

DHHS - DIV OF YOUTH SERVICES

Enabling Laws

Act 2098 of 2005
A.C.A. §9-27-505 et seq.
A.C.A. §9-28-201 et seq.
A.C.A. §9-28-601 et seq.
A.C.A. §25-10-102
A.C.A. §25-10-401 et seq.

History and Organization

MISSION STATEMENT

The Division of Youth Services (DYS), provides in a manner consistent with public safety, a system of high quality programs to address the needs of juveniles who come in contact with, or are at risk of coming in contact with, the juvenile justice system. To accomplish this mission DHS will:

1. Provide safe, secure, effective individualized treatment for juveniles to enhance integration back to society with the life-skills that promote a crime-free productive life style.
2. Provide a forum for coordination, collaboration, and improvement of the juvenile justice system continuum.
3. Provide effective community based early intervention, prevention, diversion, and community re-entry programs.

DYS HISTORY and STATUTORY RESPONSIBILITIES

Act 199 of 1905 established Arkansas' first reform schools, one near Little Rock and the other near Alexander. Under Act 67 of 1917, the Boys' Reform or "Industrial School" was relocated to Pine Bluff; both the boys' and girls' industrial schools were placed under the administration of independent boards appointed by the Governor. Act 526 of 1921 provided the placement of both industrial schools under the management and control of a single Board of Managers. Act 60 of 1937 established the first industrial school at Wrightsville; in 1949, the Fargo Industrial School near Brinkley was opened. From 1953 until 1968, each of the four industrial or "training" schools had its own Board of Managers. In 1968, the four boards were condensed into one.

In 1968, training school operations were placed under the Department of Rehabilitation Services which resulted in providing a diagnostic and reception service at the then Benton State Hospital, implementation of a parole service to provide aftercare services to youth released from the training schools, and the establishment of a central office for training schools.

In 1971, under Act 38, the Executive Department of the State of Arkansas underwent a major reorganization. Consequently, juvenile services was separated from its former parent agency, The

Division of Rehabilitation Services, and placed under the director of the newly created Department of Social and Rehabilitative Services.

Aided by a grant from the Federal Law Enforcement Assistance Act (FLEAA), in 1974 the Juvenile Services Office began developing a comprehensive state plan for delinquency prevention and control. In 1976, the plan, entitled "A Systems Approach to Services for Youth", was published with the intended outcome of providing "a foundation for the unification of all aspects of youth services into a coordinated, goal directed system of viable services for troubled youth".

In 1977, the original Division of Youth Services was created as a part of the Department of Human Services. During the eight-year existence of the Division of Youth Services, the number of training schools was reduced to two - Pine Bluff and Alexander. The Wrightsville Training School was transferred to the Department of Correction.

Act 348 of 1985 merged the Division of Youth Services with the new Division of Children and Family Services. As a component of its new parent agency, the Office of Youth Services continued to be responsible for operation of the two youth services centers and management of funding for the contracted community-based programs serving delinquent youth. The Youth Services Board continued its role of overseeing the management of the Youth Services Centers.

The Division of Youth Services (DYS) was established October 1, 1993, pursuant to Act 1296 as a response to the State's obligation to juveniles involved with the juvenile justice system. The Division was charged with a number of responsibilities under Act 1296. The first was to coordinate communication among the various components of the juvenile justice system. The second was to oversee reform of the state's juvenile justice system, which included closing the Pine Bluff Youth Services Center, establishing serious offender programs in its place, and expanding the system of community-based services. The third was to provide services to delinquent and Family-in-Need-of-Services (FINS). Other functions set out in the Act include conducting research into the causes, nature, and treatment of juvenile delinquency and related problems; development of programs for early intervention and prevention of juvenile delinquency; and maintaining information files on juvenile delinquents in the state.

Act 1113 of 1995 required the Division to expand community-based services. This Act provides for contracts for the establishment of Therapeutic Group Homes and Independent Living Programs.

Act 1261 of 1995 established the powers and duties of the Division.

Act 1333 of 1997 also established the Department of Human Services State Institutional System Board to oversee all real property owned and operated by the Department for youth services and mental health treatment facilities. The former Youth Services Board was eliminated.

Act 1030 of 1999 required the Division to separate juvenile offenders committed to a facility operated by the Division based upon: 1) the age of the juvenile offender; 2) the seriousness of the crime or crimes committed by the juvenile offender; or 3) whether the juvenile offender has been adjudicated delinquent of a sex offense as defined under A.C.A 12-12-903(a)(12).

Act 1192 of 1999 allowed the court to make a determination to designate a juvenile as an extended

juvenile jurisdiction offender.

Act 1272 of 1999 required the Division to establish a separate facility to house offenders between the ages of eighteen and twenty-one who have been committed to the Division.

Act 559 of 2001 allowed the court to make a determination to transfer an offender under the age of eighteen years from the Department of Correction to the Division of Youth Services.

Act 1048 of 2001 allowed for dissemination of juvenile aftercare and custody information to law enforcement officials, criminal justice agencies, and officials for the administration of criminal justice.

Act 1468 of 2001 released the obligation to repay existing revolving loans for juvenile detention centers located in Independence County, Yell County, Jefferson County, Washington County and Miller County. The Division of Youth Services has no obligation to utilize or fund detention centers or facilities.

Act 1583 of 2001 provided for the Division to exempt placements of delinquent youth committed to the Division from the permit of approval process.

Act 1794 of 2001 protected DYS employees of the Alexander Youth Service Center from loss of pay as a result of the privatization of the center.

Act 1265 of 2003 provided for juvenile sex offender assessment, registration, and DNA samples.

Act 168 of 2005 prohibited the furnishing of cellular telephones to adjudicated youth in juvenile training schools.

