based  
163 juvenile justice effort as described in this section must  
164 thoroughly analyze and report the complete direct and indirect  
165 costs of delivering these services through the department and  
166 the full cost of community-based juvenile justice, including the  
167 cost of monitoring and evaluating the contracted services. No  
168 later than January 31 of each year, beginning in 2013, the  
169 department shall submit the evaluation regarding quality  
170 performance, outcome measure attainment, and cost efficiency, as  
171 provided in paragraph (3)(b), for each pilot program in  
172 operation during the preceding fiscal year, to the President of  
173 the Senate, the Speaker of the House of Representatives, the  
174 minority leaders of the Senate and the House of Representatives,

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175 and the Governor.

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