

GETTING SMART ABOUT JUVENILE JUSTICE IN FLORIDA



REPORT OF THE BLUEPRINT COMMISSION


**BLUEPRINT
COMMISSION**
FLORIDA DEPARTMENT OF JUVENILE JUSTICE



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CONTENTS

CHAIRMAN’S LETTER	3	GUIDING PRINCIPLE: Transition from Large Institutional Care to Smaller, Community-Based Residential Models and Enhance Education, Job Training and Aftercare Services	38
PARTNERS	4	GUIDING PRINCIPLE: Ensure Positive Outcomes for Youth Through a Stable and Professional Workforce	44
COMMISSION MEMBERS	5	GUIDING PRINCIPLE: Ensure an Effective and Accountable System by Implementing Programs That Have Demonstrated Positive Results for Youth, and by Adopting Performance Outcomes That Indicate Which Programs Are Successful	46
EXECUTIVE SUMMARY	6	UNRESOLVED ISSUES	48
Juvenile Justice in Florida at a Glance.....	7	MOVING FORWARD	50
INTRODUCTION: Toward a Balanced Continuum of Services and Sanctions for Florida’s At-Risk and Delinquent Youth	8	Prioritization of Recommendations	51
JUVENILE JUSTICE IN FLORIDA – 2007	9	APPENDICES	58
CURRENT TRENDS IN JUVENILE CRIME.....	12	Florida’s Juvenile Justice System	
GUIDING PRINCIPLE: Strengthen Youth, Families and Communities Through Effective Prevention and Intervention Services.....	14	About the Blueprint Commission	
GUIDING PRINCIPLE: Reform Detention Through Diversion and Alternatives to Secure Detention While Ensuring Public Safety.....	20	Hearings & Agendas	
GUIDING PRINCIPLE: Improve Health and Wellness for Youth in the Juvenile Justice System ..	26	Presenters & Guests	
GUIDING PRINCIPLE: Ensure a Fair and Balanced Approach for Addressing the Needs of All Youth, Including Gender-Specific Programs, Reduction of Racial Disparities, and Provision of Legal Representation	31	Children & Youth Cabinet	
		Mental Health: Transforming Florida’s Mental Health System	
		Numerical Listing of Recommendations	



BLUEPRINT COMMISSION

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

January 28, 2008

Walter McNeil, Secretary
Florida Department of Juvenile Justice

Dear Secretary McNeil:

On behalf of the members of the Blueprint Commission on Juvenile Justice, I am pleased to submit this report, *Getting Smart About Juvenile Justice in Florida*.

The report reflects the findings and recommendations of the 25 members of the Blueprint Commission, who worked with diligence and commitment to address a multitude of issues and map a new path for Florida's juvenile justice system.

As a Commission, we believe that Florida must get smart about its response to and treatment of at-risk youth. We must move toward a more balanced system, one that proactively seeks to prevent juvenile delinquency, that redirects those youth at risk of delinquency, that provides more appropriate, less restrictive sanctions for low-risk and misdemeanor youth offenders, that focuses on rehabilitation, and that reserves serious sanctions for violent and habitual offenders.

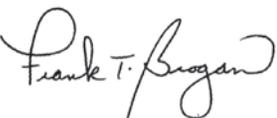
We must strike the balance between providing for public safety, and providing opportunities for young people to learn from their behaviors and receive the treatment and rehabilitation services needed to become productive members of their families and their communities.

Our work is the result of our collaboration with the Department of Juvenile Justice, the provider community and key stakeholders, including state and national experts, community leaders, law enforcement and court officials, educators, health experts, parents and youth. We thank each of these groups for their concern about Florida's youth and their informed perspectives on the issues addressed herein.

We wish to extend our special thanks to the scores of individuals – community representatives, parents, young people and others – who took time to attend public hearings held across the state and share their views, experiences, concerns and hopes. Their words informed us, inspired us and encouraged us to wrestle with sometimes complicated and thorny issues.

We recognize that this report has its limitations, and we do not suggest that it provides an all-inclusive assessment of the entire juvenile justice system. It does, however, address what the Commission believes to be the key issues of the day and those that are most critical to moving away from the practices of the past toward a new path, one that leads to a more fair and balanced response to the needs of Florida's at-risk youth.

Sincerely,



Frank T. Brogan
Chairman

PARTNERS

The Department of Juvenile Justice wishes to thank its partners for their support of the Blueprint Commission.

Three national philanthropies provided support for the Blueprint Commission. Each has a long history of supporting programs that balance public safety with successful intervention and treatment focused on turning around the lives of troubled youth.

THE JEHT FOUNDATION

(Justice, Equality, Human Dignity and Tolerance)

The JEHT Foundation, a national philanthropic organization based in New York, N.Y., supports work in three primary areas: criminal justice, international justice, and fair and participatory elections. Support of the Blueprint Commission marks JEHT's entry into the work of juvenile justice reform in Florida.

| www.jehtfoundation.org |

JESSIE BALL DUPONT FUND

The Jessie Ball duPont Fund is a national foundation based in Jacksonville, Florida. Created by Jessie Ball duPont, the widow of industrialist Alfred I. duPont, the Fund makes grants to more than 330 organizations identified by Mrs. duPont in her will. The Fund has supported work around juvenile justice reform in Florida for more than a decade.

| www.dupontfund.org |

ECKERD FAMILY FOUNDATION

The Eckerd Family Foundation, based in Tampa, Florida, seeks to promote meaningful and lasting change to transform the lives of vulnerable youth and their families. The foundation invests in strategies supporting the successful transition of youth at risk through adolescence into young adulthood. Currently, the foundation awards grants in Florida, North Carolina and Delaware.

| www.eckerdfamilyfoundation.org |

Three statewide partners represent most of the advocates and providers who serve the youth and families with whom the Department of Juvenile Justice works.

CHILDREN'S CAMPAIGN, INC.

The Children's Campaign is a non-partisan, statewide advocacy organization committed to focusing attention on Florida's children. Part of its five-point agenda is assuring delinquency prevention programs and services for children with problems.

| www.iamforkids.org |

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

The Florida Network of Youth and Family Services, Inc., based in Tallahassee, is a nonprofit statewide association representing agencies that serve homeless, runaway and troubled youth ages 10 and older and their families. Services include: advocacy for youth, public policy development, public education, data collection and research, and training and technical assistance.

| www.floridanetwork.org |

FLORIDA JUVENILE JUSTICE ASSOCIATION

The Florida Juvenile Justice Association is recognized as the voice of the provider community. A statewide organization based in Tallahassee, it strongly supports a common-sense approach to juvenile justice that treats young people fairly, holds them accountable for their actions and keeps our neighborhoods, schools and communities safe. The Association brings together juvenile justice system professionals and agencies, and private and non-profit corporations committed to improving Florida's juvenile justice system for children and families.

| www.fjja.org |

In addition, the Commission wishes to thank many other community partners, providers, legislators, businesses, citizens, advocates and others who provided information and valuable resources to the Commission.

BLUEPRINT COMMISSION MEMBERS

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EXECUTIVE SUMMARY

Florida's juvenile justice system is blazing a new path.

Since the Department of Juvenile Justice was established in 1994, the State and the Department have taken a "Get Tough" approach to juvenile crime. Today, while overall juvenile crime rates are down, policy makers, experts in juvenile crime, youth advocates and community leaders agree that Florida's juvenile justice system lacks the capacity to provide the spectrum of services needed to significantly impact juvenile crime and public safety for the long term.

It is time for Florida to "Get Smart" about juvenile justice.

In July 2007, Governor Charlie Crist authorized creation of the Blueprint Commission as a time-limited workgroup charged with developing recommendations to reform Florida's juvenile justice system. "Florida's lifeblood is its children and young people, including those who may have gotten into trouble by taking a wrong turn," said Governor Crist in announcing the Commission. "We must always remember that we can never give up on our young people."

The Blueprint Commission's 25 members traveled the state, holding public hearings and receiving testimony from a host of stakeholders – community leaders, law enforcement and court officers, representatives of the public school systems, health and mental health officials, parents, youth, advocates, national experts in juvenile justice and Department staff.

They learned:

Communities, which bear the burden of providing prevention services for at-risk youth, have limited capacity and resources with which to respond.

Public school systems – themselves under stress – increasingly are using Zero Tolerance practices to send youth into the juvenile justice system rather than apply alternative methods of discipline.

Even in the face of a decline in overall juvenile justice system referrals, the use of secure detention (jail-like setting) is increasing. Florida places youth in secure detention and in residential commitment at rates that exceed national norms.

There is a growing proportion of girls in the juvenile justice system, which presents a host of health, mental health and programmatic challenges.

There is a disproportionate number of minorities in the system – and the disproportion grows worse the deeper into the system you go.

At all levels, across gender and race, the health and mental health needs of youth in the juvenile justice system are extraordinary, with two-thirds of youth, in some cases, having mental-health or substance-abuse issues.

Through all of these challenges, the Department of Juvenile Justice is struggling to keep pace. Direct-care staff is poorly equipped, compensation is low, and annual turnover ranges from 35% to 66%, depending on the employee category.

The members of the Blueprint Commission, working with expert advisors, identified 52 recommendations for change, organized under seven guiding principles and 12 key goals that are designed to be implemented over multiple years. (A complete listing can be found beginning on Page 49 or in Appendix VII on Page 84.)

Though the recommendations are extensive and diverse, they can be summarized as follows:

The State of Florida needs to invest in a continuum of services that can provide the right services at the right time in the least-restrictive environment, while continuing to provide serious sanctions for youth involved in serious and violent crime, where appropriate.

Florida should invest in community-based programs that help keep kids out of trouble.

Florida should develop alternative programs and interventions at the community level to prevent youth who do not pose a public safety or flight risk from placement in secure detention.

For those youth who require commitment to residential facilities, Florida should provide facilities that are small, that provide good educational and skill-building programs, and that best prepare youth for return to their communities.

Florida must provide gender-specific programming that effectively addresses the needs of girls in the juvenile justice system. And it must address the disproportionate presence of minorities in the system.

Florida must provide adequate resources to meet the mental and physical health needs of youth in the juvenile justice system.

Florida must invest in the human resources that provide direct care services to youth in the system and develop a more professional and stable workforce.

And at every point, Florida should implement only those programs and strategies that are evidence-based, that have been demonstrated to be effective in protecting public safety while at the same time providing an optimum future for our youth.

The Department of Juvenile Justice's new Mission, Vision and Guiding Principles outline the Department's commitment to be child-centered and family focused while, at the same time, reducing juvenile delinquency and improving public safety. (See Appendix I, Page 56.)

The findings and recommendations of the Blueprint Commission are intended to guide and support the Department, and the State, along this new path.

JUVENILE JUSTICE IN FLORIDA AT A GLANCE

(All data 2006-2007 unless otherwise noted)

Florida Population
Ages 10-171,911,307

YOUTH IN JUVENILE JUSTICE SYSTEM

Youth referred to DJJ91,497
Total referrals146,765

Of Youth Referred
Male64,194
Female23,303

Of Total Referrals – most serious charge
Misdemeanor70,285
Felony48,471
Other28,009

Minority over-representation

	White	Black	Hispanic
Florida population (age 10-17) ...	53%	21%	22%
Total referrals	45%	39%	13%
Total commitments	36%	52%	10%

Health Status
63% of youth in care of DJJ exhibit mental illness.
68% exhibit substance abuse.

DEPARTMENT OF JUVENILE JUSTICE

Budget \$703,744,900¹
Total employees5,011

Direct Care Employees 7,600
Employed by State of Florida (DJJ) 35%
Employed by private contractors50-66%

Starting Salaries
State (DJJ) employees\$23,482
Private employees \$19,780

Annual Turnover Rate
State (DJJ) employees26%
Private employees50%

PREVENTION SERVICES \$68,027,425

100% privatized. State of Florida operates no prevention programs. DJJ oversees contracts and/or grants for 153 private contractors with a budget of \$68 million.

Youth Served31,961
Residential programs5,439
Non-residential programs26,522

Largest provider: Florida Network of Youth and Family Services – \$32-million contract.

DIVERSION \$162,819,126

Referrals diverted from court.....37,380
25% of all referrals are diverted from court.

SECURE DETENTION \$137,527,306

Total admissions.....54,369
Youth admitted32,023
37% of all referrals result in admission to secure detention.

Average Daily Population in Secure Detention..... 1,831
Equivalent to 95 per 100,000 population age 10-17
National average: 88 per 100,000

Number of detention centers26
Capacity2,057
23 centers operated at more than 100% capacity at least once during the year.

RESIDENTIAL COMMITMENTS \$306,211,807

102 residential facilities housing 5,874 beds.

80% privatized – DJJ operates 19 programs with 824 beds.

Average Daily Population in Residential Commitment.....5,500
Equivalent to 285 per 100,000 population age 10-17
National average: 219 per 100,000CURRENT

¹ Includes \$29,159,236 for executive direction

INTRODUCTION

TOWARD A BALANCED CONTINUUM OF SERVICES AND SANCTIONS FOR FLORIDA'S AT-RISK AND DELINQUENT YOUTH

For the past decade, the State of Florida's approach to juvenile crime has been "get tough." For the coming decade, Florida needs to move from "get tough" to "get smart."

Today in Florida, more than 90,000 youth annually are referred to the Department of Juvenile Justice. If nothing changes – if the rates of referral and incarceration remain the same – Florida will run out of room in its juvenile commitment programs in five years. It will run out of room in its secure detention facilities in 10 years. And the population will continue to grow.²

Florida cannot afford to ignore recent crime trends. While overall crime rates are declining, the incidence of serious juvenile crimes such as murder/manslaughter, robbery and felony drug offenses, though comparatively small, is increasing. Florida must remain vigilant in its efforts to maintain public safety, for the welfare of our citizens, our communities and our economy.

But Florida also cannot afford to simply continue building juvenile jails and secure detention centers. At a time when the cost of providing public services is closely scrutinized, Florida must think responsibly about its approach to juvenile crime.

Today, the State of Florida spends \$2,128 per child for prevention services, while the amount spent per child committed to residential and correctional facilities is \$42,606.³

The fact is that Florida's detention centers and residential placement programs are heavily populated with youth who are considered low risk and whose most serious violations are misdemeanors. In secure detention centers across Florida in 2007, almost half of the youth had committed nothing worse than a misdemeanor. In the residential placement programs overseen by the Department of Juvenile Justice, 62% of commitments were for misdemeanors or other administrative charges such as non-law violations of probation. There are approximately 750 youth annually committed to the Department who have no history of felony adjudications; the annual cost of serving them is approximately \$27 million.⁴

The smart strategy for Florida is this: invest in a continuum of services that can address the needs of low-risk

offenders outside of secure and residential placements, while continuing to provide appropriate sanctions for youth involved in serious and violent crime.

From a human-service perspective, from a community safety perspective and from a cost perspective, Florida and its youth are better served by a carefully planned, integrated model of graduated sanctions built upon a strong system of community prevention and intervention programs.

"We are looking at more prevention, more rehabilitation, and more diversion away from incarceration for low-risk youth," says Walter McNeil, Secretary of Florida's Department of Juvenile Justice. "For youth who commit serious offenses, we should continue to provide a secure setting, but one that is more acclimated to providing comprehensive services that are meeting their needs – medical, educational and rehabilitative – so that these youth can eventually return to their families and their communities in a positive and productive way."

Florida should:

- Invest in community-based prevention programs throughout the state, the kind of programs that keep kids out of trouble and away from the juvenile justice system

- Invest in community-based programs and services that provide non-institutional treatment for low-risk offenders.

- Maintain the capacity to impose serious sanctions on those youth who do get into serious trouble.

This will not be a quick-fix – indeed, Florida does not need another quick-fix solution to the challenges of juvenile crime.

The members of the Blueprint Commission urge the State of Florida and the Department of Juvenile Justice to embark upon a five-year period of transition and change that will develop better, community-based alternatives for low-risk juvenile offenders, improve the effectiveness of programs for those youth who are incarcerated, and improve the prospects for all youth in the state while improving public safety.

Ultimately, this reform is about changing the way the State of Florida thinks about juvenile offenders – are they villains who need to be punished, or young citizens who need our help? Are they criminals? Or are they our children, and our future?

² Calculations based on projected growth in population ages 10-17, 2007 rates of commitment to residential placement and admission to secure detention, and current program capacity.

³ Fiscal 2007-2008 budget; 2007 data.

⁴ Department of Juvenile Justice.

JUVENILE JUSTICE IN FLORIDA – 2007

Juvenile justice in Florida today is administered through a broad system that includes local law enforcement, the courts, state attorneys and public defenders, and a host of privately operated, community-based programs that provide prevention and intervention services, treatment programs and aftercare.

The heart of the system is the state’s Department of Juvenile Justice, a \$704-million agency that, in 2007, handled 146,765 referrals involving 91,497 youth. (See Appendix I, Page 56.)

The Department, and the broader juvenile justice system, faces an array of challenges that include:

A growing population of young people in Florida, and, consequently, a potentially growing population of juvenile offenders.

A recent increase in the number of juveniles referred for serious felonies, such as murder/manslaughter and robbery.

A growing population of girls in the system, who bring with them unique health and treatment needs, requiring distinct programs and strategies.

A disproportionate population of minorities at every level of the system.

A burgeoning population of youth in secure detention.

A delinquent population with extraordinary mental health and physical health needs.

Large residential institutions that do not provide optimum conditions for rehabilitation and return to communities.

Intake and risk-assessment systems and tools that are inconsistent from county to county and not designed for maximum effectiveness.

And inadequate resources for community prevention and intervention efforts to keep youth out of the system, and aftercare services to help youth re-acclimate to community life and avoid re-offending.

That is not to say that there are no positives to report on Florida’s juvenile justice system. Indeed, the state has been praised for its network of privately operated youth shelters and intervention programs, which provide one of the first lines of defense in deflecting young people from serious juvenile offenses. And the state was among the first in the nation to adopt a statutory requirement for provision of gender specific programs for youth within the system.

These accomplishments are deserving of recognition, but they represent just beginning steps toward the level of reform needed to provide a positive path to help young people avoid, and rehabilitate from, delinquency while maintaining public safety.

HOW DID WE GET HERE?

A few hours before dawn on Sept. 15, 1993, two British tourists pulled off on Interstate 10 into a rest stop near Monticello, Florida.

Within an hour, one was dead and the other wounded, the result of a botched robbery attempt by four teen-aged youths.⁵

While far from the only incident of youth violence in Florida that year, the Interstate 10 killing quickly became a major reference point in the shift of attitudes and public policy toward juvenile crime in Florida.

Even before the 1993 incident, attitudes toward crime in general and juvenile crime in particular were changing nationwide. Beginning with the Reagan administration, which entered the White House with a keen interest in tackling violent crime, through the Clinton administration, which saw the passage of the Violent Crime Control and Law Enforcement Act, with its infamous “three-strikes-and-out” policy, the nation was taking a more control-oriented approach to juvenile crime, imposing tougher sanctions, building juvenile prisons, and increasingly charging juveniles as adults. Single-day counts of juveniles in residential placement show the number almost doubling between 1985 and 2001.⁶

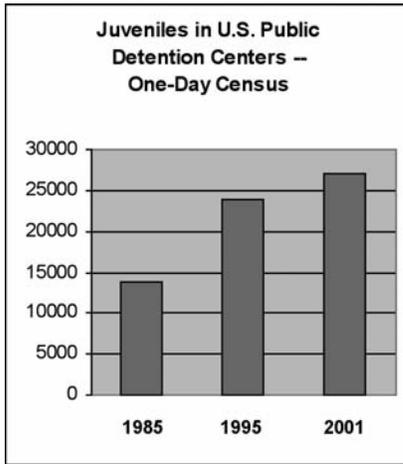
In this get-tough climate, social commentators began to talk about “superpredator” youth, juveniles who were out of control, roaming the streets with mayhem and violence as their only goal. In May 1996, the Tampa Tribune reported:

A BALANCED CONTINUUM

Prevention/Early Intervention	Diversion	Probation	Day Treatment / Non-Residential	Residential	Aftercare/ Conditional Release
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⁵ Larry Rohter, “Tourist Killed in Florida Prompting New Patrols,” *New York Times*, Sept. 15, 1993.

⁶ Vanessa Patino MPA, Barry Krisberg, PhD, *Reforming Juvenile Detention in Florida*, National Council on Crime and Delinquency, August 2005.



“They are called superpredators. They are not here yet, but they are predicted to be a plague upon the United States in the next decade. They are not some creature from outer space; they are our own children.”⁷

Reporting on states’ juvenile justice reform efforts at the time, the Office of Juvenile Justice and Delinquency Prevention noted: “The most visible legislative

impetus [for reform] is the perception of juvenile offenders as acting ruthlessly and without remorse. The resulting fear and anger over violent juvenile crime has caused a shift of the overall purpose of many juvenile codes and juvenile courts to one focusing on the accountability and punishment of young offenders. This emphasis replaces or complements the former, more rehabilitative approach to juvenile justice policy common to most states’ laws since the inception of a separate system of juvenile justice nearly 100 years ago.”⁸

It was in this climate that Florida’s Department of Juvenile Justice was born in 1994.

Under the Juvenile Justice Act of 1994, responsibility for a broad array of juvenile justice programs was shifted from the state’s Department of Health and Rehabilitative Services – a largely social service agency and, at the time, the primary state agency dealing with services to children and youth – to the newly formed Department of Juvenile Justice. Not only did this create a new criminal justice state agency specifically for youth, it changed the tone and focus of the state’s juvenile justice efforts,⁹ as the table below illustrates.

For the next decade, the State of Florida, like many other states, emphasized and invested in incarceration and deep-end residential placements at the expense of less restrictive responses and prevention and intervention programs. In 2000, the Florida Legislature determined that all placements would be residential placements, thus eliminating judges’ options to place youth in minimum-risk, non-residential programs.

By 2003, the State of Florida was committing more than 285 juveniles per 100,000 population – well in excess of the national average of 218 per 100,000.¹⁰

At the same time, the Department outsourced the majority of its program operations to an array of private contractors, with the aim of reducing costs and improving efficiencies.

Today, on any given day, there are more than 5,500 youth in residential placements – more than 285 per 100,000 population – and another 1,800 youth in secure detention in Florida – more than 95 per 100,000 population.¹¹ Both rates are well in excess of national norms.¹²

While the Department of Juvenile Justice has retained operation of the 26 secure detention centers in the state, the majority of residential placement programs are operated by private contractors. All prevention programs are operated by private contractors, and all but one diversion program are operated by private contractors.

TRIGGERS FOR CHANGE

Just as the Interstate 10 killing in 1993 triggered a major shift toward harsh punishment for juvenile offenders, other incidents in recent years have triggered calls for re-evaluation of those “get-tough” policies:

- On June 9, 2003, Omar Paisley, 17, collapsed and died at the Miami-Dade Juvenile Detention Center of a ruptured appendix. Paisley had complained for three days of stomach pain and suffered from vomiting and diarrhea but had been denied access to physicians.¹³

JUVENILE JUSTICE ACT OF 1990	JUVENILE JUSTICE ACT OF 1994
Created statewide risk tool to limit detention	Created overrides of risk tool for several minor offenses
Emphasized less restrictive alternatives	De-emphasized less restrictive alternatives
Limited post-adjudicatory detention	Removed limits from post-adjudicatory detention
Restricted pre-adjudicatory detention eligibility	Expanded pre-adjudicatory detention eligibility
Detention was not used for punishment	Allowed detention to be used as punishment
Reduced deep-end placements	Expanded deep-end placements

⁷ “Heading off the Superpredators,” Tampa Tribune, May 21, 1996.

⁸ Juvenile Justice Reform Initiatives in the States 1994-1996, Office of Juvenile Justice and Delinquency Prevention, October 1997.

⁹ Barry Krisberg PhD, Vanessa Patino MPA, Juvenile Justice in Florida: What Kind of Future? National Council on Crime and Delinquency, March 2004.

¹⁰ Howard H. Snyder, Melissa Sickmund, Juvenile Offenders and Victims: 2006 National Report, Office of Juvenile Justice and Delinquency Prevention, 2006.

¹¹ Florida Department of Juvenile Justice and Office of Economic and Demographic Research, The Florida Legislature.

¹² In 2003, the national detention rate was 83 per 100,000 population and the national commitment rate was 219 per 100,000 population. Juvenile Offenders and Victims, 2006 National Report, Office of Juvenile Justice and Delinquency Prevention, 2006.

¹³ “Teen death at juvenile center being investigated,” Carol Marbin Miller, Miami Herald, June 11, 2003

- In 2004, a grand jury, responding to years of complaints about conditions at the Florida Institute for Girls, documented 150 allegations of criminal mismanagement, including excessive force, sexual misconduct and inadequate supervision. In 2005, the facility, Florida's first all-girls "prison" was closed.¹⁴
- In January 2006, Martin Lee Anderson, 14, died of suffocation at a Bay County boot camp after guards beat him when he was unable to finish running laps. Security cameras captured the beating on tape.¹⁵

As the Department's problems became more pronounced and the scientific research began showing more cost-effective approaches to juvenile crime, youth advocates, juvenile justice providers and experts in the field advocated strongly for change.

As early as 2001, the Children's Campaign, Inc., was working with youth and family advocacy organizations and juvenile justice service providers, volunteers, networks and associations to lead public education campaigns and create public momentum around the data available on at-risk youth. "[We] added a layer of political science that had not existed," said Roy Miller, president of the Children's Campaign.¹⁶

Meanwhile, the National Council on Crime and Delinquency conducted numerous studies on Florida's juvenile justice system and, in 2004, urged the state to move toward a system of graduated sanctions that offered a broad array of sentencing options and an interconnected continuum of programs.

It also urged the state to rely on research to inform its decision making and build a more effective and efficient system.

"To plan for a very cost-effective system of graduated sanctions, the state would greatly benefit from implementing a research-based structured decision making system, and to actually use this system to make most juvenile justice decisions."¹⁷

A system of graduated sanctions would allow the Department to:

- Maintain appropriate deep-end services for serious offenders to assure public safety;
- Provide equivalent investment in high-quality prevention and intervention programs;
- Improve fiscal efficiencies and long-term public safety.

These recommendations are in line with public opinions on how best to handle juvenile offenders.

In 2005, the Children's Campaign surveyed Floridians, asking about their attitudes toward juvenile crime, prevention and punishment. Voters were asked to indicate whether "Florida's fight against juvenile crime should focus on swift, sure punishment and incarceration of juvenile delinquents, [or] prevention and treatment programs, or equally on above." The majority of voters responded "equally." When pushed to decide whether the state should invest in punishment, treatment or prevention for juvenile offenders, 62% chose "Prevention" and another 21% chose "Treatment."¹⁸

In January 2007, newly inaugurated Governor Charlie Crist began development of a strategy to strengthen and align all of the state's programs and services related to children and youth – from public health, to education, social services and juvenile justice.

Crist appointed former Tallahassee police chief Walter McNeil to head the state's Department of Juvenile Justice.

At Crist's urging, the 2007 Legislature passed the Children and Youth Cabinet Act, which calls for "all state agencies and programs that touch the lives of children and youth [to] work in a coordinated and comprehensive fashion, with an emphasis on providing a continuum of services that benefit children from prenatal care through programs supporting successful transition to self-sufficient adulthood." (See Appendix V, Page 77.)

The act called for creation of a Children and Youth Cabinet that would develop and implement a shared and cohesive vision to improve child, youth and family outcomes in Florida and develop a strategic plan to achieve the goals of the shared and cohesive vision.

In summer 2007, Governor Crist and Secretary McNeil appointed the 25-member Blueprint Commission composed of juvenile and family court judges, state attorneys and public defenders, local law enforcement officers, educators, business and civic leaders and youth representatives. (See Appendix II, Page 60.) Headed by former Lt. Gov. Frank Brogan, the commission was asked to develop recommendations for a comprehensive strategic plan to improve the lives of at-risk youth while ensuring public safety.

"Florida's lifeblood is its children and young people, including those who may have gotten into trouble by taking a wrong turn," said Governor Crist in announcing the Commission. "We must always remember that we can never give up on our young people, and this group of concerned citizens and partners will help us create the best possible environment for keeping all of Florida's young people on the right track."

¹⁴ Vanessa Patino MPA, Lawanda Ravoira DPA, Angela Wolf, PhD, A Rallying Cry for Change: Charting New Direction in the State of Florida's Response to Girls in Juvenile Justice, National Council on Crime and Delinquency, July 2006.

¹⁵ "Autopsy ties boy's death to boot camp," Christine Jordan Sexton, The New York Times, May 6, 2006.

¹⁶ Tracy Constantine, "The Florida Juvenile Justice Initiative: Helping People Hold Their Communities Accountable," Notes from the Field: At Work in Florida, No. 10, Fall 2003, Jessie Ball duPont Fund.

¹⁷ Krisberg, Patino, Juvenile Justice in Florida.

¹⁸ Benchmark Survey conducted by Barcelo & Company for the Florida Children's Campaign, 2005.

In charging the Commission, Secretary McNeil outlined seven framing issues for the commissioners' consideration:

1. Strengthening youth, families and communities through effective prevention and intervention services;
2. Ensuring public safety while seeking diversion and alternatives to secure detention for low-risk youth;
3. Improving health and wellness for youth in the juvenile justice system;
4. Ensuring a fair and balanced approach for addressing the needs of all youth, including gender-specific programs, reducing racial disparities, and ensuring legal representation;
5. Transitioning from large institutional care to smaller, community-based residential models and ensuring education, job training and aftercare services;

6. Ensuring positive outcomes for youth through a stable and professional workforce;
7. Ensuring an effective and accountable system by implementing programs that have demonstrated positive results for youth, and by adopting performance outcomes that indicate which programs are successful.

The Commission held public hearings throughout the state, receiving testimony from practitioners, experts and stakeholders, as well as inviting public comment. Based on its findings, the Commission developed goals and recommendations consistent with the Secretary's seven guiding principles. Background on these topics and the Commission's recommendations follow.

CURRENT TRENDS IN JUVENILE CRIME

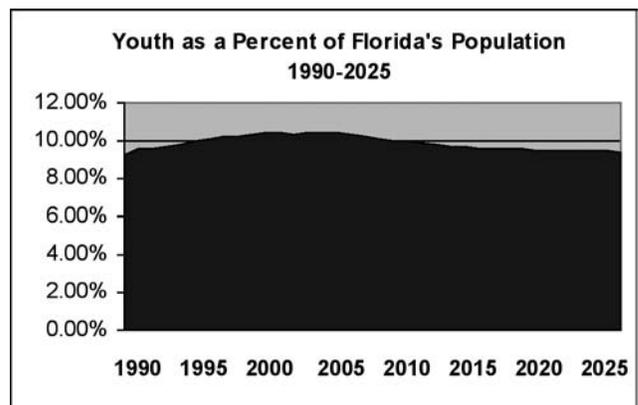
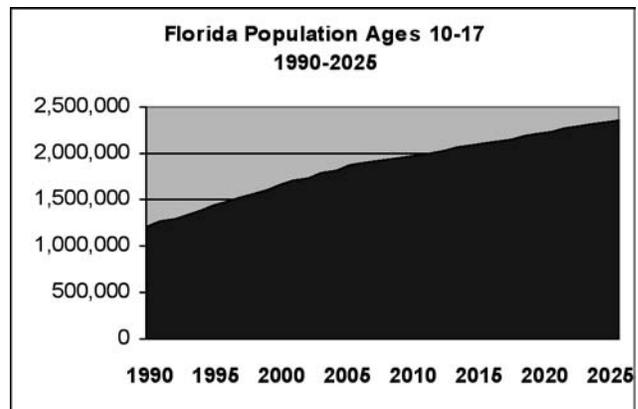
The vast majority of youth in Florida never come into contact with the juvenile justice system. In fiscal 2007, less than 5% of Florida's population, aged 10-17, was referred to the Department of Juvenile Justice.¹⁹

Moreover, juvenile crime accounts for only a small portion of overall crime in Florida. In 2006, 89% of all arrests in Florida involved adults; only 11% of arrests involved juveniles.²⁰ And, while overall arrests have increased more or less steadily since 1998, arrests of juveniles have remained relatively flat.²¹

The incidence of juvenile crime hinges, at least in part, on the size of the population of juveniles – both in absolute numbers and as a proportion of the population.

Like virtually all population groups in fast-growing Florida, the number of youth ages 10-17 has grown – up 59% percent from 1990 to 2007. In the next two decades the number of youth will continue to increase, but at a slower pace – increasing only 23% between 2007 and 2025. Other population groups, meanwhile, will grow more rapidly, meaning that youth will make up a slightly smaller percentage of Florida's total population – dropping from more than 10% in 2007 to less than 9.5% in 2025.²²

But the population of youth in 2025 will not look like the population of youth in 1990. Florida's population is becoming increasingly diverse. In 1990, for example, Hispanics represented 12% of Florida's population; by 2000, they accounted for 19% of the state's population; by 2025, they are expected to account for 26% of the state's population.²³



Despite the increases in the youth population, Florida today is experiencing the lowest levels of juvenile crime since the Department of Juvenile Justice was created in 1994. Since 1995, total referrals for delinquency in Florida have decreased about 15% while the total number of youth referred declined about 24%.²⁴

¹⁹ Department of Juvenile Justice.

²⁰ Florida Department of Law Enforcement.

²¹ Florida Department of Law Enforcement.

²² Office of Economic and Demographic Research.

²³ Office of Economic and Demographic Research.

²⁴ Because a single youth may be referred multiple times, the number of "referrals" and the number of "youth referred" can vary. Department of Juvenile Justice.

In many respects, Florida's juvenile crime trends mirror those of the nation as a whole. Overall juvenile crime is down – the arrest rate per 100,000 youth nationwide has dropped from 7,287 to 6,349 between 2000 and 2005.²⁵

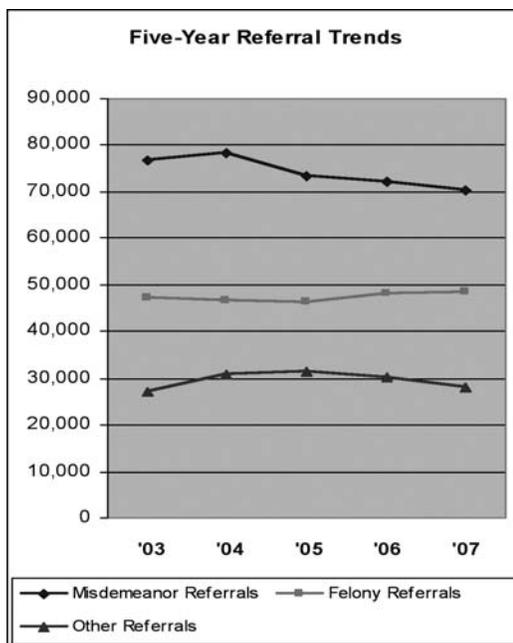
While overall juvenile crime is down, trends in recent years are disturbing.

Between fiscal 2003 and 2007, the number of referrals for serious juvenile crime – felony crime – has increased in Florida.²⁶ Total referrals and misdemeanor referrals are down, but referrals for felonies, particularly serious felonies such as murder/manslaughter, robbery and felony drug offenses, are increasing. Many youth referred for the violent charges are prosecuted in adult court.

The presence of gang activity throughout Florida is “pervasive and undeniable,” according to a 2007 survey of statewide gang activity conducted by the Florida Department of Law Enforcement.²⁷

The survey showed that the typical street gang member is 15-21 years old and that the most common criminal activities in which street gangs engage are criminal mischief and drug distribution. Among school-based gangs, the typical age is 14-17 and the most common criminal activities are graffiti and aggravated assault (fighting).

Sixty percent of law enforcement officers and 20% of school resource officers responding to the survey reported that gang activity was increasing in their jurisdiction.



KEY TRENDS	1995	2007
% of Florida youth, ages 10-17, referred to DJJ	7.1%	4.8%
Referrals per 1,000 Florida youth	119	77
Total Referrals	172,439	146,765
Youth Referred	120,122	91,497

Source: DJJ; Office of Economic & Demographic Research

CHANGE IN REFERRALS 2003-2007			
	2003	2007	CHANGE
All Referrals*	151,107	146,765	-2.9%
Misdemeanor Referrals	76,750	70,285	-8.4%
All Felony Referrals	47,182	48,471	+2.7%
Murder/Manslaughter Referrals	73	124	+70%
Attempted Murder	36	83	+130%
Armed Robbery	800	1,337	+67%
Other Robbery	1,420	1,757	+24%
Felony Drug (Non-Marijuana)	3,522	4,520	28%
Total Serious	5,851	7,821	+33%

* Includes “Other” offenses such as non-law violations, contempt and transfers from other jurisdictions; 27,175 in 2003 and 28,009 in 2007.
Department of Juvenile Justice

As Reported by Law Enforcement	
Increasing Activity	61.7%
No Change	32.2%
Decreasing Activity	6.2%
As Reported by School Resource Officers	
Increasing Activity	21.2%
No Change	62%
Decreasing Activity	16.9%

Source: 2007 Statewide Gang Survey Results, Florida Department of Law Enforcement

²⁵ All arrests for youth ages 10-17; U.S. Office of Juvenile Justice and Delinquency Prevention.

²⁶ Department of Juvenile Justice.

²⁷ 2007 Statewide Gang Survey Results, Florida Department of Law Enforcement, Office of Statewide Intelligence, October 2007.

GUIDING PRINCIPLE: STRENGTHEN YOUTH, FAMILIES AND COMMUNITIES THROUGH EFFECTIVE PREVENTION AND INTERVENTION SERVICES

COMMISSION KEY GOAL: STRENGTHEN PREVENTION AND INTERVENTION SERVICES

Most children have sufficient supports – through family, positive peer groups, community and faith organizations, schools and healthy social networks – to provide them with the proper care and nurturing to overcome the risks inherent in growing up.

Some children, however, do not. And in the absence of these supports they are likely to be less healthy physically and emotionally, less successful academically and socially, and less capable of making good choices and engaging in constructive behaviors.

Meeting the needs of this latter group can be viewed either as *fixing* youth who, for whatever reason, have a problem, or as extending to them resources that the rest of population receives.

Gordon Bazemore, a national expert in juvenile justice and youth policy currently with the Department of Criminology and Criminal Justice at Florida Atlantic University, writes of the “dual paths” along which youth proceed: “One path provides custody and out-of-home placement, therapeutic services, and remedial assistance for ‘at-risk’ youth who are primarily poor and minority. The other path, which is increasingly reserved for the children of the upper-middle class, provides enhanced education, music lessons, Boy Scouts and Girl Scouts, work experience, travel and so on.”²⁸

From a juvenile justice perspective, investing in the provision of resources to so-called “at-risk” youth is a more affordable, less damaging and, ultimately more successful strategy than incurring the expense of youth misbehavior and violence.

“[Youth] violence costs the United States an estimated \$425 billion in direct and indirect costs each year....The most logical way to reduce these costs is to prevent violence altogether. Preventing a single violent crime not only averts the cost of incarceration, it also prevents the short- and long-term costs to victims, including materials losses and the costs associated with physical and psychological trauma.”²⁹

COMMUNITY PROGRAMS

Programs and services that help keep young people out of trouble generally are found in the community, often provided by community- and faith-based organizations. (In this context, “community-based program” refers to those programs that are physically located in the community in which the youth resides and that actively engage community members as participants.) Entities as diverse as Boy Scouts and Girl Scouts, youth athletic leagues, Big Brothers and Big Sisters, and an array of after-school programs can be considered constructive vehicles that help prevent youth from misconduct and criminal activity.

Despite these efforts, thousands of Florida youths cross the line into behavior that places them at risk of entering the juvenile justice system. That behavior is not always “criminal,” in the classic sense. It can be:

A status offense – that is, an activity that is a law violation *only* because it is committed by a child; for example, leaving home without permission, habitual truancy, drinking, or use of tobacco.

A violation of policies established by schools under the local school system’s **Zero Tolerance** rules. (See Page 17)

STATUS OFFENSES

Youth who commit status offenses most often have issues that stem from developmental and family circumstances:

- A lack of parental supervision, due to work schedules, health issues or substance abuse;³⁰
- A condition or illness that inhibits the child’s learning or ability to self control;
- Developmental behaviors related to rebellion, asserting independence and impulsiveness.³¹

Additionally, commission of a status offense may be an indicator that the youth is a victim of sexual and physical abuse, neglect, or parental rejection and/or emotional abuse. In fact, 89% of Florida’s status offenders have multiple risk factors in three of four domains – school, family, peer group and individual behavior.³²

²⁸ Gordon Bazemore and W.C. Terry, “Developing Delinquent Youth: A Reintegrative Model for Rehabilitation and A New Role for the Juvenile Justice System,” Child Welfare, Fall 1997.

²⁹ Gordon Bazemore and W.C. Terry, “Developing Delinquent Youth: A Reintegrative Model for Rehabilitation and A New Role for the Juvenile Justice System,” Child Welfare, Fall 1997.

³⁰ Karen Miller, Sunnyside Program Manager, Park Place Behavioral Health Care, St. Cloud, Florida, Blueprint Commission testimony, October 18, 2007.

³¹ Miller, Blueprint Commission testimony, October 18, 2007.

³² Miller, Blueprint Commission testimony, October 18, 2007.

HOW FLORIDA RESPONDS

The Department of Juvenile Justice does not directly operate any prevention or intervention programs. Its annual Prevention & Victim Services budget of about \$68 million is granted out to private contractors – 17 that operate under state contracts and another 136 that receive some form of state grant funding. Those prevention programs that collaborate with the Department of Juvenile Justice are 100% provider-driven and delivered.

These contractors operate both residential and non-residential programs, with the majority of youth – 83% – served in non-residential settings. Through these multiple programs, more than 31,000 youth and their families received services in 2006-2007.³³

The Department spends almost half – \$32 million – of its prevention budget on services to status offenders and their families.

In Florida, a separate chapter of law governs the identification of and services to status offenders – Children in Need of Services and Families in Need of Services (CINS/FINS).

