

**PRELIMINARY REPORT OF THE
VIRGINIA COMMISSION ON YOUTH ON**

**EVALUATION OF THE VIRGINIA
JUVENILE COMMUNITY CRIME
CONTROL ACT**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 73

**COMMONWEALTH OF VIRGINIA
RICHMOND
1998**



COMMONWEALTH of VIRGINIA

Commission on Youth

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TO: The Honorable James S. Gilmore, III, Governor of Virginia

 and

 Members of the Virginia General Assembly

The 1997 General Assembly, through Item 10(B) of the House Appropriations Act, requested that the Virginia Commission on Youth "evaluate the administration and efficacy of the Virginia Juvenile Community Crime Control Act."

Enclosed for your review and consideration is the preliminary report which has been prepared in response to this request. The Commission received assistance from all affected agencies and gratefully acknowledges their input into this report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas M. Jackson, Jr.", written in a cursive style.

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This project was supported in part by a Virginia Department of Criminal Justice Services' Juvenile Justice and Delinquency Prevention grant (No. 98-A9710JJ96A) awarded to the Virginia Commission on Youth. The opinions, findings, conclusions, and recommendations expressed in this report are those of the authors and do not necessarily reflect the view of the Virginia Department of Criminal Justice Services or the U.S. Department of Justice.

I. Authority for Study

Item 10(B) of the *1997 Appropriations Act* provides that, "The Commission on Youth, with assistance from the Department of Planning and Budget, shall evaluate the administration and efficacy of the Virginia Juvenile Community Crime Control Act. The Commission shall present a preliminary report of its evaluation to the 1998 General Assembly."

§ 9-292 of the *Code of Virginia* establishes the Virginia Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." § 9-294 provides the Commission the power to "...undertake studies and gather information and data in order to accomplish its purposes...and to formulate and present its recommendations to the Governor and members of the General Assembly."

The Commission on Youth, in fulfilling its legislative mandate, undertook the evaluation of the Virginia Juvenile Community Crime Control Act.

II. Members Appointed to Serve

For the purpose of conducting the studies assigned to them by the 1997 General Assembly Session, the Commission on Youth divided itself into three subcommittees. One of these was assigned exclusively to the evaluation of the Virginia Juvenile Community Crime Control Act (VJCCCA). At the conclusion of the initial year's work, the subcommittee reported its preliminary findings to the full Commission on Youth. The members of the VJCCCA Evaluation Subcommittee are:

Del. Thomas M. Jackson, Jr. (Hillsville), Subcommittee Chair
Mr. Gary C. Close (Culpeper), Subcommittee Vice-Chair
Del. Karen L. Darner (Arlington)
Del. R. Creigh Deeds (Bath)
Sen. Mark L. Earley (Chesapeake)
Sen. R. Edward Houck (Spotsylvania)
Sen. Yvonne B. Miller (Norfolk)
Ms. Norma M. Clark (Virginia Beach)
Ms. Michelle Harris (Norfolk)

The Subcommittee met on June 24th to hear presentations on the history of the VJCCCA, the funding formula, implementation of the Act, the statewide analysis of local VJCCCA plans, the Evaluation study methodology, and presentations by the 25th and the 31st Judicial District Courts and Henrico County.

At the December 18th meeting, members of the House Appropriations Committee Public Safety Subcommittee joined Evaluation Subcommittee members to hear Commission staff present the results of their analyses and the draft preliminary

recommendations. The legislative members of the Commission approved the Subcommittee's recommendations at their January 15th meeting.

III. Executive Summary

A. TRAINING AND TECHNICAL ASSISTANCE

The VJCCCA represents a change in how localities assess service needs in their communities. It also requires them to develop and evaluate community-based programs to meet those needs. Because many localities have no previous experience in such endeavors, the importance of the Department of Juvenile Justice's (DJJ) responsibility for training the field in what constitutes best practices in juvenile justice programming cannot be overemphasized.

Recommendation 1

In order to support thorough local needs assessments, innovation in program development, and evaluation, the Department of Juvenile Justice should dedicate one position to the VJCCCA in each Regional Office. As the VJCCCA is the largest community initiative for Department of Juvenile Justice, it is recommended that the agency deploy existing staff to support the VJCCCA at the regional level.

Recommendation 2

The Department of Juvenile Justice should continue to sponsor an annual statewide conference to provide participating localities the opportunity to share strategies on needs assessment, program development and modification, and evaluation.

Recommendation 3

Given the diversity of experience in local program development and evaluation, the Department of Juvenile Justice should provide on-going training opportunities on the regional or multi-jurisdictional level to match the divergent skill levels of local providers. Training should address assessment, program development, and evaluation issues.

Recommendation 4

The Department of Juvenile Justice and Office of the Executive Secretary of the Supreme Court should collaborate to develop training on the VJCCCA for the Juvenile Court Judges.

B. STATE LEVEL ADMINISTRATION

While responsibility for implementation of the VJCCCA rests with individual communities, the role of DJJ as the central administrative agency is integral to the success of the program. During the implementation phases, the DJJ Central Office was responsible for developing administrative policies and accountability procedures. This responsibility is critical as the program continues to grow. Given the diversity of the state, the participating localities need a point of contact to insure consistent policy direction statewide. Given the size and scope of the VJCCCA, localities and DJJ will require a process by which both can address program issues on an on-going basis. Further, in order for the VJCCCA to be accountable, data systems on the state and

local levels must be established and monitored to ensure the program is meeting its goals.

The five positions and corresponding funding were allocated with the legislative intent of providing positions devoted solely to the VJCCCA. Currently the responsibility for the implementation and monitoring of the Act on the local level is placed within the Regional Offices, which have a myriad of responsibilities. Given the size and complexity of the program, oversight cannot be divided among other tasks for which the Regional offices are responsible.

Recommendation 5

The Department of Juvenile Justice should elevate the position of the VJCCCA Coordinator to report directly to the Deputy Director of Programs. The VJCCCA Coordinator should be explicitly tasked with the responsibility of VJCCCA policy development and facilitation of communication to field to ensure consistent interpretation of the Act throughout the state.

Recommendation 6

The Department of Juvenile Justice should develop an Ad Hoc Advisory Committee comprised of local providers, local government officials, and members of the Department of Juvenile Justice Board to provide policy oversight and direction to the VJCCCA.

Recommendation 7

To insure that accurate and timely data addressing fiscal and program evaluation issues is collected from localities, one position within the Data Management Unit should be devoted to the VJCCCA.

Recommendation 8

The Department of Juvenile Justice should present annually at the Virginia Municipal League and Virginia Association of Counties Conference to inform local government officials of the progress of the VJCCCA.

C. LOCAL FISCAL ISSUES

With the establishment of the VJCCCA, there is now financial support for localities to respond to their juvenile justice populations. The VJCCCA is a form of partnership between state and local governments. As such, the role of the local unit of government in the administration and support of the program is of tremendous importance. To improve this partnership, localities should take steps to strengthen program reporting and accountability for VJCCCA services.

Recommendation 9

The *Code of Virginia* should be amended to clarify that local fiscal reporting is the responsibility of the local financial officer.

Recommendation 10

The Department of Juvenile Justice should encourage localities to have independent audits to review their VJCCCA allocations and expenditures.

D. STATE FISCAL ISSUES

Localities' participation in the VJCCCA is voluntary. However, when localities choose to receive the funds, they must make a good faith effort not to reduce the level of their local financial support to programs serving their juvenile justice populations. Establishment of Maintenance of Effort in the *Code* was an attempt to insure that the local level of support for juvenile justice programs was not diminished following the infusion of state dollars. Admittedly, with the enactment of the Comprehensive Services Act, the dollars to provide services to the juvenile justice population, otherwise known as the non-mandated population, have become difficult to identify locally.

Many localities having small juvenile populations and hence low crime rates have received minimal dollars through the VJCCCA. In order to provide a funding level at which every locality can develop programs, a funding floor is suggested. Conversely, it is also recommended that larger localities' allocations be increased incrementally until they receive the amount to which the funding formula entitles them.

Recommendation 11

Maintenance of Effort should be calculated based on all non-Comprehensive Services Act placements to Block Grant programs and services for 1995. Amendments to the *Code* and the Budget Bill should be drafted to clarify this intent. However, the General Assembly may want to consider the imposition of two different types of Maintenance of Effort based on program ownership.

Recommendation 12

Because the Maintenance of Effort will require 42 localities to increase their share, these localities should be given two years to phase in their new Maintenance of Effort level.

Recommendation 13

A funding floor should be established for the smaller localities based on the mid-range allocation to the lowest quartile of funding and recalculated by the Department of Juvenile Justice on a biennial basis.

Recommendation 14

The ceiling for localities should be increased in \$50,000 increments on an annual basis until all localities receive the funding to which they are entitled, based on the formula.

