

COMMONWEAL

THE JUVENILE JUSTICE PROGRAM

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California Budget Report:

FUNDS FOR YOUTH CRIME AND VIOLENCE PREVENTION PROGRAMS

HIT RECORD LEVEL AT WRAP-UP OF LEGISLATIVE YEAR

- Full spending is “triggered” for the After School Education and Safety Act
- Juvenile Justice Crime Prevention Act gets a raise
- New state programs are launched for youth parole, mentally ill juvenile offenders

By David Steinhart

For state-funded youth crime and violence prevention programs, this was a banner year. Taking into account all 2006 budget and appropriations bills through the Governor’s October signing deadline, total state spending for these programs in FY 06/07 rose to \$817 million — more than twice last year’s amount and more than twenty times the amount we reported a decade ago for FY 97/98.

Proposition 49 hits full funding in 2006

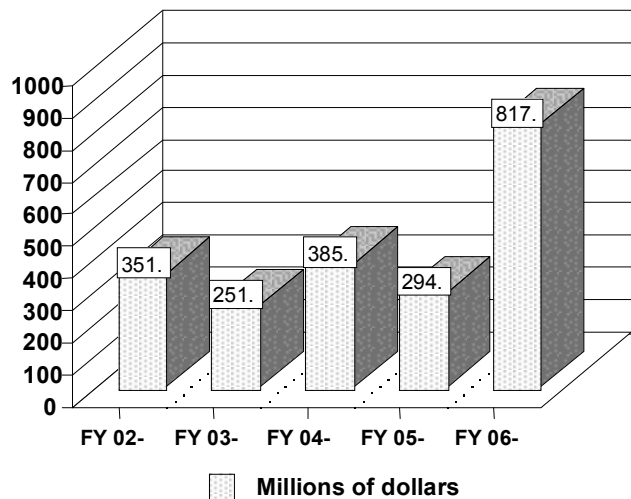
Most of the big jump in spending is due to the “trigger” of the funding cap for the After School Education and Safety Act (Proposition 49) — the 2002 ballot initiative championed by Governor Arnold Schwarzenegger. Until this year, fund levels for Prop 49 were set by the Legislature based on prior appropriations. Under the terms of the initiative, the fund ceiling of \$550 million kicks in for FY 06/07 — an increase of \$428 million over last year’s amount.

The programs funded by the initiative are intended to improve education outcomes while also reducing crime and violence among children in grades K through 8. Thus, Prop 49 grants continue to be counted by Commonweal as state expenditures for youth crime and violence prevention. Funding at the maximum level is likely to continue in the years ahead. Cuts in the \$550 million ceiling, urged by the Legislative Analyst last January, were opposed by the Governor and rejected by the Legislature. Assuming his re-election, Schwarzenegger can be relied on to protect full funding for his after school initiative. Moreover, it would take a two-thirds vote of the Legislature to lower the Prop 49 spending cap.

With more to spend, lawmakers change After School program allocation and grant rules

While legislators disregarded complaints that \$550 million was too much to earmark for Prop 49, they did pass SB 638 (Ashburn, R- Bakersfield and

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State General Fund Spending FY 02/03 - FY 06/07**



Torlackson, D-Antioch), changing grant and spending rules for Prop 49 programs. As signed by the Governor, SB 638 doubles the size of grants for elementary schools (now up to \$112,500) and middle schools (now up to \$150,000). SB 638 also compensates for the fact that Proposition 49 funds are not available for high-school after-school programs, by creating incentives for elementary and middle schools to shift their funding source from the federal “21st century” program (which does support high-schools) to state Prop 49 grants, so that federal funds can be concentrated on high-school after-school programs. SB 638 also

streamlines state grant procedures by shifting from a reimbursement to a direct grant mode.

At prior funding levels, less than half of eligible California children have had access to before- and after-school programs. According to Children Now, full funding of Prop 49, combined with the changes in SB 638, “could fund as many as 2,000 new programs for elementary and middle school students and help improve the quality of all existing ASES programs”.

Juvenile Justice Crime Prevention Act Funding rises to \$119 million

Funding for the state’s Juvenile Justice Crime Prevention Act (JJCPA) rose to \$119 million in the FY 06/07 state budget — 20 percent more than the five-year average appropriation for this program. The increase was urged upon a responsive Legislature by a partnership of law enforcement, probation, youth service and children’s advocacy organizations. From inception in 2000 through 2006, the JJCPA has provided more than half a billion dollars to county-based programs for youth crime prevention. During this period, California youth crime rates (as reported by law enforcement agencies) declined and have now leveled at historic lows. Moreover, according to statewide program evaluations published by the Corrections Standards Authority (CSA), the JJCPA has produced positive results based on outcome measures tracked by this oversight agency. CSA’s March 2006 evaluation of the statewide program discloses that:

- Youth served by JJCPA programs in FY 04/05 had significantly lower re-arrest and re-incarceration rates, and higher rates for completing probation and community service rates than reference group (non-served) youth.
- Youth served by JJCPA programs in FY 04/05 had significantly better education outcomes than reference group (non-served) youth including higher school attendance rates, higher grade point averages and fewer suspensions or expulsions from school.

