

# COMMONWEAL

## THE JUVENILE JUSTICE PROGRAM

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### California Budget Report:

## **GOVERNOR, LEGISLATURE SUSTAIN FUNDS FOR MAJOR YOUTH VIOLENCE PREVENTION PROGRAMS IN FY 04-05 – but continuing deficit darkens forecast for juvenile justice funding next year**

By David Steinhart

Even with the program-cutting frenzy that befell the budget process this year, youth crime and violence prevention programs emerged in fairly good shape. Three major violence reduction revenue streams (for crime prevention, after school and school safety programs) were funded in the FY 04-05 Budget Act at levels matching or exceeding last year=s amounts.

Taking into account post-budget bills that made final cuts and changes, the FY 04-05 commitment of California state general funds to youth crime and violence prevention programs totaled \$374 million. The five year trend for all youth violence prevention programs tracked by Commonweal is shown in the chart to the right below.

### **Schiff Cardenas Crime Prevention Act: renewed at \$100 million statewide**

The Schiff Cardenas Crime Prevention Act (CPA) was funded at a statewide level of \$100 millionX the same as last year. CPA funds, administered by the state Board of Corrections, are distributed to counties on a per-capita basis to support crime prevention programs selected by local AJuvenile Justice Coordinating Councils=. The CPA has had strong, bi-partisan support from the Legislature and from both Governors holding office since the CPA was adopted in 2000. These funds remain linked by a legislative formula, dollar-for-dollar, to ACOPS= grants for local law enforcement personnel. (For a list of funded programs, visit the state Board of Corrections website at Awww.bdcorr.ca.gov=).

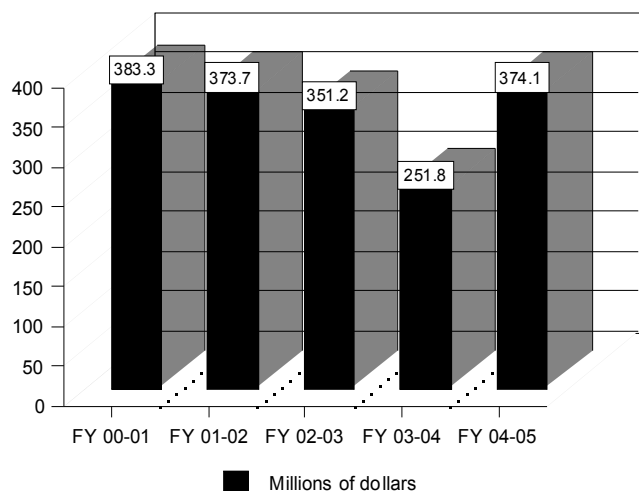
**Proposition 63: can it jump start juvenile justice mental health services?X see page 3.**

### **After School Programs get \$121.5 million in state funds and \$87 million in federal funds**

For FY 04-05, the AAfter School Education and Safety Act= (Proposition 49) was funded at \$121.5 million statewide. These funds support before- and after-school programs for students in grades K-8. The current appropriation (the same as last year=s) is locked-in by the terms of Proposition 49. Though annual Prop 49 spending could rise in future years to as much as \$550 million, increases (above prior-year amounts) cannot occur in deficit years when non-education spending falls below set target levels.

This year=s budget also augments federal after-school funding under the A21<sup>st</sup> Century Community Learning Centers= program. The federal funding supports before- and after-school programs serving inner-city and rural students from low-income families. Under the rules of the federal program,

California Youth Crime & Violence Prevention Programs  
State General Fund Spending FY 00/01-FY 04/05



funds may be spent on high-school after-school programs (high-schools cannot be funded through California=s Prop 49). In the FY 04-05 Budget, 21<sup>st</sup> century programs get \$62 million in federal funds, including a set-aside of \$5 million for high school after-school programs. Another \$25 million in prior year (unspent) 21<sup>st</sup> Century funds becomes available on a one-time basis for spending in FY 04-05.

### **School Safety Block Grants funded at \$132 million while other school safety programs are bundled into a new grants program**

Last year, lawmakers Adeferred= \$82 million in School Safety Block Grants out of FY 03-04 Budget. Deferral is a way of adjusting the Proposition 98 education funding guarantee from year to year. Later, the \$82 million was put back into the pipeline, effective 7/1/04. The FY 04-05 Budget Act provides \$50.1 million for the School Safety Block Grants. Technically, the FY 04-05 spending total (including the FY 03-04 deferral amount) is \$132.1 million. Another \$37 million in FY 04-05 School Safety Block Grant funding is deferred to FY 05-06.

