Department of Youth Services

House Justice and Transportation Subcommittee

Laura A. Potts, Budget Analyst

Legislative Service Commission

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LSC Redbook

for the

Department of Youth Services

House Justice and Transportation Subcommittee

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Attachment: LSC Budget Spreadsheet By Line Item

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Note: The estimated General Revenue Fund (GRF) spending for FY 2003 used in this LSC Redbook reflects the 2.5% reduction made as a result of the Governor's January 22, 2003 budget cut order. The executive reduction was applied across-the-board to FY 2003 GRF appropriations, subject to certain exceptions. Subsequent to such reductions (and not reflected in the Redbook), state agencies were permitted to reallocate the amount that each of their GRF appropriation line items was reduced, while still absorbing the 2.5% budget cut within the total amount of their GRF appropriations.

Department of Youth Services

- Reductions in staff, services, and subsidies
- Maumee closed; Riverview consolidating

OVERVIEW

The Department of Youth Services (DYS) is a cabinet level agency managed by a director appointed by the Governor. The Department's role is to enhance public safety through the confinement of juvenile felony offenders and the provision or support of various institutional and community-based programs to aid in the rehabilitation of delinquent juveniles.

The Department currently:

- Operates eight institutions (juvenile correctional facilities);
- Operates seven regional parole offices;
- Operates one residential treatment center;
- Funds 11 community correctional facilities (CCFs); and
- Contracts with and oversees one privately run facility.

In the course of protecting Ohio's public safety from juvenile offenders, judges commit male and female juveniles between the ages of 12 and 18 to the Department for various lengths of time, but who must be released no later than their 21st birthday. Judges impose a minimum stay as prescribed by law. Under current law and practice, the following is the case:

- For felonies of the third, fourth, and fifth degree, the minimum stay is six months;
- For the more serious felonies of the first and second degree, the minimum stay is one year;
- The average length of stay in FY 2002 was 10.7 months; and
- Because of the sentence length required under existing law, 16- and 17-year-old homicide offenders are committed to the custody of the Department of Rehabilitation and Correction.

The Department currently has over 2,300 employees and a total FY 2003 budget estimated at $263.5 million,* of which $222.0 million, or 84.3%, is drawn from the state's GRF. Prior to the institution of various GRF expenditure reductions, the total amount of GRF appropriated to the Department in FY 2003 was $245.2 million.

Program areas

The Department's activities can be viewed as having four notable components or program series, each of which is discussed in more detail below.

(1) RECLAIM Ohio

The RECLAIM Ohio (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) program was launched as a pilot in January 1994 and implemented statewide in 1995. RECLAIM Ohio provides juvenile courts with funding to develop community-based programs for juvenile offenders. In doing so, the program is intended to reduce the number of commitments sentenced to the custody of the Department, while ideally only the most serious offenders would be committed to the Department.

Funding is allocated to counties through a formula based upon each county's proportion of statewide felony delinquent adjudications. Each month, counties are debited 75% against a per diem allocation for juveniles placed in departmental institutions and 50% for juveniles placed in community corrections facilities (CCFs). Any funds remaining after the county's commitments to the Department are then remitted to counties and used by juvenile courts to support the development and operation of rehabilitation programs at the local level. Courts may use the funds to purchase or develop a broad-based spectrum of community-based programs for adjudicated felony delinquent juveniles who would otherwise have been committed to the custody of the Department. Such programs include day treatment, intensive probation, electronic monitoring, home-based services, residential treatment reintegration, and transitional programs. In FY 2003, counties will retain an estimated $32.5 million in RECLAIM Ohio funding for local programs. These funds and the Youth Services Block Grant constitute as much as 50% of county juvenile court budgets.

A "contingency" fund in the program, which represents up to 5% of the total RECLAIM Ohio allocation, allows courts to commit juveniles to the custody of the Department or CCFs, even if a county has exhausted its allocation. The law also provides for a category of commitments called "public safety beds" for which the counties are not debited. Public safety beds are provided for juveniles that are committed for very serious offenses like murder, manslaughter, rape, arson, and gun specifications.

Under RECLAIM Ohio, the Department and juvenile courts have developed what might be termed a symbiotic relationship. Because the Department provides as much as half of juvenile court budgets, juvenile courts are highly dependent on the Department for funding. When the Department's funding is reduced, not only the Department, but also local governments experience budget reductions. The Department believes that, if funding to juvenile courts is significantly reduced, it increases the likelihood that juvenile courts will end up placing more juveniles into the care and custody of the Department.

* The FY 2003 estimates reflect the 2.5% executive order cut of January 2003, but no subsequent cuts.

(2) Parole Operations

The Department supervises juveniles released from its institutions through its Division of Parole and Community Services, which operates seven field offices. Parole operations are divided into two branches: Community Residential Services and Non-Community Residential Services. Private and public vendors provide these services. Over time, the fiscal emphasis on residential services has decreased, while the funding to non-residential services has increased.