CINS/FINS services include short-term voluntary shelters where youth are provided crisis intervention, food, clothing, case management and counseling. Help is available 24 hours a day, 365 days a year. The shelters provide a respite

YOUTH SERVED BY PREVENTION / INTERVENTION Programs 2006-2007	
Non-Residential Programs	
Florida Network	
Non-Residential Programs	10,391
PACE Center for Girls	2,137
Grant-Funded Programs	12,202
Legislative Initiatives to Prevent Juvenile Crime	1,792
Total Non-Residential	26,522
Residential Programs	
Florida Network Shelters	5,244
Outward Bound Discovery	195
Total Residential	5,439
Source: Department of Juvenile Justice, Key Trends, August 2007	

when the legal guardian or responsible adult is not available or unwilling to take immediate custody of the child; or when there is need for a “cooling off” period, with agreed upon conditions for the child’s return home. Youth are limited to a 35-day maximum shelter stay. Shelter stays may be extended with supervisor approval with justification documented in the youth’s case record.³⁴

Shelter services are offered through a consortium of community-based non-profit agencies that comprise The Florida Network of Youth and Family Services, Inc.

In addition to offering shelter, these agencies provide family counseling designed to stabilize the family after a crisis, minimize out-of-home placements and provide aftercare for youth returning home from respite care. The goal is to prevent the involvement of families in the juvenile justice system.

Network agency-provided services in 2006-2007 included:

- 31,647 calls for help received and addressed
- 14,863 intake and assessment screenings
- 73,569 days of care provided to youth in shelters
- 17,377 families provided counseling and case management³⁵

The State of Florida’s alliance with the Florida Network is considered a model for other states.

“Florida is one of the national leaders in this area. Very few, if any, states offer a comprehensive statewide approach to serving status offenders and their families in their communities. The Florida Network of Youth and Family Services, and the shelters it oversees, provide immediate crisis intervention, short-term respite capacity, and an array of community-based services that are both unique and effective....Florida continues to intervene effectively with youth and families on the front end, reducing unnecessary reliance on juvenile court and expensive out of home placements in status offender cases.”³⁶

Other status offender services are operated by the Florida National Guard, which offers residential placements for children 16 years of age and older who are having trouble in school, and Outward Bound, which offers wilderness experiences, case management and follow-up services.

³³Department of Juvenile Justice, Key Trends.

³⁴Florida Network of Youth and Family Services, www.floridanetwork.org.

³⁵Miller, Blueprint Commission testimony, October 18, 2007.

³⁶Annie Salsich, associate director, Center on Youth Justice, VERA Institute of Justice, memo random to Blueprint Commission, October 11, 2007

Good programs, however, are only good if youth and families are aware of them.

“Clearly, the most effective way to prevent juvenile delinquency has indisputably been to assist children and their families early on,” said DJJ Secretary Walter McNeil. “Another area where we can, and must improve, is in awareness of services. We need to reach out and help families and children recognize early warning signs and know and understand what their options are, and how to access care and services... Brochures are not enough, I would like to see support for broader outreach efforts, training, and staff within schools and communities to intervene and provide guidance to families in crisis.”³⁷

Communities also need to exercise ownership of the programs and initiatives provided for their youth. Florida statutes provide mechanisms for this through the Juvenile Justice Circuit Boards and Juvenile Justice County Councils. Circuit Boards are authorized in each of the 20 judicial circuits, while County Councils are authorized in each county. County Councils are directed to “develop a juvenile justice prevention and early intervention plan for the county and ... collaborate with the Circuit Board and other County Councils assigned to that circuit in the development of a comprehensive plan for the circuit.”³⁸

GANG PREVENTION

Communities recognize the presence of gangs as a serious threat to public safety and to the welfare of their young people, who may be attracted to gangs for a host of reasons.

The Department of Juvenile Justice has partnered with the Attorney General’s office and a number of other state and local agencies to create and implement a statewide strategy to reduce and ultimately eliminate gangs. A key focus is enhancing prevention and intervention programs around Florida and increasing parental involvement. Education and outreach will be critical in the ultimate reduction of gang influence.

The Department currently is working with the Florida Department of Law Enforcement to assess current gang-related issues and determine needs at the local and regional levels. The Department also is:

- Conducting an assessment of the current gang training provided to Department personnel;
- Identifying personnel to be certified as Gang Trainers;

- Researching additional gang curriculum;
- Determining the compatibility of current data systems.

The state’s Gang Free Initiative will:

- Develop a comprehensive prevention program in collaboration with local community officials and stakeholders to prevent youth from becoming involved with gangs.
- Implement curriculum that addresses youth at all levels of gang involvement within the juvenile justice system.
- Develop and implement curriculum for all direct-care staff addressing gang activity at the national, state, and local levels.
- Partner with the Florida Department of Law Enforcement to assist in identifying youth affiliated with gangs as determined by statutory criteria through the use of the already established FDLE Gang Database.
- Integrate the FDLE database with DJJ’s Juvenile Justice Information System.
- Provide services to youth in the custody of the department that have been identified as gang associates or who are at-risk of becoming involved in gangs.

FINDINGS & RECOMMENDATIONS

KEY FINDINGS: Parents, youth and community advocates often are not aware of prevention or intervention services available either through the Department of Juvenile Justice or private providers.

BLUEPRINT COMMISSION RECOMMENDATIONS

28. **AWARENESS CAMPAIGN** – The Florida Department of Juvenile Justice shall conduct a statewide campaign, on a continuing basis, in conjunction with the DOE, DCF, and local information and referral networks, to raise awareness of prevention and early intervention services available to help families and children know and understand what services and programs are available and how to access care and services. Additionally, the public awareness campaign should also include education and awareness to applicants and employers on employment application questions dealing with prior arrest and / or conviction.

³⁷ Secretary McNeil, Blueprint Commission testimony, October 17, 2007.

³⁸ F.S. 985.664

KEY FINDING: There is a need to establish stronger state and local partnerships to share and coordinate prevention information, efforts, and decision-making to ensure the best outcomes for youth.

BLUEPRINT COMMISSION RECOMMENDATIONS

29. **COORDINATING EFFORTS** – The Children and Youth Cabinet should direct the development and implementation of a statewide multi-agency plan to coordinate the efforts of local, state and federally funded programs, appropriations or activities designed to prevent juvenile delinquency, status offense behaviors, and other related behavioral problems.
30. **DOMESTIC VIOLENCE** – The Florida Department of Juvenile Justice, the Florida Department of Law Enforcement, the Florida Sheriffs, Florida Police Chiefs, Florida Coalition Against Domestic Violence, Florida Network of Youth and Family Services, and other key stakeholders will work with local law enforcement agencies and victim advocate organizations to prevent children from being arrested who have had contact with law enforcement for domestic violence by allowing for the use of alternatives to arrest, such as placement in CINS/FINS shelters or other respite care, when appropriate for family and community safety.
48. **ADVISORY BOARDS AND COUNCILS** – The Legislature should amend the statute, which establishes the Juvenile Justice Circuit Boards and Juvenile Justice County Councils, to provide for local discretionary grant prevention funds to meet the specific needs within their local communities.

KEY FINDING: Prevention and intervention programs are essential to educating youth, parents and the public about the dangers of gang involvement and activities.

BLUEPRINT COMMISSION RECOMMENDATIONS

49. **GANG FREE INITIATIVE** – Consistent with the Attorney General’s Statewide Gang Reduction Strategy, the Department of Juvenile Justice should partner with state and local law enforcement, the Department of Education, the Department of Children and Families, and local communities, to identify those identifiers and

signs of gang involvement and activities and put effective intervention efforts in place to ensure a safe environment for youth and communities.

COMMISSION KEY GOAL: PROMOTE SCHOOL-BASED PREVENTION AND INTERVENTION EFFORTS

Among the more controversial topics impacting both education and juvenile justice is “Zero Tolerance,” laws and policies that were intended to target serious offenses involving weapons, drugs or violent acts in schools by establishing mandatory consequences for specific actions.

In 1990, Congress passed the Gun Free School Zone Act, in response to the incidence of violence in public schools and accompanying public reaction. The act made it a federal felony to possess a firearm within 1,000 feet of a school. The law was struck down in 1995 by the U.S. Supreme Court for exceeding Congressional authority. Later that year, Congress passed the Gun Free Schools Act, which left states with an option: if they wanted to receive federal funding for secondary education, they must pass legislation mandating a minimum one-year expulsion of students bringing weapons to school, and adopt a zero-tolerance policy requiring that anyone bringing a specified weapon to school be referred to either criminal or juvenile justice authorities, regardless of the nature of the circumstances.³⁹

In Florida, each school district is permitted to define its own boundaries for Zero Tolerance, resulting in variations in policy and practice among school districts – an activity that might be allowed in one county is not permitted in another.

This flexible interpretation and variable practice has allowed school authorities to cast a wide net, referring students for a host of infractions, including truancy, insubordination, and disrespectful and disruptive behaviors. Examples include kindergarteners who kick at teacher’s shins, students with nail clippers, and those charged with disturbing an administrative function at school.

In Gilchrist and Putnam counties, for instance, 6% of the entire student population was referred to juvenile justice authorities in 2005-2006 under Zero Tolerance policies. In 2006-2007, Putnam County reported the highest rate of school referrals for the third year in a row (54 delinquency referrals per 1,000 students).⁴⁰

³⁹ J.B. Stinchcomb, Gordon Bazemore, N. Riestenberg, “Beyond Zero Tolerance: Restoring Justice in Secondary Schools,” Youth Violence and Juvenile Justice, Vol. 4 No. 2, 2006.

⁴⁰ Department of Juvenile Justice, Delinquency in Florida Schools: A Three-Year Analysis.

In fact, in 2006-2007, 16% of all referrals to Florida’s Department of Juvenile Justice came from Florida’s schools, and 66% of those referrals were for misdemeanors, the most common being Disorderly Conduct and Misdemeanor Assault and Battery (fighting).⁴¹

Apart from the inconsistency of Zero Tolerance rules and applications, the policies tend to increase minority over-representation within the juvenile justice system. Black students in 2004-2005 received 46% of out-of-school suspensions and police referrals, but comprised 22.8% of the student population statewide.⁴²

Attitudes about Zero Tolerance, however, have begun to change.

Some counties have implemented programs such as civil citation and teen court as alternatives for troublesome students. Palm Beach County, for instance, uses a series of alternative methods for dealing with student misbehavior in schools in lieu of a delinquency referral or arrest. In 2006-2007, they reported one of the lowest school referral rates, at 8 referrals per 1,000 students.⁴³

Throughout the 1990s, “the offenses for which various educational institutions declared their intolerance began to extend across a widely divergent spectrum of seriousness, ranging from transporting deadly weapons to school to talking back to teachers. Holding individuals responsible for their behavior through a punitive, exclusionary response became the popular reaction.... But as the appropriateness of such reactions has recently been called into question... a search has emerged for alternative approaches.

“In that regard, restorative justice has been identified by some policy makers, practitioners and academicians as a potential theoretical framework within which to develop somewhat more balanced responses...⁴⁴

Restorative justice views crime as an offense against an individual, not merely an offense against the state

or a violation of law. Restorative justice attempts to bring reconciliation and healing to the affected parties, balancing the needs of victims, offenders, the community and the justice system. It also attempts to engage victims, offenders and the community in the justice process, rather than excluding them. And it stresses the importance of accountability: Rather than

“taking the punishment and breaking the rule” it stresses “taking responsibility for and action to make amends to the victim and the community.” And it stresses community prevention: Rather than building more locked facilities or creating more restrictive rules,

it stresses the capacity of the community to prevent crime, resolve conflict, exercise guardianship, reduce community fear, define tolerance limits and exercise informal social control.⁴⁵

“By applying the restorative justice approach in a comprehensive manner, families and children will be served with dignity, promptness and without adding to their emotional trauma. The families’ due process rights are preserved while simultaneously addressing their interrelated non-legal problems. Justice is done in the traditional manner and in reality as well.”⁴⁶

FINDINGS & RECOMMENDATIONS

KEY FINDING: Zero Tolerance laws and policies were intended to target more serious offenses involving weapons, drugs or violent acts. Schools have expanded their use to include other less serious offenses and behaviors, resulting in large numbers of youth being referred to the juvenile justice system.

BLUEPRINT COMMISSION RECOMMENDATIONS

- 31. ZERO TOLERANCE POLICIES** – Recommend the Children and Youth Cabinet direct the Department of Education, law enforcement, school superintendents and the Department of Juvenile Justice should partner to review and amend K-12 zero tolerance policies and

ABOUT SCHOOL-RELATED REFERRALS Fiscal 2006-2007	
All Referrals to DJJ	146,765
School-related referrals	16% — 22,926
School-related referrals – Misdemeanors	66% — 15,266
School-related referrals – Drugs and Weapons	20% — 4,654

Source: Department of Juvenile Justice

⁴¹ Mark A. Greenwald, M.J.P.M., Florida Department of Juvenile Justice, Office of Research & Data, Blueprint Commission testimony, September 4, 2007.

⁴² Arresting Development: Addressing the School Discipline Crisis in Florida, Florida State Conference NAACP Advancement Project, NAACP Legal Defense and Education Fund Inc., Spring 2006.

⁴³ Department of Juvenile Justice, Delinquency in Florida Schools: A Three-Year Analysis.

⁴⁴ Stinchcomb, Bazemore, Riestenberg, “Beyond Zero Tolerance: Restoring Justice in Secondary Schools.”

⁴⁵ Bazemore, Blueprint Commission testimony, October 17, 2007.

⁴⁶ Honorable Lynn Tepper, Circuit Judge of the 6th Judicial Circuit, Dade City, Florida, The Unified Family Court Concept, report to the Blueprint Commission, October 30, 2007.

practices to eliminate the referral of youth to DJJ for misdemeanor offenses. Ensure policies and practices are consistent with the original legislative intent of the zero tolerance laws targeting serious, violent offenses, while developing alternatives that promote youth accountability while avoiding suspension and other punitive options.

32. **ZERO TOLERANCE STATUTE** — Amend F.S. 1006.13 to prohibit the unjust application of zero tolerance, clearly stating that zero tolerance shall not be applied to petty acts of misconduct and

misdemeanors. Discipline and/or prosecution should be based on considerations of the individual student and the particular circumstances of misconduct. School districts should involve law enforcement only for serious offenses that threaten school safety. Alternatives to expulsion or referral for prosecution should be developed that will improve student behavior and school climate without making schools dangerous.

GUIDING PRINCIPLE: REFORM DETENTION THROUGH DIVERSION AND ALTERNATIVES TO SECURE DETENTION WHILE ENSURING PUBLIC SAFETY**COMMISSION KEY GOAL: PROVIDE ALTERNATIVE DETENTION SETTINGS**

Florida's juvenile detention system is intended to provide short-term oversight for youth who have been taken into custody by law enforcement and are either awaiting court proceedings or awaiting placement in a program.

However, Florida, like many other states,⁴⁷ has seen its detention population escalate despite the overall decrease in juvenile crime. With increasing frequency, detention centers have become the answer for youth in need of a variety of services.

Not only is this an expensive response – juvenile detention is almost always more costly than providing social and health services in a non-detention setting – but it runs counter to the goal of redirecting youth away from future criminal activity. The best predictor of future incarceration for juveniles – controlling for seriousness and number of offenses and other variables – is being held in secure detention.⁴⁸

Moreover, experts generally agree that systemic reform of juvenile justice systems must begin with detention reform. The ability to impact other problem areas – such as the over-representation of minorities in the system – is linked to successfully addressing the over-use and misuse of detention.⁴⁹

DETENTION IN FLORIDA

Florida statutes require that a youth taken into custody may not be held in detention for more than 24 hours unless by court order. Under court order, a youth may not be held in detention for more than 21 days unless adjudication (the trial) has begun.⁵⁰

Detention options may include:

- Placing the youth back in the home with restrictive conditions;
- Secure detention (within the Department of Juvenile Justice);

Home detention is defined as the temporary custody of a youth while released to the physical custody of their parents, a guardian, or a custodian in a physically non-restrictive environment, usually their own home, pending adjudication, disposition or placement. In 2007, 20,690 youth were placed in home detention.⁵¹

Secure detention is a jail-like facility where youth receive basic educational, medical and counseling services and are allowed visitation, correspondence and telephone calls. In 2007, there were 54,369 admissions to secure detention, representing 32,023 youth.⁵²

In some states, other options are available, such as evening shelters and non-secure detention, which provides a less restrictive environment than secure detention outside of the youth's home.

In the past, Florida offered multiple alternative programs such as these. However, today, the main detention options for Florida youth are home detention and secure detention.

DETERMINING DETENTION PLACEMENTS

Youth who are taken into custody by law enforcement in Florida are received at a Juvenile Assessment Center or other intake facility, where they are assessed to determine whether:

- They present a substantial risk of failing to appear at hearing;
- They present a substantial risk of inflicting bodily harm to others;
- They present a history of committing a property offense prior to adjudication, disposition, or placement;
- They have committed contempt of court;
- They request protection from bodily harm.

Certain circumstances require that the youth be placed in secure detention, for example:

- If the child is alleged to be an escapee from a residential commitment program;
- If the child is charged with a capital felony, a life felony, a first-degree felony or any violent felony;
- If the child is charged with domestic violence;
- If the child is charged with possession or discharging a firearm on school property.⁵³

In many Florida counties, Juvenile Assessment Centers serve as the site for central intake and screening of

⁴⁷ Juvenile Detention Alternatives Initiative, Annie E. Casey Foundation, www.aecf.org

⁴⁸ Bazemore.

⁴⁹ Beyond Detention: System Transformation Through Juvenile Detention Reform, Preface by Bart Lubow, Annie E. Casey Foundation, 2007.

⁵⁰ F.S. 985.26.

⁵¹ Department of Juvenile Justice.

⁵² Department of Juvenile Justice.

⁵³ F.S. 985.255

youth as they enter the juvenile justice system. There are 16 Juvenile Assessment Centers throughout the state, with one located in most judicial circuits.

However, each Center is unique, based on the resources of the community that it serves. Most are open 24 hours a day. Some accept every arrested youth; some accept only felony offenders or detention-eligible youth. Some conduct intake, detention screening, needs assessments, substance-abuse screening, physical and mental health screening, diagnostic testing and other related services.⁵⁴

Others, however, offer only limited services. In Duval County, for example, the Juvenile Assessment Center served 7,000 youth in 2005, its last year of full operations. In 2006, in response to financial pressures, the center began handling assessments by telephone only.⁵⁵ According to The Florida Times-Union, after the conversion, “Police began picking up fewer youths since it could take hours of riding around to find a parent for those not entering detention. The center has seen a 20 percent drop in assessments, and more youths have begun showing up with violent first offenses.”⁵⁶

At least one other circuit operates a call-center JAC and a third is expected to convert to call-center status in 2008. As in Duval County, cost is often cited as the reason for closing or converting a center. It costs about \$500 per youth served to operate a full-service Juvenile Assessment Center.⁵⁷

RISK ASSESSMENT AND DETENTION

Whether at a Juvenile Assessment Center or other intake facility, youth are evaluated for detention placement using a standardized Detention Risk Assessment Instrument. A youth must score a 12 or higher on the instrument to be determined sufficient risk for detention placement.

The primary concern with the current instrument is its validity – it is not known whether the instrument is accomplishing its intended objective, which is to distinguish between those youth who do not present a public safety or flight risk, and those who do and, thus, require secure detention. Making this distinction allows the state to focus attention and resources on those who require secure detention and not on those who may require supervision of some kind, but do not present a threat to public safety, or a significant risk of not appearing for their court hearing.⁵⁸

Risk assessment is based on statistics – relying on data that accurately gauge within some margin of error the

likelihood that certain youth will re-offend or fail to appear at hearings. Without validation, such an instrument may have no impact on reducing secure detention populations. In fact, previous studies suggest that an invalid instrument may result in placing truly high-risk offenders in a non-secure alternative placement, and thus increasing the risk to public safety.⁵⁹

In addition to determining the validity of the assessment instrument, a broader assessment review should look at the availability and accessibility of home detention alternatives; the need for shelter beds for youth who do not have a viable home to go to in order to ensure their own safety as well as the safety of others; and the ability to identify those low-risk youth who should be released “on their own recognizance” and are not in need of supervision.⁶⁰

Other jurisdictions have validated their assessment instruments and have successfully reduced numbers in detention without increased public safety risks.

OTHER OPTIONS

The Center on Juvenile and Criminal Justice⁶¹ outlines a number of additional options that communities have found successful:

Community Supervision is a model that works with Home Detention and assigns a community representative to each case. Community representatives can be volunteers or staff from local nonprofits or private agencies that are familiar with the youth’s neighborhood and can provide face-to-face supervision and, in some cases, advocacy. Some programs also include a community service component that the community representative oversees.

Day and Evening Reporting Centers provide 6-12 hours of daily supervision and structured activities for youth who need more intensive supervision. Youth who are not enrolled in school may be good candidates for a day center, because they need more structured time. Youth who are enrolled in school receive better supervision from Evening Reporting Centers, during the after-school hours when kids most often get in trouble.

Non-Secure Shelters may be appropriate for youth who need a higher level of supervision or for youth who do not have a safe or suitable home environment. A shelter is an unlocked facility where residential staff provides supervision 24-hours a day, seven days a week. There is usually a low staff-to-youth ratio and an on-site case manager. Programs include education, recreation, tutoring and life skills training.

⁵⁴ Department of Juvenile Justice.

⁵⁵ By the end of 2007, plans were in place to reopen the Duval County Center in 2008.

⁵⁶ A Defining Difference, The Florida Times-Union, Aug. 25, 2007.

⁵⁷ Department of Juvenile Justice.

⁵⁸ Gordon Bazemore, Ph.D., Department of Criminology and Criminal Justice, Florida Atlantic University.

⁵⁹ Bazemore.

⁶⁰ Bazemore.

⁶¹ www.cjcj.org

JUVENILE DETENTION ALTERNATIVE INITIATIVE

The Juvenile Detention Alternative Initiative, supported by the Annie E. Casey Foundation at multiple sites throughout the country, has used valid risk assessment instruments accompanied by viable home and shelter detention alternatives to reduce the number of youth held in secure detention and the degree of minority over-representative in detention.

Objectives

- Eliminate the overuse of secure detention.
- Minimize failure to appear and delinquent behavior.
- Redirect public funds from building new facilities to developing responsible alternative strategies.
- Improve conditions in secure detention

8 Key Strategies

- Collaboration in planning and decision-making among agencies that comprise the juvenile court system, related public service systems and community organizations.
- Data-driven policy and program decisions.
- Admission policies that are objective, and admission practices that reflect risk of re-offense and non-appearance.
- Case processing that avoids unnecessary delays at each step of the process
- Alternatives to detention that provide a continuum of supervision ranging from secure custody for dangerous youth to less restrictive options for youth of lesser risk.
- Strategies to address special cases, such as detention due to warrants, violations of probation and youth awaiting placement.
- Focus on eliminating racial disparities by data tracking, staff diversity, cultural training and development of community-based programs.
- Routine daily inspections to ensure proper conditions for youth who must remain in secure custody.

Model Programs

- Cook County (Chicago), Illinois
- Multnomah County (Portland), Oregon
- Santa Cruz County, California
- Bernalillo County (Albuquerque), New Mexico

For More Information:

Annie E. Casey Foundation www.aecf.org

FINDINGS & RECOMMENDATIONS

KEY FINDING: Florida currently provides no detention alternatives between non-secure home detention and secure detention in a jail-like setting. Other states offer a mid-level alternative, such as secure home-detention.

BLUEPRINT COMMISSION RECOMMENDATION

5. **DETENTION ALTERNATIVES** -- Alternatives to secure detention should be created and funded for youth who are eligible for secure detention, but whose risk to public safety does not require use of this costly level of control.
6. **PRIOR COMMITMENT** -- To ensure youth who pose a serious threat to public safety are not redirected away from secure detention, a prior residential delinquency commitment should be considered a significant risk factor. The existing Detention Risk Assessment Instrument (DRAI) should be modified to allow for an “aggravation” of the score of up to 3 additional points, if necessary, for a youth charged with a felony, and who has a prior residential delinquency commitment in order to be eligible for secure detention.

COMMISSION KEY GOAL: DIVERT YOUTH WHO POSE LITTLE THREAT OR RISK TO PUBLIC SAFETY AWAY FROM DETENTION INTO DIVERSION PROGRAMS

Since 1994, the use of secure detention in Florida has increased by 26%, while the volume of referrals and the number of youth referred to the Department of Juvenile Justice has actually declined.⁶²

More recent trend lines show that:

In the last five years, overall referrals to the Department of Juvenile Justice have declined 3%, while admissions to secure detention have increased 4%.⁶³

Since 2003, more than one out of three referrals to the Department of Juvenile Justice resulted in a secure-detention placement – and the rate is increasing, from 35% in 2003 to 37% in 2007.⁶⁴

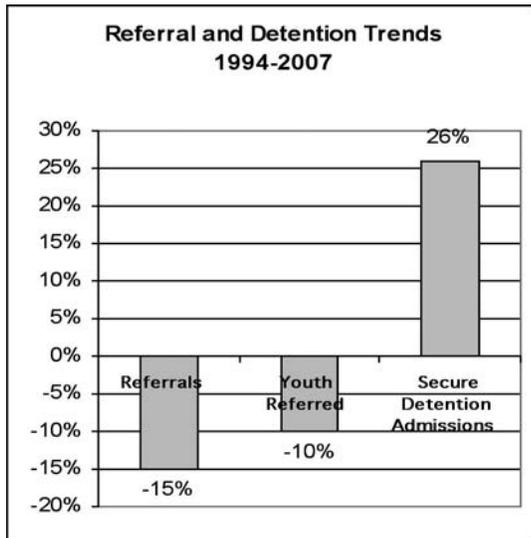
On any given day there are roughly 1,800 youth held in secure detention throughout Florida – more than 95 per 100,000 population (2007) compared with a national average of 88 per 100,000.⁶⁵

⁶² Department of Juvenile Justice.

⁶³ Department of Juvenile Justice.

⁶⁴ Department of Juvenile Justice.

⁶⁵ Krisberg, Patino, Juvenile Justice in Florida



Multiple factors contribute to the increasing use of secure juvenile detention in Florida. Among them:

- Use of secure detention in cases of domestic violence;
- Overuse of Zero Tolerance policies by school districts (see Page 17);
- Use of secure detention for low-risk youth and youth under court order.

Domestic violence incidents are serious matters and can result in lasting physical and psychological damage to individuals and families. However, not all incidents of domestic violence rise to that level.

Domestic violence often erupts among juveniles and their families without representing the juvenile's persistent use of violence or causing serious injury or lasting harm. "This [minor] level of offense results from all too common conflicts between parents and their children. Many times these charges are incurred as a result of children pushing past parents while ineffectively attempting to leave a flaring situation...struggling over a cell phone...or exchanging slaps with a parent after taking their car without permission."⁶⁶

Because the Department of Juvenile Justice currently offers no non-secure detention options beyond home detention and parental supervision, youth who are involved in domestic violence may face no option but secure detention.

Studies suggest this is particularly true for girls. Girls in the juvenile justice system in Florida have high incidence of sexual and physical abuse – more than 60% – suggesting that home may be an unsafe option for these girls.⁶⁷ In fact, 10.5% of total referrals for females in 2006 were for domestic violence.⁶⁸

In fact, both male and female youth who come into contact with law enforcement because of domestic violence are at high risk of being placed in secure detention. In fiscal 2007, 4,094 youth were arrested with the only charge being domestic violence. Of these, 85% were misdemeanor charges. And yet 51% of these youth were placed in secure detention.

Apart from domestic violence cases, a high proportion of youth referred to the Department of Juvenile Justice on relatively minor charges end up in secure detention. In 2007, 48% of all referrals to DJJ were for misdemeanors, a rate that has not changed significantly for the past five years.

Secure detention also serves as holding place for arrested youth who are homeless and for runaways being held for return to another state.⁶⁹

YOUTH AND DOMESTIC VIOLENCE 2006-2007 Data	
10,276	Number of Domestic Violence Referrals to DJJ
4,094	Number of Youth Arrested With No Charge but Domestic Violence
85%	Percentage of Youth Arrested Only on Domestic Violence & Charged with Misdemeanors
2,088	Number Placed in Secure Detention on Misdemeanor Domestic Violence Charges
Source: Department of Juvenile Justice	

Statewide, 52% of youth in secure detention in 2006 were detained on a court or administrative order, not as a result of new charges. Court orders are most commonly associated with violations of probation, failures to appear or contempt cases. Unless a court order exists, youth must score at least a 12 on the Detention Risk Assessment Instrument to be held in secure detention.⁷⁰

FLORIDA'S JUVENILE DETENTION CENTERS

The Department of Juvenile Justice operates 26 secure juvenile detention centers throughout the state, with a total capacity of 2,057 beds. With an average daily population of more than 1,800, it is clear that Florida's secure detention centers are operating at capacity. In 2007:

- Twenty-three of 26 centers operated at more than 100% capacity at least once during the year, with some centers reaching more than 160% occupancy;

⁶⁶ Emerging issues from the current use of Domestic Violence Charges on Juveniles for offenses against their family members. Circuit 1 Juvenile Advisory Board, Bryan Callahan, Chair.

⁶⁷ Vanessa Patino MPA, Lawanda Ravoira DPA, Angela Wolf, PhD, A Rallying Cry for Change: Charting New Direction in the State of Florida's Response to Girls in Juvenile Justice, National Council on Crime and Delinquency, July 2006.

⁶⁸ Patino, Ravoira, Wolf, A Rallying Cry for Change.

⁶⁹ Department of Juvenile Justice.

⁷⁰ Department of Juvenile Justice.

- Nine of the state's 26 detention centers ended the year with operations at more than 95% capacity,
- Seven ended the year with operations at more than 100% capacity.⁷¹

The Escambia County facility, with beds for 50 children, had an average daily population of more than 62. At the other end of the state, in Broward County, the detention center has 109 beds and had an average daily population of almost 120 in 2007.

“Crowding affects every aspect of institutional life, from the provision of basic services such as food and bathroom access to programming, recreation and education. It stretches existing medical and mental health resources and, at the same time, produces more mental health and medical crises. Crowding places additional stress on the physical plant (heating, plumbing, air circulation) and makes it more difficult to maintain cleaning, laundry and meal preparation. When staffing ratios fail to keep pace with population, the incidence of violence and suicidal behavior rises. In crowded facilities, staff invariably resorts to increased control measures, such as lockdowns and mechanical restraints.”⁷²

Additionally, over-crowding increases the possibility of youth being transferred to centers away from their home communities, limiting access to family, support systems and legal resources.

DIVERSION PROGRAMS

Florida has experienced success in reducing the flow of youth into detention by using specific strategies, but the efforts have not been long-lasting.

Between 1988 and 1993, Broward County reduced its daily secure detention population from 161 to 56 by developing more sophisticated risk assessment instruments to determine which young people actually belonged in secure detention. By diverting those lower-risk youth to newly developed community-based programs, the county saved \$5.2 million in the five-year period.⁷³ (It is worth noting that today, Broward County's average daily population of youth in detention is 120, in a facility with a capacity of 109.⁷⁴)

Current diversion programs in Florida include:

Intensive Delinquency Diversion Service (IDDS) targets youth ages 16 and younger who have been assessed by DJJ as having great potential for chronic delinquent behavior. Through the program, which is available in every judicial circuit, youth and their families receive counseling, supervision and services for five to seven months. The Civil

Citation Program allows law enforcement officers, where local laws permit, to issue a civil citation⁷⁵ or divert the youth into an alternative sanction other than arrest. The youth may then be required to perform community service and, perhaps, participate in an intervention program within the community.⁷⁶

FINDINGS & RECOMMENDATIONS

KEY FINDING: Careful assessment is essential to appropriate placement and to avoiding secure placement when such needs and risks can be addressed in community settings.

BLUEPRINT COMMISSION RECOMMENDATION

1. **ALTERNATIVES FOR FIRST-TIME MISDEMEANANTS** — The Legislature should adopt as Florida's policy encouraging alternatives to processing first-time, misdemeanor youth through the formal process of arrest, intake and adjudication. Alternatives could include the issuance of civil citation, community-based and / or home-based alternatives.
2. **JUVENILE ASSESSMENT CENTERS** — Every circuit shall have a full-service Juvenile Assessment Center (JAC) that is based on a model that includes substance abuse and mental health screening, comprehensive assessments with follow-up services, detention screening and intake services, educational assessment, community-risk assessments, transportation services, security services, health services, and administration. A diversion program using a community-based intervention or treatment service shall be available for children to be referred from the JAC or qualified intake.
4. **RISK ASSESSMENT INSTRUMENT** — Florida's current risk assessment instrument should be re-evaluated to ensure it is reliable, independently validated, evidence based and gender and racially neutral to ensure a fair, objective assessment of risk level for appropriate placement in secure or non-secure detention without increasing risk to public safety.

KEY FINDING: While youth who commit domestic violence offenses must understand the seriousness of the offense and its consequences, detention or adjudication, except in the most serious cases, is less likely to improve the offending behavior, and, may in fact, make it worse if the youth has been victimized at home.

⁷¹ Department of Juvenile Justice.

⁷² Crowding in Juvenile Detention Center: A Problem-Solving Manual, National Juvenile Detention Association and Youth Law Center (www.aecf.org).

⁷³ Mishee Faruque, Rethinking Juvenile Detention in New York City, A Report by the Juvenile Justice Project of the Correctional Association of New York, March 2002

⁷⁴ Department of Juvenile Justice.

⁷⁵ The Civil Citation program is available for juveniles who have committed various misdemeanor offenses such as retail theft, criminal mischief and battery. Instead of being arrested, juveniles are issued civil citations and must complete a number of community service hours and tasks as directed by the officer who issued the citation.

⁷⁶ F.S. 985.12

BLUEPRINT COMMISSION RECOMMENDATION

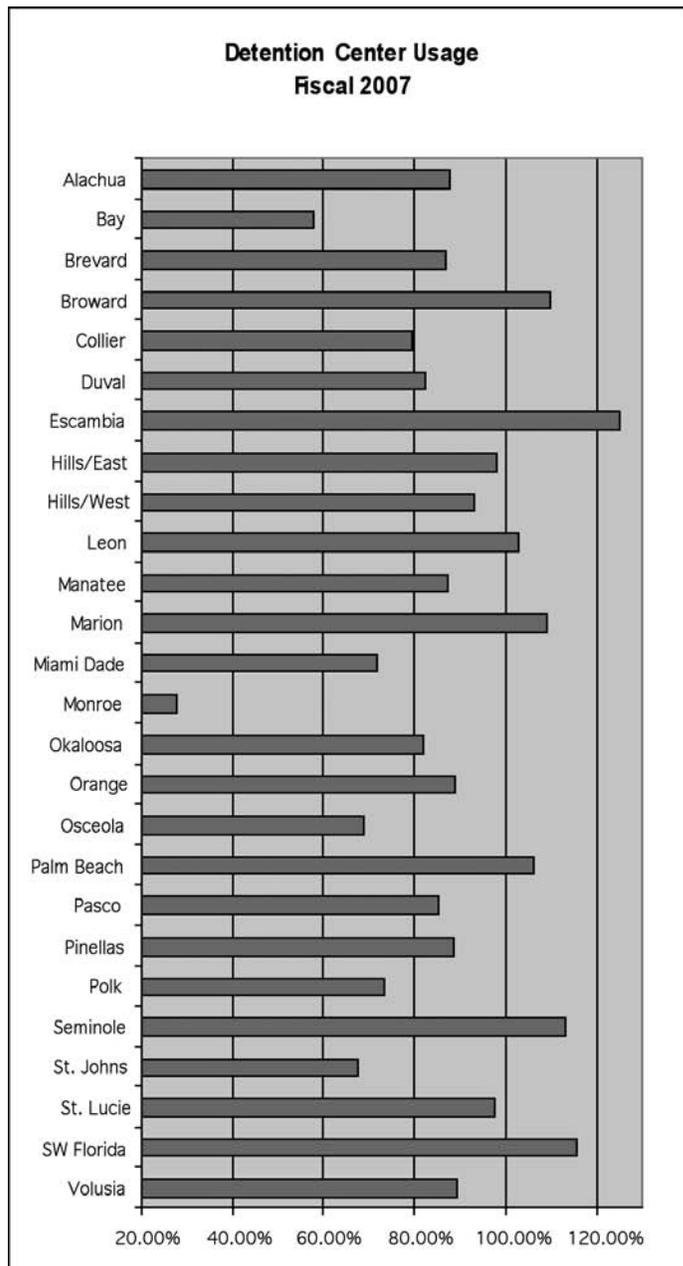
30. **DOMESTIC VIOLENCE** — The Florida Department of Juvenile Justice, the Florida Department of Law Enforcement, the Florida Sheriffs, Florida Police Chiefs, Florida Coalition Against Domestic Violence, Florida Network of Youth and Family Services, and other key stakeholders will work with local law enforcement agencies and victim advocate organizations to prevent children from being arrested who have had contact with law enforcement for domestic violence by allowing for the use of alternatives to arrest, such as placement in CINS/FINS shelters or other respite care, when appropriate for family and community safety.

KEY FINDING: There are approximately 750 youth annually committed to the Department for misdemeanor offenses who have no history of felony adjudications. The cost of serving these youth is approximately \$27,000,000 annually.

BLUEPRINT COMMISSION RECOMMENDATION

33. **YOUTH AGE 10 AND UNDER** — A child who is 10 years old or younger who is referred for a delinquent act should be diverted. A delinquency petition cannot be filed on a child 10 years of age or younger unless appropriate services have been exhausted.

38. **COMMUNITY ALTERNATIVES** — The state shall provide financial incentive for communities to develop alternative strategies for handling youth who have only committed misdemeanor offenses. In lieu of committing these youth to the department, local communities will receive the funding the state expends to serve these youth in residential commitment programs. These funds would be targeted for the development of community based alternative services.



**GUIDING PRINCIPLE: IMPROVE HEALTH AND WELLNESS FOR YOUTH
IN THE JUVENILE JUSTICE SYSTEM****COMMISSION KEY GOAL: MEET HEALTH NEEDS OF YOUTH IN
THE JUVENILE JUSTICE SYSTEM**

Youth entering juvenile justice facilities are at high risk for a multitude of general health problems, including sexually transmitted diseases, drug use and abuse, pregnancy-related issues, HIV or AIDS, and pre-existing mental health problems.⁷⁷ Officials in Florida's Department of Juvenile Justice note that youth entering the system share a number of characteristics:

They are likely to come from lower-income households.

They are likely to be minorities, and male.

They are likely to suffer from some form of mental illness.

They are likely to have a history of substance abuse.

They are likely to have medically complex needs that have been neglected over time.

They are likely to have engaged in high-risk behaviors that leave them vulnerable to disease and pregnancy.

They are likely to be developmentally disabled.

They are likely to come from families in crisis.⁷⁸

For these youth, coordination of medical care, mental health care, educational services and social services is particularly acute. Youth in the care of the Department of Juvenile Justice, and those who are exiting the system, are at vulnerable stages of development. Collaboration between mental health, substance abuse and juvenile justice service providers is especially important in reducing delinquency.

The National Commission on Correctional Health Care (www.ncchc.org) offers "Standards for Health Services in Juvenile Detention and Confinement Facilities," which recommends age and gender appropriate health exams for health maintenance and screening and testing for behavioral, dental and medical issues.

For those youth who are dually diagnosed – that is, identified as having both substance-abuse and psychiatric mental health disorders – integrated treatment, where both disorders are treated concurrently, is considered most effective, rather than serial or parallel treatment. This requires clinicians to be trained in collaborative case

management and techniques for integrating treatment for dually-diagnosed juvenile offenders.⁷⁹

In delivering care and treatment services to youth, it is important to remember that the neurobiology make-up of the adolescent brain is different than that of the adult brain. Using adult models of criminal justice for delinquent youth is not only inappropriate, but potentially insufficient and negligent.⁸⁰

GENERAL HEALTH CONCERNS

Youth referred to the Department of Juvenile Justice present a range of physical health issues, including high rates of asthma, diabetes, obesity, hypertension, dermatologic and dental problems. They also, because of high-risk behaviors, are at greater risk for sexually transmitted disease, hepatitis B & C, HIV/AIDS, pregnancy, and exposure to tuberculosis.

It is not uncommon for youth to present with complex medical conditions, such as cardiac disorders, cystic fibrosis, inflammatory bowel disease, cancer, sickle cell disease and kidney failure.⁸¹

**MENTAL HEALTH AND SUBSTANCE
ABUSE CONCERNS**

According to a 1999 survey conducted by the Office of Juvenile Justice and Delinquency Prevention, 49% of youth in residential and non-residential programs within the Department of Juvenile Justice had been diagnosed with some form of mental illness and another 14% demonstrated behaviors that suggested mental illness.

Similarly, 65% of youth within the Department had a diagnosis of or behaviors suggesting a substance-abuse disorder.⁸²

These two conditions – mental illness and substance abuse – often are co-occurring.

DEVELOPMENTAL CONCERNS

The Department faces the challenge of providing care for youth who have developmental disabilities. Under Florida law, a developmental disability is defined as a

⁷⁷ American Academy of Pediatrics (AAP) Committee on Adolescence.

⁷⁸ Shairi Turner, M.D., MPH, Chief Medical Director, Florida Department of Juvenile Justice, Blueprint Commission testimony, September 25, 2007.

⁷⁹ Office of Juvenile Justice Programs Juvenile Justice Bulletin, April 2006, Psychiatric Disorders of Youth in Detention.

⁸⁰ Robert E. Shepherd Jr., "The Relevance of Brain Research to Juvenile Defense," American Bar Association, Criminal Justice, Winter 2005.

⁸¹ Turner, Blueprint Commission testimony, September 25, 2007.