Meanwhile, a group of smaller school-based violence prevention programs have now been bundled into a new ASchool Safety Consolidated Competitive Grant= (SSCCG) program. Previously these were stand-alone, categorically funded programs. Post-budget legislation (SB 825, Firebaugh) creates the new grant structure in which the Superintendent of Public Instruction decides which programs (and which grantees) will actually receive funds. Included in the new grant bundle are: Safe School Planning and Partnership Minigrants, School Community Policing, Gang Risk Intervention, Safety Plans for New Schools and School Community Violence Prevention. The total FY 04-05 appropriation for all SSCCG programs is \$15.6 million. According to staff at the state Department of Education, the new SSCCG fund will be administered as Aone giant School/Community Policing Program=.

### **High Risk Youth Education Act: lost in the shuffle?**

As Senate President, Attorney General Bill Lockyer carried legislation to provide enhanced education and counseling services to juvenile offenders in two categories: those coming out of juvenile probation camps, and those who met the Ahigh risk= juvenile offender criteria of the heralded Orange County research model. Lockyer=s AHigh Risk Youth Education= Act (SB 1095) was funded at levels

between \$4 and \$18 million annually for seven budget cycles. This year, SB 1095 funds were merged by AB 825 into a much larger Pupil Retention Block Grant, including a variety of programs such as supplemental instruction, remedial reading and dropout prevention. Local school districts will decide how to spend their pupil retention grant fundsX and that may or may not include spending for High Risk Youth Education. The statutory framework for SB 1095 remains in tact, but school districts will now determine whether to fund SB 1095 programs locally.

### **TANF probation funds: replacement funds approved for one year**

Probation Chiefs had fear in their eyes last January when Governor Schwarzenegger proposed to shift \$200 million per year in federal TANF funds from county probation departments to other welfare programs. These funds paid for a range of juvenile justice services and, importantly, supported county juvenile probation campsX about 4,500 beds statewide. After a full-court press by probation advocates, lawmakers added \$134 million in state general funds to the FY 04-05 Budget, to replace the dislodged federal TANF dollars that have been dedicated to probation services since 1998. The \$134 million matches the TANF amount probation agencies would have gotten for the remainder of this fiscal year. But, no one is resting easy, because the bailout is (so far) a one-time deal. Jockeying for renewal funding starts again in January 2005. Probation Chiefs and their allies will be pressing the Governor to include all \$200 million in his January Budget Proposal, but with deficits lingering, getting this total amount from the state is likely to be an uphill battle. Meanwhile, the Governor=s Juvenile Justice Working Group is looking for solutions to the ongoing debate over the state=s responsibility to fund local juvenile offender programs that are less costly (and likely more effective) than commitment to the Youth Authority. California=s past is littered with failed probation subsidy schemesX like the old AProbation Subsidy= program, AB 90, Wilson ARealignment= funding and now TANF. The design of a stable state-local funding stream remains a significant juvenile justice challenge for California.

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## **THE JUVENILE JUSTICE - MENTAL HEALTH CONNECTION: WILL PROPOSITION 63 HELP?**

Nationally, there is growing concern that juvenile justice facilities have become dumping grounds for children with mental problems ranging from low-level behavior disturbances to serious organic brain disorders. In California, studies show consistently high mental health problem rates among incarcerated youth populations. According to a Stanford study, more than 90 percent of California Youth Authority wards have mental health problems. A 2003 survey by the National Council on Crime and Delinquency (NCCD) reports that 42 percent of children in county detention facilities and 59 percent of children in probation placements require mental health treatment.

California's track-record of providing mental health services to incarcerated children is dismal. At the Youth Authority, protracted funding cuts produced declines in mental health staffing and services that are now targeted in litigation by the Prison Law Office. Local Probation Departments, in the NCCD survey, report large deficiencies in mental health staffing and training, and in youth assessment and case planning services. A common complaint of county personnel is the lack of secure treatment facilities for delinquent wards who are severely mentally disturbed.

Beyond the justice system, community mental health services for all California children have gone into a widely-acknowledged tailspin. Compounding the problem, Governor Schwarzenegger this year vetoed the last \$20 million supporting the state's System of Care for children with serious mental conditions.

Champions of mental health reform like Assemblyman Darrell Steinberg (D.- Sacramento) have fought to reverse these service-killing trends. In 2004, Steinberg tried to address the mental health needs of children in the justice system with his AB 2019. That measure became a bloody battlefield where even children's advocates and mental health professionals could not agree on a plan. Even when distilled to a proposal that incorporated successful assessment and case-planning procedures from the Santa Clara County Mental Health Court, the bill continued to elicit cries of pain from county supervisors, mental health directors and probation personnel who said they could not implement the bill's modest reforms without additional resources. Those complaints were probably magnified by other budget woes, since counties had already made a deal

with the Governor to accept \$2.6 billion in funding cuts over the next two years. In August, AB 2019 died in a mire of cost concerns and advocate disputes.

