

Juvenile Justice Proviso Workgroup Webinar 2

8/10/11

Florida Association of Counties
Sarrah Carroll, Senior Legislative Advocate



Goals for Florida Association of Counties

- Protection for counties that do not opt out of state run juvenile detention system
 - Verbal indication from Secretary Walters that counties that remain in the state system will be protected from increasing bills as other counties opt out of the state juvenile detention center
- Input in Detention Budget and Operations
 - Detention Reform moving forward in four JDAI sites
 - Pilot project with Georgetown University and Pinellas County
 - Civil Citation
- Define Pre v. Post Disposition
 - Department has indicated they will not push forward with any substantive changes that will result in additional cost to the state
 - Not opposed to counties pushing forward

Goals for Florida Association of Counties

- Juvenile Justice Boards and Councils
 - Local Input on efficiencies for detention
 - County partnerships for prevention, intervention and diversion services
- Demonstrate existing resources counties contribute to juvenile justice
 - Survey on local juvenile justice funding contributions
 - Help from the Center for Smart Justice

Budget & Utilization Split

- The Good...
 - The DJJ is submitting a Legislative Budget Request to make the 2012-13 budget equal with detention utilization.
 - **\$2.7 Million shift from counties contribution to the state share.**
- The Bad...
 - Counties have been overpaying their share of detention since 2006-07. FAC has advocated for more state revenue to balance this inequality.
- And The Ugly...
 - **Will require counties to engage local Legislators.**

Budget 2011-12

Per Diem Rate	12 month estimate - days	Current budget	Cost per day
Pre	284,928	\$77,819,360	\$273.12
Post	103,212	\$24,482,345	\$237.20
With Utilization Adjustment			
Pre	284,928	\$75,098,213	\$263.57
Post	103,212	\$27,203,492	\$263.57

- Counties paid \$91,000,000 in 2010-11
- Counties will be billed \$72,000,000 in 2011-12
- 20.5% Reduction

<http://www.djj.state.fl.us/costsharing/index.html>

“County Reductions 2011-12”

Pre v. Post Disposition

- Billing disputes have originated from the following “billable detention days”:
 - Violations of probation that are not new law violations
 - Failure to Appear
 - Foster Youth
 - Youth over the age of 17
 - Detention stays over the statutory limit of 21 days

County Pre-disposition Data

	VOP	>21 days	>17 yrs	Foster	FTA	Totals
Alachua	65			113	160	338
Bay	90	7	28	121	112	358
Bradford				4	11	15
Brevard	144			96	561	801
Broward	116			1,149	1,055	2,320
Charlotte	173			9	76	258
Clay	329	11	74	28	113	555
Collier	82			116	386	584
Columbia	62	3	24		17	106
Dade	45	19	82	1,035	1,928	3,109
Desoto	19				2	21
Dixie					6	6
Duval	140	20	83	766	994	2,003
Escambia	287	54	264	445	470	1,520
Flagler	26			22	121	169
Glades	18					18
Hendry	201	1	22	45	24	293
Hernando	24	3	24	10	17	78
Highlands				15	170	185
Hillsborough	301	7	28	932	962	2,230
Lake	2	12	54	275	113	456
Lee	327	10	115	372	473	1,297
Leon	88	32	137	173	131	561
Total	6,786	433	2,155	12,159	16,214	37,747

<http://www.djj.state.fl.us/costsharing/index.html>

“Cost Associated with Proposed Definition Changes”

Sheet: County Breakdown

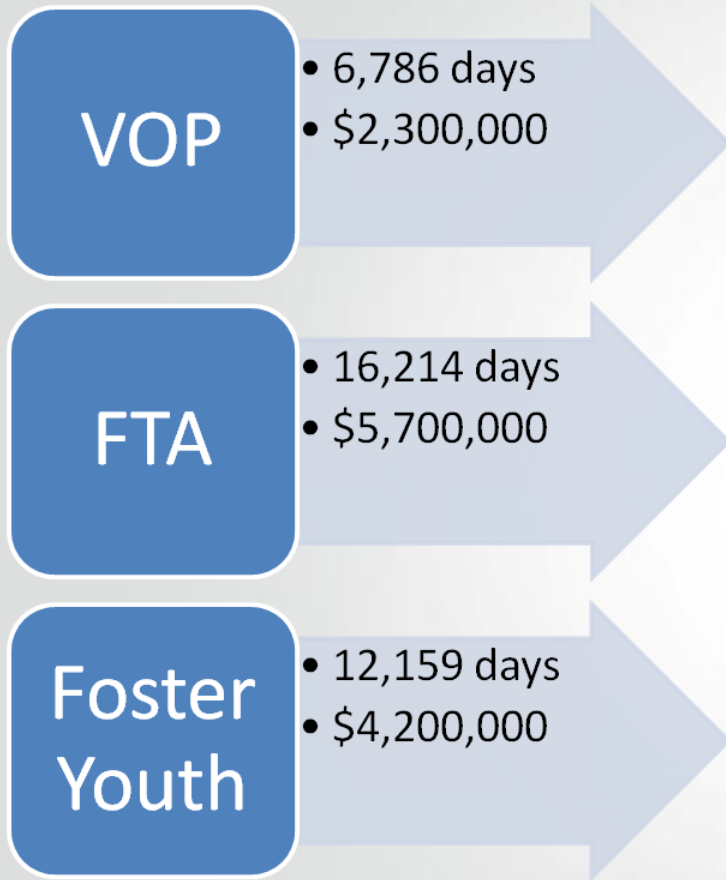
Correction!!