IV. Study Goals and Objectives

House Bill 30, the 1997-98 Appropriations Act called for a two-year evaluation of the administration and efficiency of the VJCCCA. The first task was to identify all of the salient issues for inquiry and develop a two-year timeframe for analysis. The Evaluation goals and objectives were developed following consultation with the Director of the Department of Juvenile Justice, Deputy Secretary of Public Safety, Department of Planning and Budget staff, and chairmen and staffs of the Public Safety Subcommittees of House Appropriations and Senate Finance Committees. A study plan was developed which identified issues to be examined in the first and

second years of the Evaluation. The study plan was then presented to the full Commission on Youth on April 2nd.

First Year Questions

- 1. Is the legislative intent of the VJCCCA being met?** (See Appendix A for the Purpose and Intent Clause of the VJCCCA.)
 - A. Have services been expanded?
 - B. Do local plans reflect specific offenders and their treatment needs?
 - C. Have local plans resulted in an adequate level of services reasonably accessible to each Court district?
 - D. Is offender accountability attained?
 - E. Has parental involvement increased?
 - F. Do the plans reflect a continuum of progressive sanctions?

- 2. What do local programs/models look like?**
 - A. Are there trends in the types of services offered?
 - B. How were local needs assessed?
 - C. Who participated in developing the plan?
 - D. Are projected client outcomes identified?
 - E. Do local plans submitted accurately portray the locality's funded continuum?
 - F. Are there innovative models?

- 3. How is the program locally administered?**
 - A. How many multi-jurisdictional programs are there?
 - B. Who serves as the local administrator, and what is their placement in local government?
 - C. Have public/private partnerships been started?

- 4. What type of technical assistance to localities has been provided by the Department of Juvenile Justice?**
 - A. What is the nature of the technical assistance being provided by the state to localities?
 - B. What statewide training has been provided to implement the VJCCCA?
 - C. Are there regional variations in the types of technical assistance provided to localities?
 - D. Who is providing the technical assistance?
 - E. How are requests for technical assistance handled?

- 5. What has been the Department of Juvenile Justice's Central Office administrative role in the program?**
 - A. What is nature of the oversights of the program provided by the Central Office?
 - B. What staff resources has the Department of Juvenile Justice allocated to the VJCCCA?
 - C. What is the nature of the Board of the Department of Juvenile Justice's review of local plans?
 - D. Is data being collected from the local programs to allow for future evaluation of costs and effectiveness?
 - E. Are the local plans driving a statewide planning process?

6. What is the local financial contribution to the VJCCCA?

- A. How has Maintenance of Effort been calculated at the local level?
- B. How has the Central Office verified local calculations?
- C. What is included in local Maintenance of Effort, i.e., CSA share, in-kind contributions, administrative and program oversight/overhead costs?
- D. Are there variations among localities in how they calculated their Maintenance of Effort?

7. What is the relationship between the VJCCCA and the CSA?

- A. How do programs and services interact between the two programs at a local level?
- B. Is there evidence of joint planning and administration at the local level?
- C. Do any localities combine funding of the two programs?
- D. How has the VJCCCA impacted CSA usage for non-mandated, Court-referred youth?
- E. Should the relationship between the programs require clarification in the future?

8. Are VJCCCA users satisfied with the Act?

- A. What has been local government's experience with the administrative requirements of the program?
- B. Is the level of financial assistance provided seen as adequate?
- C. Do judges feel the programs have met their needs?
- D. Are local Department of Juvenile Justice staff satisfied with the Act?
- E. Are clients satisfied with the services provided?

Second Year Questions

1. Is the funding formula adequate?

- A. Do the calculations for cost of programs need revisions?
- B. Does the average length of stay for pre- and post-dispositional programs require updating?
- C. Are the ratios of residential to non-residential placement still accurate?
- D. Do the types and proportion of arrests require new calculations?
- E. Are there additional indices to incorporate?
- F. Should there be ceiling and floor amounts imposed on localities?
- G. Should incentive dollars for specific types of programming be included in the formula?
- H. Does the Department of Juvenile Justice have the data required to update the formula on a biennial basis?

2. Who is being served through the program?

- A. What are the offense profiles of juveniles served through program?
- B. How do the securely detained juveniles compare to those served in program?
- C. Have detention rates been impacted?
- D. Have commitment rates been impacted?

The eight issues identified for the first year evaluation were collapsed into six research questions, with specific research activities applied as shown in Table 1 which follows.

Table 1

VJCCCA Study Plan

Questions	Methodology
Has the service capacity at the community level increased?	<ul style="list-style-type: none"> • Review and analysis of all first (1996) and second year (1997) plans • Analysis of 1995 Block Grant pre- and post-dispositional non-secure services • Analysis of Child Care Days Reports
Is the legislative intent being met?	<ul style="list-style-type: none"> • Review and analysis of all first (1996) and second year (1997) plans • Interviews with Central and Regional Office Department of Juvenile Justice (DJJ) staff • Review and analysis of <i>Code of Virginia</i> §16.1-309.2-309.10
Is there an accountability system in place?	<ul style="list-style-type: none"> • Review and analysis of all first (1996) and second year (1997) plans • Interviews with Central and Regional Office DJJ staff • Analysis of 1995 Block Grant pre- and post-dispositional non-secure services
What is the level of local fiscal contribution?	<ul style="list-style-type: none"> • Telephone surveys with local fiscal officers and program contacts • Judges' Survey • Analysis of Child Care Days Reports
Has the level of technical assistance been sufficient?	<ul style="list-style-type: none"> • Review and analysis of all first (1996) and second year (1997) plans • Interviews with Central and Regional Office DJJ staff • Judges' Survey • Telephone surveys with local fiscal officers and program contacts • Site Visits
Are communities satisfied?	<ul style="list-style-type: none"> • Judges' Survey • Telephone surveys with local fiscal officers and program contacts • Site Visits

V. Methodology

The Evaluation methodology incorporated a variety of research methodologies to meet the legislative mandate. Commission on Youth staff conducted research activities, including a review of all local VJCCCA plans, meetings with Department of Juvenile Justice (DJJ) Central Office and Regional Office staffs, and an analysis of Maintenance of Effort fiscal issues. The Commission also conducted an extensive statewide telephone survey with local program and fiscal staff involved with the implementation of the VJCCCA and a written survey of all Juvenile and Domestic Relations Court Judges. Each of these activities is discussed in the following pages.

A. MEETINGS WITH DEPARTMENT OF JUVENILE JUSTICE STAFF

Between April and January, the staffs of the Commission on Youth and DJJ conducted five formal meetings to discuss the stages of the evaluation process. At the first organizational meeting, Commission and DJJ staffs were joined by staff members from Senate Finance and House Appropriations Committees to discuss the goals of

the VJCCCA Evaluation. In May, Commission staff met with the Regional Administrators and DJJ Central Office staff to provide an overview of the VJCCCA Evaluation and to solicit input into the process. In July, the Commission provided DJJ with feedback from the pilot telephone surveys and solicited DJJ's input on potential judicial survey questions. A fourth meeting was held in August to discuss Maintenance of Effort issues. On December 8th, Commission staff met with the DJJ Director and staff to brief them on the Evaluation findings prior to the December 18th meeting of the Commission's Evaluation Subcommittee. Throughout this period, there was ongoing discussion between Commission and DJJ staff on fiscal and Maintenance of Effort issues and collaboration in developing data bases.

B. REVIEW OF LOCAL PLANS

A team, comprised of staff from the Commission, DJJ, and the Department of Planning and Budget, reviewed all the local plans submitted to DJJ for funding for the first and second years (FY 97 and FY 98, respectively) of the VJCCCA program. A total of 127 plans for 133 localities were reviewed for program and budget content. Plans were reviewed to identify

- the ways in which localities addressed their existing and planned services and programs;
- sources of funding for existing and new services; and
- the accuracy of the financial reporting.

As part of the process of reviewing the local plans, the Evaluation team met with the Central and Regional Office staffs of DJJ to gain a better understanding of their role in the implementation of the Act, the nature of communications sent to the field, and how local plans were reviewed and approved by the Board.

C. TELEPHONE SURVEY

An Ad Hoc Committee on Maintenance of Effort was created to design a telephone survey instrument that could best solicit information from localities on how services were paid for in FY 95 by funding source, child, and program. (See Appendix B for committee membership.) The committee considered a total of 180 questions and ideas. These were reviewed and consolidated according to topic areas, e.g., Maintenance of Effort, expenditure tracking, financial reporting, program components, user satisfaction, technical assistance and training, and implementation and evaluation. The results of the Ad Hoc Committee's work were incorporated into a pilot telephone survey instrument.

Prior to administering the telephone survey statewide, Commission staff pilot-tested the telephone survey instrument in four communities: Chesterfield County, Chesapeake, Waynesboro, and the City of Harrisonburg/County of Rockingham. These pilot localities represented: a locality receiving significant new funding under the VJCCCA; a locality that administers VJCCCA through a Regional Commission; a rural community; and two localities that joined efforts to provide VJCCCA programs and services. Responses from the four pilot communities provided Commission staff an opportunity to fine-tune the survey questions and eliminate those questions not needed for the Evaluation.