The complete evaluation report and additional information about the JJCPA can be found on the CSA website at www.csa.ca.gov.

Two new juvenile justice grant programs rev up in 2007: Re-Entry Challenge grants and Mentally Ill Juvenile Offender programs

Late in the legislative year, lawmakers and the Administration agreed to fund two new youth crime prevention programs— the Juvenile Justice Re-Entry Challenge Grants and the Mentally Ill Offender Crime Reduction grant program for juveniles.

The Juvenile Justice Re-entry Challenge Grant Program was the brainchild of Senator Mike Machado (D- Stockton), who wanted to address parole service gaps and failure rates cited in testimony in his Senate hearings on the youth corrections budget. His original proposal was for \$30 million for FY 06-07. That was lowered to \$10 million statewide in the final budget deal. The plan is to make this same amount available for three consecutive budget cycles. Re-entry grants will be awarded competitively to county and nonprofit applicants by the Division of Juvenile Justice. Funded programs can include transitional housing, employment, mental health and drug counseling, mid-level sanctions for parole violations and other services listed in the enabling legislation (AB 1806). Although the main target group consists of DJJ parolees, up to 25% of funds may be spent on services for juveniles released from local probation facilities (e.g., camps and ranches). As of Nov.1, the Division of Juvenile Justice was just beginning to formulate grant and application criteria.

As reported previously, the Legislature has restored funds for the Mentally Ill Offender Crime Reduction (MIOCR) grant program — started in 1998 but suspended in 2001 to cut costs in budget deficit years. The original program served adults only, but as reinstated the \$45 million grant total for 06/07 will be divided with half for adults and half for juveniles (\$22.3 million each). In August, the Corrections Standards Authority issued RFPs for county grants that will be awarded on a competitive basis in December of this year. The eligible youth service population includes juveniles who have crossed justice system thresholds (detention or delinquency petition) and who meet the criteria of WIC Sec. 5600.3 for a diagnosed mental disorder. For additional information about these grants, go to the Corrections Standards Authority website at www.csa.ca.gov.

California Legislative Roundup:

THREE DJJ REFORM BILLS BY SEN. ROMERO ARE VETOED BY THE GOVERNOR

Last year, lawmakers confronted state youth corrections officials, challenging their reform plans in the wake of successful litigation against the state (*Farrell v. Hickman*). This year, the discussion morphed into a more congenial exchange about how much the state should pay for DJJ reforms. In the end DJJ got most of what it asked for — about \$90 million to fill more than 1,000 new state positions for health/ mental health care, ward education and improved conditions in the institutions. Legislative attempts to push the reform agenda beyond *Farrell* compliance met with mixed success. Senator Mike Machado (D-Stockton) did persuade colleagues to invest in a new Juvenile Justice Re-Entry Challenge Grant Program — providing \$10 million per year to counties for youth parole and re-entry services. Machado, who Chairs the Senate Budget sub-committee for corrections, has emerged as a new consensus builder on DJJ reform; his SB 1742, modifying DJJ

acceptance criteria, was one of the only juvenile justice bills signed by the Governor this year. Meanwhile, all three DJJ reform bills sent to the Governor by Senate Majority Leader Gloria Romero (D- L.A.) — the Legislature’s most vocal advocate of DJJ reform — were vetoed. Of these, the most controversial was SB 1373 which sought to control “time adds”— the practice of adding time to youth sentences for disciplinary violations or program failures (see summary below). In 2005, time-adds accounted for one-third of all time served by youth in DJJ facilities. The veto reconfirmed the Administration’s policy of not wanting any outside limits imposed on how long young men and women stay in DJJ institutions, even though advocates contend that California’s youth sentences are the longest in the nation and are linked to high failure rates upon release. Key legislative results for the 2006 session are highlighted below.

AB 2004 (Yee- D., S.F.) Medi-Cal for incarcerated minors. Requires the state Dept. of Health Services to suspend rather than terminate Medi-Cal benefits for incarcerated minors and to facilitate immediate access to Medi-Cal upon release. **VETOED**- Governor said it would be too costly and complex to administer. A related Senate bill to restore health benefits to confined youth with disabilities (**SB 1616, Kuehl**) was **also vetoed**.

SB 638 (Torlakson D.- Antioch) After School programs. Revamps allocation and grant criteria for the state’s After School Education and Safety Act. Details above on page one. **SIGNED into law, Chapter 380.**

SB 795 (Romero, D.- L.A.) Youth parole. Requires the state to contract with at least one county to house and serve all resident DJJ parole violators in lieu of return to a DJJ institution—a setup for reopening the Fouts Springs facility in Solano County. **VETOED**—the Governor said it ties the state’s hands and he pointed to the Re-Entry Challenge Grants as a better alternative

SB 1288 (Cedillo, D.- L.A.) Drug & alcohol services for minors. Adds specified drug and alcohol services to the list of Medi-Cal funded services for persons aged 12-20. **VETOED** by the Governor as too costly.

