

Minutes
Senate Committee on Children and Youth and the House Committee on
Aging, Children and Youth, Legislative and Military Affairs
Meeting Jointly
Monday, March 7, 2016

The Senate Committee on Children and Youth and the House Committee on Aging, Children and Youth, Legislative and Military Affairs met jointly on Monday, March 7, 2016, at 1:00 p.m., State Capitol Building, Room 171, Little Rock, Arkansas.

Committee members present: *Senators* Stephanie Flowers, Chair; Alan Clark, Linda Collins-Smith and Greg Standridge. *Representatives* George B. McGill, Chair, Charlene Fite, Vice Chair; Mary Broadaway, Karilyn Brown, Mickey Gates, Bob Johnson, Julie Mayberry, David Meeks, Marcus E. Richmond, Dan Sullivan, Clarke Tucker and DeAnn Vaught.

Non-committee members present: *Senator* Jon Woods. *Representatives* Charles L. Armstrong, Jana Della Rosa, Kenneth B. Ferguson, David Fielding, Mary P. “Prissy” Hickerson, Joe Jett, Mathew Pitsch, James Ratliff, James Sorvillo, Dwight Tosh and Marshall Wright.

Representative McGill called the meeting to order.

Consideration to Approve Minutes of January 29, 2016 [Exhibit C]

Representative Meeks made a motion to approve January 29, 2016 meeting minutes and without objection the minutes were approved.

Update on the activities of the Governor’s Child Welfare Oversight Panel, Ms. Betty Guhman, Child Welfare Advisor

Representative McGill recognized Representative Meeks to provide a brief update on the Child Welfare Oversight Panel in the absence of Ms. Guhman. Representative Meeks stated the panel has divided into subcommittees and a lot of progress has taken place. There will be a few things coming up during the 2016 Fiscal Session; with additional legislation to be introduced during the 2017 Regular Session. He mentioned there are over 4,600 kids currently in the foster care system; that number is increasing daily.

Representative Sullivan asked about the \$75 million cut the governor is proposing in the behavioral health program, and if it will affect the foster care program budget. Representative Meeks stated that the foster care system is only a small part of the system and these cuts could possibly affect foster care and other areas.

Arkansas Infant and Child Death Review Program, Annual Report, Dr. Pamela Tabor, Director, Arkansas Infant and Child Death Review Program, Injury Prevention Center [Exhibit E]

Dr. Tabor provided a summary of the report. In comparison to 2011 through 2015; child death cases were reviewed to highlight if there were any major changes over time. The number one cause of death reported during this period is “Sudden Unexplained Infant Death” (SUID). In 2015 it was noted that 97% of deaths reported were ruled preventable. There are several local teams that contribute to reviewing cases. The Southeast Arkansas Child Death Review Team was recently added and includes the following counties: Union, Bradley, Chicot and Drew County.

Senator Flowers asked about the “Arkansas Infant Mortality Team” that is mentioned in the report. Dr. Tabor stated this team was specifically set up to review infant deaths under the age of twelve months that fall outside the purview of the established teams. This was done to ensure that all infant deaths were covered. Senator Flowers followed up asking “what makes a death reviewable”. Dr. Tabor indicated that “reviewable” is defined in the law as any death deemed undetermined, accidental, homicide or suicide. All data is received from the Arkansas Department of Health including a full data sheet that includes children who have died. Birth and death records of children who have died under the age of one are also provided.

Senator Flowers asked what happens in cases when the crime lab does not report. Ms. Tabor mentioned a recent case with missing information on the report. Senator Flowers asked is this something that the Crimes Against Children Division (CACD) would look into. Major Ron Stayton, CACD, stated a law that was passed in the last session; concerning child death cases allows them to look at these cases. Senator Flowers asked that the agency follow up on this issue of “failure to report” by the different agencies and report back to the committee.

Ms. Tabor shared that the program is funded through the Tobacco Tax on a year to year basis. Senator Flowers asked about the budgeting for the program. Ms. Tabor stated they have a \$149,000 budget which includes her salary and a Program Coordinator. Senator Flowers asked what agencies are contributing to the data collected. Ms. Tabor stated there are representatives from the medical communities; EMS, Coroners, Division of Children and Family Services (DCFS) and CACD. These are the core members of the team.

Representative Gates stated his interest in a particular report and asked if anyone was prosecuted and if this report is generated through their agency or another agency. Ms. Tabor informed him this is something her agency does not provide; suggesting that maybe the prosecuting attorney’s office may have that information. Senator Flowers stated this information is reported through CACD and DCFS.

Division of Youth Services Annual Report to the Legislature 2015 – 2016, Mr. Marcus Devine, Director, Department of Human Services (DHS), Division of Youth Services (DYS) [Exhibit F]

Mr. Devine briefly reviewed the education report. He stated the mission of DYS is to educate the youth that have been adjudicated and sent to DYS. Noting this is also one of the most critical functions of the DYS mission, in addition to helping and safely securing the youth that have been committed to DYS. The report provides an executive summary and financial data which illustrates cost per year/per youth. He pointed out that it’s very important that they are providing these services to those that need it rather than those that do not. Mr. Devine mentioned they have partnered with various stakeholders for the betterment of DYS education system.

Mr. James Washington, Superintendent, DYS, spoke briefly on the DYS education system. He stated they initiated collaboration with Shorter College less than one year ago. The Alexander facility now offers college courses as a result of this effort. One of DYS clients, after being released, transitioned back into his community and enrolled in the local community college with 22 credits earned during his time at DYS. There have been conversations to do the same with University of Arkansas at Monticello, McGhee Vocational College and Arkansas State, Great Rivers Technical Institute in

Dermott. DYS is currently accredited by the Arkansas Department of Higher Education, providing an adequate education with aspirations of providing a higher quality of education to the clients in DYS custody. The DYS goal is to reduce recidivism by offering these types of educational opportunities.

Senator Flowers asked about special education and clients who may qualify for service under the Individuals with Disabilities Education Act (IDEA). She stated numbers reported regarding their population are concerning. She asked about the types of learning disabilities that are seen amongst this population. Mr. Washington stated that he does not have specific data to provide at this time. Senator Flowers asked Mr. Devine to provide this information. She also asked Mr. Divine to provide data on status offenders and how it relates to special needs youth with learning disabilities. Senator Flowers also asked about the financial arrangements with these education facilities that DYS has partnered with assisting student with attaining college credits. Mr. Devine stated that Pell grants are available to individuals that were in a secured confinement.

Representative Brown noted that she attended a meeting where the General Education Diploma (GED) was discussed. A GED is now considered the same as a high school diploma and the actual testing is now more rigorous than before. Those that attain a GED can now qualify for scholarships to attend college.

DHS, Division of Youth Services, Annual Report, FY 2015, Mr. Marcus Devine, Director, DYS
[Exhibit G]

Mr. Devine briefly discussed the DYS Annual Report for FY 2015. He called attention to the 526 commitments to DYS during this period, stating that number has increased. Juvenile crime is down however; this increase may be due to several contributing factors. DYS does not control the number of youth that are committed. This report illustrates a decrease in commitments in previous years and an increase of the like, in 2015. Finally, he noted that because of limited resources available in the community some of the youth are committed to DYS.

Representative Mayberry asked if this information is shared with the Judiciary Committee. Mr. Devine indicated that he has not been asked to present before that committee. In conclusion, Mr. Devine stated the Juvenile Justice Reform Task Force will be making recommendations for the 2017 Regular Session.

Adjournment

With no further business the meeting adjourned at 2:07 p.m.