In late July, following minor modifications to the survey, copies of the survey were distributed to the City Manager or County Administrator, as well as the VJCCCA contact person, in 134 localities.¹ Interviews began in early August and concluded in late October. Telephone interviews averaged from one hour to one and one half hours and included 45 questions soliciting responses on the following issues:

- How each locality is administering the VJCCCA
- A description of the local VJCCCA planning process
- How each locality assesses needs and existing services
- How the VJCCCA facilitates serving clients
- Satisfaction with communication and decision-making by the DJJ
- Satisfaction with training and technical assistance from the DJJ
- Areas where additional technical assistance and training are needed
- How each locality is gauging whether the program or services are meeting the needs of the community, the needs of the Court Service Unit, the needs of the judges, and as outlined in the *Code*
- Whether the VJCCCA has made a difference in the number of children served, increased service capacity and changed client population
- Concerns with implementation of the VJCCCA
- How locality is currently procuring services under the VJCCCA
- How locality tracks expenditures for the VJCCCA
- How locality calculated Maintenance of Effort
- Whether locality owned a block grant program or was a participating locality in a block grant program (excluding secure detention) prior to FY 95
- The programmatic and fiscal relationship between the VJCCCA and the Comprehensive Services Act (CSA)
- The impact of the VJCCCA on services to CSA non-mandated youth

A copy of the telephone survey instrument is provided as Appendix C.

D. JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT JUDGES' SURVEY

One component of the Evaluation addresses user satisfaction. As the Juvenile and Domestic Relations District Court Judges are required to sign off on local plans and are the entity responsible for sentencing youth to the local programs, a separate Judges' survey was developed. To devise the survey questions, Commission staff met with the DJJ Regional Administrators and Central Office staff to identify potential survey questions. A draft was developed, circulated to the DJJ staff, and modified based on feedback. The resulting survey was disseminated in July to all sitting Juvenile Court Judges. A copy of the survey instrument is provided as Appendix D. The analysis of the judges' responses is provided in Section VII.

E. FISCAL ANALYSIS

Commission staff met with the DJJ staff to discuss the components of the current funding formula and revisions to the calculations required for the FY 99 budget. Ongoing discussions were held with DJJ staff regarding how to interpret the Maintenance of Effort (MOE) requirement and the impact which differing interpretations would have

¹ The 134 localities represented 130 plans. The following localities submitted joint plans: Goochland and Fluvanna, Fairfax County and City, Rockingham and Harrisonburg, and Charlottesville and Albemarle.

on localities' fiscal contributions. To aid in the examination of MOE, staff from the Commission and DJJ requested FY 95 child placement information from all block grant programs. This information was analyzed to track those children placed in different programs by per diem rates, source of funding, and length of stay for each individual child. Seventy-two programs with 882,547 placement days were reviewed for the analysis. Once the daily placement information was collected and analyzed, three different funding scenarios were developed to determine the appropriate MOE level for each locality.

VI. Background

During the 1993 General Assembly Session, localities presented members with requests for funding for the construction of secure detention homes for the pre-dispositional placement of juvenile offenders. These requests followed the trend of increased demand for secure detention space for juvenile offenders. Rather than continue to build facilities on a year-by-year basis with no state plan to guide the allocations process, the General Assembly directed the Commission on Youth to study statewide local access to pre-dispositional placement of juveniles in secure and non-secure facilities in the Commonwealth.

At the time of the study, Virginia shared the operational costs of pre- and post-dispositional programs with "owner" localities. An owner locality is defined as a community, either singularly or in combination with others which funds at least one-third of the programs' operational costs. There were 17 secure detention facilities, 47 non-secure residential facilities, and 16 less secure outreach programs. State funding for all the Court placements was administered by the Department of Youth and Family Services² through a block grant program. Localities not owning secure detention facilities and non-secure facilities/programs bought placements at varying amounts from the owner jurisdictions. However, during the late 1980's and early 1990's, problems began developing with non-owner jurisdictions obtaining access to secure detention beds and/or alternative less secure programs.

The Commission's study analyzed data and survey information in three areas: current usage patterns for secure and non-secure local residential facilities, projected need for local placements given prevailing lengths of stay and alternative funding and programmatic options to address identified needs for placements. The results of the study indicated that there were few non-secure pre-dispositional placement options available throughout the state and many judges felt they had only two pre-dispositional options available to them: to place the juvenile in secure confinement or to send the juvenile home.

Thus, in 1994, the General Assembly enacted the Virginia Juvenile Community Crime Control Act (VJCCCA). The Act established a statewide funding initiative which

² Agency name was changed to the Department of Juvenile Justice in 1996.

provided localities with state resources to help establish local continuums of care for juveniles brought before the Juvenile and Domestic Relations Court. The VJCCCA provided state funding for residential and non-residential placements in four areas of a locally-designed continuum of care: diversion, pre-dispositional services, first-time adjudicated offender services, and post-dispositional repeat offender services.

As envisioned, each local continuum of care is designed by a multi-disciplinary team of local personnel to respond to the needs of the Court-involved populations in their area. Local participation in the VJCCCA is voluntary and there is no local match required to receive the state funds. However, localities do have to maintain the level of support they contributed for non-secure placements prior to participation in the Act. Local funding for the initiative is determined by a funding formula which takes into account arrest rates, intake rates, placement rates and prevailing costs for services statewide. Administration of the program funds and approval of the local plans are under the purview of the Department of Juvenile Justice.

By the end of the 1997-98 biennium, localities will have received approximately \$27 million per fiscal year to establish the local continuums of care. The \$27 million represents a 142% increase from the FY 95 base level appropriations available for these services prior to the implementation of the VJCCCA.

Although the initial implementation of the VJCCCA began in January 1997 to allow localities to plan implementation of the Act, as of May 1997, 77 percent of the localities had plans approved and 8 percent had approvals pending review by the DJJ. Examples of the types of services localities established with the funds included: outreach detention, electronic monitoring, case management, in-home family counseling, education and employment services, in-patient/outpatient substance abuse treatment and intensive community supervision.

VII. Findings and Recommendations

A. TRAINING AND TECHNICAL ASSISTANCE

Both the telephone survey and the Judges' survey included questions about satisfaction with the technical assistance and training provided by DJJ.

Eighty-seven percent of the telephone survey respondents indicated that they were satisfied with DJJ's communication and decision-making with respect to the implementation of the VJCCCA. Seventy-three percent of the respondents reported satisfaction with the technical assistance and training provided by DJJ, although 70% of the localities reported not having enough guidance in evaluating programs. Approximately 50% of the respondents requested additional technical assistance and training in the areas of financial and budget management, program evaluation and model programs.

Telephone survey respondents offered the following suggestions for DJJ to improve the technical assistance and training to localities:

- One main contact person for VJCCCA questions and issues
- Improvement of the information sharing between DJJ Central Office and field
- Improvement of the coordination of program regulations among regions
- Development of a policy and procedures manual
- Enhanced consistency in DJJ policies
- Additional on-site communication to localities
- Increased involvement with local project management teams and local programs
- Provisional correspondence on VJCCCA issues to localities
- Provision of evaluation tools
- Annual training

Forty-eight percent of judges responding to the survey reported that training and technical assistance on the VJCCCA were made available by DJJ, the Office of the Supreme Court, or the Court Services Unit. However, 61% of the judges reported a need for additional training and technical assistance in the areas shown in Exhibit 1.

Exhibit 1

Additional Training Needs Identified by Judges

Area of Training	Judges Expressing Need
Innovative Programs in Use Statewide	81%
Development of the Local VJCCCA Plan	64%
Assessment of Community Needs	53%
Components of the Funding Formula	53%
Legislative Intent	34%

Source: Virginia Commission on Youth Analysis of VJCCCA Judicial Survey, Fall 1997

Sixty-five percent of the judges indicated that DJJ should provide this training, while 59% responded that the training should be provided by the Office of the Supreme Court.³

Recommendation 1

In order to support thorough local needs assessments, innovation in program development, and evaluation, the Department of Juvenile Justice should dedicate one position to the VJCCCA in each Regional Office. As the VJCCCA is the largest community initiative for Department of Juvenile Justice, it is recommended that the agency deploy existing staff to support the VJCCCA at the regional level.

³ Responses were generated by two separate questions and, therefore, do not total 100%.

Recommendation 2

The Department of Juvenile Justice should continue to sponsor an annual statewide conference to provide participating localities the opportunity to share strategies on needs assessment, program development and modification, and evaluation.

Recommendation 3

Given the diversity of experience in local program development and evaluation, the Department of Juvenile Justice should provide on-going training opportunities on the regional or multi-jurisdictional level to match the divergent skill levels of local providers. Training should address assessment, program development, and evaluation issues.