⁸² Office of Juvenile Justice and Delinquency Prevention Bulletin, April 2006.

disorder or syndrome that is attributable to retardation, cerebral palsy, autism, spina bifida, or Prader Willi syndrome and that constitutes a substantial handicap that can be expected to continue indefinitely. These youth often have difficulty functioning in a traditional residential or detention setting. A 2005 department review of detained and committed youth indicated that there were approximately 200 youth that met the definition of developmentally disabled.⁸³

BACKGROUND

Between 1980 and 2000, Florida, like many other states, underwent slow and systematic dismantling of its institutional mental health system, while community-based mental health services struggled to find funding to meet the accompanying escalation in demand. (See Appendix VI, Page 78.)

“The currently fragmented and under-resourced community mental health system in Florida is unable to provide even reasonably adequate mental health services to our citizens.”⁸⁴

As mental health services have become scarcer, increasing numbers of youth have found their way into the juvenile justice system. “For some youth, contact with the juvenile justice system is often the first and only chance to receive help.”⁸⁵

“It’s a hydraulic effect. This population exists no matter what and if they’re not in treatment facilities they’re in detention,” said George Davis, a pioneer in mental health reforms at the University of New Mexico.⁸⁶ “When one goes down, the other goes up.”

In fact, the largest psychiatric facility in the State of Florida today is the Miami-Dade County jail.⁸⁷

Layered atop this trend has been the increasing difficulty that families of moderate means face accessing affordable health care, and the associated increasing rates of uninsurance.

Today, Florida children age 18 and under have higher rates of uninsurance and are less likely to be covered by Medicaid than the national average. In fact, for Florida children living at or below 100% of the Federal Poverty Level, the rate of uninsurance is 68% higher than the national average, and Medicaid coverage is more than 25% lower.⁸⁸

⁸³ Department of Juvenile Justice, Office of Health Services, Analysis of Detained and Committed Youth, October 2005.

⁸⁴ Rajiv Tandon, Florida’s Sequential Intercept Strategy for Adults with Mental Illness Involved with or at High Risk for Involvement with the Criminal Justice System: Coordinated Mental Health and Criminal Justice Best Practices.

⁸⁵ Transforming Florida’s Mental Health System, Florida Supreme Court Steering Committee on Children and Families in the Court, Mental Health Subcommittee, Honorable Steven Leifman, 11th Judicial Circuit, Chair.

⁸⁶ Rosenfeld, Sam, Cruel Convergence, The American Prospect, August 15, 2005.

⁸⁷ Killian, Mark S. Mentally Ill Behind Bars, Florida Bar news, April 15, 2007.

⁸⁸ Henry J. Kaiser Family Foundation.

REPORT OF THE FLORIDA SUPREME COURT’S MENTAL HEALTH SUBCOMMITTEE

In April, 2007, Florida Chief Justice R. Fred Lewis and Governor Charlie Crist launched an initiative to examine the State of Florida’s mental health system and its relationship to the courts and criminal justice system. Chaired by the Honorable Steven Leifman, 11th Judicial Circuit, the Mental Health Subcommittee of the court’s Steering Committee on Children & Families in the Court, released its report in November 2007, in which they stated:

“We defer specific and comprehensive recommendations addressing the juvenile justice/mental health interface to the Blueprint Commission...however, the following is a suggested framework for designing mental health interventions in the juvenile justice system”

The framework identifies the following nine core principles:

1. Youth should not have to enter the juvenile justice system solely in order to access mental health services or because of their mental illness.
2. Whenever possible and when matters of public safety allow, youth with mental health needs should be diverted into evidence-based treatment in a community setting.
3. If diversion out of the juvenile justice system is not possible, youth should be placed in the least restrictive setting possible, with access to evidence-based treatment.
4. Information collected as part of a pre-adjudicatory mental health screen should not be used in any way that might jeopardize the legal interests of youth as defendants.
5. All mental health services provided to youth in contact with the juvenile justice system should respond to issues of gender, ethnicity, race, age, sexual orientation, socio-economic status, and faith.
6. Mental health services should meet the developmental realities of youth. Children and adolescents are not simply little adults.
7. Whenever possible, families and caregivers should be partners in the development of treatment decisions and plans made for their children.
8. Multiple systems bear responsibility for these youth. While at different times a single agency may have primary responsibility, these youth are the community’s responsibility, and all responses developed for these youth should be collaborative in nature, reflecting the input and involvement of the mental health, juvenile justice, and other systems.
9. Services and strategies aimed at improving the identification of youth with mental health needs in the juvenile justice system should be routinely evaluated to determine their effectiveness in meeting the desired

Due to funding reductions and cutbacks in community outreach efforts, the number of children covered by Florida KidCare, the state's children's health insurance program for uninsured children has dropped almost 10.5% since 2004 while the state's population of children under age 18 has increased more than 5%.⁸⁹

These multiple challenges of limited means, limited access to affordable health care, rising rates of uninsurance, and cutbacks in community-based mental health services have left a fragile and marginal population of youth poised to tip into trouble and enter the juvenile justice system.

"The state's infrastructure for mental health for the poor is insufficient, leaving children and their families with little resources," said Dr. Turner. "These children act out and end up being referred to the Department of Juvenile Justice, where their behavior is criminalized."⁹⁰

PERCENT UNINSURED		
	Florida	US
All Children < 18	19%	12%
Children < 100% of FPL	37%	22%
Children 100-200% of FPL	26%	17%

PERCENT COVERED BY MEDICAID		
	Florida	US
All Children < 18	24%	27%
Children < 100% of FPL	44%	60%
Children 100-200% of FPL	35%	41%
2005-2006 Data		

Source: Henry J. Kaiser Family Foundation

MEETING HEALTH NEEDS

Delinquent youth come to the Department with a broad range of medical conditions, some highly complex. Youth receive intake screenings, physical assessments, and, as needed, sick call encounters, immunizations, medical and disease management, emergency services and health education.

Medical, mental health and substance abuse treatment resources, however, are severely limited and there is no

specific funding for dental services. Youth with mental health needs face particular challenges. Not only is there a lack of specialized early intervention programs, there are long waits for specialized mental health beds. Detention centers are funded for crisis intervention and not treatment, and residential programs are not intended for complex,

ALLOCATED COSTS FOR MENTAL HEALTH CARE PER DAY, PER BED	
Department of Juvenile Justice	\$200
State Inpatient Psychiatric Care	\$400

mentally ill youth. Moreover, the Comprehensive Mental Health beds within DJJ have a per diem that is half of the state inpatient psychiatric per diem.⁹¹

Developmental health issues often are present in conjunction with mental health issues and specialized training is required for staff to effectively interact with these youth, presenting challenges for the Department, both in terms of its own staff and those with whom it contracts.

There currently are few beds to serve developmentally disabled youth and there is no specific funding for disability overlay services.⁹²

To meet the health needs of youth in its care, the Department relies on a network of state and private medical services that are overseen by the Department's Office of Health Services. The Office, established in 2005, is responsible for delivery of medical, mental health, substance abuse and developmental disability services.

The Office consists of a Chief Medical Director, a director of Substance Abuse and Mental Health Services, a Mental Health and Substance Abuse coordinator, and two registered nurses. The Office serves 150,000 youth.⁹³

Additionally, there are nearly 60 state-employed health and mental health staff, as well as contract health care providers, who report through the Detention and Residential Program Directors rather than through the Office of Health Services.

The Department continues to face challenges within Health Services including contract management and staff turnover (both contract and state). It is worth noting that 70% of the deaths of youths in the department's care have been related to medical or mental health issues.⁹⁴

⁸⁹ Florida Department of Health, Agency for Health Care Administration and the Office of Economic and Demographic Research.

⁹⁰ Turner, Blueprint Commission testimony, September 25, 2007.

⁹¹ Turner, Blueprint Commission testimony, September 25, 2007.

⁹² Turner, Blueprint Commission testimony, September 25, 2007.

⁹³ Department of Juvenile Justice.

⁹⁴ Department of Juvenile Justice.

MEETING THE HEALTH NEEDS OF GIRLS

About one third of the youth referred to the Department of Juvenile Justice are female, bringing with them the unique health needs of adolescent girls.

Compounding that challenge, 15% of girls in the juvenile justice system have a major illness, 35% have experienced a pregnancy and 46% have a history of substance abuse. For 79% of these girls, emotional factors have contributed to their delinquent behavior.⁹⁵

Mental health issues are particularly acute for girls in the system, the majority – 68% – of whom have experienced some form of physical, emotional or sexual abuse. Across all diagnoses, the percent of girls exhibiting mental illness is significantly higher than that of boys.⁹⁶

Girls in the juvenile justice system come from unstable home environments, with 40% having parents who abused substances and 21% living in out-of-home placements. Half have someone in their immediate family who is incarcerated.⁹⁷

In addition to the general health services described above, girls under care of DJJ receive gynecological services, obstetrical services (pre- and post-natal), and infant care. While the state has been proactive in adopting gender-specific programming for girls within the system, effective girls programming has not yet been achieved.⁹⁸

LOSING THE HEALTH SAFETY NET

Under federal law, any youth in any state-operated detention or residential facility or any high- or maximum-risk program loses his or her Medicaid eligibility while in the program.

Florida has chosen to meet this federal requirement by dis-enrolling these youth from Medicaid. Consequently, upon release, the youth and his/her family must go through the time-consuming and tedious process of re-enrollment, resulting in a prolonged gap in coverage during the re-entry period – a critical time when youth need a broad array of supports to successfully transition back into the community and home life.

Other states have chosen a different option – suspending youth from Medicaid eligibility. Under this scenario, the suspension can be lifted when the youth is discharged, resulting in a more expeditious and efficient return of coverage, and, likely, a more seamless, and potentially constructive, re-entry experience.

⁹⁵ Patino, Ravoira, Wolf, A Rallying Cry for Change

⁹⁶ Patino, Ravoira, Wolf, A Rallying Cry for Change.

FINDINGS & RECOMMENDATIONS

KEY FINDING: Resources are not sufficient to keep pace with the demand or to meet the critical health care needs of youth.

BLUEPRINT COMMISSION RECOMMENDATIONS

7. **HEALTH ASSESSMENTS** — The Department of Juvenile Justice shall continue to assess all youth prior to commitment to make a determination of their medical, mental health, substance abuse and developmental disability needs. The Department shall meet the needs of these youth. Further, the Department recognizes that additional funding to provide these services either by contractual arrangements or through additional health, mental health, substance abuse or developmental disability staffing will be necessary. The Department will track these expenditures and provide a report on these instances to the Legislature.
8. **MEDICAID ELIGIBILITY** — Florida's policy on Medicaid eligibility, dis-enrollment, and suspension should be reviewed and amended to prevent the dis-enrollment of benefits for previously eligible youth committed to high or maximum risk programs under the Department of Juvenile Justice and minimize disruption of benefits upon release from the juvenile justice system. Medicaid policy should be changed to allow continued coverage for eligible youth for six months after release from the commitment program to allow the opportunity to complete treatment.
9. **ASSESSMENT OF HEALTH SERVICES** — Resources for health, mental health and substance abuse services, as well as oversight of these services within the Juvenile Justice system are grossly inadequate. The Legislature should require an independent, clinically driven assessment of health services throughout DJJ to then make recommendations that will ensure the appropriate funding and delivery of care for all youth served by the department.
11. **ASSESSMENT OF HEALTH EXPENSES** — The Department of Juvenile Justice should perform a comprehensive assessment of the expenses associated with serving youth with extenuating medical, mental health, developmental disability

⁹⁷ Donna Gallagher, President & CEO, PACE Center for Girls, Blueprint Commission Testimony, October 4, 2007.

⁹⁸ Turner, Blueprint Commission testimony, September 25, 2007.

services, including physical disabilities and impairments. Additional funds should be appropriated to the Department to draw upon to care for these youth who require treatment beyond routine care and who are Medicaid ineligible.

12. **DEPARTMENT REORGANIZATION** — The Department shall re-organize to require the Chief Medical Director report directly to the Secretary of the Department of Juvenile Justice.
50. **PROVIDING AN ARRAY OF SERVICES** — A broad array of standardized, evidence-based mental health and substance abuse services, including screening, assessment, and treatment should be provided to all youth involved in the juvenile justice system in need of such services. Mental health screening and assessment information should be utilized in conjunction with risk assessment data to guide youth disposition away from residential delinquency treatment into community mental health treatment. Further, the Legislature should consider establishing a children’s juvenile justice mental health best practice center.

KEY FINDING: In the absence of community-based mental health and substance abuse services, youth may be criminalized in order to receive services.

BLUEPRINT COMMISSION RECOMMENDATIONS

- 3: **SUBSTANCE-ABUSE INTERVENTION** — The State shall fund, in each circuit, community based substance abuse intervention, evaluation, and treatment services. Youth whose first offense is for drug possession and accompanying misdemeanor shall be diverted from prosecution into these substance abuse services.
10. **COMMUNITY-BASED HEALTH PROGRAMS** — As an alternative to committing youth, the Department of Juvenile Justice will collaborate with the Department of Children and Families and local communities, to identify, and where necessary, establish appropriate community based health, mental health and substance abuse programs for youth, to allow for judicial placement of youth as a condition of probationary sanction.

GUIDING PRINCIPLE: ENSURE A FAIR AND BALANCED APPROACH FOR ADDRESSING THE NEEDS OF ALL YOUTH, INCLUDING PROVISION OF GENDER-SPECIFIC PROGRAMS, REDUCTION OF RACIAL DISPARITIES, AND PROVISION OF LEGAL REPRESENTATION

COMMISSION KEY GOAL: ENSURE GENDER-SPECIFIC SERVICES ARE PROVIDED

Girls represent a growing proportion of Florida’s juvenile justice population.

In 1992, girls represented 24% of all youths referred to the Department of Juvenile Justice, and 10% of all youths incarcerated.

But since 2003, girls have represented 30% of all youth referred. And by 2004, girls represented more than 18% of all youths incarcerated, though the rate dropped to 15% in 2007.⁹⁹

While these overall trends are mirrored across the United States, the rates of arrest and incarceration for girls in Florida – that is the number of arrests and incarcerations as a percentage of the total population of girls – are considerably higher than elsewhere.

The arrest rate for females in Florida is almost twice that for the nation as a whole.

Nationwide 716 girls per 100,000 population are arrested

Florida 1,259 girls per 100,000 population are arrested¹⁰⁰

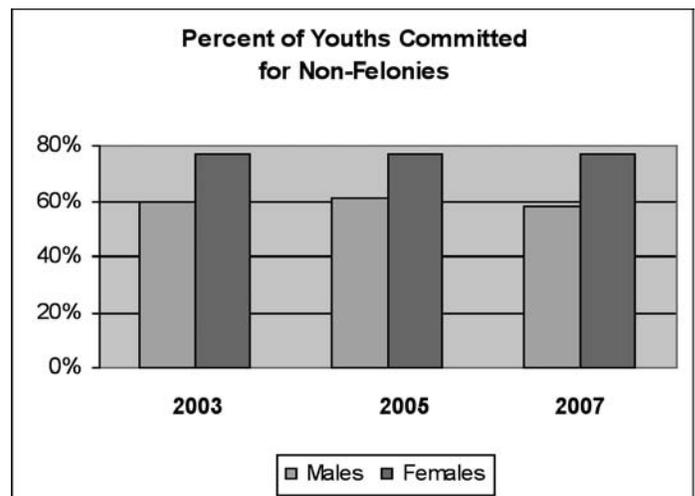
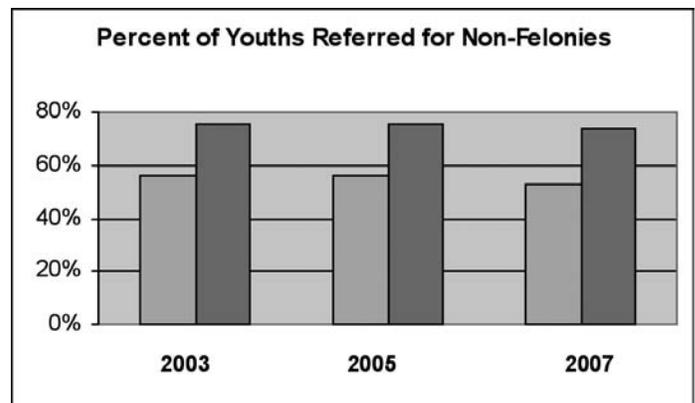
Florida incarcerates girls at a higher rate than any of the other large states:¹⁰¹

Additionally, girls who enter Florida’s juvenile justice system appear to be treated more harshly for less serious offenses than are boys. In the last five years, for

example, about 75% of girls referred to the Department of Juvenile Justice had not committed a felony; where about 55% of boys referred had not committed a felony. Similarly, 80% of girls committed were committed for non-felony offenses; whereas 60% of boys committed were committed for non-felony offenses.¹⁰²

What factors lie behind these statistics?

Developmentally, girls follow different pathways to delinquency than boys.



GIRLS' INCARCERATION RATES, PER 100,000 POPULATION	
Florida	172
New York	117
California	103
Texas	83

⁹⁹ Department of Juvenile Justice.

¹⁰⁰ Angela Wolf PhD, Senior Researcher, National Council on Crime and Delinquency, Blueprint Commission testimony, August 21, 2007.

¹⁰¹ Wolf, Blueprint Commission testimony, August 21, 2007.

¹⁰² Department of Juvenile Justice.

One of the most prevalent distinctions is the history of physical and sexual abuse that is common to girls in the juvenile justice system, and the corresponding incidence of Post Traumatic Stress Disorder.

According to a study by the Office of Program Policy and Government Accountability, of girls in residential programs in Florida:

- 68% had experienced physical or sexual abuse or neglect;
- 90% lived with limited or inadequate parental control;
- 94% have diagnosed mental health problems;¹⁰³
- 35% had experienced a pregnancy and 10% had children.¹⁰⁴

Consequently, girls pose a very specific challenge for the Department of Juvenile Justice and others in the juvenile justice system. Research repeatedly shows that programs developed to meet the needs of boys are not effective with girls.

Effective, gender-responsive programming creates an environment through site and staff selection, program development, content, and material that reflects an understanding of the issues facing girls. Gender-responsive programming uses multidimensional approaches and addresses social and cultural factors as well as therapeutic interventions that address abuse, violence, family relationships, substance abuse, and co-occurring disorders. Effective programming for girls places an emphasis on self efficacy and provides a strength-based approach to treatment and skill-building.

According to OPPAGA, “the residential programs with the strongest gender-specific services were more likely to be successful in reducing recidivism for the girls.” And yet, “the continuum of programs for girls vary in the degree to which they are gender specific.”¹⁰⁵

“Department of Juvenile Justice prevention, detention, and probation programs for delinquent girls vary in the degree to which they meet the Legislature’s directive to provide gender-specific services.”

“Contracted prevention programs appear to meet most gender-specific criteria, but the department should revise its scoring criteria for awarding prevention grant funds to address gender specificity.”¹⁰⁶

“Detention facilities vary in the extent of gender-specific services provided; the department should better train detention staff how to communicate with and meet the needs of delinquent girls.”

“Probation services are not designed to be gender-specific. Probation officers, parents, and girls on probation assert that more mental health and substance abuse treatment services are needed in these community-based programs. Many girls in these programs have histories of abuse and mental health disorders that have contributed to their delinquency.”

Florida has been on the cutting edge of providing gender specific services to girls in juvenile justice.

PACE Center for Girls, Inc., created in 1983, provides non-residential delinquency prevention programs at 18 locations throughout Florida, targeting the unique needs of girls ages 12 to 18 who are identified as dependent, truant, runaway, ungovernable, delinquent, or in need of academic skills. PACE, which accepts referrals from the juvenile justice system and other sources, seeks to intervene and prevent school withdrawal, juvenile delinquency, teen pregnancy, substance abuse and welfare dependency. PACE programs provide academic education, individualized attention, a gender-specific life management curriculum, therapeutic support services, parental involvement, student volunteer service projects and transition follow-up services. After program completion, PACE provides three years of follow-up case management. PACE is a nonprofit corporation that receives funding support from the Department of Juvenile Justice. To date, PACE has served more than 17,000 girls.

GAP – the Girls Advocacy Project – operates at four locations in Florida providing services to girls in secure detention in an effort to strengthen their ability to seek positive choices, alternatives and decisions regarding their lives. The program is funded primarily by DJJ. GAP provides group educational sessions and one-on-one advocacy. Girls are voluntarily admitted to the program, which offers support in the areas of sexual education, violence, medical health, victimization, alcohol and illicit substance use/abuse, gang affiliation, coping with death and illness, independent living skills, artistic interests, support systems, self acceptance and esteem and conflict resolution.

In 2004, the Legislature passed and the state adopted a law mandating gender-specific services for girls in the state’s juvenile justice system. Florida became only the second state in the nation to pass such legislation.

¹⁰³ Gender-Specific Services for Girls Vary Across Programs, But Help Reduce Recidivism, Florida Office of Program Policy and Government Accountability, March 2005.

¹⁰⁴ Patino, Ravoira, Wolf, A Rallying Cry for Change.

¹⁰⁵ Patino, Ravoira, Wolf, A Rallying Cry for Change.

¹⁰⁶ Gender-Specific Services for Delinquent Girls Vary Across Prevention, Detention and Probation Programs, Florida Office of Program Policy and Government Accountability, December 2005.

However, as OPPAGA’s research suggests, there are gaps in gender-responsive services and training within Florida’s system. Some recommended programs have yet to be implemented.¹⁰⁷ Additionally, there often is a mismatch between the level of available treatment services and the identified treatment needs of girls in residential programs.¹⁰⁸

FINDINGS & RECOMMENDATIONS

KEY FINDING: Though state law calls for provision of gender-specific programming for girls in the juvenile justice system, there is inconsistency in the degree to which girls programs are gender specific, and in the availability of gender-specific programs for all girls across the continuum of services.

BLUEPRINT COMMISSION RECOMMENDATIONS

13. **GENDER-SPECIFIC SERVICES** — All girls across the DJJ continuum shall receive adequate gender specific services. These services shall be delivered by state or contract provider staff that are trained and receive ongoing training in gender specific and culturally competent programs. Gender specific services will include gender specific screening and assessment processes for girls entering the DJJ system or already in custody to determine appropriate placement. The goal is to ensure maximum services are received in minimally restrictive environments, inclusive of community-based services and day treatments.
15. **STAKEHOLDER TRAINING** — DJJ shall establish and provide an on-going training program for key stakeholders regarding the needs of girls, gender specific sanctions and services.
16. **GENDER-BASED AFTERCARE SERVICES** — The department shall require community-based, gender-specific aftercare services for girls transitioning from DJJ programs. Such programs shall include, but not limited to, mental health, substance abuse, family counseling and crisis intervention, education and vocational training, and independent/ transitional living alternatives. Where staffing permits, the department shall endeavor to provide that girls be placed under the supervision of a female probation / conditional release case manager and, where the number of girls (25 – 30) justifies, a female caseload supervision team shall be established.

KEY FINDING: Women and girls are more likely to successfully complete programming during incarceration

and less likely to recidivate if they are able to maintain healthy contact with children and families.

BLUEPRINT COMMISSION RECOMMENDATION

14. **PREGNANT GIRLS AND MOTHERS** — To maintain healthy contact between mother and child, where appropriate, committed girls who are pregnant, and / or mothers with infant children, shall be placed in small family-style community-based programs, taking into account the safety risk to girls, the fetus or infant, and the public.

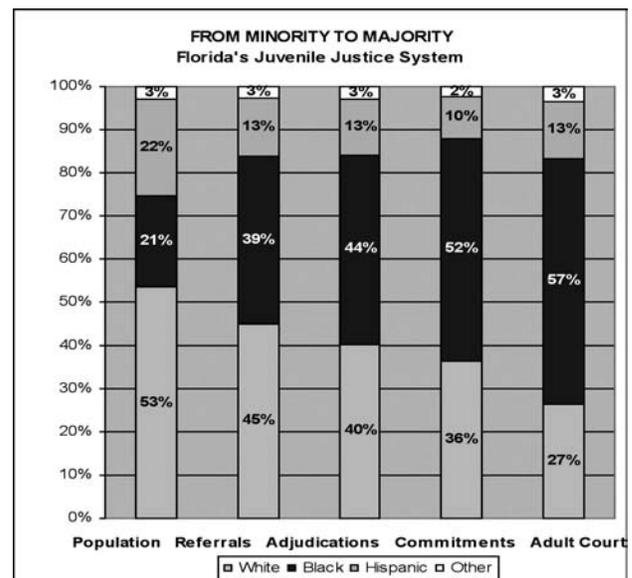
COMMISSION KEY GOAL: END RACIAL DISPARITIES

The population of young people who enter Florida’s juvenile justice system is far from homogeneous. It reflects the diversity and unique characteristics of Florida’s rapidly growing, multi-cultural society. Nonetheless, the mix of faces that you see inside Florida’s juvenile facilities is startlingly different from those you might see in Florida’s communities:

Across Florida, there are 1.9 million young people, ages 10-17. Slightly more than half – 53% – are white. Less than a quarter – 21% – are black. Slightly more – 22% – are Hispanic.¹⁰⁹

But inside Florida’s juvenile residential programs, the population of young people is:

36% white
51% black
10% Hispanic¹¹⁰



¹⁰⁷ LucyAnn Walker-Fraser, Florida Office of Program Policy Analysis and Government Accountability, Blueprint Commission testimony, October 4, 2007.

¹⁰⁸ Patino, Ravoira, Wolf, A Rallying Cry for Change.

¹⁰⁹ Office of Economic and Demographic Research.

¹¹⁰ Department of Juvenile Justice.

(Though it would appear that Hispanics are under-represented in the system, experts believe that many Hispanics within the system are wrongly classified as either black or white.)

This disproportionate representation of minorities exists for both males and females in Florida’s juvenile prisons. Moreover, it is true not only within residential facilities, but at every point in the juvenile justice system. In fact, the deeper you go inside Florida’s juvenile justice system, the greater the over-representation of minorities.¹¹¹

Florida is not unique. This phenomenon is repeated in virtually every state in the nation. Consider that nationwide:

- Of all juveniles: 16% are black.
- Of juveniles who are arrested: 28% are black.
- Of juveniles who are adjudicated: 30% are black.
- Of juveniles who are incarcerated: 38% are black.¹¹²

Nationwide in every offense category – person, property, drug, public order – African American youth are disproportionately detained. In 2003, 77% of drug offense cases involving African Americans were formally processed, compared with 54% of those involving white youth.¹¹³

“Yes, it is true that African-American youth are committing crimes at a higher rate [than white youth], but not enough to explain the disparity,” reports Barry Krisberg, president, National Council on Crime and Delinquency.¹¹⁴

Minorities are disproportionately represented in all 20 of Florida’s judicial circuits, though the degree varies. Data from 2006-2007 shows that in nine of the 20 circuits, more than 40% of the youth referred to the juvenile justice system are black. In seven circuits, more than 60% of youth incarcerated are black.¹¹⁵

How can this be? The answers are multiple and complex:

Bias – both overt and innate – clearly is a factor, and not just among whites. Research shows that whites and blacks possess innate bias as a result of cultural influences, and that these biases play out in everyday decision making in often unconscious or subliminal ways.¹¹⁶

“Bias shows up at every decision point. Bias is subtle, institutional, structural and incremental,” said Rita Cameron Wedding, Ph.D., chair of the department of Women’s Studies and a professor of Women’s Studies and Ethnic Studies at California State University, Sacramento.

But there are other factors beyond bias. Among them:

Economics: Affluent youth have more access to “private” space – the suburban basement or garage – in which to experiment with alcohol and drugs, for instance, while less affluent youth engage in similar behavior in parks and on street corners, where they are more likely to be noticed – and arrested – by police.¹¹⁷

Social Class: Upper middle class youth are more likely to have educated and sophisticated families who can access resources and guide them through the juvenile justice system after arrest, potentially minimizing the consequences. Lower class youth are less likely to have access to these supports.¹¹⁸

Protective Systems: Minority youth are over-represented in child protective services, such as foster care. Children in protective services – children lacking the supports of a healthy family – are more likely to come into contact with the juvenile justice system.¹¹⁹

And, argues Wedding, in our as attempt as a people to be “color-blind,” we have effectively suppressed open conversation about race.

“Blacks are afraid they will be accused of playing the race card. Whites are afraid of being labeled a racist,” she said. “We are not bad people. But we need to acknowledge our racial bias and learn to manage our decision making.”¹²⁰

Regardless of the reason, the disproportionate presence of minorities in the juvenile justice system has profound implications.

“This issue strikes at the heart of the legitimacy of our justice system,” says Krisberg. “Any system that is widely perceived to be unfair – and minorities perceive this to be unfair – cannot function justly because the citizenry will not participate in it. Justice requires citizen participation.”¹²¹

FINDINGS & RECOMMENDATIONS

KEY FINDING: In order to ensure fairness and equity for our children, Florida must remove biases in decision making where possible.

BLUEPRINT COMMISSION RECOMMENDATION

4. **RISK ASSESSMENT INSTRUMENT** – Florida’s current risk assessment instrument should be re-evaluated to ensure it is reliable,

¹¹¹ Department of Juvenile Justice.

¹¹² And Justice for Some: Differential Treatment of Youth of Color in the Justice System, National Council on Crime and Delinquency, January 2007.

¹¹³ And Justice for Some, National Council on Crime and Delinquency.

¹¹⁴ Krisberg, Blueprint Commission testimony, October 5, 2007.

¹¹⁵ Department of Juvenile Justice.

¹¹⁶ Wedding, Blueprint Commission testimony, October 4, 2007.

¹¹⁷ Krisberg, Blueprint Commission testimony, October 5, 2007.

¹¹⁸ Krisberg, Blueprint Commission testimony, October 5, 2007.

¹¹⁹ Wedding, Blueprint Commission testimony, October 4, 2007.

¹²⁰ Wedding, Blueprint Commission testimony, October 5, 2007.

¹²¹ Krisberg, Blueprint Commission testimony, October 5, 2007.

independently validated, evidence based and gender and racially neutral to ensure a fair, objective assessment of risk level for appropriate placement in secure or non-secure detention without increasing risk to public safety.

KEY FINDING: Florida should take the lead in working to identify causes of differential treatment of youth and develop strategies to ensure fair and equitable treatment.

BLUEPRINT COMMISSION RECOMMENDATION

- 27. **DISPROPORTIONATE MINORITY CONTACT**
 -- The Florida Department of Juvenile Justice shall create a Disproportionate Minority Contact

(DMC) task force with representation from education, law enforcement, state attorney, public defender, judiciary, community of faith, providers, advocacy organizations, members from communities most affected, and other stakeholders, to reduce DMC, statewide, consistent with the JJDP Act of 1974 amended. The DMC task force will charge local juvenile justice boards and councils with the responsibility to develop a DMC reduction plan for their area. DJJ shall require every entity with which it works, throughout its continuum of services, to implement the strategies, policies, and practices to reduce DMC.

FISCAL 2007 REFERRALS AND INCARCERATIONS BY RACE

Judicial Circuit	Youth Referred to DJJ			Youth Incarcerated		
	White	Black	Hispanic	White	Black	Hispanic
1	58%	38%	3%	46%	51%	0%
2	36%	61%	2%	20%	76%	2%
3	54%	43%	2%	51%	47%	1%
4	45%	52%	2%	31%	68%	1%
5	61%	30%	8%	57%	35%	7%
6	61%	31%	6%	54%	40%	5%
7	61%	31%	8%	45%	50%	4%
8	41%	56%	1%	30%	69%	1%
9	32%	43%	23%	19%	62%	16%
10	50%	34%	15%	46%	39%	15%
11	7%	47%	38%	4%	52%	36%
12	58%	27%	14%	49%	37%	13%
13	37%	45%	16%	24%	62%	13%
14	65%	30%	3%	57%	38%	5%
15	38%	44%	12%	21%	62%	18%
16	60%	20%	19%	36%	45%	18%
17	31%	50%	11%	17%	64%	8%
18	60%	31%	8%	40%	52%	8%
19	49%	36%	12%	34%	52%	12%
20	57%	18%	21%	40%	31%	24%

Source: Department of Juvenile Justice

COMMISSION KEY GOAL: ENSURE YOUTH AND FAMILIES HAVE ACCESS TO LEGAL REPRESENTATION

Florida statutes require that a child be represented by legal counsel at all stages of court proceedings, that the court appoint counsel to represent a child at a detention hearing, and that the court advise the child of his or her rights if s/he appears before the court without counsel.

If a parent or guardian willfully refuses to obey a court order to obtain counsel for the child, the court may appoint legal counsel, and the cost may be imposed upon the parent or guardian.¹²²

Some child advocates contend, however, that children fail to get appropriate legal counsel either because parents are lax in seeking legal counsel, court-provided counsel are more focused on expediency than the unique needs of the individual child, or because parents do not understand the implications of the charges against their child.

In the absence of adequate legal counsel, youth can plead guilty to charges without realizing the life-long implications of the criminal record.

In cases of domestic violence, for example, “the ramifications of the juvenile gaining a Domestic Violence Charge are more detrimental to the family and the child than the original offense. Considerable penalties persist once juveniles are adjudicated under Domestic Violence charges....Currently, anyone with a domestic violence charge in their history, even as a child, no matter the age, cannot attain a license through the State of Florida as a Nurse or in any other area of the medical field. They are also excluded from employment with local or state law enforcement, the Department of Juvenile Justice, teaching, or licensure for counseling children. In fact, most branches of the military will not accept them. [And] the charges cannot be expunged.”¹²³

Additionally, legal counsel can intervene on behalf of very young children who may be referred to the Department of Juvenile Justice and arrange more appropriate responses. In fiscal 2006, 1,756 youth aged 10 or younger were referred to the Department.¹²⁴ Typically, youth at this age cannot independently develop criminal intent, but they are very vulnerable to learning negative lessons as a result of placement with older youth who are more involved in delinquent behavior. The “criminal” behavior of very young children generally is the result of trauma and mental health services are the most appropriate response.

FINDINGS & RECOMMENDATIONS

KEY FINDING: Due to the complex nature of legal proceedings and the short-term and long-term consequences of an arrest, plea or trial for a child, a parent, guardian, a juvenile probation officer, another adult or any other non-legal actor cannot adequately advise a child on their need for legal counsel.

BLUEPRINT COMMISSION RECOMMENDATIONS

17. **ATTORNEY CONSULTATION** -- A child is entitled to representation by legal counsel at all stages of any delinquency proceeding in court before a judge. The Supreme Court should adopt a rule that requires consultation with an attorney before a child takes a plea or gives up the right to legal representation.
18. **PUBLIC DEFENDERS** -- Amend Florida law (sec. 27.51) to authorize the Public Defender to represent children in all delinquency proceedings in court before a judge, beginning with the detention hearing. This would clarify that the Public Defender in each circuit is authorized and should have an attorney present at all detention hearings. Parents or guardians, who are also the alleged victim, should not be charged for the legal representation of their children.

KEY FINDING: Often youth are denied employment and other opportunities due to mistakes made in their early years. These offenses lead to short and long term consequences including ability to pursue employment, education, and other pro-social pursuits.

BLUEPRINT COMMISSION RECOMMENDATION

- 19: **EXPUNGING RECORDS** – In an effort to ensure youth have opportunities to gain meaningful employment and have other opportunities afforded them, it is recommended that Chapters 119 and 943, F.S., be amended to require FDLE, the courts, and local law enforcement, and other agencies to seal, make confidential, and prohibit availability to the public, juvenile arrest records when no charges have been filed. The Department of Juvenile Justice and the State’s Attorney shall retain access to such information.

¹²² F.S. 985.033.

¹²³ Emerging issues from the current use of Domestic Violence Charges on Juveniles for offenses against their family members. Circuit 1 Juvenile Advisory Board, Bryan Callahan, Chair.

¹²⁴ Department of Juvenile Justice.

20. **CONFIDENTIALITY OF RECORDS** – Juvenile arrest records of first time nonviolent offenders shall remain confidential and not available for sale or disclosure by FDLE or any other government agency so long as the juvenile remains crime free. The legislature should amend Florida law to protect the confidentiality of those juvenile arrest records, while allowing law enforcement and prosecutors access to such information. Notwithstanding these changes, the victim of the offense shall continue to have the right to receive a copy of the offense report, as provided under current law.

KEY FINDING: Inmates who were sentenced as adults for offenses committed prior to reaching 18 years of age are eligible for parole on the same basis as other inmates. Parole is not available for many crimes that were committed on or after October 1, 1983.

BLUEPRINT COMMISSION RECOMMENDATION

47. **CONDITIONAL RELEASE AND PAROLE**
—Require the Parole Commission establish a mandatory parole hearing for those inmates sentenced to adult corrections, as a juvenile and who have received more than a 10 year adult prison sentence. Only those inmates who have served at least 8 years of their sentence and who meet established criteria would be eligible for a parole hearing for determination of conditional release or parole. It is imperative that victims are notified prior to the hearing and are afforded opportunity to provide comment and concerns to the Commission.

KEY FINDING: Court practices and procedures regarding the handling of juveniles should be formulated to most appropriately meet the needs of the youth and their families.

BLUEPRINT COMMISSION RECOMMENDATIONS

46: **DUALLY-SERVED YOUTH** – The Department of Juvenile Justice and the Department of Children and Families should review and update the interagency agreement concerning the dually served youth to include defining the role of the Department of Children and Family community based care providers. The Courts assigned to hear dependency and delinquency cases are encouraged to communicate and collaborate concerning children in both court systems resulting in the most appropriate disposition for the child’s well-being. Foster children in Department of Juvenile Justice residential commitment are especially vulnerable, need frequent case management, judicial review, and opportunity to attend dependency hearings in person or telephonically.

GUIDING PRINCIPLE: TRANSITION FROM LARGE INSTITUTIONAL CARE TO SMALLER, COMMUNITY-BASED RESIDENTIAL MODELS AND ENHANCE EDUCATION, JOB TRAINING, AND AFTERCARE SERVICES

COMMISSION KEY GOAL: MOVING AWAY FROM LARGE INSTITUTIONAL MODELS

On any given day, 5,500 youth are in the custody of the Florida Department of Juvenile Justice, housed in residential facilities spread across the state.¹²⁵

These residential programs, which house 5,874 beds, are responsible for addressing complex and often difficult treatment needs of youth. They are, in many respects, the most critical component of the state’s juvenile justice system:

- They consume the largest proportion – 44% – of the Department’s budget – \$306 million in 2007-08, three times more than is spent on prevention and twice the amount spent on either probation or detention.¹²⁶
- They house, care for and treat the most troubled youth and those who, theoretically, pose the highest risk to public safety.

The Department faces a number of challenges in managing these programs, among them:

- The need to migrate to a system of smaller institutions that are more community-based;
- The need to better manage the length of time youth are held in residential programs;
- The need to improve the quality and effectiveness of educational programs for youth in residential placements;
- The need to better transition youth from residential placement back into a community setting.

To put the state’s juvenile residential services in perspective, it is important to understand the evolution in theory and practice regarding the incarceration of and care/treatment of juvenile offenders in the past several decades.

Through much of the latter half of the 1900s, juvenile offenders were housed in large facilities, often called “training schools,” that provided certain economies of scale. Often located in remote rural areas, where land acquisition costs and community opposition were low, these facilities provided a certain “out-of-sight, out-of-mind” benefit to the public and to policymakers. They were notorious for severe and harsh discipline, including corporal punishment.

Additionally, they posed challenges for the youth that they housed, whose family and community supports often were far away and who did not always benefit from the culture of a large, institutional setting; and for administrators who faced challenges with recruiting staff.

While many of these large-scale facilities were reduced in size in the 1990s, much of the culture surrounding them became harsher, as changes in public perceptions about juvenile crime brought increased focus on “corrections” approaches to juvenile offenders, with an emphasis on control.¹²⁷

Today, it is widely accepted that large, lock-up facilities have many disadvantages. Among them:¹²⁸

- Large living units reduce the opportunities for trusting, personal relationships between staff and youth.
- Large groups tend to splinter into subgroups and hierarchies, and promote “delinquent contagion.”
- Large groups require more controls.
- Large-scale settings increase the incidence of “events” and reduce the time spent on each one.
- Large facilities tend to be more overcrowded, have more problematic rates of minority incarceration, more violence, gang involvement and worse conditions of confinement.
- Large institutions teach behavior that has little relevance to life outside the institution.

Conversely, facilities that house smaller groups and are located closer to communities are thought to have many advantages:¹²⁹

- Staff are more willing to become involved with the personal situations of youth in their care.
- Youth make interpersonal connections more easily.
- A more home-like environment is more conducive to good behavior during and after the residential portion of intervention.
- Smaller groups have a more positive effect on education.
- There is less need for staff controls and more emphasis on preparing youth for life after release.

¹²⁵ Florida Department of Juvenile Justice.

¹²⁶ Florida Department of Juvenile Justice.

¹²⁷ Perspectives and Issues in Consideration to Florida’s Transition to Community-Based Programs, Florida Department of Juvenile Justice, report to Blueprint Commission.

¹²⁸ Perspectives and Issues in Consideration to Florida’s Transition to Community-Based Programs, Florida Department of Juvenile Justice.

¹²⁹ Perspectives and Issues in Consideration to Florida’s Transition to Community-Based Programs, Florida Department of Juvenile Justice.