Good models of juvenile justice mental health care like the Mental Health Court are not lacking. Modalities like Multi-Systemic Therapy and Functional Family Therapy show positive outcomes for delinquents with mental health problems including reduced recidivism at lower costs than correctional confinement. Wraparound services, in lieu of high-end residential care, have also proven to be successful with children in the justice system.

### **Prop 63 would fund children's services**

What's missing is the money to pay for the models. Now, there is a glimmer of hope that resources may be forthcoming from Proposition 63, a statewide initiative on the November, 2004 ballot.

Proposition 63 the Mental Health Services Act creates a state Mental Health Services Fund with a one percent surtax on individual incomes over one million dollars. The Legislative Analyst's Office estimates that \$700 to \$800 million per year could be generated by the initiative. Prop 63 requires the state Department of Mental Health to allocate these funds to local mental health programs in priority areas including prevention and early intervention, innovative programs, Children's System of Care and Adult/Senior System of Care. Children and Adult Systems of Care would get 60 percent of the pot starting in 2005. This would indeed provide relief for shrinking revenues and growing caseloads of children with severe mental disorders.

While Proposition 63 does not earmark funds for mental health programs for juveniles in the justice system, the initiative offers several planning and implementation options that could go a long way toward meeting their needs. If the measure passes in November, children's advocates will have new opportunities to replicate juvenile justice treatment models that appear to have no chance without a new revenue source.

**Table 1: California Youth Crime and Violence Prevention Programs  
State General Funds: FY 01/02 - FY 04/05 (Budget Act and subsequent  
legislation through 9/30/04) - in millions of dollars**

DEPARTMENT	PROGRAM	FY 01/02	FY 02/03	FY 03/04	FY 04/05
Commun. S&D	California Mentor Program	1.0	1.0	0	0
CYA	Gang Violence Reduction Program	1.6	1.6	1.6	1.3
CYA	Young Men As Fathers	1.0	.9	.9	.9
Bd. Corrections	Schiff-Cardenas Crime Prevention Act	116.3	116.3	100.0	100.0
Emergency Svcs.	Gang Violence Suppression <sup>a</sup>	5.6	3.3	1.5	2.0
Emergency Svcs.	Drug Suppression in Schools <sup>a</sup>	3.3	2.5	1.2	.7
Justice	Gang Crime & Violence Prevention	3.3	1.4	0	0
Education	Academic Volunteers/ Mentors	10.0	5.1	0	0
Education	School Safety & Violence Prevention	82.1	82.1	.1 <sup>b</sup>	132.1 <sup>b</sup>
Education	School Safety Consolidated Grants	14.0 <sup>c</sup>	13.8 <sup>c</sup>	14.0 <sup>c</sup>	15.6 <sup>c</sup>
Education	After School Education & Safety	117.5	113.2	121.5	121.5
Education	High Risk Youth Education Act	18.0	10.0	11.0	0 <sup>d</sup>
<b>TOTALS in millions of dollars</b>		<b>373.7</b>	<b>351.2</b>	<b>251.8 <sup>e</sup></b>	<b>374.1</b>

Notes:

- a. Former Office of Criminal Justice Programs moved to Office of Emergency Services. COMMONWEAL
- b. \$82 million for FY 03-04 deferred to FY 04-05; FY 04-05 amount includes the deferred \$82 million from prior year plus another \$50.1 million in FY 04-05 funding; Another \$37 million in FY 04-05 School Safety Block Grant funds was deferred to FY 05-06. (Deferrals help adjust annual Prop 98 levels).
- c. For FY 04-05, several categorically funded school-based programs were consolidated into a new School Safety Consolidated Competitive Grant (SSCCG) administered by the State Department of Education, with input from the Attorney General. Consolidated programs include: School-Community Policing, Gang Risk Intervention, School Community Violence Prevention, Safety Plans for New Schools, and Conflict Resolution Programs. Commonweal reports for prior years showed appropriations for these programs separately, but for consistency with the new SSCCG, prior year totals for included programs are now grouped in this single row.
- d. In FY 04-05, the High Risk Youth Education Act (SB 1095) was not separately funded; instead, funds for this program were merged into a Pupil Retention Block Grant, including multiple student support programs; local education agencies will now decide whether to allocate a share of Pupil Retention Grant Funds to High Risk Youth Education programs. SB 1095 statutory provisions remain unchanged.
- e. FY 03-04 total is artificially lowered by the deferral of \$82 million in School Safety Block Grant funds to FY 04-05.

Sources:

California State Budget Acts FY 01/02 through 04/05; Governor=s FY 04-05 January Budget and May Budget Revision; Governor=s FY 03-04 Mid Year Spending Cuts; California Department of Finance; Legislative Analyst Office; Senate and Assembly Budget and Appropriations Committees; individual state offices, departments and agencies.

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