(3) Independent Juvenile Court Subsidies

At the end of FY 2001, the Department had the following three subsidies in the Independent Court Subsidies program series:

Rehabilitation Subsidy. Supported bricks and mortar rehabilitation programs in 19 counties; eliminated in the FY 2002-2003 biennial budget.

Detention Subsidies. Provided a maximum of $156,928 in each fiscal year to county detention centers; eliminated during current biennium in response to GRF expenditure reductions.

Youth Services. Provides funding to juvenile courts to divert non-felony juveniles from the juvenile justice system; lone remaining subsidy in this program series.

(4) Federal Juvenile Justice and Delinquency Prevention

Pursuant to the FY 2002-2003 biennial budget, the Department was designated as the state agency to administer all juvenile justice grants provided to Ohio through the federal Office of Juvenile Justice and Delinquency Prevention. These moneys are distributed as sub-grants to local governments and non-profit agencies for implementing various programs that address the problem of juvenile delinquency and its prevention.

As a condition of receiving these grants, the Department monitors local compliance with federal mandates involving: (1) the de-institutionalization of status offenders, (2) the removal of juvenile offenders from adult jails, and (3) the separation of juvenile offenders from adult offenders.

Highlights of FY 2002-2003 budget

The following are highlights of the Department's actions taken in the last two fiscal years, either pursuant to the current biennial budget or in response to the subsequent institution of GRF expenditure reductions.

- The Rehabilitation Subsidy program (GRF line item 470-501), which supported bricks and mortar rehabilitation programs in 19 counties, was eliminated under the FY 2002-2003 biennial budget.
- In FY 2002, the Department closed one of its older and lower security institutions – the Maumee Juvenile Correctional Facility – a planned response to the reduced level of GRF funding provided for institutional operations under the FY 2002-2003 biennial budget.
- The Detention Subsidies program (GRF line item 470-502), which provided a maximum $156,928 in each fiscal year to county detention centers, was eliminated in response to the ordering of GRF expenditure reductions.

- During FY 2003, the Department further reduced GRF expenditures by eliminating private contracts, reducing overtime in its juvenile correctional facilities, reducing funds for CCFs, reducing all travel costs, and instituting an agency-wide hiring freeze.

Executive recommendation

The executive recommendation essentially reduces the level of GRF funding that the Department requires to continue existing services in each fiscal year of the next biennium. Consequently, cuts and reductions in its operating expenses and subsidy programs will continue to be an issue for the Department during the upcoming FY 2004-2005 biennium.

Total GRF funding

In FY 2004, the executive recommendation for total GRF funding of $234.1 million is $12.2 million, or 5.5%, over the Department's estimated total FY 2003 GRF expenditures of $222.0 million.* The Executive's recommendation for FY 2005 follows with a $2.3 million increase over the FY 2004 recommended level of total GRF funding. It should be noted, however, that the apparent increase in GRF funds might be somewhat misleading. The FY 2004 and FY 2005 executive recommended numbers are 2.7% and 1.7% below the original total FY 2003 appropriation, respectively.

RECLAIM Ohio

In order to work with the executive-recommended level of GRF funding, the Department is looking to consolidate the Riverview Juvenile Correctional Facility into the Scioto Juvenile Correctional Facility by mid-FY 2004. By closing the Riverview facility, the Department hopes to better balance the two spending components from its RECLAIM Ohio: (1) institutional services, and (2) county subsidies. CCFs currently under construction or working at reduced capacity will most likely be delayed and their openings phased-in more slowly.

Institutional crowding

One potential consequence of such a closure is that the level of institutional crowding at its other juvenile correctional facilities may rise. The Department is currently operating at 125% of capacity and with the institutional closure, the Department predicts that it will be operating at 145% of capacity. As of this writing, the Department does not believe that an increase in the level of crowding will prevent it from operating safe and secure institutions.

CRIPA

The Department has expressed a concern that a continued reduction in its funding that results in further cuts in institutional programs and services or more institutional closures may result in lawsuits. In particular, the Department has expressed a concern that such conditions might bring the involvement of a branch of the federal Department of Justice Civil Rights Division usually referred to as CRIPA (Civil Rights of Institutionalized Persons Act, 1997). CRIPA investigates allegations that the rights of institutionalized persons are being violated through neglect, abuse, sexual victimization, inadequate

* The FY 2003 estimates reflect the 2.5% executive order cut of January 2003, but no subsequent cuts.

educational programming, inadequate medical or mental health care, or crowding. The Department is concerned that any conditions that might trigger CRIPA's involvement could have serious legal and financial repercussions for the state.

Parole operations

As previously mentioned, the Department currently operates seven regional parole offices. As a result of the executive-recommended level of GRF funding, two of these regions will be consolidated during the FY 2004-2005 biennium, resulting in the elimination of one of these offices.

