Schedule 13
Change Request for FY 08-09 Budget Request Cycle
Governor Ritter's FY 2008-09 Recidivism Reduction Package

Decision Item FY 08-09 ☑ Base Reduction Item FY 08-09 ☐ Supplemental FY 07-08 ☐ Budget Request Amendment FY 08-09 ☐

Request Title: Senate Bill 91-94 Evidence Based Practice Funding

Department: Human Services **Dept. Approval by:** Reynold Jeffers **Date:** 10/17/07

Priority Number: 3A **OSPB Approval:** **Date:** 10/22/07 for 11/1/07

	Fund	1 Prior-Year Actual FY 06-07	2 Appropriation FY 07-08	3 Supplemental Request FY 07-08	4 Total Revised Request FY 07-08	5 Base Request FY 08-09	6 Decision/ Base Reduction FY 08-09	7 November 1 Request FY 08-09	8 Budget Amendment FY 08-09	9 Total Revised Request FY 08-09	10 Change from Base (Column 5) FY 09-10
Total of All Line Items	Total	10,407,696	12,463,139	0	12,463,139	12,434,585	666,308	13,100,893	0	13,100,893	666,308
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	10,407,696	12,463,139	0	12,463,139	12,434,585	666,308	13,100,893	0	13,100,893	666,308
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	0	0	0	0	0	0	0	0	0	0
	CFE	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	10,407,696	12,463,139	0	12,463,139	12,434,585	666,308	13,100,893	0	13,100,893	666,308
(11) DIVISION OF YOUTH CORRECTIONS (C) Community Programs S.B. 91-94 Programs	Total	10,407,696	12,463,139	0	12,463,139	12,434,585	666,308	13,100,893	0	13,100,893	666,308
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	10,407,696	12,463,139	0	12,463,139	12,434,585	666,308	13,100,893	0	13,100,893	666,308
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	0	0	0	0	0	0	0	0	0	0
	CFE	0	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	10,407,696	12,463,139	0	12,463,139	12,434,585	666,308	13,100,893	0	13,100,893	666,308

Letternote revised text:

Cash Fund name/number, Federal Fund Grant name:

IT Request: ☐ Yes ☑ No

Request Affects Other Departments: ☐ Yes ☑ No **If Yes, List Other Departments Here:**

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CHANGE REQUEST for FY 08-09 BUDGET REQUEST CYCLE
Governor Ritter's FY 2008-09 Recidivism Reduction Package

Department:	Human Services, Office of Children, Youth and Family Services – Division of Youth Corrections
Priority Number:	3A
Change Request Title:	Senate Bill 91-94 Evidence Based Practice Funding

SELECT ONE (click on box):

☒ Decision Item FY 08-09
☐ Base Reduction Item FY 08-09
☐ Supplemental Request FY 07-08
☐ Budget Request Amendment FY 08-09

SELECT ONE (click on box):

Supplemental or Budget Request Amendment Criterion:

☒ Not a Supplemental or Budget Request Amendment
☐ An emergency
☐ A technical error which has a substantial effect on the operation of the program
☐ New data resulting in substantial changes in funding needs
☐ Unforeseen contingency such as a significant workload change

Short Summary of Request:

This request is for $666,308 General Fund to develop and implement evidence-based programs within the State's 22 judicial districts, as managed by the Senate Bill 91-94 program.

Background and Appropriation History:

Senate Bill 91-94 (SB 94) became law on June 5, 1991 as the Colorado General Assembly recognized the need to address increasing demands for secure detention and commitment capacity for delinquent youth. The legislation allows for the development of a broader array of less restrictive detention services, including community-based services, as opposed to the more expensive option of building and maintaining additional State-operated juvenile detention facilities.

DYC continues to champion the General Assembly's mandate by supporting Judicial District SB 94 programs to continue to successfully manage within a capped detention

environment. DYC also continues to promote ongoing detention reform through efforts to broaden and promote more appropriate use of the detention continuum by focusing on two key concepts: 1) detention is a status, and not a place; and, 2) detention consists of a continuum of options, only one of which is secure detention. In carrying out these objectives, SB 94 also supports the State of Colorado's Children's Code that seeks to balance the needs of young persons with concern for the safety of all members of society.