Act 192 of 2005 amended the Youth Services Act to prohibit a juvenile from being committed to the Division of Youth Services when found solely in criminal contempt.

Act 1255 of 2005 to assured the continuity of education, requires that students who are adjudicated to the Division of Youth Services and complete high school requirements for a diploma shall be issued a diploma from the last school district attended.

Act 1530 of 2005 adopted a new interstate compact for juveniles.

PRIMARY ACTIVITIES PROVIDED BY DYS

The Division of Youth Services (DYS) provides the following services through contracted providers: a) management and operation of the Alexander Youth Services Center, assessment services for adjudicated youth committed to DYS; b) seven juvenile programs for serious and chronic juvenile offenders committed to DYS; c) residential alternative services for adjudicated youth committed to DYS; d) community based residential treatment and emergency shelter programs for juveniles whose emotional or behavioral problems cannot be resolved in their own home; e) non-residential services provided by contracted community based programs; and f) The Juvenile Justice and Delinquency Prevention (JJDP) Act authorizes funds for the support of local prevention programs and monitoring of local detention facilities. In addition, the Division directly manages the placement, case

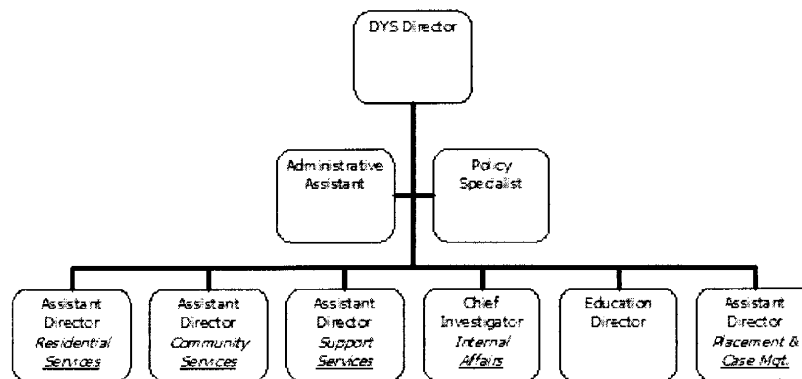
management, and release functions for committed youth.

ADVISORY BOARD

The Arkansas Coalition for Juvenile Justice (ACJJ) board is an advisory board that oversees the federal Title II grant funds, Title V grant funds, Challenge, and Juvenile Accountability Block Grant funds awarded by the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

ORGANIZATION

The Division of Youth Services is located within the Department of Health and Human Services.



Agency Commentary

The Division of Youth Services (DYS) 2007 - 2009 Biennial Budget request is for appropriation and funds to support federal and state funded community programs and residential programs for juveniles needing a secure and/or specialized treatment environment. This request emphasizes the rehabilitative treatment needs (i.e., the educational treatment and social skills development needs of committed juveniles and the availability of community services for at-risk, adjudicated, and re-entry services) for committed juveniles. The following items reflect the major components included in the program priorities change request:

- Negotiation of New Contracts for Operations of Division Facilities
- Medical Risk Fund
- Reintegration Program

The Division of Youth Services' 2007 - 2009 Biennial Budget Request also includes:

- Appropriation and funds to permit continuation of program initiatives
- Request for one new position.
- Restoration of unbudgeted positions, with appropriation, to provide the capacity to assume

contracts, if necessary, due to contract compliance problems including, poor performance, unacceptable outcomes, or unacceptable treatment of juveniles.

The budget amount requested is essential to the Division's effort to have available to each juvenile a system of services and placements that will ensure a timely and appropriate response to each juvenile's needs

Administration Program

The administration program plans, develops, coordinates, and implements all administrative support activities for the division. This program also includes certain educational and contract activities necessary to support the provision of educational and other services to clients.

Change Level Request - Administration Program - Fund Center 896

The Division is requesting a funding and appropriation change level increase for both years of the biennium in the amount of \$817,612 for Education Funding previously budgeted in the Residential Program. This change level will be counter balanced with a negative change level request in the Residential Program and has a neutral effect on the overall budget.

The Division is requesting an appropriation only change level increase for both years of the biennium in the amount of \$200,000 for Medical Services for youth housed in Residential Programs. This request is based on increasing funding needs experienced during the past biennium. Most of these costs are associated with increases in the served population that have mental health diagnoses requiring the provision of psychotropic medications. Furthermore, the agency is receiving juveniles for services that have more serious health conditions and dental problems.

The Division is requesting a change level for a Grade 24, Statistical Analysis Manager, R080 in the amount of \$37,840 for salaries and \$11,942 for matching for both years of the biennium. This position is needed to perform duties such as data gathering, analysis, and subsequent report production; project future youth detention/adjudication trends; forecast budget trends; provide information and reports related to juvenile crime trends; exchange data and information with other state and federal agencies; and assist the Division with information to make decisions regarding contracts with providers of services to adjudicated youth.

The Division is requesting a change level for appropriation only for both years of the biennium in the amount of \$107,487 for capital equipment to replace aging network and surveillance system switches at DYS facilities.

The Division is requesting a change level in the amount of \$2,025,831 for salaries and matching for both years of the biennium to restore 64 unbudgeted positions with appropriation only.

The Division is requesting a change level decrease in funds for each year of the biennium in the amount of \$1,211,866 for the transfer of funds from the Division of Youth Services to the Division of Children and Family Services (DCFS). This transfer will allow DCFS to meet the match requirements of federal funds received under the Safe and Stable Families Act.