Staffing reductions

The executive recommendation will result in the loss of 329 FTEs over the course of FYs 2004 and 2005. Of this total, 256 FTEs are associated with the RECLAIM Ohio program, 40 FTEs with Parole, and 33 FTEs with Administration. The Department estimates that 80 of these positions will be reduced through early retirement incentive options, 12 positions are currently unfilled, but the elimination of the remaining 237 FTEs are likely to result in lay-offs.

Legislative actions

This section provides brief summaries of some of the more relevant legislation that has influenced, or will influence, the Department's operations and expenditures.

Amended Substitute House Bill 1

As mentioned previously, the Department no longer has responsibility for the care and custody of 16- and 17-year-old homicide offenders; such juveniles are sentenced to the custody of the Department of Rehabilitation and Correction. Under Am. Sub. H.B. 1 of the 121st General Assembly, which took effect January 1, 1996, longer minimum commitments were established for more violent crimes. The minimum commitment for these offenses is one year to three years. In addition, a minimum three-year length of stay is imposed on any juvenile who uses a firearm in the commission of an offense, and a minimum one-year length of stay is imposed on any juvenile who possesses a firearm during the commission of an offense.

Amended Substitute Senate Bill 179

On January 1, 2002, Am. Sub. S.B. 179 of the 123rd General Assembly went into effect, thus setting in motion a number of changes to the state's juvenile sentencing law. For example:

- A 10- or 11-year-old may be committed to the Department for murder, a violent felony of the first or second degree, or arson. As of this writing, no such 10- or 11-year-old juveniles have been committed to the Department.
- Certain juvenile offenders are eligible for blended sentences. A blended sentence is one in which the juvenile court is able to impose an adult disposition, but suspend the sentence until the juvenile sentence is served. If the juvenile offender successfully completes the juvenile sentence, then the adult portion of the sentence remains suspended. While the Department has received about 15 juveniles with a blended sentence, no adult sentence has been imposed thus far. If a blended sentence juvenile offender, however, commits a new felony, a violent first-degree

misdemeanor, or engages in conduct that creates a substantial risk to the safety or security of an institution, community, or victim, the adult sentence may be triggered.

- A sentence for a mandatory gun specification is required to be served consecutively with the sentence for the underlying offense.

Enacted legislation of the 124th General Assembly

Presented in the table immediately below is legislation enacted by the 124th General Assembly that may have a fiscal impact on the Department.

Perhaps the most notable piece of enacted legislation by the 124th General Assembly was Am. Sub. S.B. 3, which created Juvenile Sex Offender Registration and Notification (JSORN) Law. This legislation is likely to effect the Department's institutional operations in at least two ways. First, the Department is required to notify the county sheriffs when a juvenile with JSORN requirements is going to be released from one of its institutions and is planning on residing in the county sheriff's jurisdiction. Second, the legislation states that treatment is the preferred course of action for handling juvenile sex offenders. While the Department's current practice is to provide treatment to juvenile sex offenders, the legislation could still impose costs. The Department has stated that as many as 25% of its institutional population are juvenile sex offenders, and as a result of the legislation, lengths of stay may be extended in order to ensure that these offenders complete treatment.

Legislation of the 124th General Assembly Affecting Juvenile Justice or Corrections		
Bill Number	**Subject**	**Potential Fiscal Impact on DYS**
Sub. H.B. 130	Discharge firearm at peace officer	Adds an additional three years to the sentence of any juvenile who discharges a firearm at a peace officer; may increase the sentence length for a small number of juveniles
Sub. H.B. 247	Pre-sentence reports	Expands pre-sentence investigations of adult offenders to include any juvenile records available for that offender; requires the Department and juvenile courts to make information available as requested
Sub. H.B. 393	Juvenile law revisions	Clarifies provisions enacted by Am. Sub. S.B. 179 of the 123rd General Assembly and Am. Sub. S.B. 3 of the 124th General Assembly
Am. Sub. H.B. 400	Juvenile delinquent-confinement after age 18	Allows person adjudicated a delinquent child or juvenile traffic offender to be held after the youth attains the age of 18 years in places such as a jail, workhouse, or place where an adult convicted of a crime, under or arrest or charged with a crime is held; permits the court to place a delinquent child in a detention facility up to 90 days
Sub. H.B. 427	DNA specimens collected from expanded offenses	Expands the number offenses for which DNA specimens will have to be collected from juveniles in the care and custody of the Department to include felonious assault, aggravated robbery, robbery, burglary, attempted aggravated murder or murder, or conspiracy to commit any of these offenses
Am. Sub. S.B. 3	Juvenile sex offender registration and notification	Creates a system for juveniles that parallels the adult Sex Offender Registration and Notification (SORN) Law

ANALYSIS OF EXECUTIVE PROPOSAL

For the purposes of this analysis of the Executive's proposed budget, the Department of Youth Services activities have been grouped into a series of seven programs. Each program series is described and the implications of the executive-recommended level of funding for those program series are also discussed. Those seven program series include:

- ***RECLAIM OHIO***
- ***PAROLE***
- ***STATE INSTITUTIONAL SERVICES***
- ***INDEPENDENT JUVENILE COURT SUBSIDIES***
- ***ADMINISTRATION***
- ***FEDERAL JUVENILE JUSTICE & DELINQUENCY PREVENTION***
- ***DEBT SERVICE***

The table below represents the executive-recommended funding levels for each of those seven program series in FYs 2004 and 2005.