The foundation of SB 94 is the collaboration between State agencies and local communities with local control in determining what services are needed in each of the judicial districts and as such each program has some discretion as to how to best utilize SB 94 funding. The SB 94 appropriation is allocated to each of the State's 22 judicial districts through a formula. The funding formula is comprised of four factors. The four factors include: 1) population ages 10-17; 2) juvenile delinquency petitions; 3) new probation intakes; and, 4) poverty. Each of the four factors is applied to each of the State's 22 judicial districts to determine a district's funding allocation.

Each judicial district, through a Juvenile Services Planning Committee (JSPC), develops an annual plan, which addresses how the district's funding will be utilized. The statutorily required working group (SB 94 Statewide Advisory Board) then reviews each district's plan and recommends approval of the plans to the Division. Local control in drafting and implementing the annual plan is at the foundation of SB 94 and represents collaboration between DYC and local communities.

SB 94 programs also develop formal and informal collaborations with agencies in their communities to share resources, a best practices approach promoted by the Annie E. Casey Juvenile Detention Alternatives Initiative (JDAI).[1] Such collaborations may include applying with other agencies for grants or serving in an oversight capacity for these funds through other agencies or programs. One of the most effective mechanisms for blending funds or utilizing grant funds is the implementation of interagency case

[1] http://www.aecf.org/initiatives/jdai

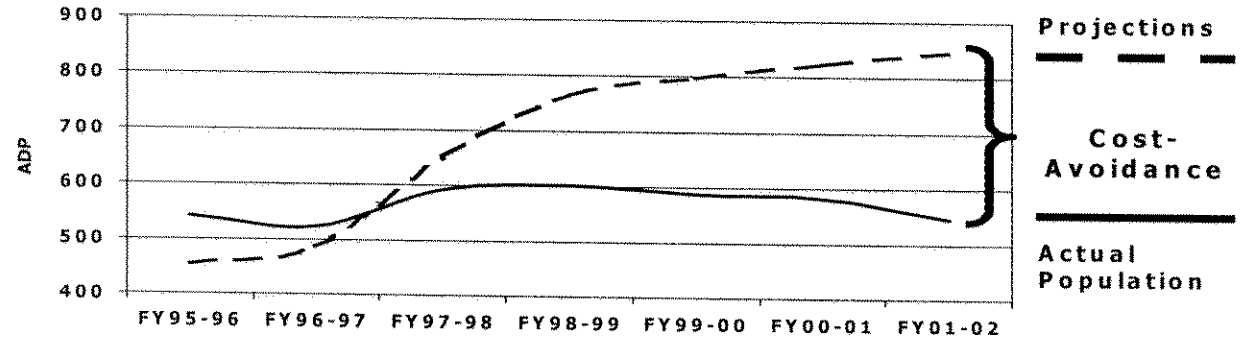
review teams, known by a variety of names such as Community Evaluation Teams (CET) and Interagency Staffing Committees (ISC).

The General Assembly approved a $1,856,017 General Fund increase in the SB 94 appropriation for FY 2007-08. The increased funding allowed local SB 94 programs to restore funding to previously reduced or eliminated programs. Furthermore, the increased funding has allowed districts to focus on addressing "capacity strain" at the local level and helped initiate an emphasis towards the development and provision of more evidence-based programs. SB 94 programs have allocated an estimated one million dollars in FY 2007-08 for evidence- based programming.

The Division of Youth Corrections is currently implementing the use of the Colorado Juvenile Risk Assessment (CJRA) pre-screen instrument across the State's 22 judicial districts. The CJRA "pre-screen" will be used for all youth who are admitted into a detention center for an initial risk assessment. The CJRA pre-screen will allow local districts to determine risk for release with bond conditions as well as to assist with decisions regarding release of youth to comply with detention bed allocations at the local level. This instrument will also provide the courts with valuable information when making decisions on where to place youth along the detention continuum.