Community Services Program

The community services programs provide a wide range of residential non-residential programs for juvenile offenders, youth at risk for becoming juvenile offenders, and for juveniles transferred from a DYS residential program to aftercare. These services include interstate compact, electronic monitoring, intensive supervision and tracking, restitution, day services (educational services for youth admitted to the program who are not enrolled in school), juvenile crime prevention, and aftercare supervision for state custody youth. In addition to the non-residential programs offered, emergency shelter services are provided along with community based non secure residential treatment. Residential treatment provides twenty-four hour treatment services for juveniles whose emotional and/or behavioral problems cannot be remedied in his or her home. These services are provided by privately operated, non-profit organizations to juveniles up to age 21 for aftercare. Services are available in each of the 28 judicial districts.

The community based sanctions program is to ensure appropriate sanctions for juveniles adjudicated delinquent. This program is intended to provide a range of sanction alternatives for juveniles who are adjudicated delinquent and those who fail to comply with aftercare plans or orders of the court. The intent of the program is to provide more options for the courts and the community based providers in working with the juveniles in the community rather than committing them to DYS.

Additional community based services are provided through the Juvenile Justice and Delinquency Prevention Program (JJDP). JJDP funds are used at the local level to develop comprehensive strategies for prevention, community policing, reducing disproportionate minority confinement, ensuring separation of children from adults in jails and lockups, removing non-offending youth from correctional facilities, and promoting gender specific services to meet the unique needs of females.

The Juvenile Accountability Block Grant (JABG) program is a federal program designed to promote greater accountability in the juvenile justice system and will target sixteen specified program purpose areas. These federal funds are designated for local units of government.

Change Level Request - Community Services Program

Fund Center 2RC: The Division is requesting an appropriation only change level increase for each year of the biennium in the amount of \$1,884,760 for increased federal funding provided through federal programs including Juvenile Justice Delinquency Prevention programs.

Residential Services Program

The Division operates seven juvenile correctional facilities that house and treat the state's most serious chronic or violent juvenile offenders committed to the Division by the state's district courts. They are:

- Alexander Juvenile Correctional Facility
- Dermott Juvenile Correctional Facility

- Dermott Juvenile Treatment Center
- Lewisville Juvenile Treatment Center
- Harrisburg Juvenile Treatment Center
- Colt Juvenile Treatment Center
- Mansfield Juvenile Treatment Center
- Mansfield Juvenile Treatment Center for Girls

The residential services program provides services for juveniles committed to DYS needing a secure and/or specialized treatment environment. The Alexander Juvenile Correctional Facility, Dermott Juvenile Correctional Facility, the Harrisburg, Colt, Dermott, Lewisville, and Mansfield Juvenile Treatment Centers, alternative placement programs, and medical and psychiatric residential treatment of juveniles are operated through contracts with private non-profit and for-profit providers. The Alexander Juvenile Correctional Facility provides centralized intake for juveniles committed to Division. The target population of juveniles assigned to Alexander is the most serious violent offenders, difficult to place sexual offenders, and juveniles who disrupted a placement due to behavior management issues. Alexander Juvenile Correctional Facility emphasizes cognitive behavioral treatment, education and substance abuse treatment.

The juvenile treatment centers are designed to provide intensive treatment with emphasis on education and substance abuse counseling. These programs work with males 14 to 18 and females 14 to 21 who have committed one or more Y, A, or B felony; committed two or more times to DYS; committed two or more felonies or committed a misdemeanor offense and who has documented history of two or more prior adjudications of a delinquent act. Committed females are housed at either Mansfield or Alexander only. Only 18 to 21 year old adjudicated youths are housed in the Dermott Juvenile Correctional Facility.

Alternative placements, specialized residential treatment programs, are available for youth needing sex offender treatment, substance abuse treatment, therapeutic group homes, and residential psychiatric placement and counseling.

Change Level Requests - Residential Services Programs

Fund Center 2YH: The Division is requesting a change level increase in funding and appropriation for FY2008 in the amount of \$1,420,927 and \$2,990,116 for FY2009 for the contracted residential services. The Division will be negotiating new contracts for the operations of all facilities during the upcoming biennium. The providers of such services have experienced fixed rate revenues for the past several years and we anticipate that all bidders during the process will propose higher rates for services. We are projecting an increase from current funding levels of 15% in FY2008 and 16% in FY2009.

Fund Center 2YH: The Division is requesting a change level increase in appropriation only for both years of the biennium in the amount of \$245,000 for payments to juvenile detention centers. The Division continues to have increasing obligations to reimburse juvenile detention centers located throughout the state. These obligations are for the housing of juveniles who have been placed in Division custody and are awaiting placement.

Fund Center 2YH: The Division is requesting an appropriation only change level increase for FY2008

in the amount of \$288,838 and \$375,489 for FY2009 for Medical Services for youth housed in Residential Programs. This request is based on increasing funding needs experienced during the past biennium. Most of these costs are associated with increases in the served population that have mental health diagnoses requiring the provision of psychotropic medications. Furthermore, the agency is receiving juveniles for services that have more serious health conditions and dental problems.

Fund Center 2YH: The Division is requesting an appropriation only change level increase each year of the biennium in the amount of \$780,000 for reintegration housing and services. Currently there is a gap in services for youth transitioning out of institutional placement who are at high risk. High risk youth are identified through a comprehensive assessment that places them at a greater level of re-offending. Additionally, these youth generally do not have a home to return to and would not benefit immediately from a community residential setting due to a lack of independent living and judgment skills. The Arkansas Community Justice Centers (CJC) will be a low security community based placement (half-way house) in communities servicing older adjudicated juveniles up to 21 years of age that require assistance with transitional living upon release from treatment. The goal is to instill responsible behavior in all aspects of living, especially education, employment, and relationships.

Fund Center 2YH: The Division is requesting a change level decrease in funding and appropriation for both years of the biennium in the amount of \$817,612 for education services and contracts. This is a budget neutral change item with equal funding and appropriation increase requested in the Administration Program section.