- Last webinar FAC reported that Violations of Probation (VOP) that are not new law violations cost counties **\$14,943,022** last year.
 - Additional information stated:
 - There are 33,778 days in the 10-11 utilization *to date* where a youth was placed in detention for a VOP that was not a new law violation.
 - Which was calculated as 11.95% of total detention utilization
- **This information was INCORRECT.**
- Correct data shows that the actual amount would be closer to ***\$2.1 million*** and 6,786 pre-disposition days.
 - This was presented to FAC after the first webinar and is represented in the following slides.

Budget Adjustment for Proposed Definition Changes

The following cost adjustments are calculated for 9 months and do not reflect an annual adjustment							
11-12 Budget	County	State	Total				
Trust Fund	\$77,819,360						
General Revenue		\$24,975,477					
Fiscally Constrained		-\$4,632,618					
Grants and Donations		\$4,139,486					
Total	\$77,819,360	\$24,482,345	\$102,301,705				
11-12 % Budget Split	76.07%	23.93%	100.00%				
To Match Budget to Utilization	\$75,098,213	\$27,203,492	\$102,301,705				
Adjustment (% fix only)	-\$2,721,147	\$2,721,147	\$0				
Current Utilization Split (9 mos)	213,696	77,409	291,105	Current Utilization Split (9 mos)	213,696	77,409	291,105
Non New-Law VOP (days)	-6,786	6,786	0	Foster Children (days)	-12,159	12,159	0
New Utilization Split	206,910	84,195	291,105	New Utilization Split	201,537	89,568	291,105
% Utilization Split	71.08%	28.92%	100.00%	% Utilization Split	69.23%	30.77%	100.00%
Matched Budget Split	\$72,713,439	\$29,588,266	\$102,301,705	Matched Budget Split	\$70,825,230	\$31,476,475	\$102,301,705
Adjustment (includes \$2.7M)	-\$5,105,921	\$5,105,921	\$0	Adjustment (includes \$2.7M)	-\$6,994,130	\$6,994,130	\$0
Non New-Law VOP (days)		\$2,384,774		Foster Children (days)		\$ 4,272,983	
Current Utilization Split (9 mos)	213,696	77,409	291,105	Current Utilization Split (9 mos)	213,696	77,409	291,105
Over 18 / > 21 days	-2,588	2,588	0	Failure to Appear (FTA) (days)	-16,214	16,214	0
New Utilization Split	211,108	79,997	291,105	New Utilization Split	197,482	93,623	291,105
% Utilization Split	72.52%	27.48%	100.00%	% Utilization Split	67.84%	32.16%	100.00%
Matched Budget Split	\$74,188,723	\$28,112,982	\$102,301,705	Matched Budget Split	\$69,400,200	\$32,901,505	\$102,301,705
Adjustment (includes \$2.7M)	-\$3,630,637	\$3,630,637	\$0	Adjustment (includes \$2.7M)	-\$8,419,160	\$8,419,160	\$0
Over 18 / > 21 days		\$ 909,490		Failure to Appear (FTA) (days)		\$5,698,013	

Need for Reform



- How much does excessive detention cost?
 - For Violations of Probation and Failure to Appear alone...it's a lot...**\$7,337,000**
- Harm to youth
 - Higher drop out rates
 - Increased recidivism
 - Direct path to the criminal justice system

Detention Reform

- Civil Citation (HB 997) – DJJ surveyed counties in March and in July
- JDAI (Juvenile Detention Alternative Initiative)
 - Broward, Duval, Hillsborough and Palm Beach Counties
 - Statewide roll out estimated in 1-2 years
- Why are youth detained?
 - Failure to appear: autodialer for youth with upcoming court dates
 - Transportation, Administrative Convenience, Forgot
 - Violations of probation
 - Contempt of Court
 - Court ordered detention is 70% in some counties

Detention Reform

- Over the last 10 years, Florida has seen :
 - Admissions to detention decrease 22% statewide
 - Detention utilization is also down 54%
- *Cost for counties was reduced 21% last year alone*
- With detention reform, we hope to see further cost reduction for counties
- Validated Risk Assessment Instrument that predicts a youth's likelihood of reoffending and showing up to court
- Giving Judges Community Alternatives that are more cost effective

Detention Reform

- Secretary Walters asked counties to help find local solutions
- Community based diversion and intervention programs
 - Home Detention with Electronic Monitoring
 - Community Supervision
 - Evening Reporting Centers
 - Supervision by a Third-Party Mentoring Program
 - Reception Centers
- Juvenile Assessment Centers
- Flexibility to use the Trust Fund for Alternatives to Detention

Juvenile Justice Boards and Councils

- Two – tiered approach
 - 1: Counties, DJJ, State Attorney, Public Defenders, Chief Juvenile Justice Judge, School Boards
 - More local involvement, less provider driven
- Commissioner Wexler (Broward) & Tim Burns (Pinellas) are working with Assistant Secretary of Prevention and Victim Services Wanda Finnie
- DJJ increasing presence at the Public Safety Coordinating Councils

Florida Model Jail Standards

- Subcommittee developing Youth Detention Standards (Chapter 20) to be added to the FMJS
 - Admission to detention following Chapter 985, Fla. Stat.
 - Appendix C (p) and (oo)
 - Juvenile Justice Information System
 - Separate and Stand Alone Facilities
 - Moved to language in Code of Federal Regulations
 - Use of Force
- Next FMJS Meeting August 30
 - Goal is to have Youth Detention Facility Standards on the books by October 1

Questions

If you have any questions about today's webinar, contact:

Sarrah Carroll

(850)922-4300

scarroll@fl-counties.com