A tenant of successful evidence-based programming involves the implementation of a research-based, validated instrument to assess youth for overall risk and needs. SB 94 utilization of the CJRA could include both the "pre-screen" function, which assigns a youth to high, moderate or low levels of risk and the "full screen" which identifies a youth's protective factors as well as risk factors. SB 94 programs would then be able to "match" services according to identified risk factors in developing supervision plans. The use of the CJRA "full screen" is intended for case planning for youth and development of service provision. By using the requested funds for evidence-based programs, more districts will be able to maximize their use of the CJRA "pre-screen" and "full screen" by providing services targeted at reducing recidivism.

The graph below details the detention cost avoidance obtained from SB 94 expenditures prior to the implementation of detention caps. As the graph indicates, SB 94 has proven extremely successful at avoiding costs associated with residential placements for detained youth. Many states across the nation have attempted to "build their way out" of growth in the juvenile detention populations, with few succeeding. Colorado is one of the few states that has successfully implemented a statewide reform of the juvenile detention system, saving the state nearly $30 million in capitol expenditures.



	FY97-98	FY98-99	FY99-00	FY00-01	FY01-02	5-Year Totals
Bed Cost Avoidance**	$10.5M	$21.3M	$15.8M	$15.6M	$22.4M	$85.6M
SB91-94 Expenditures	$11.0M	$11.3M	$11.3M	$11.6M	$12.0M	$57.2M
Net Cost-Avoidance	($0.5M)	$10.0M	$4.5M	$4.0M	$10.4M	$28.4M

* Legislative Council Staff (December 1995 Juvenile Detention Projections)
** Includes Capital Construction and Operating Costs

Prepared By DYC Research: 03/2003

General Description of Request:

The requested $666,308 would be use to increase SB 94 capacity in the State's 22 judicial districts to provide evidence based programs and practices proven to improve outcomes for youth. The funding would also assist in providing services to an increasing number of SB 94 youth needing services while under community supervision.

The Division would utilize a portion of the requested funds to provide assistance to the judicial districts about the development and implementation of evidence based programs and nationally recognized evidence-based practices. This assistance would allow for more uniform understanding and application of evidence-based principles and programs. Programming that meets the standard of evidence-based and is applied using a validated risk instrument to determine which programming best fits a youth has a much higher probability of successful outcomes. As indicated earlier, local districts plan an estimated $1,000,000 in expenditures for evidence-based programs during FY 2007-08. Local SB 94 programs have also expressed a desire to evaluate current program structures to determine if services are correctly aligned with need in the community and this technical assistance would allow districts to determine program alignment with current evidence-based programming and practice.

Evidence-based programs are highly regimented and require adherence to specific protocols. The Division would develop a protocol for program review or monitoring to ensure that programs are being delivered according to design. The Division would structure this funding around the following principles: 1) developing consistency in the application of evidence-based programming, 2) maintaining program fidelity in the application of the services, 3) maintaining flexibility in allowing districts to create programming that meets local needs that are shown as a promising practice or a best practice in juvenile justice.

An unintended consequence nationally to evidence-based programming is the reluctance of treatment providers to offer new, untested services, even if they are targeted to unmet needs. Additionally, SB 94 programs have historically been most successful when they have been allowed to determine local needs and develop programming accordingly. Many of the SB 94 programs have implemented programming that fits local needs that

fall into the category of a "best practice" or a "promising practice" but have not yet met the scientific evaluations and reviews that are required to identify a program as evidence-based. The Division believes that allowing local SB 94 programs the flexibility to determine locally areas of unmet need and implement programs that could eventually meet the litmus test of evidence-based will result in better outcomes for youth.

Consequences if Not Funded:

The Cost Benefit Analysis provided later in this document estimates a positive net benefit value of over $ 9 million assuming Colorado could attain a similar cost benefit as documented by the State of Washington. This net benefit will not accrue if this decision item is not funded.