Program Series	FY 2004	FY 2005
RECLAIM Ohio*	$ 164,637,416	$ 167,697,792
Parole	$ 15,347,154	$ 14,841,872
State Institutional Services*	$ 23,750,686	$ 24,172,961
Independent Juvenile Court Subsidies	$ 18,558,587	$ 18,558,587
Administration*	$ 14,427,323	$ 14,166,008
Federal Juvenile Justice & Delinquency Prevention	$ 16,419,999	$ 16,583,643
Debt Service	$ 21,110,100	$ 21,110,000
Total funding: Department of Youth Services	**$ 274,251,265**	**$ 277,130,863**

*Note: A portion of RECLAIM Ohio funds are used to support Community Corrections Facilities (CCFs), the State Institutional Services program series, and the Administration program series.

The rest of this section analyzing the executive proposal contains a more detailed discussion of each of the Department's seven program series.

RECLAIM Ohio — Program Series 1

Purpose: To provide Ohio's 88 juvenile courts with funding to develop or purchase local programs and services or purchase state secure incarceration

RECLAIM Ohio

Program Description: The RECLAIM Ohio (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) program, launched as a pilot program in January 1994 and implemented statewide in 1995, provides funding to juvenile courts for the purpose of developing community-based programs for juvenile offenders.

RECLAIM Ohio allocates money to each of the 88 counties based on its projected number of felony adjudications. When a juvenile court adjudicates a juvenile offender as delinquent, the court has the choice of sentencing that offender to a state institution, in which case the court would have to return some of the state funds given to them by the Department to pay for that juvenile's care and custody in a state institution. If the juvenile court chooses to keep the juvenile offender in the jurisdiction of the court for placement or treatment, the county retains the state funds given to the court by the Department. The idea behind the program is to increase county involvement and responsibility for juvenile offenders, as well as to reduce the number of commitments to state institutions. By giving a juvenile court the option of treating juvenile offenders locally, counties are able retain state funds that may be used for the development of local correctional options, developing community corrections facilities (CCFs), or contracting directly with private organizations. RECLAIM Ohio funding combined with the Department's Youth Services subsidy provides around 50% of the funding for most juvenile courts.

Before the Department distributes RECLAIM Ohio funding to juvenile courts, it first sets aside up to 5% of the annual funding for a contingency. The primary purpose of this contingency is to ensure that, if a county has exhausted all of its RECLAIM Ohio funds, the Department has additional funds in such an instance to pay for that county's commitment, if the commitment is appropriate. The Department then sets aside 25% of the remaining money to pay for a number of purposes, including institutional costs, contracts with outside treatment providers, CCFs, and administrative expenses associated with managing the RECLAIM Ohio program. While these moneys do not show up as part of the Department's budget request for its State Institutional Services or Administrative program series, it must be recognized that RECLAIM Ohio contributes nearly $40 million annually in state GRF that also finances the cost of running other aspects of the Department.

Funding Source: GRF

Line Item: The following table shows the Governor's recommended funding levels for the Department's largest GRF line item, which is used to fund RECLAIM Ohio.

Fund	ALI	Title	FY 2004	FY 2005
GRF	470-401	RECLAIM Ohio	$ 164,637,416	$ 167,697,792
Total funding: RECLAIM Ohio			**$ 164,637,416**	**$ 164,637,416**

Implication of the Executive Recommendation: The RECLAIM Ohio program includes funds needed for the operation of institutions, institutional programs, private facilities, and community corrections facilities (CCFs). As is evidenced in the table immediately below, this recommended level of GRF funding is $2.5 million more than the Department requested as continuation funding in FY 2004 and $2.1 million less than the Department requested as continuation funding in FY 2005. In light of the difference between the Department's requested levels of RECLAIM Ohio funding and the executive-recommended levels of funding, the Department is expecting the following to occur:

- As this executive-recommended level of funding will only support seven of the Department's existing eight juvenile correctional facilities, it plans to consolidate two of its juvenile correctional facilities: the Riverview Juvenile Correctional Facility and the Scioto Juvenile Correctional Facility. The Riverview facility will be deactivated, but kept operationally ready in the event that it is needed and/or revenue to support its activation is made available.
- The closure of a juvenile correctional facility is likely to cause the level of institutional crowding at its other juvenile correctional facilities to rise. The Department is currently operating at 125% of capacity and with the institutional closure the Department predicts that it will be operating at 145% of capacity.
- The Department will reduce the number of full-time equivalent (FTE) staff positions associated with its RECLAIM Ohio program by 256, including some education positions not funded by GRF. The Department will first attempt to reduce FTEs by offering early retirement incentives (ERIs). However, the Department does not expect that ERIs alone will be sufficient to reduce the necessary number of FTEs, and anticipates that approximately 190 FTEs will have to be laid off.
- The Department intends to at least partially activate the new CCFs in Belmont and Erie counties, and to bring the CCFs in Montgomery and Stark counties up to full operation. If this were in fact to occur, it will not be until FY 2005. The Department has indicated that it will not be able to open the expansion at the Ohio River Valley Juvenile Correctional Facility, or to fill any of the 100 vacant institutional positions.
- The Department had requested expansion funding for the following purposes: (1) to fully open the community corrections facilities (CCFs) in Montgomery and Stark counties which are currently running at half capacity, (2) to open CCFs in Belmont and Erie counties, (3) to open an already built expansion at the Ohio River Valley Juvenile Correctional Facility, which would have increased the Department's number of beds for sex offenders and required 59 additional FTEs to operate, and (4) to fill 100 institutional positions which were vacant because of a lack of funding. The Department intends to activate the new CCFs in Belmont and Erie counties, and to bring the CCFs in Montgomery and Stark counties up to full operation. If this were in fact to occur, it will not be until FY 2005. The Department has indicated that it will not be able to open the expansion at the Ohio River Valley Juvenile Correctional Facility, or to fill any of the 100 vacant institutional positions.
- The Department believes that, even with the fiscal implications of the Governor's recommendation, there should not be significant negative consequences for maintaining the delivery of institutional services to juveniles, e.g., medical, mental health, substance abuse, education, and food services.

The table immediately below summarizes the difference between what the Department requested to continue existing services, as well as funding to expand or undertake new initiatives, compared with the Governor's recommendation

DYS RECLAIM Ohio GRF Funding				
Funding	FY 2004		FY 2005	
	Requested	Recommended	Requested	Recommended
Continuation	$ 162,149,528	$ 164,637,416	$ 169,776,347	$ 167,697,792
Expansion	$ 10,359,933	$ 0	$ 19,868,723	$ 0
Totals	**$ 172,509,461**	**$ 164,637,416**	**$ 189,645,070**	**$ 167,697,792**

Earmarking: None

Permanent and Temporary Law: Relative to the operation of community corrections facilities (CCFs), the bill: (1) requires the Department of Youth Services to set guidelines for minimum occupancy rates for CCFs, (2) allows the Department to place any child committed to DYS directly into a CCF if the facility is not meeting the minimum occupancy threshold, (3) grants the committing court the authority to approve or disapprove the placement of a child into a CCF, and (4) allows counties not associated with a CCF to refer children to such a facility with the consent of the facility. These modifications to existing law could increase the utilization rate of CCF beds.

Parole Operations — Program Series 2

Purpose: To ensure public safety through parole supervision, while assisting youth in developing competency and accountability.

Parole Operations

Program Description: The Division of Parole and Community Services operates seven field offices. Upon release from a departmental institution, the length of a juvenile's parole supervision is determined based on recidivism risk. Parole operations are divided into two branches: Community Residential Services and Non-Community Residential Services. Private and public vendors provide these services. Over time, the fiscal emphasis on residential services has decreased, while the funding to non-residential services has increased.

Funding Source: GRF

Line Items: The table immediately below shows the lone GRF line item that is used to fund the Department's Parole Operation program series, as well as the Governor's recommended funding level.

Fund	ALI	Title	FY 2004	FY 2005
GRF	472-321	Parole Operations	$ 15,347,154	$ 14,841,872
Total funding: Parole Operations			**$ 15,347,154**	**$ 14,841,872**

Implication of the Executive Recommendation: The Department estimated the future cost of continuing its current parole operation at $16.7 million in FY 2004 and $17.2 million in FY 2005. These amounts would have allowed the Department to maintain all current programs and personnel. As is evidenced in the table immediately below, the Department's parole operation received less GRF funding than it calculated would be necessary to continue existing services by $1.4 million in FY 2004 and by $2.4 million in FY 2005.

As a result, the Department is considering two actions: (1) eliminating 40 FTEs from parole operations, and (2) possibly closing one of its seven regional parole offices. The Department will first attempt to reduce FTEs by offering an early retirement incentive (ERI). However, the Department does not expect that ERIs alone will be sufficient to reduce the necessary number of FTEs, and anticipates that staff layoffs are very likely.

The table immediately below summarizes the difference between what the Department requested to continue existing services compared with the Governor's recommendation.

