

EXHIBIT B

MINUTES SENATE INTERIM COMMITTEE ON CHILDREN AND YOUTH HOUSE INTERIM COMMITTEE ON AGING, CHILDREN AND YOUTH LEGISLATIVE AND MILITARY AFFAIRS

Meeting Jointly

Monday, September 30, 2013, 1:00 p.m.

Room 130, State Capitol,
Little Rock, Arkansas

The Senate Interim Committee on Children and Youth, and the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs met Monday, September 30, 2013 at 1:00 p.m. in Room 130 at the State Capitol in Little Rock, Arkansas.

Committee members present were: *Senators* Linda Chesterfield, Jonathan Dismang, Jane English, Jeremy Hutchinson, Gary Stubblefield *Representatives* David Meeks, Chair; Randy Alexander, Charles L. Armstrong, Mary Broadaway, Mike Holcomb, John Payton, Sue Scott and Brent Talley

Non-Committee members present were: *Senators* Joyce Elliott, Missy Irvin and Bryan King *Representatives* Debra Hobbs, John K. Hutchison, Homer Lenderman and James Ratliff

Representative Meeks called the meeting to order.

Adoption of Interim Study Proposal (ISP) 2013-171 “Requesting that the Legislative Council refer to the Interim Senate Committee on Children and Youth a study of the Arkansas juvenile justice system to determine its effectiveness and to explore ways to make the Arkansas juvenile justice system more effective and beneficial for youth in the system, families affected by the system, and the citizens of Arkansas” sponsor Senator Missy Irvin [EXHIBIT F] Senator Irvin gave a brief overlay of ISP 2013-171, acknowledging that the State of Arkansas has a huge, very costly, juvenile justice system. She stated that the current judicial system, as it relates to juvenile justice, needed to be reviewed and analyzed to see if what we are doing as a state is effective and if there are improvements that need to be made. Senator Irvin welcomed other committees and legislators to participate.

Senator Hutchinson asked that the Judiciary Committee be allowed to participate in ISP 2013-171.

Representative Broadaway asked to participate in the study because of her background in the juvenile courts as an attorney.

Representative David Meeks stated without objection, ISP 2013-171 is adopted for study.

Consideration to Approve Minutes of September 11, 2013 [EXHIBIT B]

Without objection, the minutes were approved.

Arkansas State Police, Crimes Against Children Division (CACD), Oversight Report (April-June 2013) [EXHIBIT C] Captain Ron Stayton, Commander, Crimes Against Children Division, Arkansas State Police, briefly presented the Oversight Report for April-June, 2013. Captain Stayton cited changes to the report that now further categorizes the information being provided to the committee, as requested.

Senator Hutchinson asked if there was a statute that allows charges to be filed against someone who files a false report and waste official resources. Captain Stayton responded there is a statute prohibiting the intentional filing of a false report to the child abuse hotline. Captain Stayton advised that one would have to prove that the person knowingly made a false allegation, then that information would be presented to a prosecuting attorney for a decision as to whether or not to file charges.

Representative Broadway stated there are alarming statistics of physical and sexual abuse being perpetrated against intellectually disabled individuals. She asked Captain Stayton to provide the percentage of intellectually disabled children that are abused. Representative Broadway also asked if intellectual functioning was considered during their investigation. Captain Stayton advised that DHS provides their "stats" from the Child Reporting Information System (CHRIS) and he would check with DHS to see if they could provide that information. He confirmed that intellectual functioning was considered.

Representative Alexander asked if there was something we could be doing as a State that would have a positive impact on this situation. Captain Stayton responded that prevention through education is one way. And educating our children at a young age and teaching them not to be afraid to report would be a few ways to address this issue.

Representative Scott asked where "step-parents" were outlined in the breakdown of alleged offenders in the report. Captain Stayton advised they were included with the father and mother categories and he would ask DHS to further break it down.

Representative Holcomb asked for point of clarification as to which agency actually mans the Child Abuse Hotline. Captain Stayton advised the Arkansas State Police, Crimes Against Children Division mans the Child Abuse Hotline .

Representative Lenderman stated that he had called the State Police, Hot Line and was told that the "call wait time" was often 20 minutes or could be longer during peak hours. Captain Stayton responded, it is their intention to hire additional hotline personnel to alleviate the long wait time and to hire additional investigative personnel to get them back on track with the new 45 day time period for investigations. He asked for the committees support with these measures.

Representative Meeks asked if a government shutdown would have any effect on the Crimes Against Children Division. Captain Stayton responded it would not have any effect on their division.

Arkansas Department of Human Services (DHS), Division of Youth Services (DYS), Child Welfare Report Card (July 2012-June 2013) [EXHIBIT D] Tracy Steele, Director of DHS, gave an overview of the Child Welfare Report Card. In addition, Mr. Steele also provided a handout entitled, "DYS Supplemental Information", dated September 30, 2013.