Calculations for Request:

Summary of Request FY 2008-09	Total Funds	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds	Medicaid Cash Funds	Medicaid General Funds	Net General Fund	FTE
Total Request	$666,308	$666,308	$0	$0	$0	$0	$0	$666,308	0.0
SB91-94	$666,308	$666,308	$0	$0	$0	$0	$0	$666,308	0.0
Cost Component	$0	$0	$0	$0	$0	$0	$0	$0	0.0
Cost Component	$0	$0	$0	$0	$0	$0	$0	$0	0.0

Summary of Request FY 2009-10	Total Funds	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds	Medicaid Cash Funds	Medicaid General Funds	Net General Fund	FTE
Total Request	$666,308	$666,308	$0	$0	$0	$0	$0	$666,308	0.0
Cost Component	$666,308	$666,308	$0	$0	$0	$0	$0	$666,308	0.0
Cost Component	$0	$0	$0	$0	$0	$0	$0	$0	0.0
Cost Component	$0	$0	$0	$0	$0	$0	$0	$0	0.0

Assumptions for Calculations:

Fiscal Year	COLA %	Appropriation
FY 2002-03 Appropriation		$12,255,883
FY 2003-04 Provider Rate Increase	0%	$0
FY 2003-04 "Restored" Appropriation		$12,255,883
FY 2004-05 Provider Rate Increase	0%	$0
FY 2004-05 "Restored" Appropriation		$12,255,883
FY 2005-06 Provider Rate Increase	2.00%	$245,118
FY 2005-06 "Restored" Appropriation		$12,501,001
FY 2006-07 Provider Rate Increase	3.25%	$406,283
FY 2006-07 "Restored" Appropriation		$12,907,284
FY 2007-08 Provider Rate Increase	1.50%	$193,609
FY 2007-08 "Restored" Appropriation		$13,100,893
Projected FY 2007-08 "Restored" Appropriation		$13,100,893
FY 2007-08 Base Appropriation*		$12,434,585
Difference:		$666,308

* Base adjusted for leap year

Impact on Other Government Agencies: Provides increased resources to the State's 22 Judicial Districts.

Cost Benefit Analysis:

The Division would target the requested funds to develop and implement evidence based programs and practices through local SB 94 programs. The Washington State Institute for Public Policy (WSIPP) has conducted multiple studies on various components of both the adult and juvenile justice systems, including studies on evidence-based practices in the juvenile justice arena and their cost/benefit over time. Assuming a similar cost benefit would be achieved for services provided in Colorado, an estimated investment of approximately $666,308 million in these specific evidence-based programs and practices could result in a benefit to the state of more than $ 9.6 million. The benefit value represents future cost avoidance for the state overall, for seven outcomes of interest as identified in the Washington State studies. These outcomes of interest include: (1) Reduce crime; (2) Lower substance abuse; (3) Improve educational outcomes such as test scores and graduation rates; (4) Decrease teen pregnancy; (5) Reduce teen suicide attempts; (6) Lower child abuse or neglect; and (7) Reduce domestic violence. A summary of the cost benefit information by treatment type is provided in the table below. Additional information is provided in the following WSIPP reports/summaries:

- Family Integrated Transitions Program for Juvenile Offenders (December 2004)
- Benefits and Costs of Prevention and Early Intervention Programs for Youth (September 2004) – Summary Information
- Recommended Quality Control Standards: Washington State Research-Based Juvenile Offender Programs (December 2003)
- The Comparative Costs and Benefits of Programs to Reduce Crime (May 2001) – Summary & relevant juvenile sections
- Watching the Bottom Line: Cost-Effective Interventions for Reducing Crime in Washington (January 1998)

All benefit-to-cost information is based on Washington State Institute for Public Policy data and reports. The table represents a statewide approximation of local expenditures for each type of service and their associated benefit per dollar of cost. There is a high demand for Substance Abuse treatment at the local level, therefore DYC has estimated a

higher level of expenditure for this service type; however, actual expenditures will be driven by individual youth and local community needs.

