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FISCAL IMPACT REPORT

ORIGINAL DATE 2/13/09

SPONSOR JM Gutierrez LAST UPDATED _____ HB 694

SHORT TITLE 3rd District Juvenile Assessment Center SB _____

ANALYST Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
\$0.0	\$280.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to,

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non- Rec	Fund Affected
Total	NA	Indeterminate	Indeterminate	Indeterminate	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Children Youth and Families Department (CYFD)
 Department of Finance and Administration (DFA)
 Attorney General's Office (AGO)
 Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

HB 694 appropriates \$280,000 from the general fund to fund the juvenile assessment and reporting center in the third judicial district. Any unexpended or unencumbered balance remaining at the end of FY2010 shall revert to the general fund.

FISCAL IMPLICATIONS

The bill would appropriate \$280,000 to the administrative office of the courts to fund the juvenile assessment and reporting center (JARC) in the third judicial district. Federal funding is being cut and this bill's appropriation would help make up the deficiency to keep the JARC operational. According to the AOC, the funds should be administered through the local government division of DFA.

According to the December 2008 revenue estimate, FY recurring revenue will only support a base expenditure level that is \$293 million or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining venue context.

SIGNIFICANT ISSUES

According to the AOC, this budget request is not contained in the judiciary's unified budget. The JARC is part of a strategic plan by Promise for Success Initiative (PSI) of the Gadsen Independent School District in Las Cruces in collaboration with the Children's Court Division of the 3rd Judicial District. The Center is a single point of entry and a continuum of graduated services and sanctions for arrested youth countywide. The JARC provides an immediate assessment to determine risk and needs. Including the family or guardian, a referral will be provided to the program in the community designed to address the juvenile's needs. JARC will follow up with case management to assure the juvenile compliance with the referral source.

The juvenile assessment and reporting center (JARC) provides risk and needs assessments and intervention services as well as alternatives to detention placement for delinquent youth in Las Cruces. Dona Ana County received 1,231 delinquent referrals between May 2008 and December 2008. During this time frame, the JARC provided risk and needs assessments to 187 youth which is approximately 15% of youth referred to probation services in the county.

Annual Report; May – December 2008

Juvenile Assessment Reporting Center (JARC) Graduated Sanctions as alternative to detention		
Performance Measure	Number	Description
Number of program youth served.	187	Number of youth served by gender: 134 Males & 53 Females Number of youth served by race/ethnicity: 135 Hispanic, 33 Anglo, 7 Black, 1 Asian and 1 Native American
Number and percent of program youth completing the program requirements.	172	92% completed the assessment

Number and percent of program youth exhibiting desired change in targeted behaviors: substance abuse; antisocial behavior; family relationships; social competencies.	129	A total of 129 referrals were made to Community Programs serving juveniles 94% Exhibited desire to change
The number and percent of program youth who offend while participating in the program or who re-offend within 90 days of completing a program.	3	Three juveniles reappeared at the JARC

Dona Ana Juvenile Justice Board

The JARC is currently funded through a portion of the state Juvenile Continuum dollars.

ADMINISTRATIVE IMPLICATIONS

According to the AOC, without this appropriation, resources cannot be directed to determine the causes of the underlying juvenile behavior, to reduce incidence of delinquency, school problems and other such challenges. Making intervention a priority when delinquent behavior first occurs will help prevent one-time offenders from becoming chronic offenders.

RELATIONSHIP

This bill is similar to SB368, which appropriates \$276,000 from the general fund to the local government division of the department of finance and administration.

TECHNICAL ISSUES

Suggest deleting “administrative office of the courts” on line 17 and replace with the local government division of DFA.

OTHER SUBSTANTIVE ISSUES

The AGO notes federal funding is being cut and this bill’s appropriation will help make up the deficit to keep the Las Cruces JARC operational. The AGO states that failure to fund the Las Cruces JARC will cause backlogs in the juvenile system in and around Las Cruces...

According to DFA, this program makes a significant difference in handling juvenile offenders in this area. It is based on a model shown to be very successful in dealing with the juvenile offender population in Miami Dade County Florida. It is an effective and cost saving program as it reduces recidivism, allowing probation officers to maintain a smaller caseload and direct their time and resources where they are most needed.

DFA also notes that JARC will be one of four key elements in a strategic priority plan by Promise for Success Initiative (PSI) of the Gadsen Independent School District (Las Cruces) in collaboration with the Children's Court Division of the 3rd Judicial District. This bill will establish a single point of entry and a continuum of graduated services and sanctions for arrested youth countywide. The center will serve not only juveniles brought in by law enforcement but

will accept referrals from community groups including a parent, guardian or self referral. JARC will become the sole entry way into the Juvenile Justice system.

Furthermore, JARC will provide an immediate assessment to determine risk and needs. Including the family or guardian, a referral will be provided to a program in the community designed to address the juvenile's needs. JARC will follow up with case management to assure the juvenile's compliance with the referral source.

DFA believes resources will be effectively directed to determine the causes of the underlying behavior, to reduce incidence of delinquency, school problems and other such challenges. Linking youth, who do not pose a risk to public safety, to needed services in the community; will make it possible for probation to focus on high-risk youth. Making intervention a priority when delinquent behavior first occurs will help prevent one time offenders from becoming chronic offenders.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

CS/mc