Representative Meeks asked for an explanation of the increase in probation violations from 16 in fiscal year 2012 to 133 in fiscal year 2013. Mr. Steele responded that when you lower commitments you have to provide alternative programs for their problems to be addressed. He advised the increase in violations comes from those who failed to comply with alternative programs. He further stated that when you have commitment numbers go down, violation numbers will naturally go up.

Representative Scott asked if parents are required to be present with their children when the children are given their requirements for what they have done. Mr. Steele responded, yes and noted that this is closely related to the Families In Need of Services (FINS) program. He stated that whoever is responsible for that young person will be required by the Court to be present. Representative Scott asked if it could also be someone from the community. Mr. Steele responded, yes. He noted that such a decision would have to be approved by the parents and the courts.

Mr. Steele then reviewed the DHS Supplemental Report dated September 30, 2013

Mr. Steele gave a brief overview of the Supplemental Report describing the Profile Summary and Residential Commits data.

Representative Meeks asked from the retained data in the report, were these youth from any particular school or county so their focus could be on assisting that particular school or county. Mr. Steele said he would provide that information.

Representative Alexander stated he would like to see "parental situation" broke down even further where fathers are actively engaged in the parental process. Mr. Steele stated he would provide the breakdown of that information.

Senator Hutchinson asked if the term committed actually meant incarceration as contained in their report. Mr. Steele responded, yes and stated that the term committed would be defined better in future reports because it could mean committed to other programs.

Senator Hutchinson asked for an explanation of the trend in relation to the top five committing counties. Mr. Steele stated that some were counties that are traditionally high crime rate areas and the others were counties with tremendous growth in population.

Senator Hutchinson asked for a per capita data summary of the counties and/or judicial districts that favor alternative sentencing and incarceration for the purpose of evaluating, to see if there is consistency throughout the state. Mr. Steele stated he would provide that information.

Senator Stubblefield asked if the things they were talking about in this meeting were the result of the breakdown of the traditional family in the State and in this Country. Mr. Steele affirmed that where you see a strong family structure, you have a very small chance of a young person making the type of bad decision that puts them in harms way making them a part of DYS.

Senator Stubblefield stated that it has a tremendous economic impact on our State when a father is at home taking care of his family and that family is not relying on the State or other agencies to take care of them. Mr. Steele agreed and advised the more we can keep children out of our facility and at home, even if they need help in local programs from our providers, it is much more costs effective than to commit them to the State.

Representative Payton asked for clarification in the substance abuse category of the report specifically, the high rate of cannabis abuse (57%) outranking alcohol abuse. Mr. Steele responded that each child who comes into their system is assessed by UAMS meaning substance abuse might not be the reason they are committed, but that "stat" shows that they admitted to use or tested positive during their assessment.

Senator Chesterfield asked if they were getting the cooperation needed for the acceptance of credits and were students still being unilaterally placed in alternative education because they had spent time in a facility. Mr. Steele advised that they were still having difficulty in the acceptance of credits and in acquiring transcripts. He acknowledged that communication between the DYS education division and the Department of Education has been difficult. Mr. Steele advised he wants to make sure his providers have an expertise in education and not just social work, to ensure that youth will have an advocate in making sure they do well in education.

Representative Scott inquired about the hiring process for Youth Bridge in Northwest Arkansas, suggesting that those who have successfully gone through their program come back and mentor or are hired in a paid position. Mr. Steele affirmed that was an excellent idea, and Representative Scott noted that with the challenges of retaining personnel that Youth Bridge faces, who better than those who have turned their life around to mentor.

Representative Alexander asked if there is anything they could be doing to help make a positive impact. Mr. Steele responded they are in the process of formulating legislation.

Representative Armstrong asked if the legislature could assist to better the relationship in getting a quicker response from public education with transcripts, etc. Mr. Steele agreed.

Senator Elliott asked if certain school districts were more cooperative than others. Mr. Steele advised that where there are strong providers they have better relationships with schools. Senator Elliott suggested that this issue be put on the education committee agenda to get something going before 2015.

Senator Elliott asked, in terms of prevention as a state, what policies are in place to combat poverty when we bring a child into the DYS system and fix them and then they go back into society. Mr. Steele responded that prevention and intervention are critically important and they are currently working with a federally funded re-entry grant program to put together something to disperse out equally around the State of Arkansas to better support those successful organizations in our communities that are already working with kids.

Representative Scott asked how many education dollars are spent educating children on the repercussions of criminal behavior and substance abuse. Mr. Steele responded, we do very little in preparing them to make good decisions. He stated further, that DYS has professional certified trainers that can go into the school districts and talk about those issues.

Department of Human Services (DHS), Division of Children and Family Services (DCFS) Quarterly Performance Report (April 2013-June 2013) [EXHIBIT E] Representative Meeks announced that DCFS would not present their report due to their agency getting ready for the potential government shutdown.

Next meeting – October 21, 2013 at Fayetteville and October 22, 2013 at Fort Chaffee.

Without further business, the meeting adjourned at 2:35 p.m.