Division of Youth Corrections
Estimated Cost Benefit for Evidence-Based Treatment

Evidence-Based Treatment	Proposed Expenditure	2001 Benefit per Dollar of Cost*	2004 Benefit per Dollar of Cost*	Net Benefit
Family Therapy				
Functional Family Therapy	$ 95,282		$ 13.25	$ 1,262,487
Multi-Systemic Therapy	$ 95,282	$ 28.33		$ 2,699,339
Other Family-based Therapy	$ 95,282	$ 21.13		$ 2,013,309
Group Therapy				
Aggression Replacement Training	$ 95,282		$ 20.56	$ 1,958,998
Substance Abuse Treatment	$ 285,180	$ 6.17		$ 1,759,561
Totals:	$ 666,308			$ 9,693,694

* Based on Washington State Institute for Public Policy Reports.

Evidence-Based Service Description and Benefit per Dollar of Cost Information

- MST is an intensive home-based intervention for chronic, violent or substance abusing juvenile offenders, ages 12 to 17. MST addresses the cause of delinquency and is delivered in the youth's home, school and community. The 2001 benefit-to-cost ratio is $28.33 for every dollar spent.

- FFT targets youth between the ages of 11 to 18, with problems of delinquency, violence and substance abuse. FFT focuses on increasing family problem solving skills, enhancing emotional connection and strengthening the parental ability to provide appropriate structure, guidance and limits to their children. The 2004 benefit-to-cost ratio is $13.25 for every dollar spent.

- Other Family-based Therapy approaches for juvenile offenders employ family-based therapies similar to MST and FFT in that they incorporate the family into the counseling session. This therapy can be provided during the youth's incarceration. Keeping families involved in the treatment of the youth while they are away from home is essential in improving the chances of successful integration back into the community. The 2001 benefit-to-cost ratio is $21.13 for every dollar spent.

- Aggression Replacement Training (ART) is a cognitive-behavioral intervention that attempts to reduce the anti-social behavior and increase the pro-social behavior of juvenile offenders through group therapy. Although this particular group intervention was not specifically mentioned in the original decision item, it will be one of the groups offered to eligible youth who are violent offenders incarcerated in State-owned and operated facilities. The 2001 benefit-to-cost ratio is $20.56 for every dollar spent.

- Substance Abuse Treatment: Although Adult Substance Abuse Treatment has been widely studied, Juvenile Substance Abuse treatment has not. However, the curriculum and treatment to be delivered will be based on a cognitive-behavioral approach specifically designed for the juvenile justice population. The cost-to-benefit could be similar to the results found through ART. The juvenile treatment continuum would parallel the Prison Adult Substance Abuse treatment that employs a diverse collection of treatment interventions including drug education, group and individual therapy and relapse prevention. The 2001 benefit-to-cost ratio for Adult Substance Abuse Treatment is $6.17 for every dollar spent. A specific finding in the WSIPP September 2004 Report stated that while net benefits for substance use prevention

program are relatively low, the programs are cost effective, because the programs are relatively inexpensive.

Implementation Schedule:

Task	Month/Year
SB 94 Funding Formula Applied to New Funds to determine Judicial District Allocations.	May 2008
Supplemental Plans with Direction to Use Funds for Evidence Based Services distributed to Judicial Districts	May 2008
Supplemental Plans Reviewed and Recommended for Approval by "working group" and Approved by Department of Human Services	July 2008
Contract Amendments to Districts	August 2008
Ongoing Technical Assistance and Quality Assurance	August 2008
Review of Evidence Based programming statewide is part of Annual SB 94 Evaluation as required by Footnote in the Long Bill	October 2009

Statutory and Federal Authority:

Section 19-2-310, C.R.S. (2007) Appropriations to department of human services for services to juveniles. The general assembly shall appropriate moneys for the provision of services to juveniles to the department of human services which shall allocate such moneys by each judicial district in the state. Such appropriation and allocation shall be made based upon the formula developed in section 19-2-212 (1) (b) C.R.S. (2007). The department of human services shall administer such appropriated moneys. The moneys appropriated to the department of human services for allocation by each judicial district shall be expended in such judicial district by the department of human services for services to juveniles that are intended to prevent the juvenile from being held in detention prior to adjudication, sentenced to detention, or committed to the department of human services or to reduce the length of time the juvenile is held in preadjudication or postadjudication detention or held in a commitment facility operated under section 19-2-403 C.R.S. (2007). If a judicial district has a local juvenile services planning committee,

the expenditure of moneys for juvenile services in such judicial district shall be made in accordance with the plan developed pursuant to section 19-2-211 C.R.S. (2007).