Fund Center 2RC: The Division is requesting an appropriation only change level increase for each year of the biennium for increased federal funding provided for the following programs:

- Title I, Education: \$164,289
- Special Education: \$98,000

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOR THE YEAR ENDED JUNE 30, 2005

Findings

Recommendations

Audit findings are reported under the DHHS-Director's Office/Office of Chief Counsel.

Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
Arkansas Coalition of Juvenile Justice - Annual Report to the Governor	Federal Mandate - JJDP Prevention Act of 2002	N	N	1,500	This report is continued to be in compliance with the federally mandated Juvenile Justice Delinquency Prevention (JJDP) Act of 2002
Categorical and Individual Progress Report	Federal Mandate - JJDP Prevention Act of 2002	N	N	100	This report is continued to be in compliance with the federally mandated Juvenile Justice Delinquency Prevention (JJDP) Act of 2002.
Compliance Monitoring Report	Federal Mandate - JJDP Prevention Act of 2002	N	N	3	This report is continued to be in compliance with the federally mandated Juvenile Justice Delinquency Prevention (JJDP) Act of 2002
Department of Human Services - Division of Youth Services: Quarterly Performance Report	Act 1222 of 1995	N	N	35	The report is continued to be in compliance with Act 1222 of 1995.
Department of Human Services - Division of Youth Services: Arkansas Child Welfare Report Card	Act 1222 of 1995	N	N	35	The report is continued to be in compliance with Act 1222 of 1995.
Three Year State Plan & Three Year Update - Juvenile Justice Delinquency Prevention (JJDP)	Federal Mandate - JJPD Prevention Act of 2002	N	N	100	This report is continued to be in compliance with the federal mandated Juvenile Justice Delinquency Prevention (JJDP) Act of 2002

Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

Appropriation	2005-2006		2006-2007		2006-2007		2007-2008				2008-2009			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
2QZ Community Based Sanctions	2,478,273	0	2,500,000	0	2,500,000	0	2,500,000	0	2,500,000	0	2,500,000	0	2,500,000	0
2RA Juv Acct Incentive Block Grant	800,476	0	2,104,284	0	2,922,729	0	2,104,284	0	2,104,284	0	2,104,284	0	2,104,284	0
2RB Community Services	10,669,428	0	12,024,809	0	12,024,809	0	12,024,809	0	12,024,809	0	12,024,809	0	12,024,809	0
2RC Fed Child & Youth Service Grants	5,110,114	0	7,464,574	0	7,464,574	0	9,611,623	0	9,611,623	0	9,611,623	0	9,611,623	0
2YH Residential Services	24,416,959	0	25,808,415	0	26,048,415	0	27,725,568	0	24,990,803	0	29,381,408	0	24,990,803	0
896 Division of Youth Services	6,280,889	94	7,198,172	96	9,332,791	160	10,378,443	161	10,378,443	161	10,378,443	161	10,378,443	161
Total	49,756,139	94	57,100,254	96	60,293,318	160	64,344,727	161	61,609,962	161	66,000,567	161	61,609,962	161

Funding Sources		%		%		%		%		%		%
General Revenue 4000010	45,493,289	91.4	48,121,332	84.3	48,312,341	82.6	46,891,414	82.2	49,881,530	83.0	46,891,414	82.2
Federal Revenue 4000020	5,560,437	11.2	5,830,808	10.2	7,040,866	12.0	7,040,866	12.3	7,040,866	11.7	7,040,866	12.3
Trust Fund 4000050	800,476	1.6	2,104,284	3.7	2,104,284	3.6	2,104,284	3.7	2,104,284	3.5	2,104,284	3.7
Reallocation of Resources 4000410	(1,211,866)	(2.4)	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Transfer to Ar Pub Defender 4000603	(240,000)	(0.5)	(240,000)	(0.4)	(240,000)	(0.4)	(240,000)	(0.4)	(240,000)	(0.4)	(240,000)	(0.4)
Transfer to DFA Disbursing 4000610	(400,000)	(0.8)	(400,000)	(0.7)	(400,000)	(0.7)	(400,000)	(0.7)	(400,000)	(0.7)	(400,000)	(0.7)
Transfer to Medicaid Match 4000660	(430,635)	(0.9)	(791,177)	(1.4)	(791,177)	(1.4)	(791,177)	(1.4)	(791,177)	(1.3)	(791,177)	(1.4)
Various Program Support 4000730	184,438	0.4	2,475,007	4.3	2,474,426	4.3	2,474,426	4.3	2,474,426	4.2	2,474,426	4.3
Total Funds	49,756,139	100.0	57,100,254	100.0	58,500,740	100.0	57,079,813	100.0	60,069,929	100.0	57,079,813	100.0
Excess Appropriation/(Funding)	0		0		5,843,987		4,530,149		5,930,638		4,530,149	
Grand Total	49,756,139		57,100,254		64,344,727		61,609,962		66,000,567		61,609,962	

Agency Position Usage Report

FY2004-2005					FY2005-2006					FY2006-2007							
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
172	75	19	94	78	56.40%	164	77	14	91	73	53.05%	164	81	15	96	68	50.61%

Authorized in Act may differ from Authorized reflected on the Appropriation Summary due to Reallocation of Resources (Act 2303 of 2005 section 17(d)), Miscellaneous Federal Grant (A.C.A. 19-7-501 et seq.) and POOL positions (A.C.A 21-5-214(5)(A)).

Analysis of Budget Request

Appropriation: 2QZ - Community Based Sanctions

Funding Sources: DYS - Youth Services Fund Account

This Community Based Sanctions appropriation is used by the Division of Youth Services (DYS) to ensure appropriate sanctions for juveniles adjudicated delinquent. This program is intended to provide a range of sanction alternatives for juveniles who are adjudicated delinquent and for those who fail to comply with aftercare plans or orders of the Court.