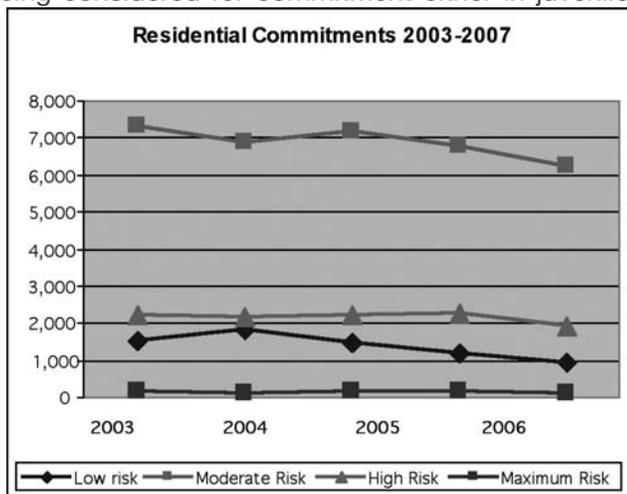
“All things being equal, treatment programs run in community settings are likely to be more effective in reducing recidivism than similar programs provided in institutions,” according to research by the Rand Corporation.¹³⁰

FLORIDA’S RESIDENTIAL PROGRAMS

The Department of Juvenile Justice operates 102 residential facilities throughout Florida, operating programs at four risk levels – low, moderate, high and maximum – and providing five categories of service. These programs range from wilderness camps to halfway houses, from youth development centers to maximum security facilities. Approximately two-thirds of the program beds offer special needs services.¹³¹

Almost all facilities are operated under contract with private contractors. Of more than 100 facilities, the State of Florida operates 19, housing 824 of the more than 5,000 total beds.¹³²

For youth being considered for commitment, the Juvenile Probation Officer schedules a commitment conference, a multi-disciplinary review. All offenders being considered for commitment either in juvenile or



adult court receive such a review. Based on input from this conference and the comprehensive evaluation of the individual, the Department makes its recommendation for court disposition, with the primary considerations being public safety and meeting the treatment needs of the offender in the least restrictive setting possible. The court then ultimately determines the specific restrictiveness level, for the youth’s commitment.¹³³

In the last five years, the number of commitments at all levels has declined 11%, from 11,161 to 9,264. Most of

the decrease has occurred in commitments to low- and moderate-risk facilities. The number of commitments has declined for both males and females and for all racial groups.

In fiscal 2007, there were 9,234 commitments to residential placement. Slightly more than one-third – 38% – were commitments where the most serious charge was a felony. The remainder was for misdemeanors (27%) and “other” charges, such as contempt, non-law violations of probation, non-felony traffic offenses, etc.¹³⁴

SERVICE CATEGORIES

GENERAL – Basic care, custody and education. Outpatient mental health and substance abuse services.

OVERLAY – Basic care and custody services, plus mental health and substance abuse services on site.

SPECIALTY – Specialized treatments for youth with significant mental health and/or substance abuse problems; and youth classified as non-predator sex offenders.

INTENSIVE – Intensive behavioral and psychological/psychiatric services for sex offenders, developmentally disabled and severely mentally ill youth, often with substance abuse problems

COMPREHENSIVE (Dual Diagnosis and Intensive-Major Disorders) – Youth with severe clinical needs.

RISK LEVELS

LOW – Residents require 24-hour supervision; average stay is 4-6 months. Most placements result from misdemeanors and third-degree felonies. Crimes are generally non-violent property crimes

MODERATE – Residents require 24-hour awake supervision; average stay is 6-9 months. Facilities are environmentally, staff or hardware secure. Crimes are mainly serious property offenses and frequent and repeated law violations.

HIGH – Residents require close supervision, structured setting; 24-hour secure custody/care. Facilities are hardware secure, with perimeter fencing and/or locked doors. Average stay is 9-12 months with limited community access.

MAXIMUM – Residents require close supervision, structured setting; 24-hour secure custody/care. Facilities are hardware secure, with perimeter fencing and/or locked doors. Minimum stay is 18 months, in single cells. Residents typically are chronic offenders and those who have committed violent and other serious felonies.

¹³⁰ Dr. Peter Greenwood, president & CEO of Greenwood & Associates, Researcher for Rand Corporation.

¹³¹ Bearing Point, Florida Department of Juvenile Justice Residential and Specialty Services Providers Rate Analysis.

¹³² Department of Juvenile Justice, as of June 30, 2007.

¹³³ Bearing Point, Florida Department of Juvenile Justice Residential and Specialty Services Providers Rate Analysis.

¹³⁴ Department of Juvenile Justice.

FACILITY SIZE AND LOCATION

The Department of Juvenile Justice has made strides in reducing the size of its residential facilities. Currently, one in three residential beds is located in a facility housing 50 or fewer youth. Conversely, 42% of residential beds are in facilities that house 100 or more youth, including 17% in facilities housing 165 or more youth.¹³⁵

Though the residential facilities are dispersed throughout the state, there are 21 of Florida’s 68 counties that have no residential facility. In some areas, multiple adjacent counties lack a residential facility, which can present challenges both for youth and their families.¹³⁶

Location of facilities is critical because of issues of access. Families need to have access to the youth in commitment if they are to be involved and supportive parties. Community access is important if community members are to participate in support of the system through volunteering, serving on advisory boards and other activities. And connections between the youth and the community are important to maximize the youth’s smooth transition back into community life.

“State run facilities, these big institutions, cannot replicate what a family does for a child,” said Secretary McNeil. “How can we effectively start to make an impact on really turning around the lives of these kids? If it is true that smaller classrooms are better for our kids in the education system, then the same is applicable in the Department of Juvenile Justice.”¹³⁷

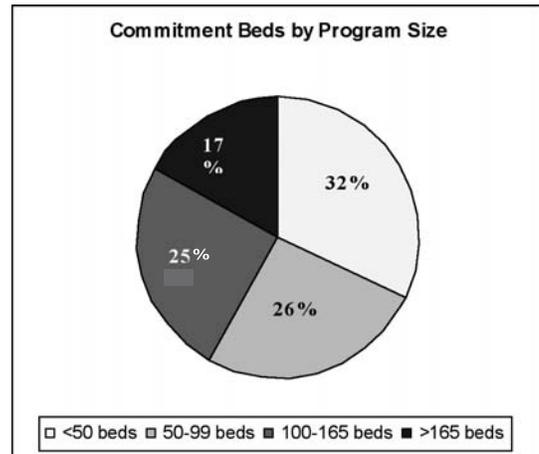
Converting the current system to a more community-based system of smaller facilities presents a number of challenges, not the least of which is financial.

A cost study conducted in 2007 by Bearing Point¹³⁸ analyzed current cost of care rates and suggested “model” cost of care rates, based on type of facility, services provided and geographic location. “This analysis clearly shows that the rates being paid for specialty services are not adequate to obtain the services that are needed for our youth...Moving from large institutions to community based programs is going to cost more...a larger increase is needed to operate smaller community based programs.”¹³⁹

While the Department needs to move toward a system of smaller residential facilities, it also seeks to inspire responsible innovation in program design by private contractors who operate the programs.

“We should be using the private system because they do it better,” said Rex Uberman, assistant DJJ

secretary for residential services. “One of the reasons they don’t do it better is because we [the Department] require them to do it the same way that the State does it. Private contracting is supposed to be innovative. We contract for compliance. We need to look at some new and innovative ways of contracting. If contractors are tied to millions of strings and ropes that Lilliputians have tied to them, then they are not going to be able to do any better than the state agencies can do. We need a contracting process that inspires as well as manages and monitors.”¹⁴⁰



LENGTH OF STAY

Florida has an indeterminate sentencing structure for youthful offenders whereby the length of commitment varies by offense and the risk level of the program in which the youth is placed. Stays average from 127 days at a low-risk program to 522 days at a maximum-risk program.¹⁴¹ The length of stay is based on the youth’s progress in meeting treatment goals.

Once the court has ordered the youth to be committed to a residential program at a specified restrictiveness level, it is up to the Department to identify which program at that level best meets the needs of the child. If there is no room in an appropriate program, the youth generally waits in a detention facility until a bed is available.

In the past, it was routine for there to be 1,000 or more youth in detention awaiting placement. Today, the “wait list” is down to about 140.¹⁴²

For those youth waiting in detention, the time spent there does not “count” toward their required residential commitment. This can be particularly damaging to youth with high-end mental health needs, as secure detention facilities are not equipped to provide high-end services.

¹³⁵ Department of Juvenile Justice.

¹³⁶ Department of Juvenile Justice.

¹³⁷ McNeil, Blueprint Commission testimony, October 29, 2007.

¹³⁸ Bearing Point, Department of Juvenile Justice Residential and Specialty Services, Providers Rate Analysis.

¹³⁹ Department of Juvenile Justice, Consultant Analysis of Actual Cost to Provide Residential Services in Florida, report to Blueprint Commission.

¹⁴⁰ Uberman, Blueprint Commission testimony, October 29, 2007.

¹⁴¹ Department of Juvenile Justice.

¹⁴² Uberman, Blueprint Commission testimony, October 29, 2007.

“I believe that when the courts commit youth to residential treatment that we use every moment for constructive change,” said Uberman, “Every moment should be designed to get us to that end.”

FINDINGS & RECOMMENDATIONS

KEY FINDING: Research has found that residential programs should promote family involvement, prepare youth for successful transition back into the community through contacts with schools and employers, and provide a more realistic setting in which youth can learn and practice social skills.

BLUEPRINT COMMISSION RECOMMENDATIONS

35. **SMALL FACILITIES** – DJJ shall create community-based programs with a continuum of care that support the use of small facilities to provide programs and interventions that protect the public, serve families, and habilitate youth.
- 34: **OFFENDER REVIEW** – The Department of Juvenile Justice should implement a systemic and structured process for identifying and reviewing non-violent and non-serious offenders, and those who have made significant progress in treatment, for consideration by the court for early release or “step down” to community based programs. The Department of Juvenile Justice should review probation practices and the commitment management process with the goal of reducing the incidence of probation violations and allowing for conditional release or transfer of committed youth.

COMMISSION KEY GOAL: ENHANCE EDUCATIONAL AND VOCATIONAL PROGRAMS

Educational services are a key component of the juvenile justice system. Youth in the juvenile justice system typically have failed in the public school system and are two grade levels behind their same-aged peers.¹⁴³

Youth referred to the Department of Juvenile Justice continue their education in a variety of settings, depending on the nature and consequences of their offense. Some continue to attend public schools, others attend alternative schools, and some participate in prevention or intervention programs in separate, self-contained schools where education is provided either through public school teachers or contracted educational services. On any given day in Florida, about

12,200 students are attending one of approximately 200 separate juvenile justice education programs. More than 4,000 of these youth, aged 16 and over, receive services directly from the Department.

All programs have statutory mandates that address the continuity of education, records transmittal, school district-designated transition specialists, levels of vocational education and access to technological support.

The Florida Department of Education, through school districts across the state, provides the educational services to youth in the juvenile justice system. Among the challenges faced by these school districts are:

- A high proportion of youth with exceptional-student needs – from 35% to 60% of the youth at some locations.¹⁴⁴
- High cost of services. Providing educational services to a population with high rates of exceptional needs and under unusual circumstances is expensive. The State of Florida, through the Department of Education, allocates educational funding on a cost-per-child basis. The base funding per student is \$4,400,¹⁴⁵ which may be well below the actual cost to provide educational services to this specialized population.
- High turnover – as high as 49% – among teachers serving DJJ youth¹⁴⁶
- Limited technical resources – while classrooms have computers, youth often have no computer access outside of class-time during which to pursue additional work or participate in on-line learning opportunities.¹⁴⁷
- The difficulty of implementing diverse and flexible education programs in the context of a small-scale residential facility with limited resources.

RE-ENTRY OR TRANSITIONING TO THE COMMUNITY

Youth in residential placement work toward eventual return to their communities. The effectiveness of this transition can be frustrated by geography – the loss of community connections that results from spending extended time in a distant location. It also can be frustrated by ineffective networks to help the youth find useful and appropriate activities upon return to the community.

¹⁴³ Uberman, Blueprint Commission testimony, October 29, 2007.

¹⁴⁴ Department of Juvenile Justice.

¹⁴⁵ Department of Juvenile Justice.

¹⁴⁶ Department of Juvenile Justice.

¹⁴⁷ Department of Juvenile Justice.

For youth in residential programs, planning for their release – transition planning – begins well before the release date. These youth need to have a seamless transition, including provision of adequate support upon exiting the juvenile justice programs. The majority of these youth are away from their home communities, increasing the challenge of sound transition planning.

A sound transition plan provides services to the youth prior to his or her release from the program, but also provides services in the community to which the youth will return.

Youth need job skills in order to be employed and employment in order to pay court-ordered restitution and move on to more productive lives. Education and vocational skills acquired during commitment are of minimal help if job opportunities are not available post-commitment.

Throughout Florida, a number of organizations operate programs that work to reconnect youth with work and community resources upon release. Each of these programs operates independently, however.

FINDINGS & RECOMMENDATIONS

KEY FINDING: A youth should not have to spend several months of unproductive time awaiting placement in a residential program.

BLUEPRINT COMMISSION RECOMMENDATION

40. **COUNTING TIME** – Services and education that youth receive in detention while awaiting placement in a commitment program should be considered as part of completing the youth’s treatment plan. Similarly, the services and education that youth receive in a competency restoration placement should be taken into consideration in the pre-disposition report as part of the youth’s treatment plan in any subsequent disposition. It is recommended that the Governor establish a committee to review and make recommendations to modify current statute and / or practices associated with restoration of competency. The committee should include members of the judicial branch, the state’s attorney, the public defender, the Department of Juvenile Justice, the Department of Children and Families, and community mental health representation.

KEY FINDING: Educational system requirements / needs have changed in the last 10 years and new policies have been implemented that have impact on education within juvenile justice. An updated study would provide for current data and recommendations for improvements.

BLUEPRINT COMMISSION RECOMMENDATION

21. **REVIEW OF EDUCATIONAL PROGRAMS**
– The Legislature, through OPPAGA, should conduct a comprehensive review of educational programs within the juvenile justice system, to include youth who also have their high school diploma or GED, and provide recommendations to address the needs for program and instructional flexibility to improve academic and vocational outcomes of youth served.

KEY FINDING: Improving the state’s investment in at-risk youth is essential to ensuring success and positive outcomes by ensuring appropriate education, vocation, and post release placement is achieved.

BLUEPRINT COMMISSION RECOMMENDATIONS

22. **REVENUE FOR WORKFORCE BOARDS**
-- Provide regional workforce boards general revenue earmarked for juvenile justice involved youth employability skill development and prevention, intervention, and residential programs and post commitment. These funds may also be used for increased Florida High School/High Tech programs serving juvenile justice involved students with disabilities as well as employer incentives and matching funds to enhance recruitment and retention of juvenile justice involved youth by local community business partners. The Department of Juvenile Justice should track and report performance measures back to responsible regional workforce board.
24. **INTEGRATING EDUCATION AND TREATMENT**
-- Recommend the Children and Youth Cabinet direct DJJ, DOE and DCF, in consultation with the Department of Financial Services, create a model template designed to integrate education and treatment services, funded through separate agencies, within a juvenile justice program serving youth with multi-agency needs.

25. INCREASED EDUCATIONAL FUNDING --

Recommend a weighted cost factor of 1.6 specific to juvenile justice education programs. DOE should also monitor and ensure that 90% of funds generated for juvenile justice educational programs and 100% of all appropriate categorical funds (i.e., text books, transportation, etc.) go directly to the programs.

- 26. EXPAND TECHNOLOGY USE --** Expand use of technology in juvenile justice education programs to include distance learning, access to Florida Virtual High School and post-secondary education within and after school through shared working agreements between school districts and the Department of Juvenile Justice. Ensure education technology grants and career academy funding available from the Department of Education are available to juvenile justice educational programs with mobile student populations.

KEY FINDING: Effectively re-integrating juvenile offenders into continuing education, employment and community life is provided additional sources

of supervision, training and the opportunity for relationship development of youth previously disengaged from society.

BLUEPRINT COMMISSION RECOMMENDATIONS

- 23. TRANSITION PLANNING --** Prior to exiting juvenile justice commitment programs, all youth shall have the benefit of an identified community based, inter-agency transition planning team to facilitate a comprehensive, multi-agency reintegration of each youth into the community to include housing, education, and employability.
- 39. JOB SKILLS TRAINING -** Job skills training providing educational credits and / or nationally recognized certification will be available in all juvenile justice day treatment programs and residential commitment programs. The Department of Juvenile Justice shall work with the Agency for Workforce Innovation and Workforce Florida to assure that all job skills training is in areas directly tied to careers listed on Florida's targeted occupation list.

**GUIDING PRINCIPLE: ENSURE POSITIVE OUTCOMES FOR YOUTH THROUGH
A STABLE AND PROFESSIONAL WORKFORCE****COMMISSION KEY GOAL: STABILIZE AND PROFESSIONALIZE THE JUVENILE
JUSTICE WORKFORCE**

The Department of Juvenile Justice works with about 7,600 direct-care staff, including probation, detention and residential officers and their direct supervisors. Not quite half – 47% – of those are State of Florida employees, and 53% are employees with the private contractors who deliver services for the Department.

Both state and contract staff must meet minimum qualifications, which include:

- Being at least 19 years of age;
- Holding a high school diploma or its equivalent (excluding probation officers, which require a bachelor's degree);
- Having no felony convictions;
- Having no dishonorable military discharge;
- Successful passing a background investigation.

Starting salaries begin at \$19,780 for private staff and \$23,482 for state employees. Both starting salaries are substantially lower than an equivalent starting position with the Department of Corrections (adult system), which is \$30,807.¹⁴⁸

The department faces multiple challenges related to the workforce:

High Turnover: Within the first year after training, 35% of state direct-care employees leave and from 50-66% of private direct-care workers leave. This turnover is the equivalent of just under 3,000 officers turning over each year. High turnover costs the state – and the youth in the system.

Turnover increases caseloads and the costs associated with providing adequate supervision – \$14 million in overtime payments annually. Turnover raises training costs – the Department spends \$500-\$2,400 on training each new employee – investments that are lost and must be replaced when employees leave.

Impact on Safety and Security of Youth and Staff: Staff shortages and staff inexperience make it more challenging to control the sometimes volatile population of young people in the system. In the past year, there

have been more than 200 youth-on-youth batteries, more than 180 youth-on-staff batteries and more than 240 staff-on-youth batteries.

Additionally, although a small percentage, just over 150 state and private direct-care workers have committed an offense and been arrested since January 2007.

“After researching and speaking with individuals across the state, I have concluded that this high turnover is directly attributable to long hours, low pay, lack of career development; lack of leadership support; fear of punishment and high stress,” said Secretary McNeil. “These officers are serving children who have behavior disorders, substance abuse, mental health issues and children who have been traumatized and sexually abused. Many of these youth are angry and lash out. After looking at the skills, training, education and experience that many of our workforce bring to the table, I am convinced that many are not prepared to manage these children and we must do a better job preparing and training them.”

In September 2005, the Office of Program Policy and Government Accountability reported on challenges with pay and training for employees working in juvenile justice. It found variable rates of pay among department employees: state employees were paid more than those employed by private contractors; and non-profit private contractors paid employees more than for-profit private contractors. Additionally, pay varied by duty, with probation officers earning more than those working in secure detention or residential programs. Florida's rate of pay, however, was in the middle range compared with other southeastern states – lower than Georgia or the Carolinas, but higher than Alabama, Mississippi, Louisiana and Texas.¹⁴⁹

In January 2006, a task force charged with examining the feasibility of instituting a certification system for private employees working in the juvenile justice system advised the governor that such a system was not feasible unless attention was first paid to high staff turnover and its underlying causes. It stressed the need for a “comprehensive approach to stabilizing and professionalizing the workforce.”¹⁵⁰

¹⁴⁸ Rick Davison, Deputy Secretary DJJ; Cathy Craig-Myers, Executive Director FJJ; and Dee Ritcher, Executive Director, Florida Network for Youth and Families; Blueprint Commission testimony, November 6, 2007.

¹⁴⁹ Qualifications, Screening, Salaries and Training Affect Quality and Turnover of Juvenile Justice Employees, Office of Program Policy and Government Accountability, September 2005.

¹⁵⁰ Mark P. Fontaine, co-chair, Taskforce to Study Certification for Juvenile Justice Provider Staff. Blueprint Commission testimony, November 6, 2007.

COMPARING SALARIES Residential		
DOC Corrections Officer	DJJ Detention Officer	DJJ Contracted Direct Care Staff
\$30,807	\$25,479	\$19,780
Non-Residential		
DOC Probation Officer	DJJ Probation Officer	DJJ Contracted Professional
\$33,478	\$29,344	\$26,499
<i>Source: People First Data System, compiled by DJJ</i>		

FINDINGS & RECOMMENDATIONS

KEY FINDING: The Department and its providers face a critical staff shortage due to excessive high turnover rates and their inability to recruit, hire and retain a qualified, professional staff.

BLUEPRINT COMMISSION RECOMMENDATIONS

41. **RECRUITING AND RETENTION** – The Department of Juvenile Justice must have the ability to recruit and retain a professional direct care workforce and substantially reduce turnover to ensure the most appropriate supervision and rehabilitation of at-risk youth in their care. To achieve this goal, the Blueprint Commission recommends:
- 1) Funding for a role delineation study to determine core competencies for all state and contracted direct care staff and revision of minimum hiring requirements.

- 2) Development of professional curriculum, continuing education requirements, and establishment of a certification program to include standards, requirements, exams, certification, decertification.
 - 3) Review and increase of base rates of pay for all direct care staff.
 - 4) Special risk retirement benefit for direct service employees who work directly with youth.
42. **CONDITIONAL HIRING** -- In an effort to reduce the amount of time it takes to hire a direct care worker and in an effort to increase the pool of qualified applicants, DJJ should authorize the ability to conditionally hire juvenile justice employees upon successful completion of a preliminary background, but prior to completion of a full background, on the condition that no direct contact with children occurs and conditional hires are not located in the facility or grounds where youth are located. Additionally, the hiring eligibility criteria should be amended to authorize the hiring of applicants with past involvement in the juvenile justice system under certain conditions.
52. **PROBATION OFFICERS** – Increase the number of direct service Juvenile Probation Officers, and support staff to meet 100% of the need in order to fulfill the mission of the Department.

GUIDING PRINCIPLE: ENSURE AN EFFECTIVE AND ACCOUNTABLE SYSTEM BY IMPLEMENTING PROGRAMS THAT HAVE DEMONSTRATED POSITIVE RESULTS FOR YOUTH, AND BY ADOPTING PERFORMANCE OUTCOMES THAT INDICATE WHICH PROGRAMS ARE SUCCESSFUL**COMMISSION KEY GOAL: PROVIDE AN ACCOUNTABLE SYSTEM THAT IS OUTCOME-BASED**

Since the inception of the juvenile court, policy makers often have had to rely on intuition to determine what programs or services to offer offending youth. Today, however, research on delinquency, youth development and effective behavioral change has advanced to the point it can provide effective guidance to juvenile justice professionals regarding what strategies work in reducing juvenile crime and improving public safety.

The phrase “evidence-based” is widely used in policy discussions to describe programs that are rooted in research and evaluation. “Outcome-based” refers to programs designed with the desired outcome in mind. The two approaches complement one another, and both require careful attention to underlying science, desired outcomes, disciplined program implementation, and appropriate assessments and evaluations.

The importance of such programs cannot be overstated.

From a human service perspective, it is in the best interests of the community to have youthful offenders receive services and sanctions designed to provide the optimum opportunities for them to become healthy, constructive citizens.

From a public safety perspective, it is in the best interests of the Department to employ strategies that effectively prevent juvenile delinquency and, for those who do offend, minimize recidivism.

From a fiscal perspective, it is in the best interests of the public to focus investments in programs that have been proven effective at meeting these goals.

The Department of Juvenile Justice has adopted The Principles of Effective Intervention and Evidence-Based Practice and worked to integrate these principles into its operations. (See Box)

Effective implementation, however, requires staff trained and skilled in disciplined program delivery as well as assessment and evaluation. It also requires front-end attention to the research needed to determine which programs are most effective.

To achieve these goals, the Department may need to pilot some new approaches to determine which strategies are most appropriate.

The State of Washington, in 2005, undertook such a study when the Legislature directed the Washington State Institute for Public Policy to project whether there were evidence-based options that could educe future need for prison beds, save taxpayers’ money and contribute to lower crime rates.¹⁵¹

The Institute conducted a systematic review of all research evidence and analyzed 571 evaluations of correction and prevention programs. Through that analysis, researchers were able to project the effectiveness – in terms of cost and crime rates – of different scenarios the state might take in its approach to crime.

In addition to independent reviews such as Washington undertook, other resources are available to state. The Office of Juvenile Justice and Delinquency Prevention, for example, maintains a database of “Model Programs,” designed to assist practitioners and communities in implementing evidence-based prevention and intervention programs. The database covers the entire continuum of youth services from prevention through sanctions to re-entry.

KEY FINDING: Evidence-based and outcome-based programs are most effective at addressing juvenile crime, but require careful study, staffing and implementation.

BLUEPRINT COMMISSION RECOMMENDATIONS

36. OUTCOME-BASED CONTRACTING -- The Department of Juvenile Justice shall be encouraged and authorized to conduct demonstration projects that emphasize the benefits of outcome based contracting with key/critical interim performance standard requirements as opposed to a compliance based contract. The Legislature should authorize DJJ to contract based upon interim and long-term outcome performance measures.

¹⁵¹ Steve Aos, Marna Miller, Elizabeth Drake, Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates, Washington State Institute for Public Policy, 2006.

THE FIVE PRINCIPLES OF EFFECTIVE INTERVENTION TO IMPLEMENTING EVIDENCE-BASED PRACTICES

RISK PRINCIPLE – Target delinquents who are most at risk.

NEED PRINCIPLE – Services provided should address criminogenic needs. These are risk factors that have been proven to be predictive of future criminal behavior, such as:

Anti-social attitudes, values and beliefs supportive of crime.

Criminal associates and isolation from pro-social youth and positive influences.

Current dysfunctional family characteristics.

Low self-control, risk-taking, below average verbal intelligence, weak problem-solving or self-regulation skills, focus on self-importance.

Substance abuse.

Poor use of recreation time; preference for anti-social leisure activities.

History of problems in school and/or employment.

TREATMENT PRINCIPLE – Employ evidence-based treatment approaches. These services should incorporate cognitive behavioral theory foundations.

RESPONSIVITY PRINCIPLE – Services provided should match the teaching style to the learning style of the youth.

FIDELITY PRINCIPLE – Monitor implementation to ensure programs are delivered the way in which they were designed.

44. **ANNUAL CONVENINGS** – The Secretary of the Department of Juvenile Justice should convene the Blueprint Commission on Juvenile Justice annually, for a period of three years, for the purpose of reviewing and issuing a progress report on the Commission’s recommendations and the impact on Florida’s juvenile justice system.
37. **SERVICE DISTRICTS** – The department shall identify “service areas” that promote the concept of community-based programs while recognizing the unique characteristics of Florida’s communities, and will recommend implementation to the Legislature. Adoption of the DCF service area boundaries shall receive careful consideration. A full continuum of services that include, but are not limited to, prevention, early intervention, supervision and support services in the family, probation, residential, and aftercare will be available in each service area.
45. **STATEWIDE RESEARCH INSTITUTE.** – Recommend the establishment of a State Juvenile Justice Policy Research Institute for Juvenile Practices.
51. **COMMITMENT TO BALANCED APPROACH** – The Florida Department of Juvenile Justice shall have a commitment to a balanced approach in all of its activities and services. This approach should address the needs and interests of all stakeholders including victims, communities, and offenders impacted by juvenile crime.

KEY FINDING: The return on investment in crime reduction from diverting funding for adult prisons has been substantial in Washington State. It is believed that if the State of Florida implements these same strategies, the savings will be similar, thereby providing an opportunity for more aggressive funding of increasing prevention, diversion, and intervention programs.

BLUEPRINT COMMISSION RECOMMENDATION

43. **RETURN ON INVESTMENT** – The Department along with the Department of Corrections and the Department of Children and Families will work with a respected financial and forecasting research organization to calculate the return on investment and cost savings of crime reduction through effective programming (as done by the Washington State Institute for Public Policy) with the goal of implementing similar cost saving strategies and practices in Florida.

UNRESOLVED ISSUES

During public hearings and deliberations, the Commissioners addressed a number of issues that, for various reasons, did not become part of the Commission's final recommendations.

Three of those issues generated vigorous discussion and deep interest. However, due to the complexity of the issues, time did not permit the body to develop formal recommendations. The Commissioners wish to lift up the issues in the hopes that through further discussion, they may be addressed in a constructive manner.

INCOMPETENT TO PROCEED

As with adults, youth sometimes are deemed incompetent to proceed with the judicial process confronting them.

Youth who have committed a misdemeanor and are deemed by the court as incompetent to proceed likely will be placed in a community treatment program to restore competency.

However, youth who have committed a delinquent act or violation of law, either of which would be a felony if committed by an adult, and are deemed incompetent to proceed likely will be placed in an "incompetent-to-proceed program," which is a residential treatment program overseen by the Department of Children and Families.

For this latter group, the problems are program capacity and interim custody.

Often the youth is assigned to secure detention pending placement in the incompetent-to-proceed program. The youth may wait in secure detention for weeks, waiting for a suitable vacancy to occur. While detention may provide a secure setting in which to hold the youth, detention centers are not designed or equipped for long-term housing. They do not provide treatment programs, they do not allow for ongoing educational programs, and they do not provide the acute interventions most likely needed by a youth who is incompetent to proceed.

Once the youth has completed the program and his or her competency is restored, the youth is sent back to court to proceed with the delinquency hearing. The court may likely return the youth to a juvenile justice residential facility to participate in a delinquency program.

Thus, the youth deemed incompetent to proceed faces extended time in multiple programs, and the likelihood that some of it will be in a detention center with no substantial treatment offered.

The Commissioners request that the Governor appoint the Department of Children and Families to work with the courts, state attorney, public defender and the Department of Juvenile Justice to develop recommendations for improving this process.

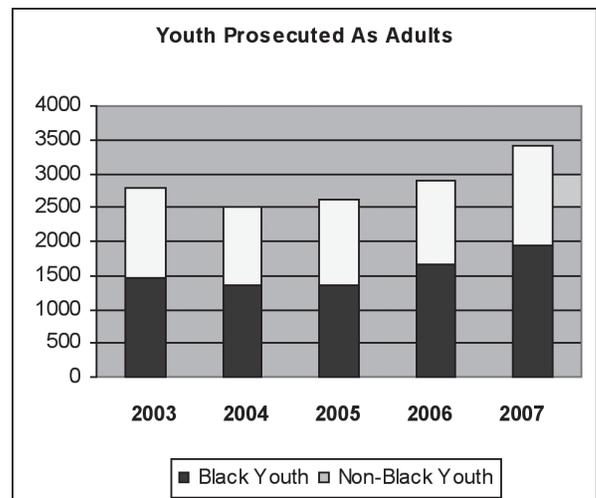
PROSECUTING YOUTH AS ADULTS

Youth may be tried as adults in the State of Florida under a provision called "Direct File," whereby the prosecutor determines whether to initiate criminal proceeding against a youth in adult court rather than juvenile court. Youth as young as 14 can be tried as adults and youth of any age who have been charged with a violation of state law punishable by death or life imprisonment can be charged as an adult.¹⁵²

In Florida in the last five years, the trend to charge juveniles as adults has increased. Though the total number of youth referred to the Department of Juvenile Justice declined more than 6% from 2003-2007, the number of youth referred to adult court increased 23%.¹⁵³

Of equal concern is the disproportionate number of black youth who are prosecuted as adults.

Between 2003 and 2007, from 52% to 57% of all youth prosecuted as adults were black. However, blacks make up only 21% of Florida's population of youth age 10-17 and only 39% of all youth referred to the Department of Juvenile Justice.¹⁵⁴



¹⁵² F.S. 985.56.

¹⁵³ Department of Juvenile Justice.

¹⁵⁴ Department of Juvenile Justice.

During Commission meetings, the reasons behind and ramifications of decisions to prosecute youth as adults generated great debate, but Commissioners lacked the time to fully resolve their varied views. It was recommended that the Governor or Legislature appoint a committee to review this issue further.

SHACKLING

“Shackling” refers to the use of handcuffs, leg restraints or belly chains to limit the movement of an individual, either singly or in a group. It is not uncommon for juveniles to be shackled during court appearances. In some juvenile courts in Florida, juveniles appear in court in groups, shackled together, regardless of age, size, gender, alleged offense, or the lack of likelihood of misbehavior or escape.

The Department of Juvenile Justice’s policies call for shackling youth in transit as a matter of public safety. Judges, however, have complete discretion over what happens within the courtroom.

Youth advocates express deep concerns about shackling youth in court. They describe instances where groups of shackled youth are herded into courtrooms and receive little individual attention from judges and prosecutors, and where detained children are brought to dependency court hearings in shackles to face the parent who is accused of abusing, neglecting or

abandoning the child. They argue that indiscriminate use of mechanical restraints is inconsistent with the rehabilitative goals of the juvenile justice system

Some judges defend the practice by pointing to the need to protect others in the courtroom from youth who could be potentially violent or volatile.

Others judges, however, have banned the practice from their courtrooms.

“Some of these children are 12 years old and picked up for misdemeanors like shoplifting,” said Broward Juvenile Court Judge Larry Seidlin, who ordered the restraints removed. “It’s unconscionable to shackle these children.”

And many public defenders have campaigned aggressively against the practice.

“The job in juvenile court is to make sure they [juveniles] don’t re-offend. Degrading and demeaning children is not the way to accomplish that goal,” said Pinellas-Pasco Public Defender Bob Dillinger.

The Commissioners encourage the Department of Juvenile Justice, in consultation with State’s Attorney, Public Defenders, and the Courts, to review rules and practices for shackling youth during transportation and in the courtroom.

¹⁵⁵ Jon Burstein, “Detained juveniles will not be shackled in courtrooms, judges rule,” South Florida Sun-Sentinel, September 26, 2006.

¹⁵⁶ Graham Brink, “Shackling in juvenile courts faces test / Three judges in Broward have banned the practice. One bay area public defender also wants a ban.” St. Petersburg Times, September 27, 2006.

MOVING FORWARD

If there is one constant in the dozen-year history of Florida's Department of Juvenile Justice, it is that change is inevitable. The public's perceptions and expectations will change, the Department's expertise will change, and the state of knowledge and practice in the field will change.

Effective administration of a juvenile justice system requires constant review – and it requires the thoughtful input of stakeholders at all points in the system.

Moreover, the most effective programs – those that are not only the best for our youth, but the best for the public in terms of safety and fiscal stewardship – are those that have been adequately tested and researched, that are based in proven strategies and that are known to be able to deliver the desired outcomes.

The recommendations of the Blueprint Commission are expansive and comprehensive. Implementation of some will require little more than a change of practice within the Department of Juvenile Justice. Implementation of others will require additional funding, and, in some cases, legislative authorization.

The Commission and the Department envision a multi-year strategy of implementation of these recommendations. To that end, the Department and the Commission have prioritized the recommendations and identified lead agencies for each recommendation.

That prioritization follows.

BLUEPRINT COMMISSION ON JUVENILE JUSTICE PROPOSED PRIORITIZATION OF RECOMMENDATIONS

YEAR 2008

Recommendations requiring no substantive legislation and having minimal fiscal impact

TOPIC: PREVENTION AND INTERVENTION

- 28: **AWARENESS CAMPAIGN** – The Florida Department of Juvenile Justice shall conduct a statewide campaign, on a continuing basis, in conjunction with the DOE, DCF, and local information and referral networks, to raise awareness of prevention and early intervention services available to help families and children know and understand what services and programs are available and how to access care and services. Additionally, the public awareness campaign should also include education and awareness to applicants and employers on employment application questions dealing with prior arrest and / or conviction.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: \$300,000; DJJ will seek grant.

- 30: **DOMESTIC VIOLENCE** – The Florida Department of Juvenile Justice, the Florida Department of Law Enforcement, the Florida Sheriffs, Florida Police Chiefs, Florida Coalition Against Domestic Violence, Florida Network of Youth and Family Services, and other key stakeholders will work with local law enforcement agencies and victim advocate organizations to prevent children from being arrested who have had contact with law enforcement for domestic violence by allowing for the use of alternatives to arrest, such as placement in CINS/FINS shelters or other respite care, when appropriate for family and community safety.

Lead Agency: DJJ (Multi-agency);

Legislation: Requires no substantive legislation;

Fiscal Impact: Anticipate additional funding for CINS/FINS beds second year (2009 session).

- 31: **ZERO TOLERANCE POLICIES** – Recommend the Children and Youth Cabinet direct the

Department of Education, law enforcement, school superintendents and the Department of Juvenile Justice should partner to review and amend K-12 zero tolerance policies and practices to eliminate the referral of youth to DJJ for misdemeanor offenses. Ensure policies and practices are consistent with the original legislative intent of the zero tolerance laws targeting serious, violent offenses, while developing alternatives that promote youth accountability while avoiding suspension and other punitive options.

Lead Agency: DOE & School Superintendents;

Legislation: Requires no substantive legislation;

Fiscal Impact: Funding may be required for training schools / law enforcement on diversion options.

- 49: **GANG-FREE INITIATIVE** – Consistent with the Attorney General's Statewide Gang Reduction Strategy, the Department of Juvenile Justice should partner with state and local law enforcement, the Department of Education, the Department of Children and Families, and local communities, to identify those identifiers and signs of gang involvement and activities and put effective intervention efforts in place to ensure a safe environment for youth and communities.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: DJJ will seek grant funding if resources required.

TOPICS: DETENTION and DISPROPORTIONATE MINORITY CONTACT

- 4: **RISK ASSESSMENT INSTRUMENT** – Florida's current risk assessment instrument should be re-evaluated to ensure it is reliable, independently validated, evidence based and gender and racially neutral to ensure a fair, objective assessment of risk level for appropriate placement in secure or non-secure detention without increasing risk to public safety.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: None

TOPIC: DETENTION

- 5: **DETENTION ALTERNATIVES** – Alternatives to secure detention should be created and funded for youth who are eligible for secure detention, but whose risk to public safety does not require use of this costly level of control.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: \$500,000, Seek grant to pilot in select counties.

- 6: **PRIOR COMMITMENT** – To ensure youth who pose a serious threat to public safety are not redirected away from secure detention, a prior residential delinquency commitment should be considered a significant risk factor. The existing Detention Risk Assessment Instrument (DRAI) should be modified to allow for an “aggravation” of the score of up to 3 additional points, if necessary, for a youth charged with a felony, and who has a prior residential delinquency commitment in order to be eligible for secure detention.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: None.

TOPIC: HEALTH AND MEDICAL SERVICES

- 8: **MEDICAID ELIGIBILITY** – Florida’s policy on Medicaid eligibility, dis-enrollment, and suspension should be reviewed and amended to prevent the dis-enrollment of benefits for previously eligible youth committed to high or maximum risk programs under the Department of Juvenile Justice and minimize disruption of benefits upon release from the juvenile justice system. Medicaid policy should be changed to allow continued coverage for eligible youth for six months after release from the commitment program to allow the opportunity to complete treatment.

Lead Agency: DCF;

Legislation: Requires no substantive legislation;

Fiscal Impact: None

- 9: **ASSESSMENT OF HEALTH SERVICES** – Resources for health, mental health and substance abuse services, as well as oversight of these services within the Juvenile Justice system are grossly inadequate. The Legislature should require an independent, clinically driven

assessment of health services throughout DJJ to then make recommendations that will ensure the appropriate funding and delivery of care for all youth served by the department.

Lead Agency: Legislature (OPPAGA);

Legislation: Requires no substantive legislation;

Fiscal Impact: No funding required for review; funding required to provide adequate medical resources.

- 11: **ASSESSMENT OF HEALTH EXPENSES** – The Department of Juvenile Justice should perform a comprehensive assessment of the expenses associated with serving youth with extenuating medical, mental health, developmental disability services, including physical disabilities and impairments. Additional funds should be appropriated to the Department to draw upon to care for these youth who require treatment beyond routine care and who are Medicaid ineligible.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: \$1 million.

- 12: **DEPARTMENT REORGANIZATION** – The Department shall re-organize to require the Chief Medical Director report directly to the Secretary of the Department of Juvenile Justice.

Lead Agency: DJJ;

Legislation: Requires no substantive legislation;

Fiscal Impact: None.

YEAR 2008

Recommendations requiring substantive legislation

TOPIC: PREVENTION AND INTERVENTION

- 32: **ZERO TOLERANCE STATUTE** – Amend F.S. 1006.13 to prohibit the unjust application of zero tolerance, clearly stating that zero tolerance shall not be applied to petty acts of misconduct and misdemeanors. Discipline and/or prosecution should be based on considerations of the individual student and the particular circumstances of misconduct. School districts should involve law enforcement only for serious offenses that threaten school safety. Alternatives to expulsion or referral for prosecution should be developed that will improve student behavior and school climate without making schools dangerous.

Lead Agency: DOE;

Legislation: Requires substantive legislation;

Fiscal Impact: Funding may be required to provide training to schools / law enforcement on diversion options.

33: **YOUTH AGE 10 AND UNDER** – A child who is 10 years old or younger who is referred for a delinquent act should be diverted. A delinquency petition cannot be filed on a child 10 years of age or younger unless appropriate services have been exhausted.

Lead Agency: Courts;

Legislation: Requires substantive legislation;

Fiscal Impact: Dependent on the diversion options available in the circuit or county.

48: **ADVISORY BOARDS AND COUNCILS** – The Legislature should amend the statute, which establishes the Juvenile Justice Circuit Boards and Juvenile Justice County Councils, to provide for local discretionary grant prevention funds to meet the specific needs within their local communities.

Lead Agency: DJJ;

Legislation: Requires substantive legislation;

Fiscal Impact: None anticipated.

TOPIC: DETENTION

1: **ALTERNATIVES FOR FIRST-TIME MISDEMEANANTS**

– The Legislature should adopt as Florida’s policy encouraging alternatives to processing first-time, misdemeanor youth through the formal process of arrest, intake and adjudication. Alternatives could include the issuance of civil citation, community-based and / or home-based alternatives.

Lead Agency: Legislature

Legislation: Requires substantive legislation;

Fiscal Impact: Variable.