Section 19-2-1201, C.R.S. (2007) Juvenile detention bed cap. For the fiscal year 2003-04 and each fiscal year thereafter, the number of available juvenile detention beds statewide shall be limited to four hundred seventy-nine.

Section 19-2-1203, C.R.S. (2007) Judicial districts – plans for the cap. Each judicial district shall annually develop a plan to manage the limit on the number of juvenile detention beds allocated to the judicial district by the working group pursuant to section 19-2-1202 (1) (a) C.R.S. (2007). The judicial district shall consider the emergency release guidelines and placement guidelines developed pursuant to section 19-2-1202 C.R.S. (2007) in its annual plan to manage the limit. The annual plan developed by the judicial district shall ensure the judicial district does not exceed the number of juvenile detention beds allocated to it pursuant to section 19-2-1202 C.R.S. (2007).

Section 19-2-1204, C.R.S. (2007) Use of juvenile detention beds. A juvenile committed to the department of human services pursuant to article 3 of this title shall not be placed in a juvenile detention bed unless the juvenile is subject to an action proceeding under this article.

Other Statutory Sections: 19-2-211, 19-2-212, 19-2-302, 19-2-911, 19-2-1201, C.R.S. (2007).

Performance Measures:

The following table details performance outcomes obtained from Senate Bill 91-94 programs during FY 2006-07.

Required Goals and Objectives Performance Levels

Service Area Goal	Measurable Objectives	Performance
1. **Preadjudicated Youth – FY 2005 Goal** – To successfully supervise **preadjudicated youth** placed in community-based detention services.	1. Percent of enrolled preadjudicated youth that complete SB 94 services **without FTA's** (Failure To Appear for Court).	96% of Youth had no FTA's
	2. Percent of enrolled preadjudicated youth that complete SB 94 services **without new charges**.	96% of Youth had no new charges
	3. Percent of preadjudicated youth served through SB 94 that complete the period of the intervention **with a positive or neutral leave reason**.	92% of Youth had positive or neutral leave reason
2. **Sentenced Youth – FY 2005 Goal** – To successfully supervise **sentenced youth** placed in community-based detention services.	1. Percent of enrolled sentenced youth that complete SB 94 services **without FTA's**.	98% of Youth had no FTA's
	2. Percent of enrolled sentenced youth that complete SB 94 services **without new charges**.	96% of Youth had no new charges
	3. Percent of sentenced youth served through SB 94 that complete the period of the intervention **with a positive or neutral leave reason**	89% of Youth had positive or neutral leave reason

The Division has identified a five-year plan and goals for the SB 94 program. It includes both community-based detention programs and commitment interventions and is outlined in the table below.

Goals	Outcomes
1. DYC and local SB 94 Programs will continue their efforts to ensure that risk and needs of referred youth are adequately identified by developing a standardized, more comprehensive, up front process to screen and assess youth that provides adequate data to inform court decisions and develop appropriate Probation case plans.	1. Youth receiving SB 94 services are placed in programs with supervision services based on their identified level of risk and need. 2. Youth enrolled in SB 94 services appear for all required court proceedings. 3. Youth enrolled in SB 94 services do not receive any new charges while enrolled in the program.
2. DYC and local SB 94 Programs will work in conjunction with local H.B. 1451 committees to develop effective local collaborative plans.	1. Local youth services programs have reduced fragmentation and duplication of services.
3. DYC will continue its ongoing efforts to provide local SB 94 Juvenile Services Planning Committees and Staff with regular training opportunities focusing on outcome based "best practices" for youth facing potential incarceration.	1. Annual local SB 94 plans incorporate "best practice" outcome based programming.