The intent of this program is to provide more options for the Courts and Community Based Providers in working with juveniles in the community rather than committing them to DYS. The primary goal of graduated (progressive) sanctions is to reduce problem behaviors, and include the following examples:

- Verbal Warnings
- Contracts with conditions (curfews, increased treatment, increased drug testing, etc.)
- Community Service/Work Crew hours
- Day Reporting
- Electronic Monitoring
- Short Term Confinement (requires court involvement)
- Long Term Confinement (requires court involvement)

Funding for this appropriation is 100% General Revenue (DYS-Youth Services Fund Account).

The agency Base Level request is \$2,500,000 each year of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2QZ Community Based Sanctions
Funding Sources: DYS - Youth Services Fund Account

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Grants and Aid 5100004	2,478,273	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Total	2,478,273	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Funding Sources									
General Revenue 4000010	2,478,273	2,500,000		2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Total Funding	2,478,273	2,500,000		2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	2,478,273	2,500,000		2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000

Analysis of Budget Request

Appropriation: 2RA - Juv Acct Incentive Block Grant

Funding Sources: TYS - Juvenile Accountability Incentive Block Grant (JAIBG) Trust Fund

This Juvenile Accountability Incentive Block Grant (JAIBG) appropriation is a federal program administered by the Office of Juvenile Justice and Delinquency Prevention program within the US Department of Justice. The JAIBG designed to promote greater accountability in the juvenile justice system by targeting 16 specified program purpose areas, including the following:

- Graduated sanctions for juvenile offenders
- Construction of juvenile detention or correctional facilities
- Hiring of judges/probation officers/public defenders and pre-trial services
- Hiring prosecutors
- Funding to prosecutors, including technology, equipment and training programs
- Training for law enforcement & court personnel
- Juvenile gun courts
- Juvenile drug courts
- Juvenile records system
- Interagency information sharing programs
- Accountability based programs
- Risk and Needs assessment
- School safety accountability based programs
- Restorative justice programs
- Juvenile courts and probation programs
- Hiring/training detention & corrections personnel

Funding for this appropriation is 100% federal JAIBG funds that are designated for local units of government. The State established and utilizes an interest bearing trust fund to deposit program funds received through a grant award under the JAIBG program. State and local governments that are eligible to receive JAIBG funds must establish a coordinated enforcement plan developed by a Juvenile Crime Enforcement Coalition (JCEC) at either the State or local level for the purpose of reducing juvenile crime.

The agency Base Level request is \$2,104,284 each year of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2RA Juv Acct Incentive Block Grant
Funding Sources: TYS - Juvenile Accountability Incentive Block Grant (JAIBG) Trust Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Grants and Aid 5100004	800,476	2,104,284	2,922,729	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284
Total	800,476	2,104,284	2,922,729	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284
Funding Sources									
Trust Fund 4000050	800,476	2,104,284		2,104,284	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284
Total Funding	800,476	2,104,284		2,104,284	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	800,476	2,104,284		2,104,284	2,104,284	2,104,284	2,104,284	2,104,284	2,104,284

Analysis of Budget Request

Appropriation: 2RB - Community Services

Funding Sources: DYS - Youth Services Fund Account

The Community Services appropriation is utilized by the Division of Youth Services (DYS) to purchase services from community based providers for non-committed youth who are considered at risk or low risk, and for juveniles transferred from a DYS residential program to aftercare. These services include electronic monitoring, intensive supervision and tracking, day services (educational services for youth admitted to the program who are not enrolled in school), crime prevention/intervention and aftercare supervision for state custody youth.

In addition to non-residential programs offered, emergency shelter services are provided along with community based non secure residential treatment for juveniles whose emotional and/or behavioral problems cannot be remedied in his/her home. These services are available in each of the 28 judicial districts, and are provided by privately operated, non profit organizations to juveniles up to 18 years of age. Aftercare services are provided to juveniles up to 21 years of age.

Funding for this appropriation is 100% General Revenue (DYS-Youth Services Fund Account).

The agency Base Level request is \$12,024,809 each year of the biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2RB Community Services
Funding Sources: DYS - Youth Services Fund Account

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Grants and Aid 5100004	10,669,428	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809
Total	10,669,428	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809
Funding Sources									
General Revenue 4000010	10,669,428	12,024,809		12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809
Total Funding	10,669,428	12,024,809		12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	10,669,428	12,024,809		12,024,809	12,024,809	12,024,809	12,024,809	12,024,809	12,024,809

Analysis of Budget Request

Appropriation: 2RC - Fed Child & Youth Service Grants
Funding Sources: FWF - DHHS Federal

This appropriation enables the Division of Youth Services to provide grants to various entities for delinquency programs in accordance with the U.S. Department of Justice. Programs focus on training local officials and staff to work with juveniles to prevent delinquency at the local level by developing comprehensive strategies for prevention, community policing, reducing disproportionate minority confinement, ensuring separation of children from adults in confinement when detention is unavoidable, removing non-offending youth from correctional facilities and promoting gender specific services to meet the needs of females to prevent them entering the juvenile justice system.

Funding for this appropriation includes Federal Revenues and Other Funds. The Federal funds are derived from Juvenile Justice and Delinquency Prevention grants (JJPD), Social Service Block Grants (SSBG) and Title I funding. Other funding, which is indicated as Various Program Support, is derived from Rehabilitation Reimbursement and Targeted Case Management funding.

The agency Base Level request is \$7,464,574 each year of the biennium.