Recommendation 4

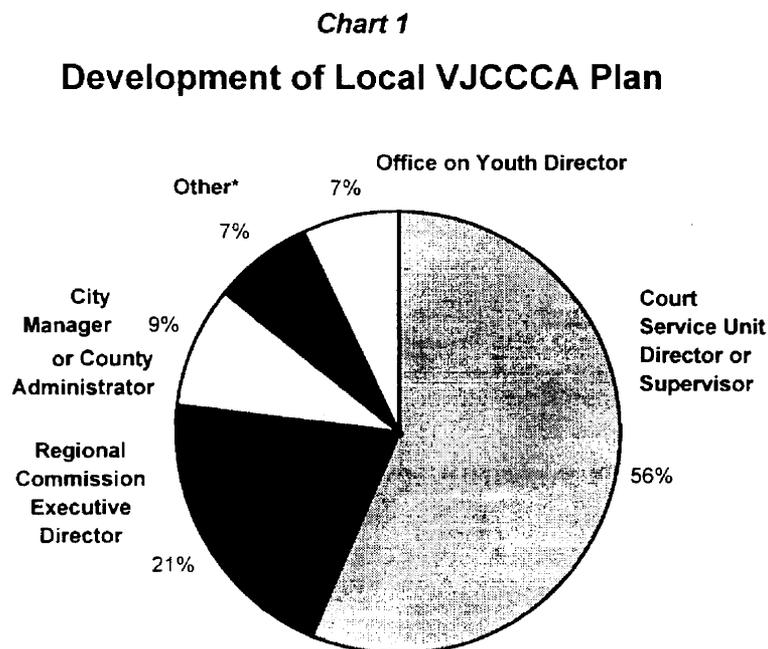
The Department of Juvenile Justice and Office of the Executive Secretary of the Supreme Court should collaborate to develop training for the Juvenile Court judges on the VJCCCA.

B. STATE LEVEL ADMINISTRATION

The telephone and Judges' surveys included questions on how the VJCCCA local plan was developed, administered and implemented in their communities.

Development of Local VJCCCA Plan

The development of the local VJCCCA plan was led by a variety of providers. The breakdown of leadership is displayed in Chart 1.



*Other includes Chair of the CPMT, Superintendent of Detention, or Director of Residential Services

Source: Virginia Commission on Youth Analysis and Graphic of Telephone Survey Responses, Fall 1997

Sixty-seven percent of the local plans were developed by an existing group versus a newly-created group. Most of the existing groups included the Community Policy and Management Team (CPMT) of the CSA or a planning and management team already in place in the locality. Representatives from the Court Service Unit and local government were participants in the majority of the local planning teams. Local government representatives on these teams included staff from the county or city administration, fiscal staff, or staff from the human service agencies. Sixteen percent of the planning teams had representatives from the private sector, although a majority of the local planning teams did not have private sector representation.

§ 16.1-309.3 of the *Code of Virginia* provides that local, community-based systems of service devised under the VJCCCA shall “be developed after consultation with the judge or judges of the juvenile and domestic relations district court and the director of the Court Service Unit.” A vast majority of the judges (83%) said that they were consulted on the development of the local VJCCCA plans. Of those judges who said that they were not consulted, 77% reported that they would have preferred to have been involved in the development of the local plan.

Local Administration

§ 16.1-309.3.B of the *Code of Virginia* provides that community-based services instituted pursuant to this article shall be administered “by a county, city, or combination thereof and may be administered through a Community Policy and Management Team (CPMT) established under § 2.1-750 or a commission established under § 16.1-315.” The majority of statewide plans were administered through cooperative efforts: 58% were administered by multi-jurisdictional structures, while 42% were administered by a single county or city. Fifty-six percent of the localities undertook regional efforts directly as a result of the VJCCCA.

Local plans are being implemented by a variety of entities. The breakdown is displayed in Chart 2.

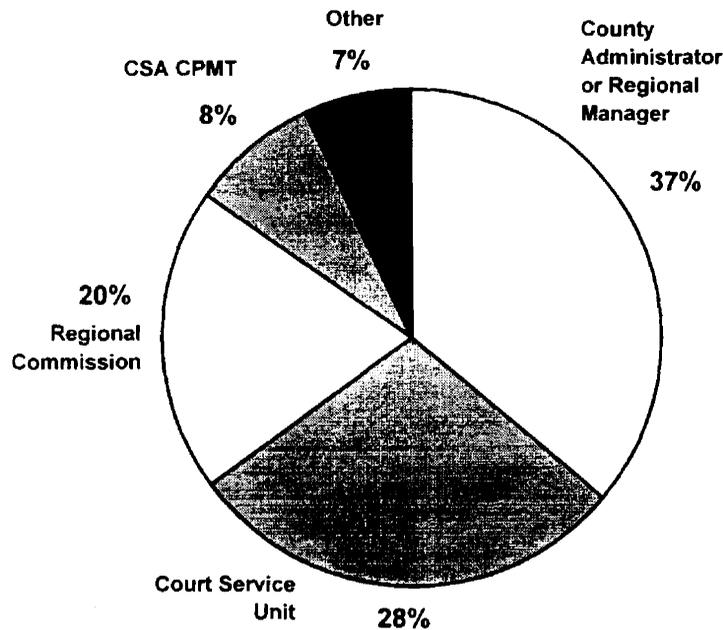
Both the telephone and judges’ surveys included questions on the local assessment of program needs and outcomes, as well as the impact of new and enhanced services and programs in the community.

Although some localities had a formal process to assess local program needs and outcomes, it was not standard practice across the Commonwealth.

All localities had an informal assessment process to determine the need for programs. This needs assessment was accomplished through discussions with Court Service Unit Directors and staff, judges, probation staff, through an analysis of Court Service Unit statistics, and through direct knowledge of caseload and community needs.

Chart 2

Implementation of Local VJCCCA Plan



Source: Virginia Commission on Youth Analysis and Graphic of Telephone Survey Responses, Fall 1997

Sixty-three percent of localities reported that there is a mechanism in place to assess outcomes. However, similar to the process of assessing program need, the process of assessing outcomes is also informal. Outcomes are assessed through: the successful completion of services; consultation with providers and consumers; consumer satisfaction surveys; and discussions with Court Service Unit staff and local public sector providers. A small number of localities conduct some statistical analyses concentrating on recidivism rates, performance measures and utilization rates.

§ 16.1-309.2 of the *Code of Virginia* provides that the VJCCCA is intended to serve juveniles before intake on status or delinquent complaints or juveniles before the Court on Child in Need of Services (CHINS), Child in Need of Supervision (CHINSup), or delinquent petitions. To ensure that VJCCCA funds are serving the targeted populations, 80% of localities screen through the Court Service Unit intake process, 6% screen through local record keeping, and 14% screen through other means to include: assessment of program by judges, oversight of the program by serving only children meeting the VJCCCA criteria, and ensuring that VJCCCA funds are used only for youth involved in Court.

Localities reported that the VJCCCA facilitates serving clients by providing an opportunity for earlier intervention, funds to serve targeted population, funds to purchase new services, quicker access to services, and resources to allow localities to serve more clients.

Ninety percent responded that they had not lost options or flexibility under the VJCCCA. Localities reported the following services to be easier to access or provide under the Act: electronic monitoring, outreach detention, in-home counseling, mentoring, intensive supervision, family preservation, Court intervention, community service programs, probationary services, CHINS and first offender programs, sex offender programs, and substance abuse/drug counseling programs. A majority reported that no services have been more difficult to provide under the VJCCCA.

Eighty-seven percent of localities reported a larger number of children have been served by the VJCCCA, while 89% responded that VJCCCA has increased service capacity. Eighty-eight percent reported that, with the implementation of VJCCCA, services can be offered earlier in the intake process. Thirty-nine percent responded that VJCCCA has resulted in a change in client population to include: first-time offenders, status offenders, youth eligible for diversion programs, and youth returning from Juvenile Correctional Centers.

Forty-six percent of localities responded that VJCCCA has resulted in unintended consequences in their community. Some localities responded that VJCCCA resulted in increased fiscal and budgetary oversight, increased compliance reporting to DJJ, and additional administrative requirements. However, many localities responded that VJCCCA had resulted in positive consequences to include: more alternatives to detention, increased funding to provide services, an increase in the quality of services provided, and better working relationships within and outside of the community.

Seventy percent of localities responded that VJCCCA has improved services, communication and cooperation between human service providers in their communities.

Given that VJCCCA was an outgrowth of a study of detention home overcrowding, the Act's effect on detention rates is of paramount importance. Sixty-three percent of judges responded that the Act has resulted in less reliance on the use of secure detention in their Court. Also, 89% of judges responded that VJCCCA has provided the Court with a greater variety of dispositional options and 89% of judges responded that the Act has resulted in more youth receiving services in the community.