TOPIC: LEGAL REPRESENTATION

18: **PUBLIC DEFENDERS** – Amend Florida law (sec. 27.51) to authorize the Public Defender to represent children in all delinquency proceedings in court before a judge, beginning with the detention hearing. This would clarify that the Public Defender in each circuit is authorized and should have an attorney present at all detention hearings. Parents or guardians, who are also the alleged victim, should not be charged for the legal representation of their children.

Lead Agency: Legislature, Public Defender;

Legislation: Requires substantive legislation;

Fiscal Impact: Minimal

TOPIC: ACCOUNTABILITY

36: **OUTCOME-BASED CONTRACTING** – The Department of Juvenile Justice shall be encouraged and authorized to conduct demonstration projects that emphasize the benefits of outcome based contracting with key/critical interim performance standard requirements as opposed to a compliance based contract. The Legislature should authorize DJJ to contract based upon interim and long-term outcome performance measures.

Lead Agency: DJJ;

Legislation: May require approval by Chief Financial Officer

Fiscal Impact: None anticipated.

TOPIC: WORKFORCE

41: **RECRUITING AND RETENTION** – The Department of Juvenile Justice must have the ability to recruit and retain a professional direct care workforce and substantially reduce turnover to ensure the most appropriate supervision and rehabilitation of at-risk youth in their care. To achieve this goal, the Blueprint Commission recommends:

- 1) Funding for a role delineation study to determine core competencies for all state and contracted direct care staff and revision of minimum hiring requirements.
- 2) Development of professional curriculum, continuing education requirements, and establishment of a certification program to include standards, requirements, exams, certification, decertification.
- 3) Review and increase of base rates of pay for all direct care staff.
- 4) Special risk retirement benefit for direct service employees who work directly with youth.

Lead Agency: DJJ;

Legislation: Requires substantive legislation;

Fiscal Impact: High.

YEAR 2009-2012

Many of these recommendations require multiple years to implement or have a significant fiscal impact. Phase-in and prioritization to be determined through a comprehensive strategic planning process that the Department of Juvenile Justice will undergo during 2008.

TOPIC: INTAKE

- 2: **JUVENILE ASSESSMENT CENTERS** – Every circuit shall have a full Juvenile Assessment Center (JAC) that is based on a model that includes substance abuse and mental health screening, comprehensive assessments with follow-up services, detention screening and intake services, educational assessment, community-risk assessments, transportation services, security services, health services, and administration. A diversion program using a community-based intervention or treatment service shall be available for children to be referred from the JAC or qualified intake.

TOPIC: HEALTH AND MEDICAL SERVICES

- 3: **SUBSTANCE ABUSE INTERVENTION** – The State shall fund, in each circuit, community based substance abuse intervention, evaluation, and treatment services. Youth whose first offense is for drug possession and accompanying misdemeanor shall be diverted from prosecution into these substance abuse services.
7. **HEALTH ASSESSMENTS** – The Department of Juvenile Justice shall continue to assess all youth prior to commitment to make a determination of their medical, mental health, substance abuse and developmental disability needs. The Department shall meet the needs of these youth. Further, the Department recognizes that additional funding to provide these services either by contractual arrangements or through additional health, mental health, substance abuse or developmental disability staffing will be necessary. The Department will track these expenditures and provide a report on these instances to the Legislature.
10. **COMMUNITY-BASED HEALTH PROGRAMS** – As an alternative to committing youth, the Department of Juvenile Justice will collaborate with the Department of Children and Families and local communities, to identify, and where

necessary, establish appropriate community based health, mental health and substance abuse programs for youth, to allow for judicial placement of youth as a condition of probationary sanction.

50. **PROVIDING AN ARRAY OF SERVICES** – A broad array of standardized, evidence-based mental health and substance abuse services, including screening, assessment, and treatment should be provided to all youth involved in the juvenile justice system in need of such services. Mental health screening and assessment information should be utilized in conjunction with risk assessment data to guide youth disposition away from residential delinquency treatment into community mental health treatment. Further, the Legislature should consider establishing a children's juvenile justice mental health best practice center.

TOPIC: PREVENTION AND INTERVENTION

- 29: **COORDINATING EFFORTS** – The Children and Youth Cabinet should direct the development and implementation of a statewide multi-agency plan to coordinate the efforts of local, state and federally funded programs, appropriations or activities designed to prevent juvenile delinquency, status offense behaviors, and other related behavioral problems.

TOPIC: ACCOUNTABILITY

- 37: **SERVICE DISTRICTS** – The department shall identify "service areas" that promote the concept of community-based programs while recognizing the unique characteristics of Florida's communities, and will recommend implementation to the Legislature. Adoption of the DCF service area boundaries shall receive careful consideration. A full continuum of services that include, but are not limited to, prevention, early intervention, supervision and support services in the family, probation, residential, and aftercare will be available in each service area.
- 43: **RETURN ON INVESTMENT – DOC/DJJ/ DCF** will work with a respected financial and forecasting research organization to calculate the return on investment and cost savings of crime reduction through effective programming (as done by the Washington State Institute for Public Policy) with the goal of implementing similar cost saving strategies and practices in Florida.

44: **ANNUAL CONVENINGS** — The Secretary of the Department of Juvenile Justice should convene the Blueprint Commission on Juvenile Justice annually, for a period of three years, for the purpose of reviewing and issuing a progress report on the Commission’s recommendations and the impact on Florida’s juvenile justice system.

45: **STATEWIDE RESEARCH INSTITUTE** — Recommend the establishment of a State Juvenile Justice Policy Research Institute for Juvenile Practices.

51. **COMMITMENT TO BALANCED APPROACH** — The Florida Department of Juvenile Justice shall have a commitment to a balanced approach in all of its activities and services. This approach should address the needs and interests of all stakeholders including victims, communities, and offenders impacted by juvenile crime.

TOPIC: DETENTION

38: **COMMUNITY ALTERNATIVES** — The state shall provide financial incentive for communities to develop alternative strategies for handling youth who have only committed misdemeanor offenses. In lieu of committing these youth to the department, local communities will receive the funding the state expends to serve these youth in residential commitment programs. These funds would be targeted for the development of community based alternative services.

TOPIC: EDUCATION

21: **REVIEW OF EDUCATIONAL PROGRAMS** — The Legislature, through OPPAGA, should conduct a comprehensive review of educational programs within the juvenile justice system, to include youth who also have their high school diploma or GED, and provide recommendations to address the needs for program and instructional flexibility to improve academic and vocational outcomes of youth served.

22: **REVENUE FOR WORKFORCE BOARDS** — Provide regional workforce boards general revenue earmarked for juvenile justice involved youth employability skill development and prevention, intervention, and residential programs and post commitment. These funds may also be used for increased Florida High School/High

Tech programs serving juvenile justice involved students with disabilities as well as employer incentives and matching funds to enhance recruitment and retention of juvenile justice involved youth by local community business partners. The Department of Juvenile Justice should track and report performance measures back to responsible regional workforce board.

25: **INCREASED EDUCATIONAL FUNDING** — Recommend a weighted cost factor of 1.6 specific to juvenile justice education programs. DOE should also monitor and ensure that 90% of funds generated for juvenile justice educational programs and 100% of all appropriate categorical funds (i.e., text books, transportation, etc.) go directly to the programs.

26: **EXPAND TECHNOLOGY USE** — Expand use of technology in juvenile justice education programs to include distance learning, access to Florida Virtual High School and post-secondary education within and after school through shared working agreements between school districts and the Department of Juvenile Justice. Ensure education technology grants and career academy funding available from the Department of Education are available to juvenile justice educational programs with mobile student populations.

39: **JOB SKILLS TRAINING** — Job skills training providing educational credits and / or nationally recognized certification will be available in all juvenile justice day treatment programs and residential commitment programs. The Department of Juvenile Justice shall work with the Agency for Workforce Innovation and Workforce Florida to assure that all job skills training is in areas directly tied to careers listed on Florida’s targeted occupation list.

40: **COUNTING TIME** — Services and education that youth receive in detention while awaiting placement in a commitment program should be considered as part of completing the youth’s treatment plan. Similarly, the services and education that youth receive in a competency restoration placement should be taken into consideration in the pre-disposition report as part of the youth’s treatment plan in any subsequent disposition. It is recommended that the Governor establish a committee to review and make recommendations to modify

current statute and / or practices associated with restoration of competency. The committee should include members of the judicial branch, the state's attorney, the public defender, the Department of Juvenile Justice, the Department of Children and Families, and community mental health representation.

TOPIC: GENDER-SPECIFIC PROGRAMMING

- 13: **GENDER-SPECIFIC SERVICES** — All girls across the DJJ continuum shall receive adequate gender specific services. These services shall be delivered by state or contract provider staff that are trained and receive ongoing training in gender specific and culturally competent programs. Gender specific services will include gender specific screening and assessment processes for girls entering the DJJ system or already in custody to determine appropriate placement. The goal is to ensure maximum services are received in minimally restrictive environments, inclusive of community-based services and day treatments.
- 14: **PREGNANT GIRLS AND MOTHERS** — To maintain healthy contact between mother and child, where appropriate, committed girls who are pregnant, and / or mothers with infant children, shall be placed in small family-style community-based programs, taking into account the safety risk to girls, the fetus or infant, and the public.
- 15: **STAKEHOLDER TRAINING** — DJJ shall establish and provide an on-going training program for key stakeholders regarding the needs of girls, gender specific sanctions and services.
- 16: **GENDER-BASED AFTERCARE SERVICES** — The department shall require community-based, gender-specific aftercare services for girls transitioning from DJJ programs. Such programs shall include, but not limited to, mental health, substance abuse, family counseling and crisis intervention, education and vocational training, and independent/ transitional living alternatives. Where staffing permits, the department shall endeavor to provide that girls be placed under the supervision of a female probation / conditional release case manager and, where the number of girls (25 – 30) justifies, a female caseload supervision team shall be established.

TOPIC: DISPROPORTIONATE MINORITY CONTACT

- 27: **DISPROPORTIONATE MINORITY CONTACT** — The Florida Department of Juvenile Justice shall create a Disproportionate Minority Contact (DMC) task force with representation from education, law enforcement, state attorney, public defender, judiciary, community of faith, providers, advocacy organizations, members from communities most affected, and other stakeholders, to reduce DMC, statewide, consistent with the JJDP Act of 1974 amended. The DMC task force will charge local juvenile justice boards and councils with the responsibility to develop a DMC reduction plan for their area. DJJ shall require every entity with which it works, throughout its continuum of services, to implement the strategies, policies, and practices to reduce DMC.

TOPIC: LEGAL REPRESENTATION

- 17: **ATTORNEY CONSULTATION** -- A child is entitled to representation by legal counsel at all stages of any delinquency proceeding in court before a judge. The Supreme Court should adopt a rule that requires consultation with an attorney before a child takes a plea or gives up the right to legal representation.
- 19: **EXPUNGING RECORDS** – In an effort to ensure youth have opportunities to gain meaningful employment and have other opportunities afforded them, it is recommended that Chapters 119 and 943, F.S., be amended to require FDLE, the courts, and local law enforcement, and other agencies to seal, make confidential, and prohibit availability to the public, juvenile arrest records when no charges have been filed. The Department of Juvenile Justice and the State's Attorney shall retain access to such information.
20. **CONFIDENTIALITY OF RECORDS** – Juvenile arrest records of first time nonviolent offenders shall remain confidential and not available for sale or disclosure by FDLE or any other government agency so long as the juvenile remains crime free. The legislature should amend Florida law to protect the confidentiality of those juvenile arrest records, while allowing law enforcement and prosecutors access to such information. Notwithstanding these changes, the victim of the offense shall continue to have the right to receive a copy of the offense report, as provided under current law.

46: **DUALLY-SERVED YOUTH** — The Department of Juvenile Justice and the Department of Children and Families should review and update the interagency agreement concerning the dually served youth to include defining the role of the Department of Children and Family community based care providers. The Courts assigned to hear dependency and delinquency cases are encouraged to communicate and collaborate concerning children in both court systems resulting in the most appropriate disposition for the child’s well-being. Foster children in Department of Juvenile Justice residential commitment are especially vulnerable, need frequent case management, judicial review, and opportunity to attend dependency hearings in person or telephonically.

47: **CONDITIONAL RELEASE AND PAROLE** — Require the Parole Commission establish a mandatory parole hearing for those inmates sentenced to adult corrections, as a juvenile and who have received more than a 10 year adult prison sentence. Only those inmates who have served at least 8 years of their sentence and who meet established criteria would be eligible for a parole hearing for determination of conditional release or parole. It is imperative that victims are notified prior to the hearing and are afforded opportunity to provide comment and concerns to the Commission.

TOPIC: SMALLER INSTITUTIONS

34: **OFFENDER REVIEW** — The Department of Juvenile Justice should implement a systemic and structured process for identifying and reviewing non-violent and non-serious offenders, and those who have made significant progress in treatment, for consideration by the court for early release or “step down” to community based programs. The Department of Juvenile Justice should review probation practices and the commitment management process with the goal of reducing the incidence of probation violations and allowing for conditional release or transfer of committed youth.

35: **SMALL FACILITIES** — DJJ shall create community-based programs with a continuum of care that support the use of small facilities to provide programs and interventions that protect the public, serve families, and habilitate youth.

TOPIC: AFTERCARE

23: **TRANSITION PLANNING** — Prior to exiting juvenile justice commitment programs, all youth shall have the benefit of an identified community based, inter-agency transition planning team to facilitate a comprehensive, multi-agency reintegration of each youth into the community to include housing, education, and employability.

24: **INTEGRATING EDUCATION AND TREATMENT** — Recommend the Children and Youth Cabinet direct DJJ, DOE and DCF, in consultation with the Department of Financial Services, create a model template designed to integrate education and treatment services, funded through separate agencies, within a juvenile justice program serving youth with multi-agency needs.

TOPIC: WORKFORCE

42: **CONDITIONAL HIRING** — In an effort to reduce the amount of time it takes to hire a direct care worker and in an effort to increase the pool of qualified applicants, DJJ should authorize the ability to conditionally hire juvenile justice employees upon successful completion of a preliminary background, but prior to completion of a full background, on the condition that no direct contact with children occurs and conditional hires are not located in the facility or grounds where youth are located. Additionally, the hiring eligibility criteria should be amended to authorize the hiring of applicants with past involvement in the juvenile justice system under certain conditions.

52: **PROBATION OFFICERS** – Increase the number of direct service Juvenile Probation Officers, and support staff to meet 100% of the need in order to fulfill the mission of the Department.

APPENDICES

- I. FLORIDA'S JUVENILE JUSTICE SYSTEM**
- II. ABOUT THE BLUEPRINT COMMISSION**
- III. HEARINGS & AGENDAS**
- IV. PRESENTERS**
- V. CHILDREN AND YOUTH CABINET**
- VI. MENTAL HEALTH: TRANSFORMING FLORIDA'S MENTAL HEALTH SYSTEM**
- VII. NUMERICAL LISTING OF RECOMMENDATIONS**

FLORIDA'S DEPARTMENT OF JUVENILE JUSTICE

VISION

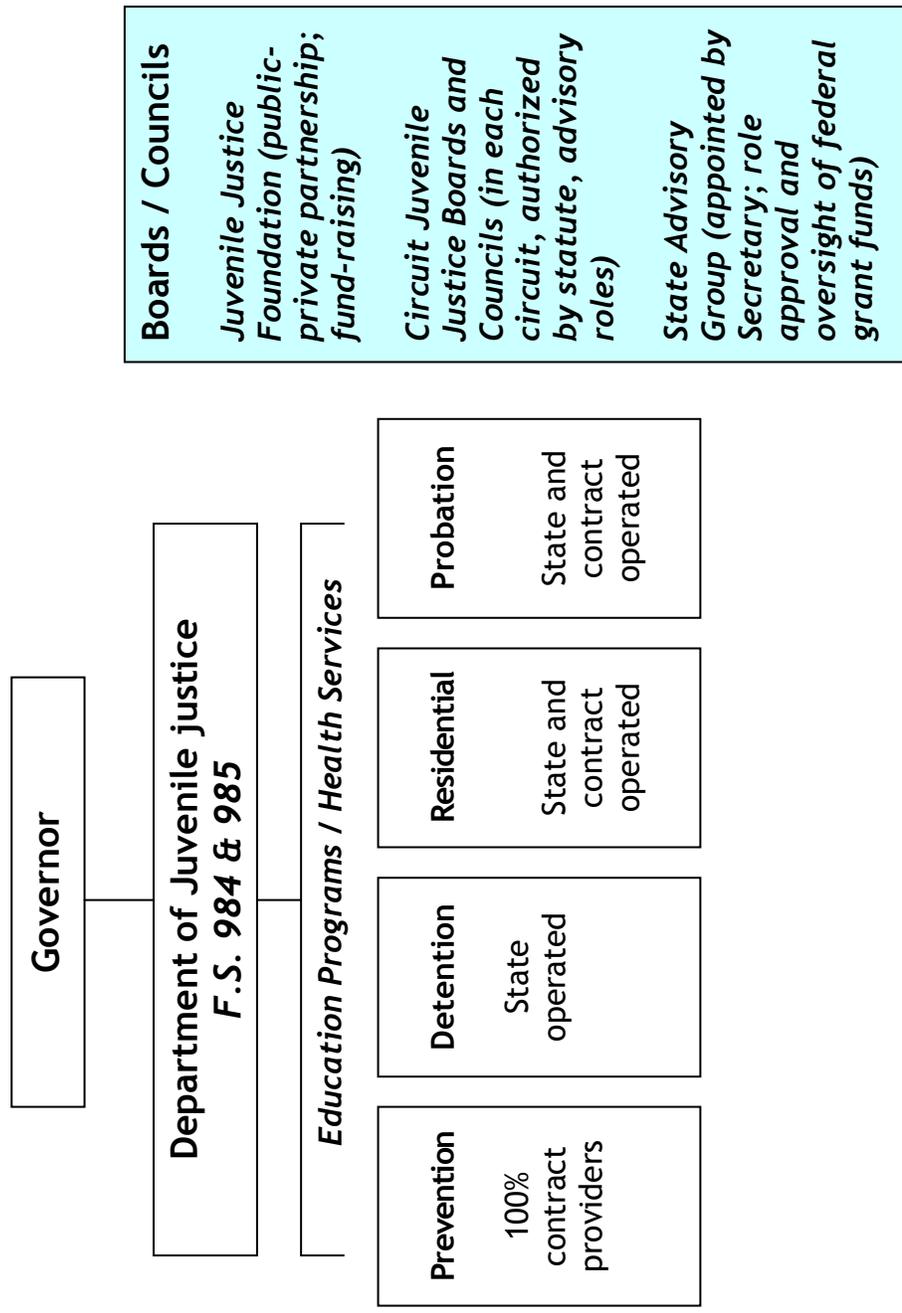
The children and families of Florida will live in safe, nurturing communities that provide for their needs, recognize their strengths and support their success.

MISSION

To increase public safety by reducing juvenile delinquency through effective prevention, intervention and treatment services that strengthen families and turn around the lives of troubled youth.

GUIDING PRINCIPLES

- We will commit to a balanced approach that increases public safety, ensures departmental accountability and provides opportunities for children to develop into responsible adults.
- We will create a system of programs and services that work cooperatively to prevent children from entering the Juvenile Justice system.
- Our goal is to ensure that when youth leave our system, they do not return or later enter the adult corrections system.
- We will be committed to providing contemporary, “evidence-based” services with measurable outcomes that demonstrate repeated effectiveness in reducing juvenile crime. We will ensure that these programs meet professional standards, consider each child’s risk of offending, are tailored to address individual needs of the child, and are consistently and systematically implemented throughout the Department to avoid fragmentation of services.
- We will provide the right services at the right time and in the least restrictive environment.
- We will be child-centered and family-focused.
- We will establish and maintain safe programs for youth that will better prepare them for adulthood. Our youth will be less likely to commit crime as a result of our intervention, providing the very best opportunity to strengthen public confidence and enhance public safety now and in the future.
- We will actively seek to develop and maintain collaborative partnerships, shared responsibility and public support, all of which are essential to our success.
- We will establish an inclusive system that reflects appropriate representation and equitable treatment for all. We will ensure that this system promotes respect for cultural and gender competencies, and is responsive to the individual strengths, needs and backgrounds of our youth and stakeholders.
- We recognize that continual process improvements and staff development are crucial to maintaining a balanced approach to increase public safety.
- Our conduct will be professional and always place the public’s interest above self-interest. We will avoid any appearance of impropriety, prejudice, threats, favoritism, or undue influences.



Affiliated Entities

- Local Law Enforcement*
- Courts*
- Prosecutors*
- Public Defenders*
- Department of Children & Families*
- Department of Education*

Boards / Councils

- Juvenile Justice Foundation (public-private partnership; fund-raising)*
- Circuit Juvenile Justice Boards and Councils (in each circuit, authorized by statute, advisory roles)*
- State Advisory Group (appointed by Secretary; role approval and oversight of federal grant funds)*

The Florida Department of Juvenile Justice organizes its core operations into four functional units, each of which is headed by an assistant secretary:

- Prevention and Victim Services
- Probation and Community Intervention
- Detention Services
- Residential Services

Prevention and Victims Services

The Prevention and Victims Services Division has 17 full-time-equivalent positions and operates a \$68 million budget that includes general revenue and federal and state grant funds.

The Division does not operate any prevention programs directly, but collaborates with more than 150 independent providers throughout the state that operate a variety of prevention programs. Most providers receive grant funding from the department; a minority operates under contract with the department.

More than 30,000 youth and their families received services through these providers in fiscal 2007.

Probation and Community Intervention

The Probation and Community Intervention division has a staff of more than 1,300 juvenile probation officers and supervisors, with a budget of \$165.6 million. The division receives funding through state general revenues and Federal Social Services Block Grants.

In fiscal 2007, 94,228 youth were brought through intake, generating 142,000 referrals for services. At intake, probation officers assess the youth's needs and risks, determine the most appropriate treatment plans, and make recommendations for services.

In many counties in Florida, intake occurs at the Juvenile Assessment Center. Each JAC is unique, based on the resources of the community that it serves. Most are open 24 hours a day to provide detention screening for arrested youths. Regardless of configuration, JACs expedite booking and evaluation of youth who are arrested.

Detention screening is a core component of the juvenile justice continuum, providing the doorway into non-secure or secure detention, diversion or other judicial options. The Department uses a Detention Risk Assessment Instrument to determine if the youth meets detention criteria. Screeners also administer the Positive Achievement Change Tool assessment and other assessment tools to determine the scope of the youth's needs and the appropriate response.

Diversion is an alternative intervention used by the department – usually for low-risk, first-time offenders – that directs youth away from the juvenile justice system. Youth may be diverted into a host of local programs or into Intensive Delinquency Diversion Services (IDDS), which is operated under contract to the Department and is available statewide.

Youth placed on probation receive focused case management, including a plan to address the risk and needs of the youth. Youth may participate in non-residential programs that provide community-based services to youth who are able to live at home. The probation officer is responsible for coordinating services and monitoring the youth's progress towards completion of the plan.

Probation officers also are responsible for post-residential services: youth who either are on conditional release or on post-commitment probation. In both cases, youth begin a process of transitional services and supervision as they move from a commitment program back into the community.

Probation officers receive more than 224 hours of training over a 6-week curriculum. During fiscal 2007, 21% of the Department's probation officers left their positions.

Detention Services

The Detention Services Division employs more than 2,000 staff with a budget of \$137.5 million. More than 55,000 youth are served at the state's 26 detention centers. The detention population includes youth who are awaiting disposition and sentencing, as well as those who are awaiting placement in residential treatment.

Detention Centers are primarily funded by general revenue funds, though federal funds support meals expenses and local school districts bear a portion of the educational costs. Counties are required to pay a portion of the cost of detention services, if they are not fiscally constrained. For fiscal 2008, for example, Dade County will be required to pay \$10 million; Hillsborough and Orange counties, \$8 million; and Broward County, \$7 million; while Monroe County will pay \$368,000; Hernando County, \$279,000; and Walton County, \$218,000.

Detention centers provide medical care and screenings, counseling and crisis intervention, most of which are provided by independent contractors, not by state staff. Detention centers are not equipped to provide long-term, intensive mental health or medical services.

Detention officers received 120 hours of training over a three-week curriculum. Almost half – 47% – of the Department's entry level juvenile detention officers left their positions during fiscal 2007.

Residential Services

The Residential Services Division oversees the management of 6,010 beds in residential facilities ranging from low-to maximum-risk. The division employs 1,042 staff with a budget of \$309 million.

Most facilities are operated by independent contractors. The state operates 19 facilities housing 824 beds.

Residential programs offer general health and education programs as well as a range of specialty services, such as mental health and substance abuse treatment, services for developmentally disabled youth, sex offenders, and youth with severe clinical needs. About two-thirds of the program beds offer special services.

Residential officers received 120 hours of training over a three-week curriculum. In fiscal 2007, 33% of the residential officers left their positions.



ABOUT THE BLUEPRINT COMMISSION

The Blueprint Commission was established in July 2007 as a time-limited, 25-member workgroup charged with developing recommendations to reform Florida's juvenile justice system.

Appointed by Secretary Walter McNeil of the Florida Department of Juvenile Justice (DJJ), the Commission was developed in response to several key concerns:

- Juvenile recidivism
- The overrepresentation of minority youths in the juvenile justice system
- Rapid increase in the number of girls entering the juvenile justice system

The Commission was chaired by Florida Atlantic University President and former Lieutenant Governor Frank Brogan. State and national juvenile justice expert and author Dr. LaWanda Ravoira served as commission vice chair.

The Commission conducted public hearings at six locations throughout the state, inviting input from stakeholders from all aspects of juvenile justice programs and services, and from citizens. Public hearings were held in Fort Lauderdale, Jacksonville, Orlando, Fort Myers, Tampa and Pensacola.

Commission Goals

In establishing the Commission, Secretary Walter McNeil of the Department of Juvenile Justice made clear that his goal was reform.

"Together with the Blueprint Commission, the Department of Juvenile Justice is taking an important step forward in reforming our juvenile justice system," McNeil said. "The members of the Commission are committed to providing the groundwork necessary to make improvements to our system that will have a direct and positive impact on youths.

"We recognize that the success of our efforts depends upon public input and the participation of stakeholders from the local community who can best identify areas for change."¹

The Secretary outlined seven key goals that provided the framework for the Commission's work:

1. Strengthen youth, families, and communities through effective prevention and intervention services.
2. Ensure public safety while seeking diversion and alternatives to secure detention for low-risk youth.
3. Improve health and wellness for youth in the juvenile justice system.
4. Ensure a fair and balanced approach for addressing the needs of all youth, including gender specific programs, reducing racial disparities, and ensuring legal representation.
5. Transition from large institutional care to smaller, community-based residential models and ensuring education, job training, and aftercare services provided.
6. Ensure positive outcomes for youth through a stable and professional workforce.
7. Ensure an effective and accountable system by implementing programs that have demonstrated positive results for youth, and by adopting performance outcomes that indicate which programs are successful.

¹ Public announcement, July 31, 2007

PUBLIC HEARING SCHEDULE

September 4-5, 2007
Fort Lauderdale

September 25-26, 2007
Jacksonville

October 4-5, 2007
Orlando

October 17-18, 2007
Fort Myers

October 29-30, 2007
Tampa

November 5-6, 2007
Pensacola



AGENDA
Fort Lauderdale Public Hearing
September 4-5, 2007

September 4, 2007; 1:00 pm – 8:00 pm; Holy Cross Hospital Campus, Sister Innocent Conference Center Auditorium at 4725 North Federal Highway, Ft. Lauderdale, Florida

Meeting Topic: Ensure Public Safety for Floridians by reviewing current detention practices. Meeting will focus on crime trends, detention data, detention screening tools, detention services, and alternatives to detention.

1:00 pm – 2:30 pm

- Chairman Frank Brogan
Opening Remarks

- Welcome to Commission
 - John Johnson, President / CEO, Holy Cross Hospital
 - Honorable Mitch Needleman, Florida House of Representatives, Committee on Juvenile Justice

- Presentation by Vince N. Schiraldi, Director, Department of Youth Rehabilitation Services, Washington, D.C., on opportunities for detention reform and alternatives

- Discussion of public safety concerns and initiatives to address juvenile issues
 - Honorable Ken Jenne, Sheriff, Broward County
 - Honorable Katherine Fernandez Rundle, State Attorney, 11th Judicial Circuit

2:30 pm – 4:30 pm Public Comment

The Commission welcomes public input and suggestions for improving Florida's juvenile justice system. A public testimony card, available at the registration table outside of the meeting room, must be filled out by anyone wishing to address the commission. Public comment will be received on any issue related to juvenile justice. Speakers will be limited to 7 minutes.

4:30 pm – 5:00 pm Break

5:00 pm – 8:00 pm Public Comment

The Commission welcomes public input and suggestions for improving Florida's juvenile justice system. A public testimony card, available at the registration table outside of the meeting room, must be filled out by anyone wishing to address the commission. Public comment will be received on any issue related to juvenile justice. Speakers will be limited to 7 minutes.

Wednesday 9:30 am – noon

Call to Order

Presentation by Department of Juvenile Justice staff on follow-up issues from August organizational workshop including Florida trends and profiles of at-risk youth, flow chart showing pre-arrest through detention, and detention screening practices.

Presentation by Wansley Walters, Miami-Dade JAC regarding progress made in Florida on early intervention and assessments and civil citation options.

Presentation by Ken Pifer, Department of Juvenile Justice Assistant Secretary for Detention

- Key issues within detention
- Multi-agency gang initiative

Discussion by Gordon Bazemore, Ph.D., Professor and Chair, Department of Criminology and Criminal Justice, Florida Atlantic University.

Presentation by Honorable Frank Orlando (Ret), Casey Foundation, on the JDAI detention alternative project.



AGENDA
Jacksonville Public Hearing
September 25-26, 2007

Meeting Topic: Improving the outcomes of youth in the juvenile justice system by identifying critical youth health and treatment needs (focusing on general health, mental health, substance abuse, and developmental disabilities)

September 25, 2007 - Tuesday

- | | |
|--------------------------|--|
| 1:00 PM – 1:15 PM | Chairman’s Welcome and Opening Remarks
Approval of September 4 – 5 Minutes |
| 1:15 PM – 2:30 PM | Report from Department of Juvenile Justice (DJJ)
Secretary Walter McNeil and DJJ Medical Director
Shairi Turner
<u>Improving Outcomes for Youth in the Juvenile Justice System</u> <ul style="list-style-type: none">▪ Overview of youth medical issues▪ Key problems / concerns▪ Current practices / gaps▪ Recommendations to ensure appropriate medical care▪ Introduction of invited speakers |
| 2:30 PM – 3:15 PM | Discussion by the Department of Children and Family Services on the recently established Criminal Justice Mental Health & Substance Abuse reinvestment grant program.

Discussion of the Miami-Dade diversion program created by the Honorable Steve Leifman, Associate Administrative Judge, 11th Judicial Circuit Court, special advisor to the chief justice on criminal justice and mental health. |
| 3:15 PM – 4:00 PM | Dr. Jeffery L. Goldhagen, M.D., Associate Professor, Pediatrics, University of Florida College of Medicine, Chief, Community Pediatrics <ul style="list-style-type: none">▪ Discussion of the need for a holistic system of care for health / mental health of Florida’s marginalized youth. |
| 4:00 PM – 4:15 PM | Commission Discussion |
| 4:15 PM – 4:30 PM | Break |
| 4:30 PM - 6:30 PM | Public Comment |

September 26, 2007 - Wednesday

- | | |
|----------------------------|---|
| 8:30 AM – 8:45 AM | Call to Order |
| 8:45 AM - 9:45 AM | Presentation by Dr. Barbara Guthrie, Associate Dean for Academic Affairs and tenured professor, Yale University School of Nursing <ul style="list-style-type: none">▪ Discussion of best practices and recommendations for ensuring appropriate health and wellness among juvenile populations. |
| 9:45 AM – 10:45 AM | Presentation by Carolina Guzman, National Council for Crime and Juvenile Delinquency (NCCD) <ul style="list-style-type: none">▪ Key issues surrounding mental health, alcohol and substance abuse and discussion of best practices. |
| 10:45 AM – 11:15 AM | Department of Juvenile Justice Secretary Walter McNeil <ul style="list-style-type: none">▪ Re-cap of key issues and summary of recommendations for consideration.▪ Summary of Florida citizen opinion poll on juvenile crime and priorities – Presented by Roy Miller, President, Children’s Campaign, Inc. |
| 11:15 AM – 1:00 PM | Commission workshop |



AGENDA
Orlando Public Hearing
October 4-5, 2007

MEETING TOPIC: Providing a fair and balanced approach for addressing the needs of all youth, including racial disparities, gender-specific programs, and legal representation.

October 4, 2007 - Thursday

- | | |
|--------------------------|--|
| 1:00 PM – 1:30 PM | Chairman’s Welcome and Opening Remarks
Approval of the September 25 – 26 minutes |
| 1:30 PM – 2:15 PM | Overview by Department of Juvenile Justice (DJJ)
Secretary Walter McNeil and Deputy Secretary Richard Davison <ul style="list-style-type: none">• Discussion of issues / key concerns with minority over-representation; special needs of girls; and legal issues of youth• Current practices, remaining problems, progress or promising approaches• Recommendations• Introduction of invited speakers |
| 2:15 PM – 3:00 PM | Presentation by Dr. Barry Krisberg, Ph.D, President of the National Council on Crime and Delinquency
Overview of trends, critical issues, and problems regarding girls in the juvenile justice system and the need to provide gender specific programs, best practices, and recommendations for improvement. Discussion of 2006 study <u>A Rallying Cry for Change: Charting a New Direction in the State of Florida’s Response to Girls in Juvenile Justice</u> |
| 3:00 PM – 3:30 PM | Lucyann Walker-Fraser, Florida Legislative Office of Program Policy Analysis & Government Accountability (OPPAGA)
Discuss findings and recommendations from 2005 and 2006 OPPAGA review of Gender-specific services within the Department of Juvenile Justice and Communities.
<i>(Reports 05-13; 05-56; 06-13)</i> |
| 3:30 PM - 4:00 PM | Nancy Daniels, Public Defender, 2nd Judicial Circuit,
Lead discussion of issues surrounding legal representation of youth and provide recommendations to address those concerns. |
| 4:00 PM – 4:30 PM | Commission discussion |

4:30 PM – 6:30 PM **Public Comment**

October 5, 2007 - Friday

8:30 AM – 8:45 AM **Call to Order**

8:45 AM **Discussion of over-representation of minority youth in all stages of the juvenile justice system – causes and solutions.**

Presenters:

8:45 AM – 9:45 AM Rita Cameron Wedding, Ph.D., Director of Women’s Studies and Professor of Ethnic Studies, Pan African Studies Program, California State University, Sacramento, CA.

9:45 AM – 10:45 AM Barry Krisberg, Ph.D., President of the National Council on Crime and Delinquency. Present highlights of the NCCD January 2007 report, And Justice for Some, Differential treatment of Youth of Color in the Justice System.

10:45 AM - 11:00AM **Break**

11:00 AM - 1:00 PM **Re-cap of key issues and recommendations for consideration.**
Commission workshop on recommendations.



AGENDA
Fort Myers Public Hearing
October 17-18, 2007

Meeting Topic: Strengthening youth, families, communities and schools through collaborations and effective prevention and intervention programs.

October 17, 2007 - Wednesday

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|--------------------------|--|
| 1:00 PM – 1:45 PM | Chairman’s Welcome
Opening Remarks
Approval of the October 4 – 5 minutes |
| 1:45 PM – 2:30 PM | Overview by Department of Juvenile Justice (DJJ)
Secretary Walter McNeil and Cassandra Jenkins,
Assistant Secretary for Prevention and Victim Services <ul style="list-style-type: none">▪ Discussion of issues / key concerns with prevention and early intervention; restorative justice; community collaborations; and zero tolerance▪ Current practices, concerns, progress or promising approaches▪ Introduction of invited speakers |
| 2:30 PM – 3:10 PM | Presentation by Mr. Shay C. Bilchik, Director
Georgetown University’s Center for Juvenile Justice
Reform and Systems Integration
Discussion of national trends, critical issues, prevention and early intervention strategies that have proven to be effective, collaboration among systems and managing change. |
| 3:10 PM – 3:40 PM | Dr. Gordon Bazemore, Chairman, Department of
Criminology and Criminal Justice and Director of
Community Justice Institute, Florida Atlantic University
Overview of restorative justice and applications to prevention and early intervention. |
| 3:40 PM - 4:00 PM | Pastor Ken Scrubbs, First Baptist Church in Leesburg
Discussion of community engagement and collaboration and practical application of restorative justice. |
| 4:00 PM – 4:30 PM | Ms. Karen Miller, Sunnyside Program Manager,
Park Place Behavioral Health Care, St. Cloud, Florida
Overview of children and families in need of services (CINS/FINS) and effective youth development. |

4:30 PM – 4:45 PM **Break**

4:45 PM – 6:45 PM **Public Comment**

October 18, 2007 - Thursday

8:30 AM – 8:45 AM **Call to Order**

8:45 AM – 9:05 AM **Honorable James Seals, Judge, 20th Judicial Circuit**
Discussion of “crossover” children (dependency and delinquency), concerns and alternatives.

9:05 AM – 10:00 AM **Discussion of Florida’s zero tolerance policies and the impact on children, schools and the juvenile justice system**

- Ms. Jeannine Blomberg, Commissioner, Florida Department of Education
- Representation for Florida School Superintendents
- Representation of School Resource officers – Chief Gerald Darling, Miami-Dade County Public Schools Police Department

10:00 AM – 10:15 AM Deputy Secretary Richard Davison, Florida Department of Juvenile Justice, will provide a brief re-cap of key prevention / zero tolerance issues for potential recommendation development.

10:15 AM - 10:45 AM **Break and hotel check out**

10:45AM – 1:00 PM **Commission Workshop**

Commission will receive proposed recommendations for discussion and action from the previous public hearings:

- Alternatives to Detention (*Ft. Lauderdale Public Hearing*)
- Improving health services (*Jacksonville Public Hearing*)
- Reducing minority over-representation, providing gender Specific programs, and ensuring legal representation for all Youth (*Orlando Public Hearing*)



AGENDA
Tampa Public Hearing
October 29-30, 2007

TOPIC: Advantages to community-based residential models; enhancing educational/workforce programs ensuring an effective continuum of services for youth and families; including re-entry and aftercare.

October 29, 2007 - Monday

- | | |
|--------------------------|--|
| 1:00 PM – 1:30 PM | Chairman’s Welcome, Opening Remarks, Recognition of Special Guests
Approval of October 17-18 minutes |
| 1:30 PM – 2:15 PM | Overview by Department of Juvenile Justice (DJJ) Secretary Walter McNeil and Assistant Secretary for Residential Services Rex Uberman; O.B. Stander, Associated Marine Institute
Overview of current residential model, key concerns, rationale and advantages for moving toward smaller, community-based residential services |
| 2:15 PM – 2:45 PM | Presentation by Dr. Barry Krisberg, Ph.D, President, National Council on Crime and Delinquency
National overview of effective residential models and approaches for youth education, re-entry and aftercare |
| 2:45 PM – 3:45 PM | Presentation by Tim Decker, Director of Missouri Division of Youth Services and Phyllis Becker, Senior Fellow, Midwest Center for Non-Profit Leadership on the Missouri approach to smaller, community-based residential services |
| 3:45 PM – 4:00 PM | Key Issues with Residential Services
Presented by Cathy Craig-Myers, Executive Director,
Florida Juvenile Justice Association |
| 4:00 PM – 4:50 PM | Importance of Circuit/School District/Juvenile Justice Collaboration.
Presented by: Mary Ellen Elia, Hillsborough County School Superintendent and Anne Chatfield, Ph.D., Director of Non-Traditional Programs, Hillsborough County School District.
Discussion includes the continuity of educational programs, services & support from domestic violence throughout academic and vocational education; essential transition from school to detention, intervention, and commitment programs; and comprehensive transition services for youth returning to the community. |

4:50 PM - 5:00 PM **Break**
5:00 PM– 7:00 PM **Public comment**

October 30, 2007 - Tuesday

8:30 AM **Call to Order**

8:30 AM – 8:45 AM **Judge Lynn Tepper, 6th Judicial Circuit**
Judicial best practices and alternatives to ensure the most appropriate placement and care for at-risk youth

8:45 AM – 9:45 AM **Fostering partnerships with workforce development to serve at-risk and youthful offenders**

- Bryan Stone, Vice President of Policy and Program, Worksource of Jacksonville
- Freida Sheffield, Youth Development Council, Workforce Florida
- Will Miles, Special Projects; Florida reBuilds; Florida High School/High Tech; Workforce Development Board of Okaloosa and Walton Counties

9:45 AM – 10:00AM **Commission discussion**

10:00 AM- 10:30 AM **Break and hotel check-out**

10:30 AM – 3:30 PM **Commission workshop** (*working lunch included*)
Review, discuss, and develop recommendations



AGENDA
Pensacola Public Hearing
November 6-7, 2007

Topic: Ensuring an effective and accountable system by building a competent and stable workforce.

Tuesday, November 6, 2007

1:00 P.M. - 1:40 P.M.

Chairman's Welcome

Roll Call

Approval of October 29-30 Minutes

Special Recognition: Judge Terry D. Terrell, Circuit Judge, First Judicial Circuit, will provide brief comments from the Supreme Court Task Force on Treatment-Based Drug Courts.

1:40 P.M. – 3:00 P.M.

Workforce Overview, including key concerns and areas for improvement. Presented by Department of Juvenile Justice Secretary Walter McNeil.

Discussion and data on specific workforce issues will be provided by Department of Juvenile Justice Deputy Secretary Rick Davison, Florida Juvenile Justice Association Executive Director Cathy Craig-Myers and Florida Network for Youth and Family Services Executive Director Dee Richter.

3:00 P.M. – 4:00 P.M.

Innovative approaches for financing juvenile justice reform priorities

Presented by Steve Aos, Assistant Director, Washington State Institute for Public Policy

4:00 P.M. – 4:15 P.M.