The agency Change Level request is for appropriation only in the amount of \$2,147,049 each year of the biennium and is comprised of the following:

- \$1,884,760 each year for federally funded Juvenile Justice Delinquency Prevention (JJDP) programs.
- \$262,289 each year for Title I Education and Special Education for the Division's eligible award amount that has been provided for by the State Department of Education.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 2RC Fed Child & Youth Service Grants
Funding Sources: FWF - DHHS Federal

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Grants and Aid	5100004	5,110,114	7,464,574	7,464,574	7,464,574	9,611,623	9,611,623	7,464,574	9,611,623	9,611,623
Total		5,110,114	7,464,574	7,464,574	7,464,574	9,611,623	9,611,623	7,464,574	9,611,623	9,611,623
Funding Sources										
Federal Revenue	4000020	5,110,114	5,194,088		5,194,088	5,194,088	5,194,088	5,194,088	5,194,088	5,194,088
Various Program Support	4000730	0	2,270,486		2,270,486	2,270,486	2,270,486	2,270,486	2,270,486	2,270,486
Total Funding		5,110,114	7,464,574		7,464,574	7,464,574	7,464,574	7,464,574	7,464,574	7,464,574
Excess Appropriation/(Funding)		0	0		0	2,147,049	2,147,049	0	2,147,049	2,147,049
Grand Total		5,110,114	7,464,574		7,464,574	9,611,623	9,611,623	7,464,574	9,611,623	9,611,623

Change Level by Appropriation

Appropriation: 2RC-Fed Child & Youth Service Grants

Funding Sources: FWF - DHHS Federal

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	7,464,574	0	7,464,574	100.0	7,464,574	0	7,464,574	100.0
C05	Unfunded Appropriation	2,147,049	0	9,611,623	128.7	2,147,049	0	9,611,623	128.7

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	7,464,574	0	7,464,574	100.0	7,464,574	0	7,464,574	100.0
C05	Unfunded Appropriation	2,147,049	0	9,611,623	128.7	2,147,049	0	9,611,623	128.7

Justification

C05 Appropriation for the Juvenile Justice Delinquency Prevention program to provide sufficient appropriation for the funding level we are anticipating receiving from the Office of Juvenile Justice Delinquency Prevention (OJJDP) and for Title I Education and Special Education programs for adequate appropriation for anticipated increased federal funding provided to these education programs.

Analysis of Budget Request

Appropriation: 2YH - Residential Services

Funding Sources: DYS - Youth Services Fund Account

This appropriation provides residential services for juveniles committed to the Division of Youth Services. Following evaluation at the state operated observation and assessment facility, juveniles are placed in an appropriate program in a secure and/or specialized treatment environment. The Division operates seven juvenile residential facilities that house and treat the state's most serious chronic or violent juvenile offenders committed to the Division by the State's District Courts.

Residential services are provided to juveniles through contracts with private community providers and include the following:

Alexander Youth Services Center (AYSC)

Provides centralized intake for all juveniles assigned to DYS and is assigned for the most serious violent/sexual offenders and for those that disrupt placement due to behavior issues. This facility houses 143 youth.

Six Regional Juvenile Treatment Centers

Provide services for males age 14-18, females age 14-21 (housed at the Mansfield female unit) and males age 18-21 housed at the Dermott Juvenile Correctional Facility (JCF). These facilities house a total of 204 youth.

Alternative placement and Specialized Treatment Programs

The Division contracts with 12 different provider groups throughout the state to provide specialized treatment including Psychiatric/Therapeutic Treatments, Sex Offender Treatment and Substance Abuse Treatment.

Funding for this appropriation includes 100% General Revenue (DYS - Youth Services Fund Account).

The agency Base Level request for this appropriation is \$25,808,415 each year of the biennium.

The Agency Change Level request for this appropriation is \$1,917,153 in FY2008 and \$3,572,993 in FY2009, with additional General Revenue funding of \$603,315 in FY2008 and \$2,172,504 in FY2009, and is comprised of the following:

- Reallocation of appropriation and General Revenue funding in the amount of \$817,612 each year of the biennium to the Administration appropriation (896) to enable the Division to provide for administrative expenses supporting the Residential Education Program.
- \$1,420,927 in FY2008 and \$2,990,116 in FY2009 in appropriation and General Revenue funding for projected increases in contracted residential services that will be renegotiated during the upcoming biennium. The contract for the Alexander facility will expire in FY2008 and the contracts for the remaining facilities expire in FY2007.
- \$245,000 each year of the biennium for appropriation only for payments to juvenile detention

centers (JDC), which house juveniles who have been placed in Division custody and are awaiting placement.

- \$288,838 in FY2008 and \$375,489 in FY2009 for appropriation only for medical services for youth housed in Residential programs due to a rise in the served population that have mental health diagnoses requiring the provision of psychotropic medications and for the increasing number of juveniles that have more serious health and dental problems.
- \$780,000 each year of the biennium for appropriation only for a new program to provide reintegration housing and services for youth transitioning out of institutional placement who are at high risk of re-offending.

The Executive Recommendation provides for Base Level. Additionally, the Executive Recommendation provides for the reallocation of appropriation and General Revenue funding in the amount of (\$817,612) from the Residential Services appropriation to the Administration appropriation.