Seventy-six percent of judges responded that they would like additional programs/services in their VJCCCA-funded continuum of services to include:

- Individual and family treatment and counseling
- Day treatment or day reporting programs
- Mentoring programs
- Expanded truancy programs
- Substance abuse treatment services
- Educational tutoring
- Residential treatment programs
- Outreach detention
- Job and career development
- CHINS programs

According to respondents, these programs/services were not included in their localities' current VJCCCA plans due to insufficient funding.

§ 16.1-309.2 of the *Code of Virginia* states that the VJCCCA be "interpreted and construed to accomplish" six purposes. Two-thirds of the judges report that the Act is achieving the purposes set forth in the *Code*. Their specific responses are reflected in Exhibit 2.

Exhibit 2

Compliance with Purposes and Intent of the VJCCCA

Purpose	Level of Judicial Satisfaction
1. Promote an adequate level of services to be available to every Juvenile and Domestic Relations District Court Judge	68%
2. Ensure local autonomy and flexibility in addressing juvenile crime	84%
3. Encourage a public and private partnership in the design and delivery of services for juveniles who come before intake on a complaint or the Court on a petition alleging a child is in need of services, in need of supervision or delinquent	67%
4. Emphasize parental responsibility and provide community-based services for juveniles and their families which hold them accountable for their behavior	79%
5. Establish a locally driven statewide planning process for the allocation of state resources	66%
6. Promote the development of an adequate service capability for juveniles before intake on a complaint or the Court on petitions alleging status or delinquent offenses	70%

Source: Virginia Commission on Youth Analysis and Graphic of the VJCCCA Judicial Survey, Fall 1997.

The reasons given most often for the purposes not being accomplished included: localities just getting programs in place and fully operational, lack of private vendors in community, and more experience needed.

Relationship to the Comprehensive Services Act (CSA)

The Comprehensive Services Act for At-Risk Youth and Families (CSA), enacted during the 1993 General Assembly Session and effective July 1, 1993, targets two populations: 1) *emotionally or behaviorally disturbed children who are either in or at risk of going into residential placement, and their families; and 2) children who, because of environmental, physical, or psychological stressors, are at risk to become severely emotional or behaviorally disturbed, and their families.*⁴

⁴ *Comprehensive Services Act for At-Risk Youth and Families: A Report to the Governor and General Assembly*, December 1992, p. 10.

Included in this broad population of eligible youth and families is a narrower target population which includes those children who are the subject of sum-sufficient mandates:

- Children placed for purposes of special education in approved private school educational programs, previously funded by the Department of Education through private tuition assistance;
- Handicapped children placed by local social services agencies or the Department of Youth and Family Services⁵ in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities, previously funded by the DOE through the Interagency Assistance Fund Noneducational Placements of Handicapped Children; and
- Children for whom foster care services...are being provided to prevent foster care placements and children entrusted to local social services agencies by their parents or guardians or committed to the agencies by any court of competent jurisdiction for purposes of placement in suitable family homes, child-caring institutions, residential facilities or independent living arrangements...and

Those youths involved in the juvenile justice system—to eventually become known as the non-mandated population—would be children who were:

- Placed by a Juvenile and Domestic Relations District Court, in accordance with the provisions of § 16.1-286 of the Code in a private or locally-operated public facility or nonresidential program; and
- Committed to the Department of Youth and Family Services⁶ and placed by it in a private home or in a public or private facility in accordance with § 63.14 of the Code.⁷

Providing services for non-mandated youth has been problematic in the past, as limited funding has been provided to localities to serve this population. Twenty-eight percent of localities responded that the VJCCCA has impacted services for the CSA non-mandated population by enabling non-mandated youth to receive services, providing Courts more flexibility and funds, and providing early intervention services.

When localities were asked if the CSA's non-mandated funding should be combined into the VJCCCA, 45% of localities responded that CSA non-mandated funds should be incorporated into the VJCCCA. Their rationale was that Court clients have not been served or protected under CSA and this merger would provide localities with more money to serve non-mandated youth. When this same question was presented to judges in their written survey, 30% responded that the CSA non-mandated funding should be combined into CSA for the same reasons as mentioned above. However, a majority was not represented in either case.

§ 16.1-309.2 of the *Code* provides that “funds to implement the provisions of this article shall not be used to supplant funds established in § 2.1-757 as the state pool of funds.” Localities ensure compliance with this provision by maintaining separate

⁵ Agency name was changed to the Department of Juvenile Justice in 1996.

⁶ Agency name was changed to the Department of Juvenile Justice in 1996.

⁷ *Comprehensive Services Act for At-Risk Youth and Families*, p. 12-13.

accounting systems for the VJCCCA and CSA funding. In addition, all localities responded that there is no programmatic or fiscal relationship between the VJCCCA and CSA. However, the following situations exist in some localities: the CPMT is responsible for administering VJCCCA programs; people involved in the VJCCCA may sit on the CPMT team; or the CPMT and VJCCCA are the same decision-making group.

Local Recommendations

Respondents to the telephone survey provided recommendations in the following areas to improve the VJCCCA:

Training and Technical Assistance	Budget Development Program Evaluation Best Practice Models
Funding	Maintain or increase level funding Increase flexibility for transferring money Allow carry forward of funds across biennia Create a funding floor Review formula components Provide administrative funds
Comprehensive Services Act	Clarify the relationship between CSA and the VJCCCA Examine the appropriateness of CPMT in the VJCCCA process
General Policy	Clarification of the VJCCCA's intent Greater support for local flexibility to implement programs and services Enhance local governments' knowledge and support of the VJCCCA Funding set-asides for new programs

Source: Virginia Commission on Youth Analysis and Graphic of the VJCCCA Telephone Survey, Fall 1997.

Local Fiscal Administration

The surveys provided that in 42% of the localities the County or City Manager was responsible for the fiscal administration of the VJCCCA, followed by the local fiscal or budget office in 26% of the localities. In 32% of the localities other individuals were responsible for this effort, including the Regional Commission Director or staff, Office on Youth Director or staff, or the Court Service Unit Supervisor.

The surveys also provided that in 31% of the localities the County or City Manager was responsible for the financial reporting of the VJCCCA, followed by the Court Service Unit Director or Supervisor in 30% of the localities. In 19% of the localities, financial reporting for the VJCCCA fell to the local Fiscal or Budget Office. In 20% of the localities, other individuals responsible for this effort included: Regional Commission Director or staff, Parks and Recreation Supervisor, or Fiscal Manager of Juvenile Court.

A majority of the localities, or 53%, indicated that responsibilities for auditing VJCCCA monies fell to the local Fiscal or Budget Office, 34% employed an outside Certified Public Accountant (CPA) and 13% used other individuals, such as the Court Service Unit Supervisor or Regional Commission staff.

A majority of the localities—86%—reported that those responsible for fiscal administration, financial reporting and auditing, were involved in the process to develop the local VJCCCA plan.

Procurement of services and programs varies statewide. A majority of the localities, or 56%, provide a combination of existing public and new private sector services. Twenty-two percent of the localities provide solely public services themselves, while 20% contract solely with private providers.

§ 16.1-309.3.D of the *Code of Virginia* provides that “prior to the initiation of any new services, the [local] plan shall also include a cost comparison for the private operation of such services.” One-half of the localities conducted a cost comparison through various measures to include a formal RFP process, verbal discussions with private providers, or by utilizing the CSA service fee directory. Many of the localities that did not conduct cost comparisons responded that private providers were not available in their communities to make the comparison.

During the initial year of the program, 1996, 41% of localities returned VJCCCA funds. Of those, 75% reported that they were unable to spend the money prior to fiscal year end, because they were unable to have the programs fully operational before year end.

Recommendation 5

The Department of Juvenile Justice should elevate the position of the VJCCCA Coordinator to report directly to the Deputy Director of Programs. The VJCCCA Coordinator should be explicitly tasked with the responsibility of VJCCCA policy development and facilitation of communication to field to ensure consistent interpretation of the Act throughout the state.

Recommendation 6

The Department of Juvenile Justice should develop an Ad Hoc Advisory Committee comprised of local providers, local government officials and members of the Department of Juvenile Justice Board to provide policy oversight and direction to the VJCCCA.

Recommendation 7

To insure that accurate and timely data is collected from localities which address fiscal as well as program evaluation issues, a position within the data management unit should be solely devoted to the VJCCCA program.

Recommendation 8

The Department of Juvenile Justice should annually present at the Virginia Municipal League and Virginia Association of Counties conference to heighten

the awareness of local government officials on the progress and status of the VJCCCA.

Local Fiscal Administration

As Table 2 illustrates, since FY 95, the amount of State funding for juvenile justice programs funded by the VJCCCA has increased 140%, from \$11.1 million to \$26.7 million. The formula has five components: pre-dispositional placements, post-dispositional placements, community diversion placements, first-time offender placements, and a hold harmless clause. These components are summed and localities receive the total dollar amount to develop a continuum of services. Allocation of funds to localities are determined by a funding formula. The funding formula is based on several indices:

- local arrests,
- "minimum level of services in each locality",
- average statewide lengths of stay,
- residential and non-residential placements,
- average statewide daily costs.
- Juvenile Court intake complaints,
- Court district diversion rates, and
- first offender adjudications.