DYS Parole Operations				
Funding	FY 2004		FY 2005	
	Requested	Recommended	Requested	Recommended
Continuation	$ 16,700,116	$ 15,347,154	$ 17,232,907	$ 14,841,872
Totals	$ 16,700,116	$ 15,347,154	$ 17,232,907	$ 14,841,872

Earmarking: None

Permanent and Temporary Law: None

State Institutional Services — Program Series 3

Purpose: To provide corrective and rehabilitative services to youth in departmental institutions

State Institutional Services

Program Description: The Department currently operates nine juvenile institutions, including eight correctional facilities and one residential treatment center. These institutions offer a variety of programs and services, including educational services, substance abuse treatment, sex offender programs, medical services, mental health services, therapeutic and community services programs, and social services.

Funding Source: (1) various federal grants, including funds for juvenile justice and delinquency prevention, education, school breakfast and lunch, drug treatment, aftercare reimbursements, and community service, (2) basic and vocational education payments transferred from the Department of Education, (3) child support payments, (4) transferred funds from other state agencies for residential treatment, parenting skills and pregnancy prevention, and community service programs, and (5) payments from employees utilizing institutional cafeterias. (Not noted here is a large amount of GRF moneys that supports the Department's institutions drawn from the RECLAIM Ohio program, but not explicitly part of this program series. Based on the executive budget, RECLAIM Ohio would contribute roughly $40 million in each fiscal year to the financing of, amongst other things, the Department's institutional costs.)

Line Items: The following table shows the line items that are used to fund the State Institutional Services program series, as well as the Governor's recommended funding levels.

Fund Group	ALI	Title	FY 2004	FY 2005
FED	470-601	Education	$ 1,491,587	$ 1,555,147
FED	470-603	Juvenile Justice Prevention	$ 1,558,138	$ 1,558,138
FED	470-606	Nutrition	$ 2,389,587	$ 2,485,170
FED	470-610	Rehabilitation Programs	$ 585,000	$ 585,000
FED	470-614	Title IV-E Reimbursements	$ 4,776,002	$ 4,919,282
FED	470-617	AmeriCorps Programs	$ 460,000	$ 460,000
Total Federal Funding			**$ 11,260,314**	**$ 11,562,737**
GSF	470-613	Education Reimbursement	$ 8,817,598	$ 8,817,598
GSF	470-602	Child Support	$ 311,302	$ 320,641
GSF	470-605	General Operational Funds	$ 10,000	$ 10,000
GSF	470-609	Employee Food Service	$ 118,454	$ 122,008
GSF	470-621	Wellness Program	$ 197,778	$ 197,778
Total General Services Funding			**$ 9,455,132**	**$ 9,468,025**
SSR	470-612	Vocational Education	$ 2,523,653	$ 2,630,612
SSR	470-618	Help Me Grow	$ 11,587	$ 11,587
SSR	470-623	Residential Treatment Services	$ 500,000	$ 500,000
Total State Special Revenue Funding			**$ 3,035,240**	**$ 3,142,199**
Total funding: State Institutional Services			**$ 23,750,686**	**$ 24,172,961**

Implication of the Executive Recommendation: The executive recommendation granted the Department's requested level of funding for the purpose of delivering institutional services. Thus, the Department should be able to maintain the current level of services and grants that are being financed through these non-GRF revenue streams.

Earmarking: None

Permanent and Temporary Law: The following temporary law relative to the State Institutional Services program series is contained in the executive budget:

Employee Food Service and Equipment

Temporary law associated with the Department's Fund 479 (line item 470–609, Employee Food Service) notwithstands section 125.14 of the Revised Code, which allocates the proceeds from the transfer, sale, or lease of excess and surplus supplies, in order to permit moneys deposited in Fund 479 collected as reimbursement for state surplus property to be used to purchase any food operational items. Existing permanent law, which creates the fund in section 5139.86 of the Revised Code, already specifies that all of its moneys shall be used to purchase food, supplies, and cafeteria equipment for the Department's institutions. Thus, the temporary law is consistent with existing permanent, as well as current practice. This temporary law has been included in every one of the Department's biennial operating budgets since first appearing in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993.

Education Reimbursement

Temporary law associated with the Department's Fund 175 (line item 470–613, Education Reimbursement) states that all of its moneys must be used for the operational costs of providing educational services to youth supervised by the Department, including, but not limited to, teacher salaries, maintenance expenses, and equipment purchases. The use of any of the fund's money for capital expenses is explicitly prohibited. The temporary law has been included in every one of the Department's biennial operating budgets since first appearing in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993.

Independent Juvenile Court Subsidies — Program Series 4

Purpose: To provide funding to juvenile courts for the purpose of developing and implementing non-secure community programs for at-risk, unruly, and delinquent youth.

Independent Juvenile Court Subsidies

Program Description: This program series, which until relatively recently included several different subsidy programs that distributed moneys to county juvenile justice systems for various purposes, currently contains only one subsidy program: GRF line item 470-510, Youth Services. Under the Youth Services subsidy program, moneys are distributed to juvenile courts to provide services to juveniles that have been not been adjudicated delinquent for a felony; such services typically fund non-secure community programs that emphasize prevention, diversion, and correctional services.