Appropriation Summary

Appropriation: 2YH Residential Services
Funding Sources: DYS - Youth Services Fund Account

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Grants and Aid 5100004	24,416,959	25,808,415	26,048,415	25,808,415	27,725,568	24,990,803	25,808,415	29,381,408	24,990,803
Total	24,416,959	25,808,415	26,048,415	25,808,415	27,725,568	24,990,803	25,808,415	29,381,408	24,990,803
Funding Sources									
General Revenue 4000010	24,416,959	25,808,415		25,808,415	26,411,730	24,990,803	25,808,415	27,980,919	24,990,803
Total Funding	24,416,959	25,808,415		25,808,415	26,411,730	24,990,803	25,808,415	27,980,919	24,990,803
Excess Appropriation/(Funding)	0	0		0	1,313,838	0	0	1,400,489	0
Grand Total	24,416,959	25,808,415		25,808,415	27,725,568	24,990,803	25,808,415	29,381,408	24,990,803

Change Level by Appropriation

Appropriation: 2YH-Residential Services
Funding Sources: DYS - Youth Services Fund Account

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	25,808,415	0	25,808,415	100.0	25,808,415	0	25,808,415	100.0
C01	Existing Program	1,420,927	0	27,229,342	105.5	2,990,116	0	28,798,531	111.5
C03	Discontinue Program	(817,612)	0	26,411,730	102.3	(817,612)	0	27,980,919	108.4
C05	Unfunded Appropriation	1,313,838	0	27,725,568	107.4	1,400,489	0	29,381,408	113.8

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	25,808,415	0	25,808,415	100.0	25,808,415	0	25,808,415	100.0
C01	Existing Program	0	0	25,808,415	100.0	0	0	25,808,415	100.0
C03	Discontinue Program	(817,612)	0	24,990,803	96.8	(817,612)	0	24,990,803	96.8
C05	Unfunded Appropriation	0	0	24,990,803	96.8	0	0	24,990,803	96.8

Justification

C01	Funding and Appropriation for both years of the biennium for contracted residential services. The division will be negotiating new contracts for the operations of all facilities during the upcoming biennium. The providers of such services have experienced fixed rate revenues for the past several years and we anticipate that all bidders during the process will propose higher rates for service.
C03	Decrease in funding and appropriation for both years of the biennium in the amount of \$817,612 for education services and contracts.
C05	Appropriation only each year of the biennium for reintegration housing and services. Currently there is a gap in services for youth transitioning out of institutional placement who are at high risk of re-offending due to their inability to function in a totally independent setting equipped with little to no life skills (employment skills, money management, etc.). Appropriation only in each year for payments to juvenile detention centers and for medical services for youth housed in residential programs.

Analysis of Budget Request

Appropriation: 896 - DHHS—Admin Paying Account

Funding Sources: PWP - Administration Paying

The Division of Youth Services was created by Act 1296 of 1993 to be entirely devoted "to handling the problems of youths involved with the juvenile justice system." The primary responsibilities of DYS as it functions today are to coordinate components of the juvenile justice system, establish serious offender programs, expand community based-services, and provide services to delinquent and Family-in-Need-of-Services (FINS) youth. Other responsibilities of the agency include research related to juvenile delinquency and related problems, development of programs for early intervention and prevention of juvenile delinquency and maintenance of information on juvenile delinquents in the state. This appropriation provides administrative support for the Division of Youth Services.

Funding for this appropriation includes General Revenue (DYS - Youth Services Fund Account), Federal Revenues and Other Funds. The Federal funds are derived from Juvenile Justice and Delinquency Prevention Program (JJDP) funds, Juvenile Accountability Block Grant (JAPBG) funds and Title I funds. Other funding which is indicated as Various Program Support is derived from Rehabilitative Services reimbursement funds.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. FY2007 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax minimum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The agency Base Level request for this appropriation is \$7,177,731 each year of the biennium with 96 budgeted Base Level positions.

The agency Change Level request for this appropriation is \$3,200,712 each year of the biennium with a General Revenue funding reduction of (\$394,254) each year of the biennium, and is comprised of the following:

- General Revenue funding transfer in the amount of (\$1,211,866) each year of the biennium to the Division of Children and Family Services (DCFS - Children and Family Services Fund Account). This transfer has been authorized by Reallocation of Resources in FY2003, FY2004, FY2005 and FY2006, and will allow DCFS to meet match requirements of federal funds received under the Safe and Stable Families Act. This funding loss for DYS is replenished by the utilization of Social Service Block Grant (SSBG) funds.
- Restoration of 64 positions that are authorized but not budgeted with salary and matching appropriation of \$2,025,831 each year, to ensure that the Division will have the capacity to assume contracts at juvenile facilities, if necessary, due to compliance problems, poor performance, unacceptable outcomes or for the unacceptable treatment of juveniles.
- One (1) new grade 24 Statistical Analysis Manager position with salary and matching appropriation of \$49,782 each year of the biennium, to perform duties such as data gathering,

analysis and reporting; trend projection and analysis; communication with other state and federal agencies; and assisting the Division with decision making regarding contracts with providers of services to adjudicated youth.

- \$793,612 each year of the biennium for appropriation and General Revenue funding for the Operating Expense line, which represents a reallocation from the Residential Services Appropriation (2YH) to provide for administrative expenses supporting the Residential Education Program, including software/licensing expenses, educational supplies and materials and conference and seminar fees.
- \$175,000 each year of the biennium for the Operating Expense line item for prescription drugs and medicines for youth housed in residential programs to provide for a rise in the served population that have mental health diagnoses requiring the provision of psychotropic medications and for the increasing number of juveniles that have more serious health and dental problems.
- \$24,000 each year of the biennium for appropriation and General Revenue funding for the Travel line item, which represents a reallocation from the Residential Services Appropriation (2YH) to provide for administrative training conference and seminar expenses necessary to support the Residential Education Program.
- \$25,000 each year of the biennium for the Professional Fees line item for reimbursable expenses for medical fees for the medical providers treating the youth housed in Residential Programs, due to a rise in the served population that have mental health diagnoses requiring the provision of psychotropic medications and for the increasing number of juveniles that have more serious health and dental problems.
- \$107,847 each year of the biennium for the Capital Outlay line item for equipment necessary to replace the aging network and surveillance system switches at the residential facilities. This request will restore the appropriation currently authorized in the 2005-2007 biennium.

The Executive Recommendation provides for the Agency Request.