A detailed description of the funding formula can be found in Appendix E.

Table 2

VJCCCA Funding History

FY 95	\$11,119,668 Block Grant
FY 96	\$14,140,323 VJCCCA
FY 97	\$21,864,845 VJCCCA
FY 98	\$26,696,726 VJCCCA

Source: *House Document 30, 1995-1997*

Although there is no local match rate to receive the VJCCCA funds, §16.1-309.6 requires localities to contribute a local MOE amount in order to receive the state funds. The intent of the MOE requirement is to insure that communities continue their local financial commitment to juvenile justice programs despite an increase in the receipt of state funds. MOE is to be an amount equal to local expenditures in pre- and post-dispositional block grant alternatives to detention during FY 95. Total local MOE contributions for FY 97/98 were calculated to total \$11.5 million and constitute 30% of the statewide program costs.

A review of the FY 97/98 local plans raised concerns regarding the degree to which localities were contributing the appropriate MOE. Thirty-nine percent (50 of 127) of the local plans listed \$0 as their MOE. However, a preliminary examination of daily local placements in block grant programs for FY 95 found that only 14% (18) should

have a \$0 MOE. Therefore, it was decided by the Evaluation team that a more thorough examination of MOE was needed.

Initially, the telephone surveys were to be used to determine how each locality's MOE was calculated. However, the phone surveys did not yield useable information due to the lack of the participants' knowledge about how their MOE was determined. Ten percent of the localities did not know the amount of MOE on their plan and 34% reported an amount that was different from their required MOE. Therefore, to accurately determine local MOE, each block grant program was surveyed to determine the number and costs of each locality's placements during FY 95. The local block grant programs were supplied with the names of clients and dates of service for each placement in FY 95. Programs were then asked to supply the referral source and the per day cost for each placement. (Cost per day is called a child care day—CCD—for DJJ accounting purposes.) The referral sources identified Court Service Units, CSA teams, Community Services Boards, local education authorities, and self/family referrals. The local share of the CCD costs were then calculated using FY 95 DJJ program expenditure data and CSA local share data. Information was received from 97% of the block grant programs (72 of 74). Two Arlington County non-residential programs failed to provide the requested information.

Recommendation 9

The *Code of Virginia* should be amended to clarify that local fiscal reporting is the responsibility of the local financial officer.

Recommendation 10

The Department of Juvenile Justice should encourage localities to have independent audits to review their VJCCCA allocations and expenditures.

State Fiscal Issues

Findings and Funding Scenarios

Analysis of the FY 95 block grant program data revealed that the majority of the placement days were in referred by the juvenile Courts however, there was at least some CSA referrals in half of the localities. The findings include the following:

- 15% of the localities did not have a placement;
- 83% of the 882,547 CCD placements were for Juvenile Court/CSU referrals;
- 11% of the CCD placements were CSA referrals;
- 7% of the CCD placements were "other" referrals (self/parent, education, etc.);
- 7% of the localities had only CSA referred CCD placements;
- 56% of the localities had at least one CSA referred placement day;
- 15% of the localities had more CSA referred placement days than Juvenile Court/CSU referred placement days; and
- Approximately 33% of the statewide CSA referred placement days were in Albemarle/Charlottesville.

Using the three scenarios, the data was analyzed to identify the different fiscal impact of varying definitions of MOE, as shown in Table 3.

Table 3

	Scenario 1	Scenario 2	Scenario 3
<i>Defined local MOE to include the local share of...</i>	<i>All CCD placements in FY 95 (Court, CSA, & Other)</i>	<i>All non-CSA CCD placements in FY 95 (Court and Other only)</i>	<i>Only Court/CSU-referred CCD placements FY 95</i>

As Table 4 illustrates, MOE for the majority of localities either stays the same or decreases when using any of the three funding scenarios. However, under each of the scenarios, 82%-83% of the statewide savings are in the 12 or 13 localities that each save \$100,000 or more. Scenario 1 reflects the current statutory requirements of the VJCCCA and would have the greatest negative impact on the required local MOE. Under this scenario, 40% of the local plans would have to have an increased local contribution towards MOE and statewide localities would have to pay \$661,136. On the other hand, Scenario 2 or 3 would require only a third of the localities to pay additional amounts toward MOE. Additionally, Scenario 2 does not require localities to include CSA referrals toward their MOE due to the fact that they have already made a local match to get their state CSA funds that made the placement.

Table 4

Impact	Scenario 1	Scenario 2	Scenario 3
Localities with higher MOE	52 \$661,136	42 \$604,866	39 \$426,775
Localities with lower MOE	58 \$3,966,192	60 \$4,389,144	60 \$4,891,255
Localities with same MOE	20	28	31

Source: Virginia Commission on Youth Graphic and Analysis of Block Grant Program Child Care Day (CCD) data for FY 95, December 1997

Additional Funding Issues

Several additional statewide funding issues were analyzed by the Evaluation team for legislative consideration. First, the VJCCCA language requires that the formula be recalculated for each biennia using up-to-date data. The VJCCCA funding formula is scheduled to be recalculated for the 99-2000 biennia. Using FY 96 arrest and cost data, the VJCCCA formula appropriations will increase 5.3% to \$28,106,842. However, 49% (66) localities are scheduled to receive less funds in FY 99 with this recalculation. If a hold harmless clause was included to keep all localities at a FY 98 minimum level of funding, an additional \$1,410,116 would be needed.

A second funding issue concerns the establishment of a floor for annual funds to localities under the VJCCCA. Two scenarios for a funding floor were developed for legislative consideration. The first scenario would set a minimum of \$15,000 per

locality. This scenario would impact 13 localities and require \$66,777 in additional funds. The second scenario would set the minimum level of funds at the average allocation level for the lowest quartile of localities. Thus, under this scenario, 16 localities would receive the minimum of \$18,722, for a total cost of \$121,983.

A final funding issue for legislative consideration is the removal of the \$250,000 cap on the first offender services component of the funding formula. This is the only component of the formula to have a cap and it will affect six localities in FY 99/2000. If the cap is removed, an additional \$1,752,076 will be needed.

Recommendation 11

Maintenance of Effort should be calculated based on all non-Comprehensive Services Act placements to Block Grant programs and services for 1995. Amendments to the Code and the Budget bill should be drafted to clarify this intent. However, the General Assembly may want to consider the imposition of two different types of Maintenance of Effort based on program ownership.

Recommendation 12

Because the Maintenance of Effort will require 42 localities to increase their share, these localities should be given two years to phase in their new Maintenance of Effort level.

Recommendation 13

A funding floor should be established for the smaller localities based on the mid-range allocation to the lowest quartile of funding and recalculated by the Department of Juvenile Justice on a biennium basis. Current mid-range allocation is \$18,722.

Recommendation 14

The ceiling for localities should be increased in \$50,000 increments on a annual basis until all localities receive the funding to which they are entitled, based on the formula.

VIII. Acknowledgments

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Judge Nelson T. Durden, President

Henrico County

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§ 16.1-309.2

Purpose and intent

The General Assembly, to ensure the imposition of appropriate and just sanctions and to make the most efficient use of correctional resources for those juveniles before intake on complaints or the court on petitions alleging that the juvenile is a child in need of services, child in need of supervision, or delinquent, has determined that it is in the best interest of the Commonwealth to establish a community-based system of progressive intensive sanctions and services that correspond to the severity of offense and treatment needs. The purpose of this system shall be to deter crime by providing immediate, effective punishment that emphasizes accountability of the juvenile offender for his actions as well as reduces the pattern of repeat offending. In furtherance of this purpose, counties, cities or combinations thereof are encouraged to develop, implement, operate and evaluate programs and services responsive to their specific juvenile offender needs and juvenile crime trends.

This article shall be interpreted and construed to accomplish the following purposes:

1. Promote an adequate level of services to be available to every juvenile and domestic relations district court.
2. Ensure local autonomy and flexibility in addressing juvenile crime.
3. Encourage a public and private partnership in the design and delivery of services for juveniles who come before intake on a complaint or the court on a petition alleging a child is in need of services, in need of supervision or delinquent.
4. Emphasize parental responsibility and provide community-based services for juveniles and their families which hold them accountable for their behavior.
5. Establish a locally driven statewide planning process for the allocation of state resources.
6. Promote the development of an adequate service capacity for juveniles before intake on a complaint or the court on petitions alleging status or delinquent offenses.

