

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: SB 147 proposes to amend the Juvenile Community Corrections Act which allows the Children, Youth and Families Department (CYFD) to distribute funds from the Juvenile Community Corrections Grant Fund to provide community corrections programs and services for the diversion of youth from the criminal justice system.

Under current law, the Act only allows for distributions to organizations in the form of grants, and adjudicated delinquents are the only intended recipients. This bill proposes to allow for the distribution of funds directly to applicant organizations' programming, and proposes to increase the percentage of funds dedicated to administrative functions from 10 to 12%.

It also proposes to expand the intended recipients to children or youth referred by CYFD, regardless of whether they have been adjudicated as delinquent. The bill defines "child" as a person who is under 18-years-old, and "youth" as a person who is 18- to 21-years-old. The bill appears to be aimed at expanding diversion from the criminal justice system. It proposes to repeal Section 33-9A-5 (2009), which provides that CYFD selection panels shall screen youth who have been adjudicated delinquent for participation in the program. The bill would instead give priority to adjudicated delinquents but would expand eligible recipients to any youth or children referred by CYFD who may require prevention, intervention, or diversion services.

FISCAL IMPLICATIONS

This bill proposes to allow expanded access to prevention, intervention, or diversion services for children and youth at risk of coming into contact with the criminal justice system. Ideally, this would reduce the number of juveniles being charged with crimes and/or adjudicated as delinquent. If this bill works as intended, it could potentially reduce the workload of the Law Offices of the Public Defender (LOPD) attorneys and staff who work on juvenile cases. However, if expanded access to programming has the effect of placing strict conditions on children or youth who have not been adjudicated delinquent, thereby subjecting them to a pipeline toward the criminal justice system, it could have the effect of increasing LOPD caseload.

Of course, accurate prediction of the fiscal impact would be impossible to speculate; assessment of the required resources would be necessary after the implementation of the proposed statutory

scheme.

SIGNIFICANT ISSUES

Ideally, this bill would expand access to prevention and diversion services and thereby limit the number of children and youth who come into contact with the criminal legal system. However, if this bill has the effect of placing children and youth (who have not yet been accused of a crime or delinquent act) into situations where they are likely to violate conditions of strict programming, it may ultimately act as a pipeline to the criminal justice system.

PERFORMANCE IMPLICATIONS

See above

ADMINISTRATIVE IMPLICATIONS

None noted

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted

TECHNICAL ISSUES

Reviewer is unaware whether this legislation is germane under Art. IV, Section 5.

OTHER SUBSTANTIVE ISSUES

See significant issues

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

None