In summary, the Executive Recommendation for new general revenue above the Base Level is:

- (\$1,211,866) each year of the biennium is recommended to be transferred to the Division of Children and Family Services (DCFS - Children and Family Services Fund Account) to allow DCFS to meet match requirements of federal funds received under the Safe and Stable Families Act.
- \$793,612 each year of the biennium is recommended to be transferred from the Residential Services appropriation to the Administration appropriation for Operating Expenses supporting the Residential Education Program, including software/licensing expenses, educational supplies and materials and conference and seminar fees.
- \$24,000 each year of the biennium is recommended to be transferred from the Residential Services appropriation to the Administration appropriation for Travel and Conference Fee expenses to provide for administrative training conference and seminar expenses necessary to support the Residential Education Program.

Note: the above General Revenue transfer of \$1,211,866 that the Executive Recommendation has provided for is from existing allocation of General Revenue that is being transferred from the Division of Youth Services to the Division of Children and Family Services.

Appropriation Summary

Appropriation: 896 DHHS--Admin Paying Account
Funding Sources: PWP - Administration Paying

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	3,264,268	3,884,263	5,429,814	3,884,263	5,380,699	5,380,699	3,884,263	5,380,699	5,380,699
#Positions		94	96	160	96	161	161	96	161	161
Extra Help	5010001	35,436	40,008	40,008	40,008	40,008	40,008	40,008	40,008	40,008
#Extra Help		7	34	34	34	34	34	34	34	34
Personal Services Matching	5010003	968,533	1,115,345	1,704,413	1,202,751	1,781,928	1,781,928	1,202,751	1,781,928	1,781,928
Overtime	5010006	0	8,004	8,004	8,004	8,004	8,004	8,004	8,004	8,004
Uniform Allowance	5010016	0	0	0	0	0	0	0	0	0
Operating Expenses	5020002	1,466,301	1,252,220	1,252,220	1,252,220	2,220,832	2,220,832	1,252,220	2,220,832	2,220,832
Conference & Travel Expenses	5050009	39,771	65,000	65,000	65,000	89,000	89,000	65,000	89,000	89,000
Professional Fees	5060010	408,094	725,485	725,485	725,485	750,485	750,485	725,485	750,485	750,485
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	98,486	107,847	107,847	0	107,487	107,487	0	107,487	107,487
Total		6,280,889	7,198,172	9,332,791	7,177,731	10,378,443	10,378,443	7,177,731	10,378,443	10,378,443

Funding Sources										
General Revenue	4000010	7,928,629	7,788,108		7,770,056	7,375,802	7,375,802	7,770,056	7,375,802	7,375,802
Federal Revenue	4000020	450,323	636,720		634,912	1,846,778	1,846,778	634,912	1,846,778	1,846,778
Reallocation of Resources	4000410	(1,211,866)	0		0	0	0	0	0	0
Transfer to Ar Pub Defender	4000603	(240,000)	(240,000)		(240,000)	(240,000)	(240,000)	(240,000)	(240,000)	(240,000)
Transfer to DFA Disbursing	4000610	(400,000)	(400,000)		(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)
Transfer to Medicaid Match	4000660	(430,635)	(791,177)		(791,177)	(791,177)	(791,177)	(791,177)	(791,177)	(791,177)
Various Program Support	4000730	184,438	204,521		203,940	203,940	203,940	203,940	203,940	203,940
Total Funding		6,280,889	7,198,172		7,177,731	7,995,343	7,995,343	7,177,731	7,995,343	7,995,343
Excess Appropriation/(Funding)		0	0		0	2,383,100	2,383,100	0	2,383,100	2,383,100
Grand Total		6,280,889	7,198,172		7,177,731	10,378,443	10,378,443	7,177,731	10,378,443	10,378,443

Actual exceeds Authorized Appropriation by authority of Reallocation of Resources. Additionally, Actual funding includes a General Revenue funding transfer to the DHHS-Division of Children and Family Services by authority of Reallocation of Resources.

Change Level by Appropriation

Appropriation: 896-DHHS–Admin Paying Account

Funding Sources: PWP - Administration Paying

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	7,177,731	96	7,177,731	100.0	7,177,731	96	7,177,731	100.0
C01	Existing Program	817,612	0	7,995,343	111.3	817,612	0	7,995,343	111.3
C05	Unfunded Appropriation	2,383,100	65	10,378,443	144.5	2,383,100	65	10,378,443	144.5

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	7,177,731	96	7,177,731	100.0	7,177,731	96	7,177,731	100.0
C01	Existing Program	817,612	0	7,995,343	111.3	817,612	0	7,995,343	111.3
C05	Unfunded Appropriation	2,383,100	65	10,378,443	144.5	2,383,100	65	10,378,443	144.5

Justification

C01	Funding and Appropriation change level for both years of the biennium for Education Funding previously budgeted in the residential Program. This request will be counter balanced with a negative change level request in the Residential Program.
C05	Appropriation only for both years of the biennium of \$200,000, for medical services for youth housed in Residential Program. This request is based on increasing needs experienced during the past biennium. Most of these costs are associated with increases in the served population who have mental health diagnoses requiring the provision of psychotropic medications. Furthermore, the agency is receiving juveniles for services that have more serious health conditions and dental problems. One new Grade 24, Statistical Analysis Manager to perform duties such as data gathering, analysis, and subsequent report production; project future youth detention/adjudication trends; exchange data and information with other state and federal agencies; and assist the Division with information to make decisions regarding contracts with providers of services to adjudicated youth. Appropriation for capital equipment at DYS juvenile facilities such as aging kitchen equipment and computer network equipment, HVAC equipment, surveillance and alarm system equipment, and electrical equipment such as generators, and the restoration of unbudgeted positions to provide capacity to assume contracts at juvenile facilities, if necessary, due to compliance problems, poor performance, unacceptable outcomes or for unacceptable treatment of juveniles.