Funding Source: GRF

Line Items: The table immediately below shows the Department's lone remaining line item in its Independent Juvenile Court Subsidies program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2004	FY 2005
GRF	470-510	Youth Services	$ 18,558,587	$ 18,558,587
Total funding: Independent Juvenile Court Subsidies			**$ 18,558,587**	**$18,558,587**

Implication of the Executive Recommendation: As is evidenced in the table immediately below, the Department's Independent Juvenile Court Subsidies program series received less GRF funding than it calculated would be necessary to continue existing service levels by $3.2 million in FY 2004 and by $8.4 million in FY 2005. This presumably means that, in the future, in order to maintain current service levels as the costs of doing business increase, a juvenile court will have to find alternative revenue streams, reduce the number of available programs, reduce the number of juveniles that can be served, and/or reduce the type or level of services available.

The table immediately below summarizes the difference between what the Department requested to continue existing services compared with the Governor's recommendation.

DYS Independent Juvenile Court Subsidies				
Funding	FY 2004		FY 2005	
	Requested	Recommended	Requested	Recommended
Continuation	$ 21,758,587	$ 18,558,587	$ 26,925,860	$ 18,558,587
Totals	**$ 21,758,587**	**$ 18,558,587**	**$ 26,925,860**	**$ 18,558,587**

Earmarking: None

Permanent and Temporary Law: None

Administration Program Series 5

Purpose: To provide oversight of departmental institutions, private facilities, community corrections facilities, and parole operations, as well as the administration of county subsidies

Administration

Program Description: The Administration program series is in actuality a single program and does not contain easily discernible programs. Rather, it serves as an umbrella term capturing a whole host of what one would call "sub-programs," including, among other things, employee relations, business administration, community services, chief inspector, legal services, and management information systems. This program series essentially provides oversight and coordination for all departmental operations.

Funding Source: GRF

Line Items: The following table shows the key GRF line item that is used to fund the Department's Administration program series, as well as the Governor's recommended funding level.

Fund	ALI	Title	FY 2004	FY 2005
GRF	477-321	Administrative Operations	$ 14,427,323	$ 14,166,008
Total funding: Administration			**$ 14,427,323**	**$ 14,166,008**

Implication of the Executive Recommendation: As is evidenced in the table below, under the executive budget, the Department's Administration program series received less GRF funding than it calculated would be necessary to continue existing service levels by $2.3 million in FY 2004 and by $4.6 million in FY 2005. The level of continuation funding requested by the Department was intended: (1) to cover personnel, equipment, and maintenance costs, (2) to provide a $306,000 state cash match for federal funds, (3) to finance computer system upgrades, and (4) to replace 25% of the Department's vehicles.

As a result of the level of Administration program series funding provided in the executive budget, the Department anticipates the following will happen:

- The number of full-time equivalent (FTE) staff positions associated with the Administration program series will be reduced by 33, to be accomplished by offering early retirement incentives (ERIs) followed by staff layoffs if necessary;
- The necessary state cash to match federal funds is available; and
- Computer system upgrades and vehicle replacements will likely be delayed indefinitely.

The table immediately below summarizes the difference between what the Department requested to continue existing services compared with the Governor's recommendation.

DYS Administration Funding				
Funding	FY 2004		FY 2005	
	Requested	Recommended	Requested	Recommended
Continuation	$ 16,706,908	$ 14,427,323	$ 18,749,752	$ 14,166,008
Totals	**$ 16,706,908**	**$ 14,427,323**	**$ 18,749,752**	**$ 14,166,008**

Earmarking: None

Permanent and Temporary Law: None

Federal Juvenile Justice & Delinquency Prevention — Program Series 6

Purpose: To provide federal sub-grants to local governments and non-profit agencies for implementing various programs that address the problem of juvenile delinquency and its prevention

Federal Juvenile Justice & Delinquency Prevention

Program Description: Under this program series, federal moneys are distributed as sub-grants to local governments and non-profit agencies for implementing various programs that address the problem of juvenile delinquency and its prevention.

Funding Source: Various federal grant programs

Line Items: The table immediately below displays the line items that are handled by the Department in its role as the state agent for the administration of all federal juvenile justice grants awarded to Ohio, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2004	FY 2005
FED	470-604	Juvenile Justice/Delinquency Prevention	$ 4,091,100	$ 4,254,744
FED	470-611	Federal Juvenile Programs FFY02	$ 4,500,000	$ 0
FED	470-625	Federal Juvenile Programs FFY04	$ 7,828,899	$ 4,500,000
FED	470-626	Federal Juvenile Programs FFY05	$ 0	$ 7,828,899
Total funding: Juvenile Justice & Delinquency Prevention			**$ 16,419,999**	**$ 16,583,643**

Implication of the Executive Recommendation: The executive recommendation granted the Department's requested level of funding for the purpose of continuing its existing level of federal grant activity.