Discussion of 2006 Report from the Task Force to Study Certification for Juvenile Justice Provider Staff

Mark Fontaine, Co-Chair, of 2006 Task Force

4:15 P.M. – 4:30 P.M.

Key issues related to workforce efficiency and accountability

Barney Bishop, President, CEO, Associated Industries of Florida

4:30 P.M. – 4:45 P.M./

Break

4:45 P.M. – 7: 00 P.M.

Public Comment

November 7 – Wednesday

9 A.M. – Noon	Commission Workshop
Noon – 1:00 P.M.	Break for lunch
1:00 P.M. – 3:00 P.M.	Commission Workshop
3:00 P.M. – 3:15 P.M.	Recognition of Special Guest, Representative Mitch Needleman, Chair, House Committee on Juvenile Justice
3:15 P.M. – 3:30 P.M.	Wrap up and Adjourn

PRESENTERS

Florida Department of Juvenile Justice

Walter A. McNeil
Secretary

Richard Davison
Deputy Secretary

Cassandra Jenkins
Assistant Secretary

Darryl Olson
Assistant Secretary

Ken Pifer
Assistant Secretary

Rex Uberman
Assistant Secretary

Shairi Turner, MD
Chief Medical Director

Bob Dale
Director of Research and Planning

Mark Greenwald
Research and Planning Department

Scott Wiggins
Assistant General Counsel

Frank Busbee
Chief Probation Officer, Circuit 17

&&&

Steve Aos
Assistant Director
Washington State Institute for Public Policy
Olympia, Washington

Gordon Bazemore, PH.D.
Professor and Chair
Department of Criminology and Criminal Justice
Florida Atlantic University
Boca Raton, Florida

Phyllis Becker
Senior Fellow
Midwest Center for Non-Profit Leadership
Kansas City, Missouri

Shay C. Bilchik
Director
Georgetown University Center for Juvenile Justice
Reform and Systems Integration
Washington, D.C.

Barney Bishop
President and CEO
Associated Industries of Florida
Tallahassee, Florida

Jeannine Blomberg
Commissioner
Florida Department of Education
Tallahassee, Florida

Tom Breedlove
Deputy Director
Missouri Division of Youth Services
Jefferson City, Missouri

James Browder
School Superintendent
Lee County Public Schools
Fort Myers, Florida

Anne Chatfield, Ph.D.
Director of Non-Traditional Programs
Hillsborough County Public Schools
Tampa, Florida

Cathy Craig-Myers
Executive Director
Florida Juvenile Justice Association

Nancy Daniels
Public Defender
2nd Judicial Circuit
Leon County, Florida

Chief Gerald Darling
Miami-Dade County Public Schools
Police Department
Miami, Florida

Mary Ellen Elia
Superintendent
Hillsborough County Public Schools
Tampa, Florida

Mark Fontaine
Co-Chair
Task Force to Study Certification for Juvenile Justice
Provider Staff
Tallahassee, Florida

Donna Gallagher
President and CEO
Pace Center for Girls
Jacksonville, Florida

Dr. Jeffrey Goldhagen, M.D.
Associate Professor, Pediatrics
University of Florida College of Medicine
Jacksonville, Florida

Barbara J. Guthrie, RN, PhD, FAAN
Associate Dean for Academic Affairs
Yale School of Nursing
New Haven, Connecticut

Carolina Guzman
Senior Research Associate
National Council on Crime and Delinquency
Oakland, California

Barry Krisberg, Ph.D.
President
National Council on Crime and Delinquency
Oakland, California

Will Miles
Florida rebuilds
Florida High School/High Tech
Workforce Development Board
Okaloosa and Walton Counties, Florida

Karen Miller
Sunnyside Program Manager
Park Place Behavioral Health Care
St. Cloud, Florida

Roy Miller
President
Florida Children's Campaign
Tallahassee, Florida

Bill Montford
Executive Director
Florida Association of District School
Superintendents
Tallahassee, Florida

Hon. Frank Orlando
Florida Circuit Court (RET)
Broward County, Florida

Dee Richter
Executive Director
Florida Network for Youth and Family Services
Tallahassee, Florida

Capt. Greg Salter
Fort Lauderdale Police Department
Fort Lauderdale, Florida

Vince Schiraldi
Director
Department of Youth Rehabilitation Services
Washington D.C.

Ken Scrubbs
Pastor
First Baptist Church
Leesburg, Florida

Hon. James Seals
20th Judicial Circuit
Lee County, Florida

Freida Sheffield
Youth Development Council
Workforce Florida
Tallahassee, Florida

O.B. Stander
Chief Executive Officer
Associated Marine institute
Tampa, Florida

Bryan Stone
Vice President of Policy and Programs
Worksource of Jacksonville
Jacksonville, Florida

Dr. Rajiv Tandon
Chief of Psychiatry, Program of Mental Health
Department of Children and Families
Tallahassee, Florida

Hon. Lynn Tepper
6th Judicial Circuit
Pinellas County, Florida

Hon. Terry D. Terrell
1st Judicial Circuit
Escambia County, Florida

Lucyann Walker-Fraser
Office of Program Policy and Government
Accountability
Florida Legislature
Tallahassee, Florida

Wansley Walters
Miami-Dade Juvenile Assessment Center,
Miami, Florida

Rita Cameron Wedding Ph.D.
Director of Women's Studies
Professor of Ethnic Studies
Pan African Studies Program
California State University
Sacramento, California

Angela Wolf, Ph.D.
Senior Researcher
National Council on Crime and Delinquency
Oakland, California

Sen. Stephen R. Wise
R-Duval & Nassau counties
Senate Committee on Criminal Justice

Sen. Anthony C. Hill
D-Duval County
Law and Justice Policy and Calendar Committee

Guests

Lt. Gov. Jeff Kottcamp
State of Florida

Bob Crane
President
JEHT Foundation

Sherry Magill
President
Jessie Ball duPont Fund

Joe Clark
President
Eckerd Family Foundation

Rep. Mitch Needleman
R-Brevard County
Committee on Juvenile Justice

Rep. Susan Bucher
D-West Palm Beach
Committee on Healthy Families

Hon. Audrey Gibson
D-Duval County
House Committee on Juvenile Justice

CHILDREN AND YOUTH CABINET

THE VISION: All children in Florida grow up safe, healthy, educated and prepared to meet their full potential.

THE MISSION: To ensure that the public policy of Florida relating to children and youth promotes interdepartmental collaboration and program implementation in order for services designed for children and youth to be planned, managed and delivered in a holistic and integrated manner to improve the self-sufficiency, safety, economic stability, health and quality of life of all children and youth in Florida.

On July 11, 2007, Governor Charlie Crist created the Children and Youth Cabinet. The cabinet consists of 20 members and will coordinate state agencies and programs that deliver children's services.

Sponsored by State Senator Nan Rich and State Representative Lorraine Ausley, House Bill 509 created the Children and Youth Cabinet as a council within the Executive Office of the Governor. The cabinet is charged with developing a strategic plan to promote collaboration, creativity, increased efficiency, information sharing, and improved service delivery between and within state agencies and organizations. The Governor and the Florida Legislature will receive an annual report detailing the cabinet's progress.

Members

Lt. Governor Jeff Kottkamp, Chairman
Secretary Bob Butterworth, Department of Children and Families
Secretary Walt McNeil, Department of Juvenile Justice
Secretary Andrew Agwunobi, Agency for Health Care Administration
Director Jane Johnson, Agency for Persons with Disabilities
Director Monesia Brown, Agency for Workforce Innovation
State Surgeon General Ana Viamonte Ros, Department of Health
Commissioner Jeanine Blomberg, Department of Education
Angela Orkin, Statewide Director of the Guardian Ad Litem Office
Jim Kallinger, Florida's Chief Child Advocate
Judy Schaechter, physician and professor at the University of Miami, Mailman Center for Child Development
David Lawrence Jr., President of the Early Childhood Initiative Foundation in Miami and "University Scholar for Early Childhood Development and Readiness" at the University of Florida
Donna Gay Lancaster, Executive Director of Juvenile Welfare Board Children's Services Council of Pinellas County
Antonia Crawford, Chairman of the Early Learning Coalition
Dick Batchelor, President of Dick Batchelor Management Group

Ex officio members

Senator Nan Rich, Designee of Florida Senate President Ken Pruitt
Representative Lorraine Ausley, Designee of Speaker Marco Rubio, Florida House of Representatives
South Florida Deputy Attorney General Cynthia Guerra, Designee of Attorney General Bill McCollum
Chief Justice Fred Lewis, Florida Supreme Court
Chief Financial Officer Alex Sink

www.flgov.com/youth_cabinet



**CONSTRUCTING A COMPREHENSIVE AND COMPETENT
CRIMINAL JUSTICE/MENTAL HEALTH/SUBSTANCE ABUSE
TREATMENT SYSTEM:**

Strategies for Planning, Leadership,
Financing, and Service Development

EXECUTIVE SUMMARY

200 years ago, people with severe and disabling mental illnesses in the United States were often confined under cruel and inhumane conditions in jails. This was largely due to the fact that no alternative system of competent mental health treatment existed. During the 1800's, a movement known as *moral* treatment emerged that sought to hospitalize and treat individuals with mental illnesses rather than simply incarcerating them. The first state psychiatric hospitals were opened in the United States during the 1800's, and were intended to serve as more appropriate and compassionate alternatives to the neglect and abuse associated with incarceration. Unfortunately, overcrowding at these institutions, inadequate staff, and lack of effective treatment programs eventually resulted in facilities being able to provide little more than custodial care. Furthermore, physical and mental abuses became common and the widespread use of physical restraints such as straight-jackets and chains deprived patients of their dignity and freedom. The asylums intended to be humane refuges for the suffering had instead turned into houses of horrors.

By the mid-1900's, more than a half million people were housed in state psychiatric hospitals across the United States. The system was stretched beyond its limits and states desperately needed some alternative to addressing this costly and ever-expanding crisis. Around this same time, the first effective medications for treating symptoms of psychosis were being developed, lending further support to the emerging belief that people with serious mental illnesses could be treated more effectively and humanely in the community. This period marked the beginning of the *community mental health movement*.

In 1963, Congress passed the Community Mental Health Centers Act which was intended to create a network of community-based mental health providers that would replace failing and costly state hospitals, and integrate people with mental illnesses back into their home communities with comprehensive treatment and services. In what would be his last public bill signing, President Kennedy signed a \$3 billion authorization to support this movement from institutional to community-based treatment. Tragically, following President Kennedy's assassination and the escalation of the Vietnam War, not one penny of this authorization was ever appropriated.

As more light was shed on the horrific treatment people received in state psychiatric hospitals, along with the hope offered by the availability of new and effective medications, a flurry of federal lawsuits were filed against states which ultimately resulted in the *deinstitutionalization* of public mental health care. Unfortunately, there was no organized or adequate network of community mental health centers to receive and absorb these newly displaced individuals.

The fact that a comprehensive network of community mental health services was never established following deinstitutionalization has resulted in a fragmented continuum of care that has failed to adequately integrate services, providers, or systems; leaving enormous gaps in treatment and disparities in access to care. Furthermore, the community mental health system that was developed was not designed to serve the needs of individuals who experience the most chronic and severe manifestations of mental illness.

Lack of strategic funding and programming, and adherence to treatment guidelines that do not necessarily reflect current best practices have affected certain segments of the population in particularly devastating ways. For many individuals unable to access care in the community, the only options to receive treatment is by accessing care through the some of the most costly and inefficient points of entry into the healthcare delivery system including emergency rooms, acute crisis services, and ultimately the juvenile and criminal justice systems.

There are two ironies in this chronology that have resulted in the fundamental failure to achieve the goals of the community mental health movement and allowed history to repeat itself in costly and unnecessary ways. First, despite enormous scientific advances, treatment for severe and persistent mental illnesses was never deinstitutionalized, but rather was transinstitutionalized from state psychiatric hospitals to jails and prisons. Second, because no comprehensive and competent community mental health treatment system was ever developed, jails and prisons once again function as de facto mental health institutions for people with severe and disabling mental illnesses. In two centuries, we have come full circle, and today our jails are once again psychiatric warehouses.

On any given day in Florida, there are approximately 16,000 prison inmates, 15,000 local jail detainees, and 40,000 individuals under correctional supervision in the community who experience serious mental illness (SMI). Annually, as many as 125,000 people with mental illnesses requiring immediate treatment are arrested and booked into Florida jails. The vast majority of these individuals are charged with minor misdemeanor and low level felony offenses that are a direct result of their psychiatric illnesses. People with SMI who come in contact with the criminal justice system are typically poor, uninsured, homeless, members of minority groups, and experience co-occurring substance use disorders. Approximately 25 percent of the homeless population in Florida has an SMI and over 50 percent of these individuals have spent time in a jail or prison.

A 2006 report by the National Association of State Mental Health Program Directors (NASMHPD) Research Institute reported that the State of Florida ranked 12th in the nation in spending for forensic mental health services. Today, this estimate is likely to be considerably higher as this ranking did not take into account the state's investment earlier this year of more than \$16 million in emergency funding allocated by the Legislative Budget Commission and the addition of \$48 million in annual funding to add 300 desperately needed treatment beds to the overflowing forensic system. Individuals ordered into forensic commitment are now the fastest growing segment of the publicly funded mental health marketplace in Florida. Between 1999 and 2007, forensic commitments increased by 72 percent, including an unprecedented 16 percent increase between 2005 and 2006.

To put this in a more acute perspective, the State of Florida currently spends roughly a quarter of a billion dollars annually to treat roughly 1,700 individuals under forensic commitment; most of whom are receiving services to restore competency so that they can stand trial on criminal charges and, in many cases, be sentenced to serve time in state prison. Furthermore, the treatment provided in Florida's forensic hospitals is funded entirely by state general revenue dollars, as Federal law prohibits Medicaid from providing payment for psychiatric services rendered in such institutional settings. As a result, the state is investing enormous sums of

taxpayer dollars into costly, back-end services that may render a person competent to stand trial, but will do nothing to provide the kind of treatment needed to facilitate eventual community re-entry and reintegration.

While expenditures in the area of forensic mental health services place Florida near the top of list nationally, the level of expenditures on front-end community-based services intended to promote recovery, resiliency, and adaptive life in the community place the state near dead last. According to the NASMHPD Research Institute, the State of Florida ranks 48th nationally in overall per capita public mental health spending. Difficult to navigate and inefficient points of entry have resulted in barriers to accessing preventative, routine, and competent care. Last year alone, more than half of all adults with SMI and about a third of all children with severe emotional disturbances (SED) in need of treatment in the Florida's public mental health system had no access to care. Furthermore, despite recent research which has led to the identification and development of increasingly effective, evidence-based interventions for serious mental illnesses, such treatments have yet to be adequately implemented by many service providers in the public mental health system. Consequently, increasing numbers of people experiencing acute episodes of mental illness are becoming involved in the justice systems.

Roughly 150,000 children and adolescents, under the age of 18, are referred to Florida's Department of Juvenile Justice (DJJ) every year. Many of these youth have been impacted by poverty, violence, substance abuse, and academic disadvantage. Over 70 percent have at least one mental health disorder, with females experiencing higher rates of disorders (81%) than males (67%). Of youth diagnosed with a mental health disorder, 79 percent meet criteria for at least one other co-morbid psychiatric diagnosis, the majority of whom (approximately 60 percent) are diagnosed with a co-occurring substance use disorder.

The problems currently facing Florida's mental health and, consequently, criminal justice systems relate to the fact that the community mental health infrastructure was developed at a time when most people with severe and disabling forms of mental illnesses resided in state hospitals. As such, the community mental health system was designed around individuals with more moderate treatment needs, and not around the needs of individuals who experience acute and chronic mental illnesses. People who would have been hospitalized 40 years ago because of the degree to which mental illness has impaired their ability to function are now forced to seek services from an inappropriate, fragmented, and unwelcoming system of community-based care.

The justice system was never intended to serve as the safety net for the public mental health system and is ill-equipped to do so. Florida's jails and prisons have been forced to house an increasing number of individuals who are unable to access critically needed and competent care in the community. The consequences of the failure to design and implement an appropriate system of community-based care for people who experience the most severe forms of mental illnesses have been:

- Substantial and disproportionate cost shifts from considerably less expensive, front end services in the public mental health system to much more expensive, back-end services in the juvenile justice, criminal justice, and forensic mental health systems
- Compromised public safety

- Increased arrest, incarceration, and criminalization of people with mental illnesses
- Increased police shootings of people with mental illnesses
- Increased police injuries
- Increased rates of chronic homelessness

To effectively and efficiently address the most pressing needs currently facing the mental health system in Florida, it is recommended that the state invest in a redesigned and transformed system of care oriented around ensuring adequate access to appropriate prevention and treatment services in the community, minimizing unnecessary involvement of people with mental illnesses in the criminal justice system, and developing collaborative cross-systems relationships that will facilitate continuous, integrated service delivery across levels of care and treatment settings.

In this report, recommendations are made for the development of a comprehensive and competent mental health system which will prevent individuals from entering the justice system to begin with and will respond to individuals who do become involved in the justice system quickly and effectively to link them to appropriate services and prevent recidivism. By designing an appropriate and responsive system of care for individuals with serious mental illnesses, severe emotional disturbances, and/or co-occurring substance use disorders, people who otherwise would continue to recycle through the justice system will be served more effectively and efficiently. Public safety will be improved and the rate of individuals accessing more costly services in forensic mental health and criminal justice systems will be reduced.

Under this redesigned system of care, which will serve both adults with SMI and children with SED there will be 1) programs incorporating best-practices to support adaptive functioning in the community and prevent individuals with SMI/SED from inappropriately entering the justice and forensic mental health systems, 2) mechanisms to quickly identify and appropriately respond to individuals with SMI/SED who do become inappropriately involved in the justice system, 3) programs to stabilize these individuals and link them to recovery-oriented, community-based services that are responsive to their unique needs; and 4) financing strategies which redirect cost savings from the forensic mental health system and establish new Medicaid funding programs.

Key elements of the proposed plan include:

- Adoption of innovative financing strategies, designed around principles of managed care, that create incentives to prevent individuals from inappropriately entering the justice systems, and to quickly respond to individuals who do become involved in the justice system.
- Establishment of a multi-tiered level of care classification system targeting individuals at highest risk of institutional involvement in the criminal justice, juvenile justice, and state mental health systems to ensure adequate services in times of acute need when at risk of penetration into institutional levels of care and maximizing limited state resources during periods of relatively stable recovery.
- Creation of a statewide system of limited enrollment, Integrated Specialty Care Networks (ISCNs) under a newly authorized Medicaid state plan option targeting Home and

Community Based Services (HCBS) and specifically tailored to serve individuals with SMI/SED who are involved in or at risk of becoming involved in the justice system or other institutional levels of care.

- State certification of local providers and communities for participation in the proposed ISCNs, who demonstrate:
 - The ability to deliver effective, high-quality services across systems of care to individuals at highest risk of becoming involved in the criminal justice system or other institutional levels of care.
 - Ongoing, collaborative relationships with state and local criminal justice and community stakeholders that will facilitate early intervention and continuity of care across systems.
- Implementation of strategies targeting community readiness and individuals at highest risk for institutional involvement.
- Establishment of a partnership between DCF and AHCA to maximize funding streams and opportunities to serve individuals covered under public entitlement benefits (i.e., Medicaid) as well as those not covered.
- Programs to maximize access to federal entitlement benefits by expediting the application process and increasing initial approval rates for individuals prescreened to be eligible for benefits.
- Strategic, phased in implementation over a six year period to ensure adequate infrastructure development and sustainability.
- Strategic reinvestment of general revenue appropriations currently allocated to the state forensic system into community-based services targeting individuals at risk of criminal justice system involvement.
- Establishment of a Statewide Leadership Group to provide administrative oversight and facilitate technical assistance with the development of state and local plans.
- Implementing strategies and promising practices to maximize enrollment in federally supported entitlement benefits such as Medicaid and Supplemental Security Income/Social Security Disability Insurance (SSI/SSDI).
- Expansion of the Criminal Justice/Mental Health/Substance Abuse Reinvestment Grant Program to build local and statewide infrastructures.
- Development of local and statewide collaborations.

BLUEPRINT COMMISSION RECOMMENDATIONS
Numerical Listing with Supporting Information

Legislation Required: Yes (2008) ; Fiscal Impact: TBD

<p>Recommendation 1</p> <p>Public Safety / Alternatives to Detention</p>	<p>The Legislature should adopt as Florida's policy encouraging alternatives to processing first-time, misdemeanor youth through the formal process of arrest, intake and adjudication. Alternatives could include the issuance of civil citation, community-based and / or home-based alternatives.</p>
<p>Identify Related Goal:</p> <p>Rationale:</p>	<p>Ensure public safety for Floridians by reviewing current detention practices, crime trends, and alternatives to detention.</p> <p>The Department of Juvenile Justice's screening assessment Positive Achievement Change Tool (PACT) shows that 53% of youth arrested each year are assessed as low risk for re-offending.</p> <p>Many factors contribute to increased juvenile incarceration rates including the over-use of zero tolerance policies by school districts and arrests for non-serious offenses by law enforcement. In 2006-07; 70,000 out of 145,000 juvenile referrals were misdemeanor offenses; 23,000 of those were school referrals.</p> <p>Currently, there are approximately 750 youth annually committed to the department for misdemeanor offenses who have no history of felony adjudications. The cost of serving these youth is approximately \$27,000,000 annually. Communities that choose to develop alternative programs to divert these youth from commitment could receive funding that is currently spent in residential care.</p> <p>First time misdemeanor offenders should be diverted away from the formal process of arrest and commitment to more appropriate community or home-based sanctions, including the issuance of civil citation in lieu of arrest. These alternative sanctions should hold the youth accountable for his or her actions but that also provide counseling and support to better serve the youth and the family, leaving a DJJ detention and commitment as a last resort.</p> <p>The state provides funding to DJJ to implement a statewide Intensive Delinquency Diversion Services (IDDS) program which is an intensive community supervision / case management model. Services are provided, via contract, by local agencies. IDDS is available to each circuit and current serves 4,074 youth. Expansion of IDDS and additional diversion programs are encouraged; leaving DJJ detention as a last resort.</p>
<p>Potential Strategies:</p>	<p>Assess youth's risk to re-offend using a validated risk and needs assessment and divert low-risk youth whenever possible</p> <p>Alternatives could include the issuance of civil citation, restorative justice alternatives, home placement, or other community-based programs.</p>
<p>Legislation or Budget Required?</p>	<p>Modify section 985.125(1) F.S. to read: A law enforcement agency, school district, or other qualified agency, in cooperation with the state attorney, is encouraged to establish a pre-arrest or post-arrest diversion program.</p> <p>Budget Impact: TBD dependent on the types of diversion programs funded.</p> <p>Cost to establish a diversion program runs from minimal to high depending on the type of diversion program established and the number of youth served.</p> <p>Examples: IDDS currently serves 4,074 youth in 1,358 slots statewide, at an average cost of 19.70 per youth.</p> <p>PACE Center for Girls served 2,367 girls in 2006-07 at a cost to DJJ of \$4,647 per girl. PACE matches through DOE and private funding, for a total cost per girl of \$10,000.</p>
<p>Time Frame</p>	<p>2008 Legislative session</p>

<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduction in the number of youth committed to residential services. Reduction in the number of minorities within the system. Increased availability of resources to treat more serious offenders.</p>
<p>Accountability Measures:</p>	<p># youth diverted from juvenile justice system receiving services in these community-based programs Racial and gender make up of youth diverted from juvenile justice system receiving services in community-based programs # youth who commit an additional offense while in program # / % youth who successfully complete program #/% youth eligible to attend that do attend school while in program Number of misdemeanor commitments. Youth outcomes in community alternative programs.</p>

Legislation Required: Yes (2009); Fiscal Impact: Yes

<p>Recommendation 2</p> <p>Screening and Assessments</p>	<p>Every circuit shall have a full Juvenile Assessment Center (JAC) that is based on a model that includes substance abuse and mental health screening, comprehensive assessments with follow-up services, detention screening and intake services, educational assessment, community-risk assessments, transportation services, security services, health services, and administration. A diversion program using a community-based intervention or treatment service shall be available for children to be referred from the JAC or qualified intake.</p>
<p>Identify Related Goal:</p> <p>Rationale:</p>	<p>Ensure public safety for Floridians by reviewing current detention / diversion practices, crime trends, and alternatives to placement. Juvenile Assessment Centers are multi-agency shared resource centers designed to provide initial screening and assessments, intake, diversion, and detention services. Promising Juvenile Assessment Centers include Miami-Dade and Leon County. Participating agencies may include state DJJ, DCF, and local school districts, law enforcement and other youth service entities. Careful needs and risk assessment are essential to appropriate placement and help to avoid secure placement when such needs and risks can be addressed in community settings. Absence of valid and reliable assessment may create a mismatch between youth risk and needs and services / interventions that may result in too little intervention for high risk and high needs youth and/or too much for low risk and needs youth.</p> <p>In 2007-08, DJJ indicates Florida has: 16 Juvenile Assessment Centers (JAC) as follows (Circuits 1 and 4 have a call center only (Circuit 7 is anticipated to convert to a call center July 2008); Circuits 3, 14, and 16 have no JAC or call center). The cost to run a JAC varies based on the number of youth referrals. Small JACs are generally funded at or around \$200,000 annually while larger ones are funded on average at \$750,000.</p>
<p>Legislation or Budget Required?</p>	<p>Existing legislation is sufficient for the establishment of JACs. Fiscal Impact: (To establish a “model” JAC with full services: \$1.4 million estimated cost (includes state and local) estimated breakdown as follow: (2 full time detention screeners x 5 shifts (24 hr operation) = \$300,000; 2 full time security / booking personnel x 5 shifts = \$420,000; 1 JAC Director (\$70,000); 5 Shift Supervisors \$ 200,000; Contracted mental health and substance abuse assessment (@ \$750 per youth); Diversion services (@ \$500 per youth); Meals / snacks (\$1.50 per youth); Transportation and Fuel (to detention, to hospital, to Baker/Marchman Act Facility) \$50,000; Building Lease (\$70,000)</p>
<p>Time Frame</p>	<p>Establish one JAC each year, over 5 years, beginning in 2009-10</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>More efficient and cost effective use of DJJ services and programs</p>
<p>Accountability Measures:</p>	<p>Decrease in detention population; #/% youth served; #/% youth diverted</p>

<p>Recommendation 3</p> <p><i>PREVENTION / INTERVENTION</i></p>	<p>The State shall fund, in each circuit, community based substance abuse intervention, evaluation, and treatment services. Youth whose first offense is for drug possession and accompanying misdemeanor shall be diverted from prosecution into these substance abuse services.</p>
<p>Identify Related Goal:</p>	<p>Ensure public safety for Floridians by reviewing current detention practices, crime trends, and alternatives to detention.</p>
<p>Rationale:</p>	<p>Drug involvement, especially among young adolescents, is best addressed through informal settings. Young, minor offenders placed in detention is more costly and does not provide the most appropriate mechanism for treatment.</p>
<p>Potential Strategies: Legislation or Budget Required?</p>	<p>Treatment and intervention as needed, drug education and awareness, neighborhood accountability boards, and mentoring. May require a new section in Chapter 985. There would be a cost to provide these services. DCF contracted rates for assessment is estimated at \$83 per hour and \$170 per bed per day for residential treatment. Adult Day treatment rates run approximately \$69 per half/day. A more in-depth analysis would need to be prepared to estimate the number of youth anticipated for diversion to these programs for anticipated overall cost. Upon revision of statute.</p>
<p>Time Frame</p>	
<p>Anticipated Results / Impact of Recommendation</p>	<p>Fewer youth placed on probation or in other formal dispositions, more appropriate and effective handling of young adolescents arrested on drug charges. Prevent young offenders from exposure to more serious offenders.</p>
<p>Accountability Measures:</p>	<p>Reduction in the proportion of youth arrested, adjudicated delinquent, and formerly processed for drug charges.</p>

Legislation Required: No; Fiscal Impact: No -- DJJ has funding and authority

<p>Recommendation 4</p> <p>Detention Screening</p>	<p>Florida's current risk assessment instrument should be re-evaluated to ensure it is reliable, independently validated, evidence based and gender and racially neutral to ensure a fair, objective assessment of risk level for appropriate placement in secure or non-secure detention without increasing risk to public safety.</p>
<p>Identify Related Goal:</p> <p>Rationale:</p>	<p>Review alternatives to detention while ensuring public safety</p> <p>s. 985.245, Florida Statutes, requires the development of a detention risk assessment instrument by the department, in consultation with representatives appointed by the Conference of Circuit Judges of Florida, the Prosecuting Attorneys Association, the Public Defenders Association, the Florida Sheriffs Association, and the Florida Association of Chiefs of Police. Each association shall appoint two individuals, one representing an urban area and one representing a rural area. The parties involved shall evaluate and revise the risk assessment instrument as is considered necessary using the method for revision as agreed by the parties.</p> <p>The purpose of a detention risk assessment instrument is to identify youth who are most likely to re-offend or fail to appear prior to disposition of the case. It is unknown whether the existing instrument targets youth who present the greatest risk to public safety. In order to ensure that the instrument objectively and accurately determines a child's risk level for determining appropriate placement, the Blueprint Commission, supported by a number of supporting studies, including one's by the National Council for Crime and Juvenile Delinquency, to validate the instrument.</p>
<p>Potential Strategies:</p>	<p>Revise, automate, and validate the Risk Assessment Instrument prior to June 2008.</p> <p>Provide education and training to DJJ staff on proper application of screening instrument, population management control, and awareness of their authority to contact the prosecutor during the screening process to attempt to have eligible youth in secure detention released to an alternative program subsequent to the court hearing.</p> <p>Provide DJJ training for juvenile judges on an annual basis.</p>
<p>Legislation or Budget Required?</p>	<p>No Legislation anticipated</p> <p>Cost to automate and validate estimated at \$150,000. Department will utilize JJABG federal grant funds.</p>
<p>Time Frame</p>	<p>Automate current instrument by February 2008.</p> <p>Validate Current Instrument by June 2008 – Anticipated implementation – July / August 2008</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Decreased number of youth in secure detention that do not pose a risk to public safety; a greater number and proportion of detention eligible youth in closely monitored home detention or secure shelters.</p>
<p>Accountability Measures:</p>	<p># youth assessed for low risk who do not re-offend</p>

Legislation Required: No; Fiscal Impact: No -- DJJ has funding and authority

<p>Recommendation 5</p>	<p>Alternatives to secure detention should be created and funded for youth who are eligible for secure detention, but whose risk to public safety does not require use of this costly level of control.</p>
<p>Identify Related Goal:</p>	<p>Review alternatives to detention while ensuring public safety</p>
<p>Rationale:</p>	<p>Over time, it is anticipated that, as more youth are placed in alternatives to secure detention, funds may be available to be re-directed from secure detention to fund these alternative programs.</p> <p>Alternatives to secure detention include:</p> <ul style="list-style-type: none"> (1) Home detention supervised by Juvenile Probation Officers or “monitors”. (2) Day shelters which provide supervision after school. (3) Evening shelters (or respite care facilities) that provide supervision 24 hours. <p>DJJ is working with Casey Foundation and other philanthropic organizations to secure “seed” money to implement pilots in 7 counties during 2008.</p>
<p>Potential Strategies:</p>	
<p>Legislation or Budget Required?</p>	<p>No substantive legislation anticipated Appropriation budget authority may be required for anticipated grant – 2008; If pilots are successful, DJJ anticipates requesting state funds to begin implementing alternatives to secure detention such as supervised home detention, statewide.</p>
<p>Time Frame</p>	<p>Begin 2008</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Decreased number of youth in secure detention that do not pose a risk to public safety; a greater number and proportion of detention eligible youth in closely monitored home detention or secure shelters.</p>
<p>Accountability Measures:</p>	<p># youth assessed for low risk who do not re-offend</p>

Recommendation 6	<p>To ensure youth who pose a serious threat to public safety are not redirected away from secure detention, a prior delinquency residential commitment should be considered a significant risk factor. The existing Detention Risk Assessment Instrument (DRAI) should be modified to allow for an “aggravation” of the score of up to 3 additional points, if necessary, for a youth charged with a felony, and who has a prior residential delinquency commitment in order to be eligible for secure detention.</p>
Identify Related Goal:	Review alternatives to detention while ensuring public safety
Rationale:	<p>The purpose of the Detention Risk Assessment Instrument (DRAI) is to target youth who are most likely to re-offend or fail to appear prior to disposition. A score of 12 or more designates the youth eligible for secure detention.</p> <p>Youth with a prior delinquency commitment have demonstrated a significant risk to re-offend. A prior delinquency commitment under the current DRAI does not count as an aggravating factor, making it possible for a youth charged with a felony, and with a prior delinquency commitment, to score less than 12 points and, therefore, not be eligible for secure detention.</p> <p>This recommendation will allow a prior delinquency commitment to be considered as an aggravating factor.</p>
Potential Strategies:	Written notification to the field by the Assistant Secretary for Probation and Community Intervention.
Legislation or Budget Required?	None is required. The recommendation is within the authority granted to the Department of Juvenile Justice by statute.
Time Frame	2008
Impact of Recommendation	The impact should be minimal considering that a large majority of youth charged with a felony, and who have a prior delinquency commitment, are already determined eligible for secure detention based on other risk factors.
Accountability Measures:	100% of staff at every detention screening will consider recommendation.

Legislation Required: TBD; Fiscal Impact: TBD

<p>Recommendation – 7</p> <p>Medical / Mental Health / Substance Abuse</p>	<p>The Department of Juvenile Justice shall continue to assess all youth prior to commitment to make a determination of their medical, mental health, substance abuse and developmental disability needs. The Department shall meet the needs of these youth. Further, the Department recognizes that additional funding to provide these services either by contractual arrangements or through additional health, mental health, substance abuse or developmental disability staffing will be necessary. The Department will track these expenditures and provide a report on these instances to the Legislature.</p>
<p>Identify Related Goal:</p>	<p>Improving critical youth health and treatment needs.</p>
<p>Rationale:</p>	<p>Youth should not enter the Juvenile Justice system to receive treatment services . Over 60% of youth in DJJ have a diagnosed mental disorder or symptoms consistent with a disorder 75% of youths in delinquency treatment programs admit to alcohol or drug abuse 50% - 75% of girls in juvenile facilities suffer from post traumatic stress disorder Those youth found to have mental health needs are involuntarily committed (Baker Act). Youth with less immediate needs are placed in programs with specialized mental health and substance abuse services. Severely mentally ill youth who are not an immediate suicide risk but have mental health need that outweigh the services available, should be provided intense mental health treatment.</p>
<p>Potential Strategies:</p>	<p>TBD</p>
<p>Legislation or Budget Required?</p>	<p>Additional contract funding may be required to ensure access to short-term stabilization care. Increased funding would be required to ensure sufficient mental health treatment services and contracting for inpatient psychiatric beds and more intensive medical overlay services.</p>
<p>Impact of Recommendation</p>	<p>Improved care, decreased recidivism, reduction in injury and re-traumatization.</p>
<p>Accountability Measures:</p>	<p>##% youth with medical / mental health / substance abuse / developmental disabilities issues waiting for treatment & wait times ##% youth re-directed from DJJ care into alternative treatment programs</p>

Legislation Required: No; Fiscal Impact: No

<p>Recommendation 8</p> <p><i>Medical / Mental Health / Substance Abuse</i></p>	<p>Florida’s policy on Medicaid eligibility, dis-enrollment, and suspension should be reviewed and amended to prevent the dis-enrollment of benefits for previously eligible youth committed to high or maximum risk programs under the Department of Juvenile Justice and minimize disruption of benefits upon release from the juvenile justice system. Medicaid policy should be changed to allow continued coverage for eligible youth for six months after release from the commitment program to allow the opportunity to complete treatment.</p>
<p>Identify Related Goal:</p> <p>Rationale:</p>	<p>Improving the outcomes by identifying critical youth health and treatment needs.</p> <ul style="list-style-type: none"> • Federal law prohibits Medicaid coverage for youths in a state operated facility or a secure institution, including a high risk or maximum risk residential commitment program. • Federal law indicates “states need not terminate Medicaid eligibility during an individual’s period of incarceration”. • Florida’s practice, within the Department of Children and Families, is to eliminate coverage. This requires the family to go back through the re-application process for approval for Medicaid coverage.
<p>Potential Strategies:</p> <p>Legislation or Budget Required?</p>	<p>Collaboration with the Department of Children and Families and the Agency for Health Care Administration</p> <p>None anticipated</p>
<p>Time Frame ?</p>	<p>By March 2008.</p>
<p>Anticipated Results / Impact of Recommendation</p>	<ul style="list-style-type: none"> • Increased follow-up and supportive Medicaid medical, mental health and substance abuse services for youths released from a DJJ detention center or residential commitment program. • Reductions in number of youth who experience relapse in medical, mental health or substance abuse conditions upon release from DJJ treatment and return to the community. • Provision of necessary medical, mental health and substance abuse services should reduce the number of youth who re-offend upon return to their communities.
<p>Accountability Measures:</p>	<p>#/% Youth receiving medical, mental health or substance abuse services upon release from DJJ custody.</p> <p>#/% Youth receiving medical, mental health or substance abuse services who remain arrest-free in the community.</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 9 Medical / Mental Health / Substance Abuse-</p>	<p>Resources for health, mental health and substance abuse services, as well as oversight of these services within the Juvenile Justice system are grossly inadequate. The Legislature should require an independent, clinically driven assessment of health services throughout DJJ to then make recommendations that will ensure the appropriate funding and delivery of care for all youth served by the department.</p>
<p>Identify Related Goal: Rationale:</p>	<p>Improving the outcomes of youth in the juvenile justice system by identifying critical youth health and treatment needs. Currently the Office of Health Services is responsible for the oversight of medical services within all four program areas. The office consists of 5 staff (Chief Medical Director, Director of Substance Abuse and Mental Health Services, Mental Health and Substance Abuse coordinator, and two registered nurses). Additionally, there are nearly 60 state employed health and mental health staff who report to Program offices other than the Office of Health Services). The majority of health services are provided by private, contracted medical staff. through contract or subcontracts. The department believes the current staffing model is ineffective and decreases accountability, may hinder standardized quality of health care services by the following: The over-extension of the Office of Health Services' staff with an increased liability for the department. Decreased compliance in referring these youth, who have been identified with chronic medical conditions for specialized medical services. Inadequate risk management and programming (risk assessments, planning and evaluation) which increases the risk for catastrophic events (e.g. death) Ineffective infection control, surveillance, compliance and education resulting in increased risks of major life threatening infectious disease processes. Poor medication management for youth receiving prescription medication resulting in frequent medication errors that compromises the health, welfare and safety of youth. Fragmentation of state-employed health services providers reporting to laypersons</p>
<p>Legislation or Budget Required?</p>	<p>No legislation or funding required for review. DJJ recommends increasing medical resources; including establishing a registered nurse in each detention center (\$2.3m for 26 positions); increasing funding for mental health and substance abuse treatment within residential programs; increasing funding and community based resources for treatment within the community.</p>
<p>Time Frame ?</p>	<p>2008/09</p>
<p>Anticipated Results</p>	<p>TBD by Study.</p>
<p>Accountability Measures:</p>	<p>TBD by review.</p>

Legislation Required: No; **Fiscal Impact:** Yes

<p>Recommendation 10</p> <p>Health, Mental Health, Substance Abuse</p>	<p>As an alternative to committing youth, the Department of Juvenile Justice will collaborate with the Department of Children and Families and local communities, to identify, and where necessary, establish appropriate community based health, mental health and substance abuse programs for youth, to allow for judicial placement of youth as a condition of probationary sanction.</p>
<p>Identify Related Goal:</p>	<p>Improving the outcomes of youth in the juvenile justice system by identifying critical youth health and treatment needs.</p>
<p>Rationale:</p>	<ul style="list-style-type: none"> • Mentally ill and substance abusing youth are placed in the Department of Juvenile Justice in order to receive services. Oftentimes it is because the Judges do not have alternative options. • Some youth would be more appropriately served at home, in smaller local non-delinquency treatment programs or in intensive mental health programs.
<p>Legislation or Budget Required?</p>	<p>No legislation anticipated</p> <p>Fiscal Impact: TBD after inventory / assessment to existing programs completed.</p>
<p>Time Frame</p>	<p>Begin identification of existing services and need for additional community based health / mental health / and substance abuse programs during 2008. Provide recommendations for additional programs or services, including cost, for FY 2009-10 LBR.</p>
<p>Anticipated Results / Impact of Recommendation</p>	<ul style="list-style-type: none"> • Fewer youth committed to DJJ for mental health issues. • Increased judicial disposition options
<p>Accountability Measures:</p>	<p>#% increase in youth placed in alternative treatment programs upon judicial disposition.</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 11 <i>Health, Mental Health, Substance Abuse</i></p>	<p>The Department of Juvenile Justice should perform a comprehensive assessment of the expenses associated with serving youth with extenuating medical, mental health, developmental disability services, including physical disabilities and impairments. Additional funds should be appropriated to the Department to draw upon to care for these youth who require treatment beyond routine care and who are Medicaid ineligible.</p>
<p>Identify Related Goal:</p>	<p>Improving the outcomes by identifying critical youth health and treatment needs.</p>
<p>Rationale:</p>	<p>Federal law prohibits Medicaid coverage for youths in a state operated facility or a secure institution, including a high risk or maximum risk residential commitment program. Federal law indicates “states need not terminate Medicaid eligibility during an individual’s period of incarceration” .</p>
<p>Legislation or Budget Required?</p>	<p>Legislation would only be required if Trust Fund were established. This issue anticipate a general revenue appropriation held in reserve that could be used to reimburse the department for extraordinary medical expenses of seriously ill youth. Cost: Recommend \$1 million Detention excessive medical costs in FY 2006-2007 exceeded \$800,000 and just over \$300,000 for residential. These expenditures vary each fiscal year due to the varied non-routine medical situations requiring medical care. Residential contracts require the providers to be responsible for amounts of \$5,000 or \$7,500 per youth per medical incident depending on the program size.</p>
<p>Time Frame</p>	<p>2009</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Provide designated funding for treatment beyond routine that would not be able to be used for other contracted purposes.</p>
<p>Accountability Measures</p>	<p># youth with extenuating medical, mental health, and developmental disabilities receiving treatment and cost of treatment</p>

Legislation Required: No; Fiscal Impact: No

<p>Recommendation 12</p> <p><i>Health, Mental Health, Substance Abuse</i></p>	<p>The Department shall re-organize to require the Chief Medical Director report directly to the Secretary of the Department of Juvenile Justice.</p>
<p>Identify Related Goal:</p>	<p>Improving the outcomes of youth in the juvenile justice system by identifying critical youth health and treatment needs.</p>
<p>Rationale:</p>	<p>Due to the criticalness of the issues and to ensure the highest priority and attention, the Chief Medical Director and the Office of Health Services should have direct report access to the Secretary of the Department.</p>
<p>Legislation or Budget Required?</p>	<p>No Fiscal Impact. No Legislation Required.</p>
<p>Time Frame</p>	<p>During 2008</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Heightened awareness of medical and mental health issues impacting youth in department care. Immediate response to issues of medical concern.</p>
<p>Accountability Measures</p>	

Legislation Required: No; Fiscal Impact: Yes

All girls across the DJJ continuum shall receive adequate gender specific services. These services shall be delivered by state or contract provider staff that are trained and receive ongoing training in gender specific and culturally competent programs. Gender specific services will include gender specific screening and assessment processes for girls entering the DJJ system or already in custody to determine appropriate placement. The goal is to ensure maximum services are received in minimally restrictive environments, inclusive of community-based services and day treatments.