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VIRGINIA COMMISSION ON YOUTH

TELEPHONE SURVEY OF LOCALITIES ON THE IMPLEMENTATION OF THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT (VJCCCA)

Item 10(B) of the 1997 Appropriations Act provides that, "the Commission on Youth, with assistance from the Department of Planning and Budget, shall evaluate the administration and efficacy of the Virginia Juvenile Community Crime Control Act. The Commission shall present a preliminary report of its evaluation to the 1998 General Assembly." As part of this evaluation, the Commission on Youth will be conducting telephone surveys of all localities to gain a better understanding of the local fiscal issues and user satisfaction ratings related to the VJCCCA.

This survey is designed to provide the Commission on Youth with information of how the VJCCCA is being implemented in your locality. It includes questions on the following areas:

- New and Existing Programs Funded through VJCCCA
- User Satisfaction
- Statewide Technical Assistance and Training
- Implementation and Evaluation of Program
- Financial Reporting Systems
- Calculation of Maintenance of Effort
- Local Tracking of Expenditures

SECTION 1: Program Questions **New and Existing Programs Funded through VJCCCA**

1. How is your locality administering the VJCCCA?

[§16.1-309.3.B. of the Code of Virginia provides that community-based services instituted pursuant to this article shall be administered by a county, city or combination thereof, and may be administered through a community policy and management team established under §2.1-750 or a commission established under §16.1-315. Such programs and services may be provided by qualified public or private agencies, pursuant to appropriate contracts.]

2. Have you undertaken any regional efforts as a result of VJCCCA? If you are part of a multi-jurisdictional effort, who makes funding decisions?

Describe your local VJCCCA planning process:

3. Who leads your planning group?
4. Who else participates?
5. Is the private sector actively involved?
6. Was this a new or an existing group?
7. How do you assess needs and existing services?
8. Is there a mechanism in place for assessing outcomes?

9. The VJCCCA was intended to serve juveniles before intake on status or delinquent complaints or juveniles before the court on child in need of services, child in need of supervision or delinquent petitions. (§16.1-309.2) How does your locality ensure that it is serving this target population?
10. In what ways does the VJCCCA program facilitate serving clients? What services are easier to access or provide under VJCCCA? What services are more difficult to access or provide under VJCCCA?
11. Has VJCCCA resulted in any unintended consequences in your locality?
12. Have you lost any options or flexibility for serving youth under VJCCCA?

**SECTION 2: User Satisfaction Questions
Statewide Technical Assistance Training**

13. Have you been satisfied with the communication and decision making by the Department of Juvenile Justice (DJJ)?
14. Have you been satisfied with the level of technical assistance and training provided by DJJ?
15. Do you need more technical assistance?
16. What areas would you like additional technical assistance and training on?
17. How can DJJ improve the technical assistance provided?

**SECTION 3:
Implementation and Evaluation of VJCCCA**

18. How are you gauging whether the program or services are meeting the needs of the community, the needs of the Court Service Unit and the needs of the judges, and as outlined in the Act?
19. Does VJCCCA make a difference in number of children served? Has the service capacity at your community level increased? Has client population changed under VJCCCA?
20. Has VJCCCA made a difference in when you are able to offer services?
21. Are you receiving enough guidance in evaluating VJCCCA programs and services?
22. Overall, what are your concerns with the implementation of VJCCCA?

SECTION 4: Fiscal Questions
Local Tracking of Expenditures/Financial Reporting Systems

- 23. Who does fiscal administration, financial reporting and auditing in your locality? Were they involved in the process to develop the local VJCCCA plan?
- 24. How is your locality currently procuring services under the VJCCCA?
- 25. Has your locality developed and evaluated a comparative cost analysis of private versus public sector financing? How did you conduct the comparison?
- 26. Did your locality return VJCCCA funding in FY 96 and if so, why?
- 27. VJCCCA legislation provides that funds to implement the provisions of this article shall not be used to supplant funds established as the state pool of funds in §2.1-757. How has your locality complied with this provision?

SECTION 5:
Calculation of Maintenance of Effort (MOE)

- 28. How much and from what source did your locality spend in FY 95 for block grant services and programs?

Description of Local Funding Source (excluding secure detention)	Actual FY 95 Expenditures	Was this amount included in the MOE?
Local line item budget appropriation for block grant programs and services		
Contract dollars for block grant programs and services		
Per diem reimbursement for block grant programs and services		
Unexpended local block grant carryforwards from FY 94		
Local administrative or other indirect costs		
CSA local mandated match funding		
CSA local non-mandated match funding		
Local match for federal grant funding		
Other local funding:		
Total		

NOTE: Comprehensive Services Act (CSA)

29. Prior to FY 95, did you locality own a block grant program (excluding secure detention)?
30. How did you set the per diem rates for non participating localities? Did they vary from one locality to another?
31. In FY 95, what were your per diem rate(s)?
32. Do you currently charge a per diem rate for programs operated out of VJCCCA funds?
33. How was the current per diem rate established? Does it vary?
34. Prior to FY 95, was your locality a participating locality in a block grant program (excluding secure detention)?
35. How did you set the per diem rates for non participating localities? Did they vary from one locality to another?
36. In FY 95, what were your per diem rate(s)?
37. Do you currently charge a per diem rate for programs operated out of VJCCCA funds?
38. How was the current per diem rate established?
39. How are expenditures currently being captured, e.g., by child, by service, by program?

SECTION 6: Other Questions

40. What is the programmatic and fiscal relationship between VJCCCA and CSA in your community?
41. Has the VJCCCA impacted the services to the CSA non-mandated population? If so, how? In your opinion, should the CSA non-mandated funding be combined into VJCCCA?
42. How does your locality decide whether to use CSA or VJCCCA funding to serve youth? Is this a formal process?
43. Has VJCCCA Act improved services, communication, and cooperation between human services providers in the community?
44. What recommendations to improve VJCCCA do you have?
45. Are there any other questions or issues that you suggest we look at during our evaluation?

Virginia Commission on Youth Suite 517B, General Assembly Building 910 Capitol Street Richmond, Virginia 23219



VIRGINIA COMMISSION ON YOUTH

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT JUDGES' SURVEY ON THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT (VJCCCA)

Please return the survey by **October 1, 1997**. If you have any questions, contact Kim Echelberger at (804) 371-2481. The General Assembly of Virginia and the Virginia Commission on Youth thank you for your assistance in this important study effort.

SECTION 1: LOCAL VJCCCA PLAN AND PROGRAMS

1. The Code of Virginia in §16.1-309.2 states that the VJCCCA be "interpreted and construed to accomplish" the six purposes listed below. Please check the purposes you think the Act is accomplishing in your locality.

- (1) Promote an adequate level of services to be available to every juvenile and domestic relations district court.
- (2) Ensure local autonomy and flexibility in addressing juvenile crime.
- (3) Encourage a public and private partnership in the design and delivery of services for juveniles who come before intake on a complaint or the court on a petition alleging a child is in need of services, in need of supervision or delinquent.
- (4) Emphasize parental responsibility and provide community-based services for juveniles and their families which hold them accountable for their behavior.
- (5) Establish a locally driven statewide planning process for the allocation of state resources.
- (6) Promote the development of an adequate service capability for juveniles before intake on a complaint or the court on petitions alleging status or delinquent offenses.

1A. Why do you think the purpose(s) you excluded above are **not** being accomplished in the locality(s) in your court district? *(Please explain.)*

2. Has the VJCCCA provided the court with a greater variety of dispositional options? *(Please check one.)*

- Yes No

3. Are there additional programs/services that you would like in your VJCCCA funded continuum of services? *(Please check one.)*

- Yes *(If YES, proceed to questions 3A and 3B.)*
- No *(If NO, proceed to question 4.)*

3A. If YES, which type of programs/services would you like to see funded by VJCCCA? *(Please explain.)*

3B. Why were these programs/services not included in the current VJCCCA plan? *(Please explain.)*

4. Has the VJCCCA resulted in more youth receiving services in your community? *(Please check one.)*

Yes No

4A. Has the VJCCCA resulted in your relying less on the use of secure detention in your court? *(Please check one.)*

Yes No

5. Should "non-mandated" funds from the Comprehensive Services Act be included in the funding structure and local plans for the VJCCCA?

Yes *(If YES, proceed to questions 5A.)*

No *(If NO, proceed to question 5B.)*

5A. If YES, why should these funds be combined? *(Please explain.)*

5B. If NO, why shouldn't these funds be combined? *(Please explain.)*

SECTION 2: VJCCCA ADMINISTRATION AND TECHNICAL ASSISTANCE

6. The *Code of Virginia* in §16.1-309.3 states that local community based systems of service devised under the VJCCCA shall "be developed after consultation with the judge or judges of the juvenile and domestic relations district court and the director of the court service unit." Were you consulted in such a manner for the local plans in your district? *(Please check one.)*

Yes *(If YES, proceed to question 7.)*

No *(If NO, proceed to questions 6A and 6B.)*

6A. If NO, why were you not consulted on the development of the local plan(s)? *(Please explain.)*

6B. If NO, would you have preferred to have been consulted on the development of the local plan(s)? *(Please check one.)*

Yes No

7. Was training and technical assistance on the VJCCCA made available to you? *(Please check one.)*

Yes *(If YES, proceed to question 7A.)*

No *(If NO, proceed to question 8.)*

7A. If YES, which agency(s) provided such assistance?