SB 1373 (Romero, D- L.A.) DJJ “time adds” to sentence. Declares reduction of “time adds” (sentence extensions) to be a “performance objective” of the Division of Juvenile Justice and requires DJJ to make regular reports on time-adds to the Legislature. **VETOED**—Governor said this was a random performance objective that failed to focus on program success at DJJ.

SB 1469 (Cedillo, D.- L.A.) Health coverage for incarcerated minors. Establishes new inter-agency coordination and notification procedures to facilitate re-enrollment in Medi-Cal (or alternative health coverage) for incarcerated minors. **SIGNED into law, Chapter 657.**

SB 1589 (Romero, D.- L.A.) Girls in the Div. Juvenile Justice. Requires the Division of Juvenile Justice to explore new facility options (including contract-care facilities “supervised” by DJJ) for the few (about 130) females remaining in the Ventura school. **VETOED** by the Gov. on the basis that DJJ is already headed in this direction.

SB 1742 (Machado, D.- Stockton). Div. Juvenile Justice acceptance criteria. Revises WIC Sec. 736 “acceptance criteria” by requiring DJJ to determine that it has (in addition to adequate facilities) adequate staff and programs to care for a committed ward. Also, requires DJJ and the state Dept. of Mental Health to coordinate policies on mental health treatment for DJJ wards. **SIGNED into law, Chapter 257.**

**Table 1: California Youth Crime and Violence Prevention Programs
State General Funds: FY 02/03 - FY 06/07 - in millions of dollars**

DEPARTMENT	PROGRAM	FY 02/03	FY 03/04	FY 04/05	FY 05/06	FY 06/07
Division of Juvenile Justice	Gang Violence Reduction Program	1.6	1.6	1.3	1.2	1.2
Division of Juvenile Justice	Mentally Ill Offender Crime Reduction	0	0	0	0	22.3
Division of Juvenile Justice	Re-entry Challenge Grants	0	0	0	0	10.0
Corrections. Standards Authority	Proud Parenting Program (replaces Young Men as Fathers as of 4/05)	.9	.9	.9	.8	.8
Corrections Standards Authority	Juvenile Justice Crime Prevention Act	116.3	100.0	100.0	63.1 ^a	119.0
Office of Emergency Services	Gang Violence Suppression	3.3	1.5	2.0	1.8	1.8
Office of Emergency Services	Drug Suppression in Schools	2.5	1.2	.7	0	0
Education	School Safety & Violence Prevention	82.1	.1 ^b	132.1 ^b	89.5 ^b	94.9 ^b
Education	School Safety Consolidated Competitive Grants	13.8 ^c	14.0 ^c	15.6 ^c	16.4 ^c	17.4 ^c
Education	After School Education & Safety Act	113.2	121.5	121.5	121.5	550.0
Education	High Risk Youth Education Act	10.0	11.0	11.3 ^d	0 ^d	0 ^d
Other	Prior year programs with suspended or terminated funding	7.5	0	0	0	0
<i>TOTALS in millions of dollars</i>		351.2	251.8	385.4	294.3 ^a	817.4

Notes:

- a. Schiff- Cardenas Juvenile Justice Crime Prevention Act appropriation for FY 05-06 is corrected from amount previously reported (\$100 million) to \$63.1 million, and the total spending amount for FY 05-06 is corrected from \$331.2 million to \$294.3 million, due to the reduction of the FY 05-06 appropriation for the JJCPA in budget trailer legislation. This one-time reduction was achieved with no interruption of funds to programs by altering the schedule for payment of these funds to counties. **COMMONWEAL**
- b. Amounts shown for school safety grants include deferrals from prior years starting in FY 04-05. For FY 06-07, the total appropriation shown is the current Budget Act appropriation of \$57.9 million plus \$37 million deferred appropriation from FY 05-06. (Deferrals help adjust annual Prop 98 levels).
- c. Starting in FY 05-06, 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. Prior year appropriations for these programs, shown on separate lines in earlier Commonweal reports, have been combined in this table for consistency with the FY 05-06 and FY 06-07 consolidation amounts.
- d. As of FY 05-06, the High Risk Youth Education was no longer separately funded but instead was made a county funding option, using Pupil Retention Block Grant funds (block grant created by 2004 legislation, AB 825).

Sources:

California State Budget Acts FY 02/03 through 06/07; budget trailer and appropriations bills; California Department of Finance; Legislative Analyst Office; Senate and Assembly Budget and Appropriations Committees; individual state offices, departments and agencies.

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