Identify Related Goal: Providing a fair and balanced approach for addressing the needs of all youth

Rationale: All girls shall receive adequate gender specific services that address health, mental health, and substance abuse issues, and that integrate families into service delivery and care, across the DJJ continuum.

In Florida, almost one out of three youth referred to the Department is female. According to NCCD report, A Rallying Cry for Change: 79% have emotional/mental health issues (Depression, trauma, anger, self destructive behaviors, or other mental health/clinical diagnoses); 70% experience family conflict and/or history of family problems; 46% have substance abuse/addiction issues; 64% reported prior abuse; 49% self mutilate and 34% has history of suicide attempts; 35% have a history of prior pregnancy and 10% have children; 25% have or are recovering from a major illness.

Gender-specific includes creating an environment through site and staff selection, program development, content, and material that reflects an understanding of the realities of women's lives, approaches are multidimensional and address social and cultural factors as well as therapeutic interventions. These interventions address issues such as abuse, violence, family relationships, substance abuse, and co-occurring disorders and provide a strength-based approach to treatment and skills-building. A higher percentage of girls than boys are admitted for less serious offenses. 47% of girls are admitted for misdemeanor offenses or non-law violation of probation, as opposed to 30% of boys. Additionally, the pathway for girls into the system is different than that of boys. Research identifies history of abuse and trauma, depression or other mental illness linked to early life experiences, substance abuse and self destructive behavior; and dysfunctional family relationships and/or conflict as the most common pathways to the delinquent behavior of girls.

Legislation or Budget No legislation required -- Fiscal Impact TBD

Time Frame Begin assessment of current services and training needs during 2008. Anticipate development of budget request Fall 2008 for inclusion in 2009-10 LBR

Anticipated Results Reduction in the # of girls re-entering DJJ after services have been delivered; Reduction in the # of girls held in detention and commitment; Increase in services for girls across the DJJ continuum

Accountability Measures # girls that re-offend; # girls that commit an additional offense while in commitment; # girls diverted

Legislation Required: No; Fiscal Impact: Yes

<p>Revised Recommendation 14 Gender specific</p>	<p>To maintain healthy contact between mother and child, where appropriate, committed girls who are pregnant, and / or mothers with infant children, shall be placed in small family-style community-based programs, taking into account the safety risk to girls, the fetus or infant, and the public.</p>
<p>Identify Related Goal:</p>	<p>Providing a fair and balanced approach for addressing the needs of all youth; focusing on racial disparities; gender-specific program needs and legal representation of youth.</p>
<p>Rationale:</p>	<p>In Florida, according to the study conducted by the National Council on Crime and Juvenile Delinquency titled “A Rallying Cry for Change”, 35% of girls in commitment are pregnant and 10% have children. Additionally, the National Council on Crime and Juvenile Delinquency finds that women and girls are more likely to successfully complete programming during incarceration and less likely to recidivate if they are able to maintain healthy contact with children and families.</p>
<p>Potential Strategies:</p>	<p>Develop group home models for prevention and low risk, and expand the number of existing moderate risk.</p>
<p>Legislation or Budget Required?</p>	<p>DJJ should collect data on girls entering department programs for purposes of evaluating the number of girls that are pregnant and / or parenting to determine appropriate level of need for these services. No Legislation Required</p>
<p>Time Frame</p>	<p>Fiscal Impact – Anticipated – possible 2009-10 LBR <i>Estimated per diem \$186 per youth.</i> Long – term goal: Beginning 2009, DJJ should assess options for alternative, family-style community based programs. Possible LBR issue 2010</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduction in recidivism rate Increase in number of girls who successfully complete commitment programs. Increased availability of services for pregnant / parenting girls.</p>
<p>Accountability Measures:</p>	<p>#/% girls that successfully complete programs #/% girls who re-offend; #/% girls placed in commitment programs that allow parent/child contact.</p>

Legislation Required: No; Fiscal Impact: Minimal

<p>Recommendation 15 Gender Specific</p>	<p>DJJ shall establish and provide an on-going training program for key stakeholders regarding the needs of girls, gender specific sanctions and services.</p>
<p>Identify Related Goal:</p>	<p>Providing a fair and balanced approach for addressing the needs of all youth; focusing on racial disparities, gender-specific program needs and legal representation of youth.</p>
<p>Rationale:</p>	<p>There is a significant need to decriminalize girls' behavior and to educate law enforcement and the judicial system on the utilization of diversion alternatives to eliminate inappropriate referrals for girls. 1 in 3 youth referred to DJJ is female. The pathway for girls is typically related to a history of abuse, trauma, depression, mental illness, substance abuse self destructive behavior; and dysfunctional family relationships and/or conflict. Research shows that girls are more likely charged for less serious offenses than males; including public disorder, probation violations, status offenses and traffic offenses. Further, the practice of "bootstrapping" – a charge for a delinquent offense for violation of a court order - is applied more often to girls than boys. Girls who commit serious offenses are often victims of crime, abuse and neglect themselves and the root cause of the behavior must be identified and treated. According to the NCCD, the juvenile justice system is poorly equipped to treat girls in commitment, which can lead to more harm and further victimization, and judicial system understanding of placement and treatment options is critical.</p>
<p>Potential Strategies:</p>	<p>Develop and implement a comprehensive training regarding the needs of girls and pathways for girls into the system including topics of female development, mental health, special education, cross system collaboration and gender responsive sanctions and services for State Attorneys, Judges, Public Defenders, Law Enforcement and School Resource Officers.</p>
<p>Legislation or Budget Required?</p>	<p>No legislation required. Minimal Fiscal Impact</p>
<p>Time Frame</p>	<p>Begin assessing training needs in 2008. Begin implementation of training in 2009</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Decrease in number of girls entering DJJ programs Decrease in number of girls with additional charges for commitment Increase in number of girls receiving treatment.</p>
<p>Accountability Measures:</p>	<p>Decrease in number of girls entering DJJ</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 16 Gender Specific Programs</p>	<p>The department shall require community-based, gender-specific aftercare services for girls transitioning from DJJ programs. Such programs shall include, but not limited to, mental health, substance abuse, family counseling and crisis intervention, education and vocational training, and independent/ transitional living alternatives. Where staffing permits, the department shall endeavor to provide that girls be placed under the supervision of a female probation / conditional release case manager and, where the number of girls (25 – 30) justifies, a female caseload supervision team shall be established.</p>
<p>Identify Related Goal:</p>	<p>Providing a fair and balanced approach for addressing the needs of all youth; focusing on racial disparities; gender-specific program needs and legal representation of youth.</p>
<p>Rationale:</p>	<p>68% of girls in residential programs have experienced physical or sexual abuse, 90% have limited or inadequate parental control and as many as 94% have diagnosed mental health issues. Without proper community interventions that focus on trauma/victimization, domestic violence, and self-medicating/self defeating behavior, the risk for delinquent behavior is high. OPPAGA recommended all female caseloads with specialized training on the pathways into the system for girls and the factors that lead to repeat offending and committing more serious offenses by girls and allow a physically and emotionally safe place for girls to complete their probation. Further, many of the girls committing serious offenses are themselves victims of crime, abuse and neglect. Understanding the risk profile is critical to effective aftercare services and treatment programs. Positive female role models are critical to transition back into the community. 50% of girls in DJJ have a parent reported to DCF for abuse and 61% of girls commit an offense against their family members. Ineffective supervision, parent/child conflict and family history of substance abuse and/or incarceration are overwhelming linked to girls delinquency. Lack of aftercare services impacts the effectiveness of on-going treatment for girls. Given the profile of girls in the DJJ system, girls need a safe place to return, where ongoing treatment is available.</p>
<p>Legislation or Budget Required?</p>	<p>No legislation required. Fiscal Impact: No cost anticipated for DJJ to restructure caseloads and supervision of female caseloads. The department currently does this in Circuit 9 successfully.</p>
<p>Time Frame</p>	<p>Begin phasing in caseload supervision 2008. Phase in over 3 years. Anticipate budget request to increase aftercare funding in 2009-10 LBR</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduced recidivism for girls</p>

Recommendation 17
Legal Representation of Child
Identify Related Goal:
Rationale:

A child is entitled to representation by legal counsel at all stages of any delinquency proceeding in court before a judge. The Supreme Court should adopt a rule that requires consultation with an attorney before a child takes a plea or gives up the right to legal representation.

Providing a fair and balanced approach for addressing the needs of all youth, focusing on racial disparities, gender-specific program needs and legal representation of youth.

Due to the complex nature of legal proceedings and the short-term and long-term consequences of an arrest, plea or trial for a child, a parent, guardian, a JPO, another adult or any other non-legal actor cannot adequately advise a child on their need for legal counsel. For years, judges have been required to conduct an inquiry and it has been repeatedly documented that many juvenile judges fail to inform children of their rights and the impact of their actions. Several dozen appellate court opinions have been issued reversing pleas due to inadequate judicial admonition of children. In its recent study of children’s access to counsel in delinquency cases in Florida, the National Juvenile Defender Center recommended that “*Youth should not be permitted to waive counsel without prior consultation with such counsel. Counsel should assist the client in making an informed, knowing and voluntary choice and stand-by counsel should be available in the event of waiver. It is imperative that youth understand the long-term consequences of a juvenile adjudication.*”

Requiring that a child have a meaningful opportunity to discuss with an attorney what it means to give up (waive) the right to an attorney was unanimously approved by the Florida Bar Legal Needs of Children Commission, overwhelmingly approved by the Florida Rules of Juvenile Procedure Committee of the Florida Bar (25-5 vote), and has been unanimously supported by the Florida Bar Board of Governors for three years.

This would end the current disparity where children in the large urban counties enjoy the benefits of our constitutional protections, i.e., right to counsel, and children in smaller counties are routinely deprived basic protections. This disparity also causes economic hardship in the future because some juvenile adjudication carry consequences that are sometimes worse than an adult conviction. For example, juvenile adjudication on a charge that if committed by an adult would be considered a felony may cause a child to be denied a business license and many jobs in the future, where an adult convicted of the same offense would be able to have his rights restored.

Supreme Court enactment of this rule would force judges to stop using a written waiver of counsel as a substitute for a thorough oral inquiry by the Court as to the child’s capacity to intelligently waive counsel. All children are entitled to due process in delinquency court proceedings, regardless of their parent’s ability to hire an attorney to represent them.

In the last two years, Senator Wise introduced a bill to take care of this problem. It passed the Senate in 2006, and it stalled in 2007. It was introduced in the House in 2007 but was not heard. The Florida Bar Juvenile Rules Committee resubmitted the rules change to the Supreme Court earlier this year.

Potential Strategies:
 DJJ track in JJIS whether counsel has been appointed, at what stage of proceedings the child is represented. Legislative

	<p>amendments to correct the existing conflict situation where a parent who is the victim is legally liable for paying for the child's representation.</p> <p>Possible legislation that a child not be held in detention without legal representation.</p> <p>Annual training for delinquency court judges, court personnel and DJJ probation officers.</p>
Legislation or Budget Required?	<p>Florida's Public Defenders have agreed to absorb the small financial impact of having an attorney in court to advise the child regarding whether to take a plea. Public Defender offices in larger circuits will not have any fiscal impact because assistant public defenders are already assigned to every delinquency courtroom. There would be minimal impact on small circuits that do not currently have an assistant public defender at all delinquency court hearings. However, there would be an indeterminate financial impact if children who are currently pleading guilty without an attorney decide to instead have attorney representation.</p> <p>Supreme Court adoption of amendments to the Florida Rules of Juvenile Procedure overwhelmingly approved by the rules committee and unanimously supported by the Florida Bar Board of Governors for three years.</p>
Time Frame	2009
Anticipated Results / Impact of Recommendation	<p>Reduced number of children in commitment or secure detention.</p> <p>Reduced costs to the counties who are now financially responsible for the cost of children held in secure detention prior to trial.</p> <p>Reduced racial disparity. Higher earning capacity for former juveniles who lived in rural areas.</p>
Accountability Measures:	<ul style="list-style-type: none"> • Data on the number of children by Circuit who are waiving counsel, and the disposition on those cases. • Data on the number of children by Circuit who don't waive counsel, and the disposition on those cases.

Legislation Required: YES; Fiscal Impact: Possible workload – Public Defenders	
Recommendation 18 Legal Representation	Amend Florida law (sec. 27.51) to authorize the Public Defender to represent children in all delinquency proceedings in court before a judge, beginning with the detention hearing. This would clarify that the Public Defender in each circuit is authorized and should have an attorney present at all detention hearings. Parents or guardians, who are also the alleged victim, should not be charged for the legal representation of their children.
Identify Related Goal:	Providing a fair and balanced approach for addressing the needs of all children, including racial disparities, gender specific programs, and legal representation.
Rationale:	Children have the right to be represented by an attorney at all crucial stages of court proceedings. Because Florida law only authorizes Public Defender representation after a petition has been filed, that statutory glitch has created a gap in representation because State Attorneys do not always file the petition by the time of the child's first court appearance, the detention hearing. The result has been that in at least one Circuit, the Public Defender's office is not present at the detention hearing and children are therefore unrepresented at a crucial stage. Clarifies Florida law to make Chapter 27 consistent with the child's right to representation under Chapter 985.
Legislation or Budget Required?	Fiscal Impact: None anticipated Legislation required.
Time Frame?	2008 Legislature
Anticipated Results/Impact of Recommendations:	<ul style="list-style-type: none"> ·Reduced number of children unnecessarily or illegally held in secure detention. ·Reduced racial disparity of children in detention. ·Reduced costs to the counties who are now financially responsible for the cost of children held in secure detention prior to trial
Accountability Measures:	Number of children represented at detention hearing versus prior year

Legislation Required: 2009 Legislative Session; **Fiscal Impact:** Possible to FDLE

Recommendation 19	In an effort to ensure youth have opportunities to gain meaningful employment and have other opportunities afforded them, it is recommended that Chapter s 119 and 943, F.S., be amended to require FDLE, the courts, and local law enforcement, and other agencies to seal, make confidential, and prohibit availability to the public, juvenile arrest records when no charges have been filed. The Department of Juvenile Justice and the State's Attorney shall retain access to such information.
Legal Representation	
Identify Related Goal:	Providing a fair and balanced approach for addressing the needs of all youth, including racial disparities, gender specific programs, and legal representation.
Rationale:	Often youth are denied employment and other opportunities due to mistakes made in their early years. These offenses lead to short and long term consequences including ability to pursue employment, education, and other pro-social pursuits. There is a strong need to educate both applicants and employers on the proper want and requirements for answering questions regarding prior arrest or conviction when a record has been sealed or expunged.
Potential Strategies:	TBD
Legislation or Budget Required?	Fiscal Impact: May have fiscal impact to FDLE to modify criminal history file. Amendment and expansion to section 943.0582, F.S. (See 2007 Senate Bill 250
Time Frame ?	2009 Legislative Session
Anticipated Results / Impact of Recommendation	Reduction in number of youth with criminal record Increase in number of youth who gain employment and receive education opportunities.
Accountability Measures:	#!/% youth records eligible exp that are expunged.

Legislation Required: 2009 Legislative Session; Fiscal Impact: Possible to FDLE

<p>Recommendation 20 Legal Representation</p>	<p>Juvenile arrest records of first time nonviolent offenders shall remain confidential and not available for sale or disclosure by FDLE or any other government agency so long as the juvenile remains crime free. The legislature should amend Florida law to protect the confidentiality of those juvenile arrest records, while allowing law enforcement and prosecutors access to such information. Notwithstanding these changes, the victim of the offense shall continue to have the right to receive a copy of the offense report, as provided under current law.</p>
<p>Identify Related Goal:</p>	<p>Providing a fair and balanced approach for addressing the needs of all youth, including racial disparities, gender specific programs, and legal representation.</p>
<p>Rationale:</p>	<p>Florida youth are often denied employment and other opportunities due to mistakes made in their early years. Youthful offenders from states whose confidentiality laws are more stringent than Florida have an advantage over our state's own youth. There are a number of short and long term consequences for a significant number of one-time offenders including ability to pursue education, employment, and other pro-social pursuits.</p>
<p>Potential Strategies:</p>	<p>TBD</p>
<p>Legislation or Budget Required?</p>	<p>May have fiscal impact to FDLE to modify criminal history file. Amendment and expansion to section 943.0582, F.S. (See 2007 Senate Bill 250)</p>
<p>Time Frame ?</p>	<p>2009</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduction in number of youth with criminal record Increase in number of youth who gain employment and receive education opportunities.</p>
<p>Accountability Measures:</p>	<p>#/% youth records eligible that are expunged.</p>

Legislation Required: No; Fiscal Impact: No

<p>Recommendation 21</p> <p>Education / Vocational</p>	<p>The Legislature, through OPPAGA, should conduct a comprehensive review of educational programs within the juvenile justice system, to include youth who also have their high school diploma or GED, and provide recommendations to address the needs for program and instructional flexibility to improve academic and vocational outcomes of youth served.</p>
<p>Identify Related Goal:</p>	<p>Enhance educational and vocational outcomes of juvenile justice involved youth.</p>
<p>Rationale:</p>	<p>Last statewide review - 1998. Since then, educational system requirements / needs have changed and new policies have been implemented, which have impact on education within juvenile justice. An external review would provide information and recommendations to improve or modify current delivery of education to juvenile justice involved youth. Further, current legislation require small non-traditional juvenile justice programs to emulate fully funded large schools limiting flexibility and opportunities essential to the success of many students.</p> <p>Youth need intensive substance abuse, mental health and social skill training in addition to academic remediation, vocational skill sets & relationship development calling for program flexibility and an outcome-based model building on youth strengths, interests, aptitudes and transition plans.</p>
<p>Legislation Required?</p> <p>Budget Required?</p> <p>Time Frame ?</p>	<p>No</p> <p>No.</p> <p>2009</p>
<p>Impact of Recommendation</p>	<p>Increased opportunities for youth to earn high school diploma and preparation for employability.</p>
<p>Accountability Measures:</p>	<p>Comprehensive report reflecting school district, provider, and state level recommendations completed specific to meeting and improving juvenile justice educational program needs.</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 22 Vocational</p>	<p>Provide regional workforce boards general revenue earmarked for juvenile justice involved youth employability skill development and prevention, intervention, and residential programs and post commitment. These funds may also be used for increased Florida High School/High Tech programs serving juvenile justice involved students with disabilities as well as employer incentives and matching funds to enhance recruitment and retention of juvenile justice involved youth by local community business partners. The Department of Juvenile Justice should track and report performance measures back to responsible regional workforce board.</p>
<p>Identify Related Goal:</p>	<p>Reduced recidivism through enhanced employability related training and job placement services and supports.</p>
<p>Rationale:</p>	<p>Youth need job skills in order to be employed and employment in order to pay court-ordered restitution. State and local partnerships are essential to employability success of many of these youth. Improving the state's investment in youth having come to the attention of DJJ in need of preparation for self-sufficiency through relevant education, training, and post-release job placement delinquent children in need of additional state support. The federal vision of Strengthening Youth Partnerships needs to be supported at state and local levels. This will serve the security goals of the state through the reduction of idleness of juveniles and the provision of an incentive for good behavior in residential commitment facilities while teaching youth in juvenile justice programs relevant job skills and the fundamentals of a trade in order to prepare for placement in the workforce. Funding will also allow for compliance with the state requirement for the department to provide career related activities. (s. 985.618 F.S.)</p>
<p>Legislation Required?</p>	<p>No</p>
<p>Fiscal Impact?</p>	<p>An average of \$100,000 in new funding per workforce region (24 total) = \$2.4 million anticipated cost. It is also suggested that funds be allocated according to numbers of eligible youth per region. It is further recommended that Florida recommend to USDOL & ODEP the expansion of Florida High School/High Tech programs to students with disabilities in public schools and juvenile justice programs throughout Florida.</p>
<p>Time Frame ?</p>	<p>2010</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Legislative funding earmarked for employability of state-involved youth</p>
<p>Accountability Measures:</p>	<p>% of youth employed upon release % of youth employed after 6 months</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 23 Re-entry</p>	<p>Prior to exiting juvenile justice commitment programs, all youth shall have the benefit of an identified community based, inter-agency transition planning team to facilitate a comprehensive, multi-agency reintegration of each youth into the community to include housing, education, and employability.</p>
<p>Identify Related Goal:</p>	<p>Effective re-integration of juvenile justice involved youth into continuing education, employability and communities upon program exit.</p>
<p>Rationale:</p>	<p>Youth should have a seamless transition and support upon exiting juvenile justice programs beginning while the youth is still in a commitment status including day treatment, prevention, and conditional release. A similar support system needs to exist at the receiving end with interested stakeholders and community advocates. Although such interagency teams exist currently in many circuits with a variety of names, standardized funding would make them available to all probation officers and residential commitment programs capitalizing on the state's investment in these youth prior to program exits and providing additional youth contacts and support supplementing the responsibilities of the probation officer.</p>
<p>Legislation Required ?</p>	<p>No legislation required; however, the Department should review existing policies to ensure the appropriate allocation of existing re-entry services and resources.</p>
<p>Fiscal Impact?</p>	<p>Estimated \$1,000 per youth provides for 40 hours of follow-up case management <i>Contractual funds from the department for conditional release and or post commitment probation would provide matching resources for school district and /or related community services. These funds could be made available to current providers or existing models such as community action teams or multi-agency network projects funded by the DOE to school districts within each judicial circuit.</i> \$1.5 M would serve 1500 youth</p>
<p>Time Frame ?</p>	<p>On-going - Begin 2008</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Lower recidivism and increased community involvement. Individualized re-entry planning for juvenile justice students moving between and among programs within school districts.</p>
<p>Accountability Measures:</p>	<p>% reduction in recidivism % returned to school % combination of work or school</p>

Legislation Required: No; Fiscal Impact: No

<p>Recommendation 24</p> <p>Education / Vocation</p>	<p>Recommend the Children and Youth Cabinet direct DJJ, DOE and DCF, in consultation with the Department of Financial Services, create a model template designed to integrate education and treatment services, funded through separate agencies, within a juvenile justice program serving youth with multi-agency needs.</p>
<p>Identify Related Goal:</p>	<p>Enhance educational and vocational outcomes of juvenile justice involved youth.</p>
<p>Rationale:</p>	<ul style="list-style-type: none"> • There is a need for an integrated service delivery model for youth, consistent with related assessment and service delivery requirements.
<p>Potential Strategies</p>	<ul style="list-style-type: none"> • A multi-agency workgroup should develop a model for presentation for review and endorsement by the Children’s Cabinet.
<p>Legislation Required ?</p>	<p>Not anticipated.</p>
<p>Fiscal Impact?</p>	<p>This will maximize existing related resources.</p>
<p>Time Frame ?</p>	<p>2008 Legislative Session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Increased effectiveness and efficiency of resources across agencies.</p>

Legislation Required: No; **Fiscal Impact:** Yes

<p>Recommendation 25</p>	<p>Recommend a weighted cost factor of 1.6 specific to juvenile justice education programs. DOE should also monitor and ensure that 90% of funds generated for juvenile justice educational programs and 100% of all appropriate categorical funds (i.e., text books, transportation, etc.) go directly to the programs.</p>
<p>Education / Vocational</p>	<p>Enhance educational and vocational outcomes of juvenile justice involved youth.</p>
<p>Identify Related Goal:</p>	<p>A weighted cost-factor will allow these juvenile justice educational programs to comply with federal No Child Left Behind and Individuals with Disabilities Act (IDEA). This will also reduce the current teacher turnover of 49% and challenge of teacher recruitment and certification requirements challenging within small educational programs. Juvenile Justice programs are small in size resulting in less financial, staffing and scheduling flexibility. A limited number of teachers are required to be certified in all applicable subjects in addition to special education, adult education, and remedial reading required of students averaging two years below grade level.</p>
<p>Rationale:</p>	<p>Florida statute requires a minimum of 300 minutes a day 240 days a year resulting in an ability to match school district four-day work week summer schedules, development of summer institutes to develop specific curriculum and /or provide time off for teacher training and recertification requirements. Juvenile Justice students range from pre-literacy to post-secondary education capabilities. Each student requires an individualized education plan based upon assessed needs. Approximately 35-60 percent are eligible for exceptional student education services.</p>
<p>Potential Strategies</p>	<p>Recommend DOE approve a weighted cost-factor specific to the complex needs of these students. Classify DJJ as a critical teacher shortage area and target a specific portion of these funds for DJJ teachers. Encourage colleges and universities to develop juvenile justice education opportunities as part of teacher preparation programs Apply the rural district flexibility to all DJJ schools which will allow teachers an additional two years to attain highly qualified teacher status</p>
<p>Legislation Required ?</p>	<p>No.</p>
<p>Fiscal Impact?</p>	<p>\$31.2 million (60% of the current base student allocation of \$4.2 m is \$2.5 m x statewide annual juvenile justice student count of 12,500)</p>
<p>Time Frame ?</p>	<p>2009 Legislative Session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Lower recidivism and increased community involvement. Individualized re-entry planning for juvenile justice students moving between and among programs within school districts.</p>
<p>Accountability Measures:</p>	<p>Decreased turnover; Increase in training & Increase in teachers with professional certification</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 26 Education / Vocation</p>	<p>Expand use of technology in juvenile justice education programs to include distance learning, access to Florida Virtual High School and post-secondary education within and after school through shared working agreements between school districts and the Department of Juvenile Justice. Ensure education technology grants and career academy funding available from the Department of Education are available to juvenile justice educational programs with mobile student populations.</p>
<p>Identify Related Goal:</p>	<ul style="list-style-type: none"> Strengthening communities, youth, families, schools through effective prevention / intervention programs including education / vocation.
<p>Rationale:</p>	<ul style="list-style-type: none"> The use of technology has improved for educators within juvenile justice programs but classroom technology remains limited. Currently, no juvenile justice educational programs provide for access to computer equipment owned by the schools after school. Youth could benefit from credit-retrieval programs, remedial education, tutorial programs and journaling with increased access to educational technology. Youth could also increase keyboarding skills with availability to donated computers maintained by the DJJ or providers
<p>Legislation Required ?</p>	<p>No.</p>
<p>Fiscal Impact?</p>	<p>\$471,000 to improve technology capacity within the state's 200 juvenile justice educational programs. (Includes \$148,000 for state's regional juvenile justice facilities; \$35,000 for prevention programs; \$45,000 for intervention programs; and \$162,000 to retrofit state and contracted residential commitment programs.</p>
<p>Time Frame ?</p>	<p>2009 Legislative Session</p>
<p>Accountability Measures:</p>	<ul style="list-style-type: none"> % increase in educational credits received % increase in appropriate educational placement (pre and post) and/or alternative % improved academic outcomes

<p>Recommendation 27 Fair and Balance - Minority Over-Representation</p>	<p>The Florida Department of Juvenile Justice shall create a Disproportionate Minority Contact (DMC) task force with representation from education, law enforcement, state attorney, public defender, judiciary, community of faith, providers, advocacy organizations, members from communities most affected, and other stakeholders, to reduce DMC, statewide, consistent with the JJDP Act of 1974 amended. The DMC task force will charge local juvenile justice boards and councils with the responsibility to develop a DMC reduction plan for their area. DJJ shall require every entity with which it works, throughout its continuum of services, to implement the strategies, policies, and practices to reduce DMC.</p>
<p>Identify Related Goal:</p>	<p>Ensure a Fair and Balanced Approach.</p>
<p>Rationale:</p>	<p>1990 Florida Supreme Court's Racial and Ethnic Bias Study Commission published report documenting the problem of minority over-representation in Florida's juvenile justice system. Over-representation refers to a condition whereby a larger proportion of a particular group is present at various stages of the juvenile justice system than would be expected based on their percentage of the overall youth population. Minority over-representation is a major issue facing juvenile justice practitioners and policy-makers across Florida. DJJ established a Disproportionate Minority Contact (DMC) initiative to study trends, identify causes and make recommendations. Findings documented that African-American youth were three times more likely than Caucasian youth to receive a referral to the juvenile justice system (3.23 African-American youth for every 1 Caucasian youth). African-American youth were almost twice as likely as Caucasian youth to be transferred to adult court (1.86 to 1). Furthermore, African-American youth were more likely to be sent to secure detention (1.43), less likely to be diverted (0.76) and less likely to receive probation (0.79). DJJ is concerned that nearly 7 of 10 youth in secure confinement are minority juveniles – a rate more than double their percentage in the youth population. Florida has one of the highest percentages of African-American juveniles over-represented at every stage of the juvenile justice system. The results support the need to place more concentration on funding prevention initiatives that target diverting at-risk minority and specifically African-American youth from the formal juvenile justice court process. While African-American youth make up 22% of Florida's youth population, they constitute 39% of youth arrested, 47% of youth held in secure detention, 40% of youth placed on probation, 50% of youth committed for delinquency, 57% of youth transferred to adult court and 73% of youth in Florida's prisons. There is a need for services that are minority-led and citizen-driven.</p>
<p>Potential Strategies</p>	<p>With aggressive implementation of zero tolerance policies in Florida, a "schoolhouse to jailhouse" track appears to exist today with disturbing trends that mirror the same over-representation in the juvenile justice system. African-American youth make up 23% of Florida's student population yet 47% of school related referrals (arrests) involved African-American youth. Statewide more than 25,000 school referrals to DJJ were received during 2005-06. Misdemeanors represented 64% of school related referrals (16,453). The Florida Department of Juvenile Justice will allocate resources so that all DJJ staff and provider staff receive on-going cultural sensitivity and cultural competence training and be educated and participate in DMC reduction plans and strategies. Training and education classes will be made available to local law enforcement, school system, court personnel, and other identified local stakeholders.</p>

	<p>Develop strategic plan to reduce disproportionate minority contact and over-representation including strategies such as restorative decision-making practices, to offer alternatives aimed at preventing movement of youth to the next level of intervention as the point of school disciplinary decisions, arrest, charging, disposition, and placement.</p> <p>Establish comprehensive partnerships with Faith and Community Based Organizations that will be minority-led, citizen-based, non-profit organizations designed and prepared to handle the range of responsibilities for responding to the needs of underserved youth. Engage Juvenile Justice Boards and Councils in this effort.</p> <p>Develop and implement ongoing cultural and diversity training for state and provider staff</p>
<p>Legislation Required? Fiscal Impact?</p>	<p>None anticipated</p> <p>Cost to develop plan is minimal. Request \$3.6 million to fund 8 demonstration programs @ \$425,000 ea) in 8 counties for a three-year period) plus \$272,000 for data collection and analysis, progress reports, tracking of expenditures, other related administrative requirements, and two statewide meetings of the eight projects.</p>
<p>Time Frame?</p>	<p>Included in the Department's Legislative Budget Request for Fiscal Year 2008-2009</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduction in minority representation and overall youth and school based referrals Decrease in out-of-school suspensions and expulsions Reduction in the number of youth held in secure detention, committed to residential.</p>
<p>Accountability Measures:</p>	<p>Number of youth served through prevention and early intervention programs. Number of youth diverted from juvenile justice system receiving services in community-based programs. Racial and gender make up of youth diverted from juvenile justice system receiving services in community-based programs.</p>

Legislation Required: No ; Fiscal Impact: Yes

<p>Recommendation 28 Prevention / Intervention</p>	<p>The Florida Department of Juvenile Justice shall conduct a statewide campaign, on a continuing basis, in conjunction with the DOE, DCF, and local information and referral networks, to raise awareness of prevention and early intervention services available to help families and children know and understand what services and programs are available and how to access care and services. Additionally, the public awareness campaign should also include education and awareness to applicants and employers on employment application questions dealing with prior arrest and / or conviction.</p>
<p>Identify Related Goal:</p>	<p>Strengthen Youth, Families, Communities and Schools through collaborations and effective prevention and intervention programs.</p>
<p>Rationale:</p>	<p>Section 985.02(3), Florida Statutes requires the state to develop and implement effective methods of preventing and reducing acts of delinquency, with a focus on maintaining and strengthening the family as a whole so that children may remain in their homes or communities. Additionally, pursuant to Chapter 984, F.S., it's the state's policy to address the problems of families in need of services (FINS) by providing them with an array of services designed to preserve the unity and integrity of the family and to emphasize parental responsibility for the behavior of their children.</p> <p>The Florida State University's Center for Prevention Research indicates there is clear evidence that child-rearing practice, attitudes, values and behaviors of parents influence their children's success. "Families play a key role in the healthy development of their children..." Section 985.02(7), F.S., indicates that parents and guardians are deemed to be responsible for providing their children with sufficient support, guidance, and supervision to deter their participation in delinquent acts. However, this statute also recognizes that parents' ability to fulfill these responsibilities can be impaired by economic, social, behavioral, emotional and related problems.</p> <p>According to data provided by the Florida Network of Youth and Family Services for fiscal year 2006-2007, some 31,647 children and families in crisis contacted a local Florida Network service center for help. Of these, 17,371 received counseling and/or residential services from one of the community-based service centers. Of the 6,414 children who received shelter care through these department-funded programs, 34% were runaways. The children served are exhibiting an increase in delinquency referral histories and more complex and multiple problems. Information gathered through assessments and interviews provide a stark picture of these children and their parents.</p> <p><i>Of the children who have run away, 63% were associated with other youth involved with delinquency, 64% attend school inconsistently, 44% have run away 3 or more times in the last 3 months, 25% have documented abuse or neglect by their parents, 47% have been suspended in the current or a previous school year, 52% have failed one or more classes in the last 6 months, 41% have failed at least one grade, 42% use tobacco and 32% have used illicit drugs or alcohol at least 3 times in the last month prior to coming to the shelter.</i></p> <p><i>Of the parents of these runaway children, 74% or more don't know where or with whom their children spends his/her spare time, 36% had prior or current involvement with the Department of Children and Families, 35% have a prior criminal record, and 28% have served jail or prison time.</i></p>
<p>Legislation Required?</p>	<p>No</p>
<p>Fiscal Impact?</p>	<p>Statewide prevention public awareness campaign and related training- \$300,000</p>
<p>Time Frame?</p>	<p>Fiscal Year 2009</p>

<p>Anticipated Results / Impact of Recommendation</p>	<p>Increase awareness of available prevention and early intervention services. Reduction in the number of youth referred to the juvenile justice system. Decrease in out-of-school suspensions and expulsions. Decrease in school-based referrals to law enforcement and the Department of Juvenile Justice.</p>
<p>Accountability Measures:</p>	<p>Number of youth served through prevention and early intervention programs. Number of youth diverted from juvenile justice system receiving services in community-based programs. Number of children who remain in their homes and communities after receiving services.</p>

Legislation Required: No ; Fiscal Impact: No

<p>Recommendation 29</p> <p>Prevention / Intervention</p>	<p>The Children and Youth Cabinet should direct the development and implementation of a statewide multi-agency plan to coordinate the efforts of local, state and federally funded programs, appropriations or activities designed to prevent juvenile delinquency, status offense behaviors, and other related behavioral problems.</p>
<p>Identify Related Goal:</p>	<p>Strengthen Youth, Families, Communities and Schools through collaborations and effective prevention and intervention programs.</p>
<p>Rationale:</p>	<p>Section 402.56(b), F.S., establishes the Children and Youth cabinet and directs the development and implementation of a shared vision among the branches of government in order to improve child and family outcomes in this state and invest in the education and skill of children and youth. Two primary components of DJJ's prevention and early intervention strategy includes community collaboration.</p> <p>Community organizing requires that community members be included at every level and step in the process. Community organizing provides the means for addressing local needs of communities and neighborhoods. Each community should identify and actively seek to involve all groups that represent the various agencies, organizations, racial and ethnic groups, ages, genders, etc. Pursuant to Section 985.664, F.S., juvenile justice circuit boards and county councils provide advice and direction to DJJ in developing and implementing juvenile justice programs; Facilitate interagency cooperation and information sharing; and Evaluate and recommend award of prevention and early intervention grants.</p> <p>Each juvenile justice council must develop a juvenile justice and early intervention plan for the county and must collaborate with the circuit board and other county councils assigned to that circuit in the development of a comprehensive plan for that circuit. Collaboration is defined as partners who agree to pursue a shared vision and common goals. Partners agree to provide financial, professional and volunteer resources in their efforts to work together toward identified goals. In addition to working with Juvenile Justice Circuit Boards and County Councils, the department works closely with Faith and Community Network partners to identify services and programs available that can help reduce juvenile delinquency</p>
<p>Legislation / Fiscal?</p>	<p>No</p>
<p>Time Frame?</p>	<p>2009</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>The benefits of collaboration include maximizing existing resources, redirecting duplicated services and identifying gaps in services. Decrease in out-of-school suspensions and school referrals to law enforcement and DJJ</p>
<p>Accountability Measures:</p>	<p>Number of youth served through prevention and early intervention programs. Number of youth diverted from juvenile justice system receiving services in community-based programs.</p>

Legislation Required: No ; Fiscal Impact: yes

<p>Recommendation 30 <i>Prevention</i></p>	<p>The Florida Department of Juvenile Justice, the Florida Department of Law Enforcement, the Florida Sheriffs, Florida Police Chiefs , Florida Coalition Against Domestic Violence, Florida Network of Youth and Family Services, and other key stakeholders will work with local law enforcement agencies and victim advocate organizations to prevent children from being arrested who have had contact with law enforcement for domestic violence by allowing for the use of alternatives to arrest, such as placement in CINS/FINS shelters or other respite care, when appropriate for family and community safety.</p>
<p>Identify Related Goal:</p>	<p>Strengthening families and communities through effective prevention and intervention services.</p>
<p>Rationale:</p>	<p>During fiscal year 2006-07, there were 10,276 domestic violence referrals to the Department of Juvenile Justice. Of these referrals, 4,455 (43%) were for youth without prior referral histories. Eighty percent (80%) of the youth referred to the Department for domestic violence, and who have no prior delinquency referrals, were charged with misdemeanors. Additionally, 2,107 youth without a prior referral history were held in secure detention on misdemeanor domestic violence charges. Research has shown there are a variety of underlying problems that may be contributing to youth behaving violently in their homes. Many teenagers are living with undisclosed behaviors on the part of their primary caregivers that could define the youth as a victim. Abuse, severe neglect, domestic violence between caregivers, habitual physical confrontation and threatening, and mental cruelty, can culminate in the youth “striking back” against family members.</p> <p>A link between victimization and delinquency appears to be the primary pathway leading to youth arrest and subsequent commitment to the juvenile justice system, especially for girls. Over 70% of the girls in the juvenile justice system have been traumatized by sexual and physical abuse, as well as domestic and community violence. These behaviors may be magnified if the family has not sought help regarding their living circumstances. There may also be circumstances outside the family affecting the youth’s behavior at home, such as victimization/bullying at school, use of drugs and/or alcohol, untreated mental health issues, membership in gangs, etc.</p> <p>In all these circumstances, the youth must be assisted in understanding that he or she has committed a legal offense and there are consequences for such actions. However, detention or adjudication, except in the most serious cases, is less likely to improve the offending behavior, and, may in fact, make it worse if the youth has been victimized at home. Youth charged with domestic violence may be detained in secure detention under Section 985.255(2), Florida Statutes, if the court finds that (a) respite care for the child is not available and (b) it is necessary to place the child in secure detention in order to protect the victim from injury.</p> <ul style="list-style-type: none"> ● Many law enforcement officers mistakenly operate under the perception that under state law one of the parties in a domestic violence situation has to be arrested. (Chapter 741, F.S.) ● Florida Sheriffs Association and Florida Police Chiefs Association have committed to provide legislative support, leadership and training if we can develop a viable option to arrest.
<p>Potential Strategies</p>	<p>Law enforcement and judiciary education</p>
<p>Legislation Required?</p>	
<p>Fiscal Impact?</p>	<p>The Department estimates that the average length of stay for a youth in respite care is 11 days at a cost of \$110 per day. The creation of respite alternatives for 2,107 youth (no prior referral history, held in secure detention on misdemeanor domestic</p>