8. Do you think additional training on the VJCCCA and your local plan is needed? *(Please check one.)*

Yes *(If YES, proceed to question 8A and 8B.)*

No

8A. If YES, in which areas would you like to receive additional training/technical assistance?

(Check all that apply.)

Development of Local Plan

Components of Funding Formula

Innovative Programs in Use Statewide

Legislative Intent

Assessing Community Needs

Other *(Please explain.)*

8B. If YES, who should provide the training? *(Check all that apply.)*

Office of the Supreme Court

Department of Juvenile Justice

Other agencies *(please explain).*

Please attach additional comments or concerns on any issues related to the Virginia Juvenile Community Crime Control Act which you feel warrant legislative attention but have not been addressed in this survey.

PLEASE RETURN THE COMPLETED SURVEY BY OCTOBER 1, 1997 TO:

Kim Echelberger, Legislative Research Analyst
Virginia Commission on Youth
Suite 517B, General Assembly Building
910 Capitol Street
Richmond, Virginia 23219
FAX 804-371-0574

VJCCCA Funding Formula

◆ Pre-Dispositional Alternatives

1. Total Number of Pre-Dispositional Alternative Arrests:

Step 1: 33% Part I Property Arrests + 33% Drug arrests + 100% of Remaining Part II Arrests = Eligible Local Arrests

Step 2: Total Eligible Arrests for Top 10 Localities for Pre-Dispositional Placements / Total Number of Pre-Dispositional Alternative Placements for FY 1993 = Applied Ratio of Arrests to Placements

Step 3: Applied Ratio of Arrests to Placements x Eligible Local Arrests = Eligible Arrests for Pre-Dispositional Alternatives

2. Days Needed for Residential vs. Non-Residential Placements:

Step 1: Eligible Arrests for Pre-Dispositional Alternatives x Statewide Percentage of Residential Pre-Dispositional Placements = Arrests for Residential Placement

Step 2: Eligible Arrests for Pre-Dispositional Alternatives x Statewide Percentage of Non-Residential Pre-Dispositional Placements = Arrests for Non-Residential Placement

Step 3: Arrests for Residential Placement x Average Statewide Length of Stay for Pre-Dispositional Residential Placement = Pre-Dispositional Residential Days

Step 4: Arrests for Non-Residential Placement x Average Statewide Length of Stay for Pre-Dispositional Non-Residential Placement = Pre-Dispositional Non-Residential Days

3. Total Cost for Pre-Dispositional Alternatives:

Step 1: Pre-Dispositional Residential Days x Average Statewide Cost Per Residential Day = Total Residential Cost

Step 2: Pre-Dispositional Non-Residential Days x Average Statewide Cost Per Non-Residential Day = Total Non-Residential Cost

Step 3: Total Residential Cost + Total Non-Residential Cost = Total Cost

4. State Share of Pre-Dispositional Cost:

Total Cost x 75% = State Cost

5. Hold Harmless Provision:

Step 1: (Number of Days in Each Program by Each Locality x Average Cost per Day for Each Program) x Average State Share of Daily Costs for Each Program = State Funds Expended on Behalf of Locality for FY 1993 Pre-Dispositional Alternatives

Step 2: State Share of Proposed Pre-Dispositional Cost - State Funds Expended on Behalf of Locality for FY 1993 Pre-Dispositional Placements = Hold Harmless Amount

◆ Post-Dispositional Alternatives

1. Total Number of Post-Dispositional Alternative Arrests:

Step 1: Total Eligible Arrests for Top 10 Localities for Post-Dispositional Placements/
Total Number of Post-Dispositional Alternative Placements for FY 1993 =
Applied Ratio of Arrests to Placements

Step 2: Applied Ratio of Arrests to Placements x Total Local Arrests = Eligible Arrests
for Post-Dispositional Alternatives

2. Days Needed for Residential vs. Non-Residential Placements:

Step 1: Eligible Arrests for Post-Dispositional Alternatives x 50% = Arrests for
Residential Placement

Step 2: Eligible Arrests for Post-Dispositional Alternatives x 50% = Arrests for Non-
Residential Placement

Step 3: Arrests for Residential Placement x Average Statewide Length of Stay for
Post-Dispositional Residential Placement = Post-Dispositional Residential
Days

Step 4: Arrests for Non-Residential Placement x Average Statewide Length of Stay
for Post-Dispositional Non-Residential Placement = Post-Dispositional Non-
Residential Days

3. Total Cost for Post-Dispositional Alternatives:

Step 1: Post-Dispositional Residential Days x Average Statewide Cost Per
Post-Dispositional Residential Day = Total Residential Cost

Step 2: Post-Dispositional Non-Residential Days x Average Statewide Cost Per
Post-Dispositional Non-Residential Day = Total Non-Residential Cost

Step 3: Total Residential Cost + Total Non-Residential Cost = Total Cost

4. State Share of Post-Dispositional Cost:

Total Cost x 50% = State Cost

5. Hold Harmless Provision:

Step 1: (Number of Days in Each Program by Each Locality x Average Cost per Day
for Each Program) x Average State Share of Daily Costs for Each Program =
State Funds Expended on Behalf of Locality for FY 1993 Post-Dispositional
Alternatives

Step 2: State Share of Proposed Post-Dispositional Cost - State Funds Expended
on Behalf of Locality for FY 1993 Post-Dispositional Placements = Hold
Harmless Amount

◆ **Community Diversion**

1. Eligible Intakes for Community Diversion Services:

Step 1: Total Fiscal Year Juvenile Court Status Offense Complaints x the statewide percent of Status Offenders Diverted at Intake (46%) = Eligible Status Complaints

Step 2: Eligible Status Complaints / Statewide Average Number of Complaints Per Intake (1.208) = Eligible Intakes for Community Diversion Services

2. Community Diversion Services Placement Days:

Eligible Intakes for Community Diversion Services x Average Statewide Length of Stay for Pre-dispositional Non-residential placements = Community Diversion Services Placement Days

3. Total Cost for Community Diversion Services Placements:

Community Diversion Services Placement Days x Average Cost per Predispositional Block Grant Program Nonresidential Day = Total Cost for Community Diversion Placements

4. State Share of Community Diversion Services Cost:

Total Cost x 50% = State Cost

◆ **First Offender Services**

1. Eligible Intake Complaints:

Step 1: Fiscal Year Juvenile Court Delinquent Complaints + Fiscal Year Miscellaneous Criminal Complaints = Total Eligible Complaints

Step 2: Total Eligible Complaints / Statewide Average Number of Complaints Per Intake (1.208) = Eligible Intakes Complaints for First Offender Services

2. Intakes for First Offender Services:

Step 1: Eligible Intake Complaints for First Offender Services - the Statewide Percent of Delinquent Complaints Resolved at Intake (37%) = Non-Resolved Intakes

Step 2: Non Resolved Intakes x Percentage of Intakes Adjudicated First Offenders in each Juvenile and Domestic Relations District Court = Intakes for First Offender Services.

Step 3: Percentage of Intakes Adjudicated First Offenders in Juvenile and Domestic Relations District Court means:

<u>District Number</u>	<u>Percentage</u>
1	40.00
2	40.83
2A	58.75
3	32.10
4	35.83
5	60.00
6	52.50
7	25.00
8	16.46
9	30.00
10	45.00
11	40.00
12	19.17
13	35.00
14	21.25
15	37.50
16	23.75
17	60.00
18	27.50
19	44.17
20	48.75
20L	66.25
21	16.25
22	21.25
23	48.75
23A	42.50
24	35.00
25	31.25
26	55.00
27	21.25
28	30.00
29	42.50
30	36.25
31	48.33

First Offender Services (cont.)

3. Eligible First Offender Placements:

Step 1: Intakes for First Offender Services x the Statewide Percentage of First Time Delinquent Offenders Placed on Probation/Supervision (44%) = First Offenders Receiving Court Supervision

Step 2: Intakes for First Offender Services - First Offenders Receiving Court Supervision = Eligible First Offender Placements

4. First Offender Services Placement Days:

Eligible First Offender Placements x Average Statewide Length of Stay for Post-dispositional Non-residential placements = First Offender Services Placement Days

5. Total Cost for First Offender Placements:

First Offender Services Placement Days x Average Statewide Cost per Post-dispositional Block Grant Program Non-residential Day = Total Cost for First Offender Placements

6. State Share of Community Diversion Services Cost:

Step 1: Total Cost x 50% = State Cost

Step 2: No locality receive more than \$250,000 in State aid during each fiscal for this component of the funding formula.

Bibliography

Comprehensive Services Act for At Risk Youth and Families: A Report to the Governor and General Assembly, December 1992.