	<p>violence charges) would cost approximately \$2,549,470. Counties with high percentages of youths detained for domestic violence, who had no prior delinquency referrals (70% and above), could be allocated funding to work with local CINS/FINS providers and other appropriate community-based service agencies to implement respite care, where deemed appropriate, to be accompanied by ongoing assessment and family interventions. Additionally, it would cost \$273,910 to conduct eligibility screening and intake/assessment for this population of youth (2,107 x \$130).</p> <p>20 counties in Florida accounted for 47% of all youth referred on a domestic violence charge (4,323 youth referred). The Department could work with local Juvenile Justice Circuit Boards and County Councils, and other key stakeholders in designated counties to coordinate and facilitate effective and innovative prevention and early intervention programs to reduce domestic violence referrals, which are estimated to cost approximately \$1,200 per youth.</p> <p>4,323 youth x 78% (misdemeanors) = 3,372 x \$1,200 = \$4,046,400</p>
<p>Time Frame</p>	<p>2008 session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduction in the number of youth referred to the juvenile justice system. Reduction in the number of youth held in secure detention. Reduction in the number of youth committed to residential services. Reduction in the number of girls within the system.</p>
<p>Accountability Measures:</p>	<p>Percent of youth charged with domestic violence placed in alternatives to secure detention. Percent of youth with domestic violence issues diverted from the formal juvenile court system</p>

Legislation Required: No ; Fiscal Impact: No

<p>Recommendation 31 Prevention / Zero Tolerance</p>	<p>Recommend the Children and Youth Cabinet direct the Department of Education, law enforcement, school superintendents and the Department of Juvenile Justice should partner to review and amend K-12 zero tolerance policies and practices to eliminate the referral of youth to DJJ for misdemeanor offenses. Ensure policies and practices are consistent with the original legislative intent of the zero tolerance laws targeting serious, violent offenses, while developing alternatives that promote youth accountability while avoiding suspension and other punitive options.</p>
<p>Identify Related Goal(s):</p>	<p>Strengthen Youth, Families, Schools, and Communities through effective prevention and intervention programs</p>
<p>Rationale:</p>	<p>During 2004-05, 28,008 referrals to the Department of Juvenile Justice (DJJ) were school related and weapons and drug related offenses accounted for 25% of the school related referrals; 2005-2006, 25,708 referrals were school related; with 24% of those for weapon and drug related offenses. According to department records, 78% of youth referred to the juvenile justice system had been suspended or expelled from school. Data also indicates that while African-American youth make up 22% of Florida’s student population, 47% of school related referrals (arrests) are African-American youth.</p> <p>Zero Tolerance laws and policies were intended to target more serious offenses involving a weapon, drug, or violent act. However, schools have expanded its use to include other less serious offenses and behaviors.</p> <p>Over the past 10 years, K-12 disciplinary policies and practices have broadened, referring students who are truant, insubordinate, disrespectful, and exhibiting disruptive behaviors. Examples include kindergarteners that kick at teacher’s shins, students with nail clippers, and “disturbing an administrative function at school.”</p>
<p>Potential Strategies:</p>	<p>While school and student safety are paramount, a delicate balancing act must be applied to ensure a fair and appropriate approach to school discipline while at the same time addressing the needs of troubled and at-risk youth and their families.</p>
<p>Legislation or Budget ?</p>	<p>Adoption of restorative disciplinary alternatives to suspension . Use community service and other sanctions as suspension alternatives. For suspended youth, develop avenues for early return using restorative processes.</p>
<p>Time Frame ?</p>	<p>No legislation required 2008</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Decrease in out-of-school suspensions and expulsions and school-based referrals to LE and DJJ.</p>
<p>Accountability Measures:</p>	<p>Decrease in misdemeanor referrals and decrease in minority youth referred. Number of referrals to DJJ from schools, including the level offense.</p>

Legislation Required: 2009 Legislative Session; Fiscal Impact: No

<p>Recommendation 32</p>	<p>Amend F.S. 1006.13 to prohibit the unjust application of zero tolerance, clearly stating that zero tolerance shall not be applied to petty acts of misconduct and misdemeanors. Discipline and/or prosecution should be based on considerations of the individual student and the particular circumstances of misconduct. School districts should involve law enforcement only for serious offenses that threaten safety. Alternatives to expulsion or referral for prosecution should be developed that will improve student behavior and school climate without making schools dangerous.</p>
<p>Prevention Zero Tolerance Identify Related Goal:</p>	<p>Ensure public safety while seeking alternatives to secure detention.</p>
<p>Rationale:</p>	<p>The historic function of the educational and juvenile delinquency systems was to meet the needs and the address the issues of the individual child. Zero tolerance policies are counter productive to this purpose and have too often resulted in the harmful treatment of the child. Schools and the DJJ should be permitted to use disciplinary tools at their disposal, but not required to do so.</p>
<p>Potential Strategies:</p>	<p>Consistent with other states, DJJ should partner with schools in the development of restorative disciplinary alternatives to suspension and other punitive responses to infractions.</p>
<p>Legislation or Budget Required?</p>	<p>Amend s. 1006.13, Florida Statute.</p>
<p>Time Frame</p>	<p>Anticipate reduction in detention costs due to decrease in referrals. 2008 Session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Decrease in low-risk, non-serious school referrals to DJJ. Decreased number of low-risk youth in secure detention. Decreased number of minorities in secure detention and residential programs.</p>
<p>Accountability Measures:</p>	<p>Reduction in the number of suspensions; shorter time to return to school post-suspension; process for re-entry to school</p>

Legislation Required: Yes; Fiscal Impact: No

<p>Recommendation 33 Legal Representation</p>	<p>A child who is 10 years old or younger who is referred for a delinquent act should be diverted. A delinquency petition cannot be filed on a child 10 years of age or younger unless appropriate services have been exhausted.</p>
<p>Goal:</p>	<p>Providing alternatives to secure detention while ensuring public safety.</p>
<p>Rationale:</p>	<p>1,756 referrals to the Department of Juvenile Justice on youth 10 years of age and under – 1% in 2006.</p> <p>Very young children typically cannot independently develop criminal intent. Placing them in an environment with youth who are more involved in delinquent behavior would put the younger youth in the posture of becoming a “student” of delinquent acts. Very young children who commit “crimes” are most often acting out because of trauma in their past. Mental Health service is the most appropriate way to effectively intervene with this population.</p>
<p>Legislation or Budget Required?</p>	<p>The following legislative changes would need to be made: F.S. 394.492(4) (f) under 11 years of age at the time of referral for a delinquent act.</p> <p>984.03(7), (9) “no pending referral alleging the child is delinquent, change to: no pending petition.</p> <p>Fiscal Impact: Cost to fund diversion varies according to diversion programs current available and the specific diversion program that would need to be established (such as civil citation with a requirement to provide community service or attend drug treatment.</p>
<p>Time Frame Anticipated Results / Impact of Recommendation</p>	<p>2008 Legislative session Increased availability of resources to treat more serious offenders. Decrease in misdemeanor referrals. Increase in youth remaining in school or placed in community-based programs.</p>
<p>Accountability Measures:</p>	<p># youth diverted from the juvenile justice system receiving services in their community. Age at first commitment to the department.</p>

	Legislation Required: Unknown; Fiscal Impact: Yes
<p>Recommendation 34</p> <p>Residential</p>	<p>The Department of Juvenile Justice should implement a systemic and structured process for identifying and reviewing non-violent and non-serious offenders, and those who have made significant progress in treatment, for consideration by the court for early release or “step down” to community based programs. The Department of Juvenile Justice should review probation practices and the commitment management process with the goal of reducing the incidence of probation violations and allowing for conditional release or transfer of committed youth.</p>
<p>Goal:</p>	<p>Providing a fair and balanced approach for addressing the needs of all youth; focusing on racial disparities, gender specific program needs, and legal representation of youth.</p>
<p>Rationale:</p>	<p>Youth who are kept in programs for prolonged length of stays after treatment goals are achieved often begin to deteriorate and may be more likely to re-offend once release is finally achieved. Youth should have available a continuum of services in the least restrictive environment that also promotes public safety through a progressive response system that ties intervention to level of risk and need.</p> <p>When treatment accountability goals are reached, youth should be released with the right aftercare and follow-up services including but not limited to step down, independent living and continuing education programs. In some instances youth should be employment ready with a job prospect(s) that pay a living wage.</p>
<p>Potential Strategies:</p>	<p>Fully develop and implement the Residential PACT that will provide for a comprehensive assessment of the strengths and needs of youth to better match to available and appropriate residential program services and the structured development of case plans and ongoing monitoring of the youth achievement of goals to determine readiness for release.</p> <p>Review transfer requests for the possible referral to another conditional release program type or Redirection prior to re-commitment and utilize behavioral management techniques and restorative disciplinary processes for offenses within residential commitment programs and detention centers that do not result in further criminalization</p>
<p>Legislation or Budget Required</p>	<p>Legislation: None anticipated Fiscal Impact anticipated.</p>
<p>Time Frame</p>	<p>2009</p>
<p>Anticipated Results</p>	<p>Fewer residential commitments and shorter lengths of stay</p>
<p>Accountability Measures:</p>	<p># probation violations and transfer requests resulting in commitment; # offenses during supervision in residential commitment programs # youth committed</p>

Legislation Required: No; **Fiscal Impact:** Yes

<p>Recommendation 35 Residential</p>	<p>DJJ shall create community-based programs with a continuum of care that support the use of small facilities to provide programs and interventions that protect the public, serve families, and habilitate youth.</p>
<p>Goal:</p>	<p>Transforming large institutional care to community-based residential models.</p>
<p>Rationale:</p>	<p>Research has found that community based programs help promote family involvement, prepare youth for successful transition back into the community through contacts with schools and employers, and provide a more realistic setting in which youth can learn and practice social skills.</p> <ul style="list-style-type: none"> • Other states have experienced success in placing youth in smaller community based programs instead of large congregate juvenile facilities. Smaller programs with intensive services, which are less prone to violence, offer the best hope for the successful habilitation of youth.
<p>Potential Strategies:</p>	<ul style="list-style-type: none"> • Submit a plan to move away from facilities of more than 165 beds by January 1, 2008 as directed by the Legislature. • Consider the physical layout and conduciveness to treatment in reviewing programs. Is it an institutional setting or is it a campus setting. • Take into consideration that some programs have economies of scale. If a larger capacity contributes to securing needed services for the youth and the program is successful, this should be considered. • Bring new facilities on line before closing existing facilities to avoid escalating the waiting list. • Explore opening therapeutic homes funded through Medicaid. <p>The department should publish a definition of community based programs by January 1, 2008.</p>
<p>Legislation or Budget Required?</p>	<p>Anticipate higher cost – Analysis will have to be conducted by DJJ</p>
<p>Time Frame</p>	<p>Begin 2008 over 3 – 5 year period</p>
<p>Anticipated Results / Impact of Recommendation</p>	<ul style="list-style-type: none"> • Placing youth in smaller residential facilities will promote better outcomes for youth when they transition back home. Educational, vocational, and job placements should increase. Incidents of violence in programs should decrease. Families will have the opportunity to be more involved in their son or daughter’s treatment program.
<p>Accountability Measures:</p>	<ul style="list-style-type: none"> • Reduced recidivism rate. • Improved job placements and educational enrollment. • Reduced incidents of violence in programs.

Legislation Required: Unknown; Fiscal Impact: No

<p>Recommendation 36 Residential</p>	<p>The Department of Juvenile Justice shall be encouraged and authorized to conduct demonstration projects that emphasize the benefits of outcome based contracting with key/critical interim performance standard requirements as opposed to a compliance based contract. The Legislature should authorize DJJ to contract based upon interim and long-term outcome performance measures.</p>
<p>Goal</p>	<p>Ensure effective and accountable system by implementing programs that have demonstrated positive results for youth and adopting performance measures that indicate which programs are successful.</p>
<p>Rationale</p>	<p>The department should contract with providers to achieve improved outcomes for youth. The expectation should not be that the provider simply operates the same program that the state would operate. Contracts should contain established outcome measures to ensure this goal is being reached. Current contracts rely too heavily on the measurement of compliance issues. Measures should be based on true impact, such as reducing a youth's likelihood of re-offending, rather than on meal counts or training plans. Evidence based programming should promote the achievement of improved outcomes</p>
<p>Potential Strategies:</p>	<p>Engage the Department of Financial Services to enlist their support and assistance in moving to an outcome based contracting system. Work with providers to develop a system of contracting that will achieve improved outcomes for youth.</p>
<p>Legislation or Budget Required?</p>	<p>None anticipated</p>
<p>Time Frame</p>	<p>Authorizing budget / proviso language may be required. 2008</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>This proposal will encourage increased creativity from providers. Providers will be more accountable in achieving outcomes that will be defined in their contract.</p>
<p>Accountability Measures:</p>	<p>Establish measurable outcome performance objectives in contracts. Ongoing measurement of programs success in meeting established measures would be required.</p>

Legislation Required: No; Fiscal Impact: Yes

<p>Recommendation 37 Residential</p>	<p>The department shall identify “service areas” that promote the concept of community-based programs while recognizing the unique characteristics of Florida’s communities, and will recommend implementation to the Legislature. Adoption of the DCF service area boundaries shall receive careful consideration. A full continuum of services that include, but are not limited to, prevention, early intervention, supervision and support services in the family, probation, residential, and aftercare will be available in each service area.</p>
<p>Goal:</p>	<p>Strengthen communities, youth, families and community collaborations through effective prevention and intervention programs.</p>
<p>Rationale:</p>	<p>Florida’s communities have much to offer youth and their families that are involved in the juvenile justice system. Placement of a youth far away from his home community weakens community linkages that can assist the youth. Defining service areas that will facilitate services near the youth’s home will promote providing the youth with the appropriate service when it is needed. The department’s current regions are too large to achieve this goal. Other components of the juvenile justice system operate within judicial circuits. The effectiveness of utilizing judicial circuits as services areas should be considered for this reason.</p>
<p>Potential Strategies:</p>	<p>Examine the current array of services within each judicial circuit. Determine gaps in the service continuum that currently exist. Consider alternative strategies to judicial circuits that could serve as service areas. Provide for youth to receive needed services in situations where there is a limited number of youth that would not support the need for a program within the service region. Build in strong transition services that will provide youth the assistance they require upon release from a commitment program.</p>
<p>Legislation or Budget Required?</p>	<p>Legislation will be required to establish service regions. Providing a full continuum of services will require additional funding - TBD</p>
<p>Time Frame</p>	<p>2009 Legislature</p>
<p>Accountability Measures:</p>	<p>Establishment of services. Establishment of appropriate continuing of care. Recidivism of youth.</p>

Legislation Required: No ; Fiscal Impact: Yes

<p>Recommendation 38</p>	<p>The state shall provide financial incentive for communities to develop alternatives strategies for handling youth who have only committed misdemeanor offenses. In lieu of committing these youth to the department, local communities will receive the funding the state expends to serve these youth in residential commitment programs. These funds would be targeted for the development of community based alternative services.</p>
<p>Rationale:</p>	<p>Currently, there are approximately 750 youth annually committed to the department for misdemeanor offenses who have no history of felony adjudications. The cost of serving these youth is approximately \$27,000,000 annually. Communities that choose to develop alternative programs to divert these youth from commitment could receive funding that is currently spent in residential care.</p>
<p>Potential Strategies:</p>	<ul style="list-style-type: none"> • Secure legislative approval to proceed. • Engage local stakeholders about developing alternative programs. • Amend contracts as needed. • Track performance. •
<p>Legislation or Budget Required?</p>	<p>Fund Shift required</p>
<p>Time Frame</p>	<p>2008 Legislative session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Minor offenders would be diverted from commitment. Youth will receive more appropriate community based services. This approach may contribute to reduce minority overrepresentation in the deep end of the system.</p>
<p>Accountability Measures:</p>	<ul style="list-style-type: none"> • Number of misdemeanor commitments. • Youth outcomes in community alternative programs.

Legislation Required: No; Fiscal Impact: Yes	
Recommendation 39	Job skills training providing educational credits and / or nationally recognized certification will be available in all juvenile justice day treatment programs and residential commitment programs. The Department of Juvenile Justice shall work with the Agency for Workforce Innovation and Workforce Florida to assure that all job skills training is in areas directly tied to careers listed on Florida's targeted occupation list.
Education / Vocational Goal	Strengthen communities, youth, families and schools through effective prevention and intervention programs including youth development, education, and job training.
Rationale:	<p>The rationale for this recommendation is two-fold:</p> <ul style="list-style-type: none"> Youth with higher-self esteem and sense of self worth are less likely to be involved in the commission of delinquent acts. By increasing a youth's skill level you increase their self worth, which will reduce their likelihood of re-offending. <p>Youth who can be gainfully employed and provide legally for their own needs, and those of any dependents they may have, won't need to resort to criminal actions for basic subsistence.</p>
Potential Strategies:	<ul style="list-style-type: none"> Develop "service areas" for youth served by the Department Work with programs to educate them and assure that all funding opportunities (such as Perkins Grants) are fully utilized. <p>Develop LBR's to assure that vocational training and specialized job coaching after placement is available in each service area.</p>
Legislation or Budget Required?	An LBR to address these additional services would need to be developed. As no decisions have been made yet regarding the number of service areas all estimates regarding costs are estimates. 20 (# of service areas) X 30 slots (vocational overlay) X 365 X \$55 (average cost of vocational overlay) = \$12,045,000. Additionally 300 slots of 6 months job coaching would need to be requested at an average cost of \$11 per day 300 X 365 = 1,204,500 for an estimated total annual cost of \$13, 249, 500.
Time Frame	2009 Legislative session
Anticipated Results / Impact of Recommendation	More youth exiting residential commitment will have the skills necessary to get a job. More youth exiting residential commitment will continue their vocational training upon their release.
Accountability Measures:	% of youth released from residential commitment who obtain employment within 3 months of release

Legislation Required: No ; Fiscal Impact: No

<p>Recommendation 40 Residential</p>	<p><i>Services and education that youth receive in detention while awaiting placement in a commitment program should be considered as part of completing the youth's treatment plan. Similarly, the services and education that youth receive in a competency restoration placement should be taken into consideration as part of the pre-disposition report at the youth's treatment plan in any subsequent disposition. It is recommended that the Governor establish a committee to review and make recommendations to modify current statute and / or practices associated with the restoration of competency. The commission should include members of the judicial branch, the Department of Juvenile Justice, the Department of Children and Families, and community mental health representation.</i></p>
<p>Rationale:</p>	<p>Florida's Juvenile Incompetent to Proceed Program within the Department of Children and Families, provides competency restoration services to juveniles who are mentally ill and/or mentally retarded, who have been charged with a felony and do not have the ability to participate in legal proceedings due to the mental illness and/or mental retardation.</p> <p>The DCF program provides assessment, evaluation and intensive competency training and treatment to allow the juvenile to return to court and proceed with their court proceedings. Competency restoration services are available in both the community and in a secure residential setting.</p> <p>The goals and process involved in competency restoration are similar to delinquency programs. A youth should not have to spend several months in an incompetent to proceed program, and then start over when he enters a commitment program. DJJ residential programs and the incompetent to proceed program should work together to ensure youth receive credit for the progress that has been made.</p>
<p>Legislation or Budget Required?</p>	<p>No Legislation or Budget Impact. Support of stakeholders throughout the system would be required.</p>
<p>Time Frame</p>	<p>2009 Legislative Session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Treatment plans for youth would be more focused as progress in the previous program would be accounted for and the youth could focus on remaining priority issues.</p>
<p>Accountability Measures:</p>	<p>Reduced length of stay in juvenile justice programs that have completed an incompetent to proceed program</p>

Legislation Required: No ; **Fiscal Impact:** Yes

<p>Recommendation 41</p> <p>Workforce</p>	<p>The Department of Juvenile Justice must have the ability to recruit and retain a professional direct care workforce and substantially reduce turnover to ensure the most appropriate supervision and rehabilitation of at-risk youth in their care. To achieve this goal, the Blueprint Commission recommends:</p> <ol style="list-style-type: none"> 1) Funding for a role delineation study to determine core competencies for all state and contracted direct care staff and revision of minimum hiring requirements if appropriate. 2) Development of professional curriculum, continuing education requirements, and establishment of a certification program to include standards, requirements, exams, certification, decertification. 3) Review and increase of base rates of pay for all direct care staff. 4) Special risk retirement benefit for direct service employees who directly with youth.
<p>Rationale:</p>	<p>The 2005 Florida Legislature created a task force, appointed by the Governor, to study the certification of professional staff working for a provider of juvenile justice. The primary purpose of this task force was to develop recommendations to stabilize and professionalize the DJJ workforce, which was, and still is, experiencing high turnover rates reaching 50%.</p> <p>The task force recommended the establishment of a certification program to increase the professionalism of the juvenile justice workforce; ensure common practice on core juvenile justice policy; reduce high turnover rates; increase public confidence in the states juvenile justice system; and increase positive outcomes for juveniles.</p> <p>The task force further recommended that the current workforce be thoroughly analyzed to ensure that the development of certification standards met the needs of the intended audience. This analysis would be accomplished through a role delineation study.</p> <p>Entry staff do not typically possess the maturity, experience, or educational level that the job requires.</p> <p>Direct care turnover rates are as high as 35% for state officers and 50% for contract officers.</p> <p>Starting salaries for state residential officer is \$23,482 and \$25,479 for Detention officers.</p> <p>Starting salaries for contracted equivalent officers is less than \$20,000.</p> <p>Starting salaries for a correctional officer is \$30,807</p> <p>Increasing the educational, age and starting salaries would provide a more experienced and qualified pool of applicants</p> <p>Direct Care/Service employees have jobs that place them at risk of injury as a result of their job duties. Staff turnover and difficulty in hiring/recruiting can be relieved by providing better benefits to departmental employees. (Note: the State cannot authorize special risk retirement for non-state employees)</p>
<p>Legislation or Budget Required?</p>	<p>Year 1 (FY07-08): \$100,000 non-recurring to conduct Role Delineation Study</p> <p>Year 2 & 3: Set certification standards and begin certification program (to include training, courses, examination) Initial non-recurring funds may be required to initiate the certification program, recurring costs may be covered through examination fees. The department should review cash balances within the Training TF to determine if sufficient cash is available to include provider direct care training.</p> <p>Legislation: Minimum age in s.985.66(3) may need to be revised; Juvenile Justice Training TF in s.985.66(4) may need to be revised to authorize the use of the fund to cover provider personnel training costs.</p>
<p>Time Frame</p>	<p>2008 Legislative session</p>

<p>Anticipated Results / Impact of Recommendation</p>	<p>By employing staff with more appropriate qualifications and experience than a GED or a high school diploma, the juvenile justice system can anticipate better performance outcomes (lower recidivism), few instances of violence in programs, and over all improved performance from current levels. Improvements in direct care staff will additionally result in increased outcomes from youth that are in daily contact with residential staff. These changes would also result in more employees seeing direct care work as the start of a career path within the juvenile justice system and, as a result, would be more likely to seek promotions inside the system instead of looking outside the system for professional advancement</p>
<p>Accountability Measures:</p>	<p>Decrease turnover rates Reduced violence in programs</p>

Legislation Required: Yes; Fiscal Impact: Yes

<p>Recommendation - 42 Workforce</p>	<p>In an effort to reduce the amount of time it takes to hire a direct care worker and in an effort to increase the pool of qualified applicants, DJJ should authorize the ability to conditionally hire juvenile justice employees upon successful completion of a preliminary background, but prior to completion of a full background, on the condition that no direct contact with children occurs and are located in the facility or grounds where youth are located. Additionally, the hiring eligibility criteria should be amended to authorize the hiring of applicants with past involvement in the juvenile justice system under certain conditions.</p>
<p>Related Goal</p>	<p>Ensuring an effective and accountable system by building a competent and stable workforce.</p>
<p>Rationale:</p>	<p>Turnover of staff in both the government and private sector is high and there are barriers to recruiting, hiring and retaining qualified candidates to work with youth in the juvenile justice system. The hiring time between identifying a candidate and making the job offer is lengthened by waiting for a background screening .</p> <p>Currently, DJJ does not authorize the hiring of young adults who were formerly in the juvenile justice system and exited successfully. DJJ should review its policies and consider allowing those youth who exit programs successfully and meet other hiring requirements, be considered for employment in youth facilities.</p>
<p>Potential Strategies:</p>	
<p>Legislation or Budget Required?</p>	<p>Would require modification to s. 985.644, F.S.; and s. 435.04, F.S.</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>2009</p> <p>Reduction in turnover Reduction in hiring time.</p>
<p>Accountability Measures:</p>	

Legislation Required: No ; Fiscal Impact: Yes

<p>Recommendation 43</p> <p>Prevention</p>	<p>DOC/DJJ/DCF will work with a respected financial and forecasting research organization to calculate the return on investment and cost savings of crime reduction through effective programming (as done by the Washington State Institute for Public Policy) with the goal of implementing similar cost saving strategies and practices in Florida.</p>
<p>Rationale:</p>	<p>The return on investment in crime reduction from diverting funding for adult prisons has been substantial in Washington State. It is believed that if the State of Florida implements these same strategies, the savings will be similar, thereby providing an opportunity for more aggressive funding of increasing prevention, diversion, and intervention programs.</p>
<p>Potential Strategies:</p>	<p>Engage the Department of Corrections and Department of Children and Families to identify strategies to reduce future prison building to invest in prevention and intervention programs that will decrease recidivism. DJJ must become a fully engaged and partner in the State’s Criminal Justice Estimating Conference DOC and DJJ should develop a joint planning process.</p>
<p>Legislation or Budget Required?</p>	<p>Fund shift required.</p>
<p>Time Frame</p>	<p>2009 Legislative Session</p>
<p>Anticipated Results / Impact of Recommendation</p>	<p>Reduced recidivism Reduced need for adult prisons</p>
<p>Accountability Measures:</p>	<p>Reduced adult crime rate Improved recidivism in juvenile justice</p>

Legislation Required: No ; Fiscal Impact: Minimal

<p>Recommendation 44</p> <p>Oversight</p>	<p>The Secretary of the Department of Juvenile Justice should convene the Blueprint Commission on Juvenile Justice annually, for a period of three years, for the purpose of reviewing and issuing a progress report on the Commission’s recommendations and the impact on Florida’s Juvenile Justice system.</p>
<p>Rationale:</p>	<p>The purpose of convening the Commission annually over 3 years is to ensure measure annual progress of Blueprint initiatives and provide a report to the Governor. The Commission will hold its first meeting during the summer of 2008.</p>
<p>Legislation or Budget Required?</p>	<p>Voluntary Commission – no legislation required.</p> <p>Anticipated cost: \$15,000 each year for Commission travel and expenses.</p>
<p>Time Frame</p>	<p>Annually each year, beginning 2009, for a three-year period.</p>
<p>Anticipated Results / Impact of Recommendation</p>	
<p>Accountability Measures:</p>	

Legislation Required: No ; **Fiscal Impact:** Minimal

<p>Recommendation 45 Oversight / Best Practices</p>	<p>Recommend the establishment of a State Juvenile Justice Policy Research Institute for Juvenile Practices.</p>
<p>Rationale:</p>	<p>The purpose of the Juvenile Justice Policy Research Institute would be to provide technical assistance, best practices, and policy and research assistance and support to the Department of Juvenile Justice and State Juvenile Justice policy makers.</p>
<p>Legislation or Budget Required? Time Frame</p>	<p>Legislation and Budget would be required. 2009</p>
<p>Anticipated Results</p>	<p>Availability of policy research, analysis , best practices for policy decisions.</p>

Legislation Required: ; Fiscal Impact

<p>Recommendation 46 Dependency / Delinquency youth</p>	<p>The Department of Juvenile Justice and the Department of Children and Families should review and update the inter-agency agreement concerning the dually served youth to include defining the role of the Department of Children and Family community based care providers. The Courts assigned to hear dependency and delinquency cases are encouraged to communicate and collaborate concerning children in both court systems resulting in the most appropriate disposition for the child's well-being. Foster children in Department of Juvenile Justice residential commitment are especially vulnerable, need frequent case management, judicial review, and opportunity to attend dependency hearings in person or telephonically.</p>
<p>Rationale:</p>	<p>In keeping with the Supreme Court Unified Family Court Guiding Principles, the DJJ case worker most knowledgeable of the youth in question, must be an active player in all judicial reviews of dependent children. A current detailed progress report of the child in the DJJ program shall be made a part of the judicial review filings. Safe and permanent homes and the best interests of the children must be the primary objective of both DJJ and DCF when a child is involved in both agencies.</p>
<p>Potential Strategies:</p>	<p>All dependent children within DJJ should be provided with a copy of the dependency petition, pre-dispositional study, dependency disposition order, and case plan by the Department of Children and Families. If parental rights have been terminated, Children and Families must provide a copy of the petition to terminate parental rights, final judgment of termination of parental rights. These documents should be a required component of the youth's case file and should be forwarded to the DJJ commitment program and case worker receiving the child.</p> <p>All dependent children who are in a DJJ commitment placement must be specifically and effectively considered in the judicial reviews and disposition orders, including assuring these children are provided with sibling contact information and a specific, safe, nurturing place to go when eligible for weekend or holiday leave from the DJJ program.</p>
<p>Legislation or Budget Required?</p>	<p>None anticipated</p>
<p>Time Frame</p>	<p>2009</p>
<p>Anticipated Results</p>	

Legislation Required: Yes ; Fiscal Impact: Needs to be analyzed

<p>Recommendation 47 Review of youth sentences</p>	<p>Require the Parole Commission establish a mandatory parole hearing for those inmates sentenced to adult corrections, as a juvenile and who have received more than a 10 year adult prison sentence. Only those inmates who have served at least 8 years of their sentence and who meet established criteria would be eligible for a parole hearing for determination of conditional release or parole. It is imperative that victims are notified prior to the hearing and are afforded opportunity to provide comment and concerns to the Commission.</p>
<p>Rationale:</p>	<p>Parole is a form of early release from prison for offenders. The Parole Commission individually examines each inmate eligible for parole, and selects those worthy of parole for conditional release. A parolee is supervised like a probationer and may be sent back to prison for violation of the terms of the release.</p> <p>Inmates who were sentenced as adults for offenses committed prior to reaching 18 years of age are eligible for parole on the same basis as other inmates. Parole is not available for many crimes that were committed on or after October 1, 1983.</p> <p>This recommendation would require a modification to statute to allow for those inmates sentenced as an adult for an offense prior to reaching 18, and that meet parole eligibility criteria, would be eligible for parole and receive a parole hearing, upon serving at least 8 years of a 10 year or greater sentence.</p> <p>Any offense specified in s. 775.084(1)(b)1, F.S. (numerous violent felonies); s. 784.03, F.S. (battery); s. 827.03, F.S. (child abuse) would not be eligible under this recommendation.</p>
<p>Legislation or Budget Required?</p>	<p>According to Parole Commission, Fiscal Impact would be minimal: Estimate 1 FTE at \$50,000 (salaries / benefits and expense)</p>
<p>Time Frame</p>	<p>Would require modification to statute to create a system for parole for certain juvenile offenders. 2009</p>

Legislation Required: Yes ; Fiscal Impact: No

Recommendation 48 Prevention	The Legislature should amend the statute, which establishes the Juvenile Justice Circuit Boards and Juvenile Justice County Councils, to provide for local discretionary grant prevention funds to meet the specific needs within their local communities.
Rationale:	In an effort to provide greater community involvement and decision making on effective prevention and intervention programs, this proposal gives local communities more decision authority and funding for local discretionary prevention grant dollars to ensure that unique local needs are met. DJJ would continue to serve as the administrative arm of the board and councils, providing them technical support in the application and reporting process.
Legislation or Budget Required?	Amend s. 985.664, F.S. which establishes the juvenile justice boards and councils.
Time Frame	2009
Anticipated Results	Number prevention programs meeting or exceeding performance criteria.

Legislation Required: No ; Fiscal Impact:

<p>Recommendation 49 Prevention</p>	<p>Consistent with the Attorney General’s Statewide Gang Reduction Strategy, the Department of Juvenile Justice should partner with state and local law enforcement, the Department of Education, the Department of Children and Families, and local communities, to identify those identifiers and signs of gang involvement and activities and put effective intervention efforts in place to ensure a safe environment for youth and communities.</p>
<p>Goal:</p>	<p>Strengthen families, youth, and communities through collaborations and effective intervention programs.</p>
<p>Rationale:</p>	<p>According to the Florida Department of Law Enforcement, gang activity in Florida is on an increase, which represents a significant threat to the safety and security of communities as well as youth and staff within Juvenile justice programs. Juvenile justice youth who are associated with gangs or who are at-risk of recruitment into gangs must be provided education and interdiction / intervention services to assist them in understanding the dangers and consequences of gang involvement and provide them the ability to safely disassociate with the gang activity.</p>
<p>Potential Strategies:</p>	<p>The Gang Free Initiative will address prevention, education, identification, intervention, and suppression. Prevention: Develop a comprehensive prevention program in collaboration with local community officials and stakeholders to prevent youth from becoming involved with gangs. Education: Implement curriculum that addresses youth at all levels of gang involvement within our system. Develop and implement curriculum for all direct care staff addressing gang activity at the national, state, and local levels. Identification: Partner with the Florida Department of Law Enforcement to assist in identifying youth affiliated with gangs as determined by statutory criteria through the use of the already established FDLE Gang Database. Integrate the FDLE database with DJJ’s Juvenile Justice Information System (JJIS) . Intervention: Provide services to youth in the custody of the department that have been identified as gang associates or who are at-risk of becoming involved in gangs.</p>
<p>Legislation or Budget Required?</p>	<p>\$150,000 to ensure safeguards (firewalls) are in place to prevent the unauthorized sharing of non-gang related information and for training as required. development of curriculum and staff training. No substantive legislation required</p>
<p>Time Frame</p>	<p>2008 The department will be developing a plan to include short and long term goals and proposed roll-out.</p>
<p>Anticipated Results</p>	<p>Safer communities; fewer gang related incidents within DJJ facilities; opportunities for success for our youth.</p>
<p>Accountability Measures:</p>	<p>Reduction in youth involved in gangs (associated or at-risk).</p>

Legislation Required No. ; Fiscal Impact: Yes

<p>Recommendation 50 Juvenile Mental Health Services</p>	<p>A broad array of standardized, evidence-based mental health and substance abuse services, including screening, assessment, and treatment should be provided to all youth who involved in the juvenile justice system in need of such services. Mental health screening and assessment information should be utilized in conjunction with risk assessment data to guide youth disposition away from residential delinquency treatment into community mental health treatment. Further, the Legislature should consider establishing a children’s juvenile justice mental health best practice center.</p>
<p>Rationale:</p>	<p>Access to immediate mental health services should be available for all youth who, based on the results of the emergency or mental health screen and staff observations, indicate a need for emergency services. Crisis conditions typically involve youth who are believed to be at risk of harm to self or others, or who are at immediate risk of substance use consequences, in acute mental or emotional distress, and who are at risk of discontinued medication. Youth identified as “in crisis” must be provided immediate access to psychiatric and other medical services. Every youth who comes in contact with the juvenile justice system should be systematically screened for mental health needs to identify conditions in need of immediate response, such as suicide risk, and to identify those youth who require further mental health assessment or evaluation.</p> <p>Instruments selected for identifying mental health needs among the juvenile justice population should be standardized, scientifically sound, have strong psychometric properties, and demonstrate reliability and validity for use with youth in the juvenile justice system. In addition, it is important to recognize that the developmental needs of younger adolescents are different from those of older adolescents, and care should be taken to select instruments that are developmentally appropriate for the target group of youth who will be screened and assessed. All mental health screens and assessments should be administered by appropriately trained staff and policies should be developed and in place to ensure consistency and standardization.</p> <p>Given the high rates of co-occurring mental health and substance use disorders among this population, all screening and assessment instruments and procedures should target both mental health and substance use needs, preferably in an integrated manner. There have been advances made to develop instruments that identify the presence of mental health and co-occurring substance use disorders among youth. Existing screening and assessment instruments may need to be adapted for critical groups of youth, particularly youth of color and girls. Until better tools are available, it is important to select screening and assessment instruments whose validation samples included substantial numbers of youth of color.</p>
<p>Legislation or Budget ?</p>	<p>Funding would be required.</p>
<p>Time Frame</p>	<p>Multi-year</p>

<p>Victim Impact</p> <p>New Recommendation 51</p>	<p>The Florida Department of Juvenile Justice shall have a commitment to a balanced approach in all of its activities and services. This approach should address the needs and interests of all stakeholders including victims, communities, and offenders impacted by juvenile crime.</p>
<p>Identify Related Goal:</p>	<p>Strengthening youth, families, and communities through collaborations.</p>
<p>Rationale:</p>	<p>Juvenile Justice often focuses exclusively on the offender. While meeting the youths' needs, the system often forgets other stakeholders, including the victim.</p> <p>When a youth commits an offense, the victim is changed forever {B, the preceding language seems a bit much- physically, emotionally, socially, psychologically, and financially. In order to create a more balanced approach, it is imperative that additional emphasis be placed on what "justice" means to all the stakeholders that are impacted after an offense has occurred and work to restore the harm caused.</p> <p>Crime is an injury that hurts individual victims, communities, and juvenile offenders and creates an obligation to make things right. However, many victims express that they have little input into the resolution of their case, rarely feel heard and often receive no restitution or expression of remorse from the offender. To be empowered, victims need timely information and opportunities for input and involvement.</p> <p>Youth that enter the juvenile justice system often are disconnected from the community and do not believe that they have caused harm to anyone. Youth need to understand the devastating impact of their actions.</p> <p>Rather than focusing primarily on youth, the Department should be reminded that justice means addressing the needs of all stakeholders - victims, community and youth. Justice is achieved by building or rebuilding relationships among the stakeholders, resulting in less victimization and creating safer communities.</p>
<p>Potential Strategies:</p>	<p>Add statutory language that includes a priority to repairing harm done to crime victims & communities and defines offender accountability in terms of assuming responsibility and taking action to repair harm.</p> <p>Create a victim services advisory counsel to influence the Department's priorities, policy and practices relating to victim reparation and involvement.</p> <p>Make information available for victims of juvenile crimes including how the juvenile justice system/process works and where to find community resources to help them heal.</p> <p>Collaborate with victim services partners at the statewide and local levels to promote initiatives that recognize and benefit victims such as Victims' Rights Week or community service projects.</p>

	<p>Expand neighborhood accountability boards;</p> <p>Develop agency strategies that promote effective implementation of restorative practices throughout the continuum including staff development and training.</p> <p>Request written statements from crime victims to give them a voice and provide youth with victim's perspective of the impact of the crime. These statements would be the basis for youths' accountability goals;</p> <p>Integration of restorative practices into residential commitment programs that focus on peaceful conflict resolution and community strengthening;</p> <p>Provide an agency approved Impact of Crime Curriculum that challenges youths' irresponsible thinking and builds empathy for victims. Supplement the instruction with victim speakers, thus providing the victims a safe forum to share their experiences and feelings while increasing youths' understanding and empathy</p> <p>Use Trauma-Informed Practices to address youth and adult victimization.</p> <p>Create a referral and support system for staff that are victims.</p>
Legislation or Budget Required?	Not required – but suggest adding language to s. 985.02,F,S; to define and describe the balanced approach to restorative justice
Time Frame:	
Anticipated Results/Impact of Recommendation:	<p>Increase in victim and victim advocate support for and collaboration with juvenile justice</p> <p>Increase in awareness of and support for efforts to address the needs of victims in the juvenile justice process</p> <p>Greater focus on victim involvement in all phases of the juvenile justice process</p> <p>Increase in victim sensitivity for juvenile justice staff</p> <p>Increase in victim empathy for juvenile offenders</p> <p>Increase in quality and quantity of information provided to victims about their case</p>
Accountability Measures:	<ul style="list-style-type: none"> -Victim participation in juvenile justice decision-making -Improvements in victim satisfaction -Increase in proportion of restitution paid to victims -Increased in victim sense of fairness in the juvenile justice process -Reduction in victim fear as a result to meeting offender or gaining more information about the case

Recommendation # 52	Increase the number of direct service Juvenile Probation Officers, and support staff to meet 100% of the need in order to fulfill the mission of the Department.
Identify Related Goal:	Ensuring an effective and accountable system by building a competent and stable workforce.
Rationale:	The fundamental resource that the Department of Juvenile Justice has to fulfill its mission is its human resource. The Juvenile Probation Officer position is the keystone to all that happens to youth who are arrested and referred to the Florida Department of Juvenile Justice by law enforcement. In addition to the critical decision-making functions clustered under the intake and screening responsibilities of the Juvenile Probation Officer, the Officers also perform multiple supervision duties.
Potential Strategies:	A workload analysis is the most reliable means of identifying the unmet need for Juvenile Probation Officer positions. This analysis has been completed through the identification of the key tasks, the number of cases opened per year and a calculation of the amount of time on average that it takes to complete these critical tasks. Nine discreet tasks have been identified and a tenth for miscellaneous duties was included in the calculation. This methodology was then verified by a follow up task analysis prepared by the Bureau of Staff Development. The additional need for Juvenile Probation Officer and Senior Juvenile Probation Officer FTE was determined to be 379 FTE. By formula this number generates 47 unit supervisor positions and 100 clerical support FTE.
Legislation or Budget Required?	No substantive legislation is required. To bring juvenile probation staff up to the optimum level to ensure probation oversight of youth, 526 positions at a cost of \$29.8 m would be required. DJJ recommends phasing this in over 5 years.
Time Frame	2009
Impact of Recommendation	Over the last ten years great progress has been made as to what works in turning youth away from further delinquency behavior. We have the knowledge and the technology, but the department has not been staffed to utilize this new knowledge. Juvenile Probation Officers are often the first and last juvenile justice employees to have contact with the youth. They are the front-line staff that deliver case management services to the youth and their families. As a result, Juvenile Probation Officers have the greatest opportunity to make a positive difference in the lives of those youth who come into contact with our juvenile justice system. If implemented this recommendation will allow the Department to focus its resources on those youth who pose the greatest risk to public safety, and to apply those interventions most effective in matching up to each youth's risk need profile.
Accountability Measures:	Reduced recidivism, and improved child outcomes.




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