Earmarking: None

Permanent and Temporary Law: The following permanent and temporary law relative to the State Institutional Services program series is contained in the executive budget:

Federal juvenile justice programs funds (R.C. section 5139.87)

With regard to the Department of Youth Services and its existing duties and responsibilities to administer the state's role in federal juvenile justice and delinquency programs, the bill makes two modifications to existing law. First, a provision is added clearly specifying that the Department is designated as the state agent for the administration of all federal juvenile justice grants awarded to Ohio. Under the FY 2002-2003 biennial budget, responsibility for these federal programs was transferred to the Department from the Office of Criminal Justice Service. This modification in a sense codifies the Department's role as the state agent in such federal matters. Second, the bill contains a provision specifying that all rules, orders, and determinations of the Office of Criminal Justice Services regarding the administration of federal juvenile justice grants that are in effect on the effective date of this provision continue in effect as rules, orders, and determinations of the Department.

Federal Juvenile Justice Program Transfer

Under the FY 2002-2003 biennial budget, responsibility for the state's involvement in federal juvenile justice programs was transferred to the Department from the Office of Criminal Justice Service. Temporary law states that: (1) any business related to the Office of Criminal Justices' federal line item 196-602, Criminal Federal Justice Programs, commenced but not completed by the Office of Criminal Justice Services must be completed by the Department in the same manner and with the same effect, (2) no validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer, and (3) upon the effective date of the Department's FY 2004-2005 biennial operating budget, the Department becomes the responsible party for any action or proceeding pending against the Office of Criminal Justice Services.

Debt Service — Program Series 7

Purpose: To ensure payment of bond service charges for obligations issued by the Ohio Building Authority to finance the cost of the Department's capital appropriations.

Debt Service

Program Description: This program/line item picks up the state's debt service tab that must be paid to the Ohio Building Authority (OBA) for its obligations incurred as a result of issuing bonds that cover the Department's capital appropriations. The appropriation authority and actual spending levels are set and controlled by the Office of Budget and Management (OBM), and not by the Department.

The moneys made available as a result of these bonds have financed the design, construction, renovation, and rehabilitation phases of various departmental capital projects, as well as the construction and renovation costs associated with local projects (community corrections facilities, county detention centers, and the like).

Funding Source: GRF

Line Items: The following table shows the lone and relatively large GRF line item that is used to fund this program series, as well as the Governor's recommended funding level.

Fund	ALI	Title	FY 2002	FY 2003
GRF	470-412	Lease Rental Payments	$ 21,110,100	$ 21,110,000
Total funding: Debt Service			**$ 21,110,100**	**$ 21,110,000**

Implication of the Executive Recommendation: Under the debt service funding level in the executive budget, the state will be able to meet its legal and financial obligations to the OBA in either of the next two fiscal years.

Earmarking: None

Permanent and Temporary Law: The following temporary law relative to the Debt Service program series is contained in the executive budget:

Ohio Building Authority Lease Payments

Temporary law stipulates that the moneys contained in GRF line item 470–412, Lease Rental Payments, are for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance the state's juvenile correctional building program. This temporary law has been included in every one of the Department's biennial operating budgets since first appearing in Am. Sub. H.B. 111 of the 118th General Assembly, the main operating appropriations act covering FYs 1990 and 1991.

ADDITIONAL FACTS AND FIGURES

Table 1: Department of Youth Services Staffing Levels by Fiscal Year*											
Program	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003***	**2004***	**2005***
RECLAIM Ohio	1838.40	2161.60	2162.40	2077.60	2072.40	2184.90	2096.90	2096.60	1932.50	1676.50	1676.50
Parole	214.50	215.00	215.00	210.50	216.00	211.00	211.00	211.00	201.00	161.00	161.00
Administration	217.50	236.50	238.50	242.50	250.25	229.50	225.50	225.50	203.00	170.00	170.00
Totals	**2270.40**	**2613.10**	**2615.90**	**2530.60**	**2538.65**	**2625.40**	**2533.40**	**2533.10**	**2336.50**	**2007.5**	**2007.50**

*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2003 through 2005 are estimates.

The executive recommendation will result in the loss of 329 FTEs over the course of FYs 2004 and 2005. Of this total, 256 FTEs are associated with the RECLAIM Ohio program, 40 FTEs with Parole, and 33 FTEs with Administration. The Department estimates that 80 of these positions will be reduced through early retirement incentive options, 12 positions are currently unfilled, but the elimination of the remaining 237 FTEs are likely to result in lay-offs.

In the period running from FY 2000 through FY 2005, assuming the FY 2005 estimate were true, the Department will have eliminated over 600 FTEs.

As a result of a reduced level of GRF funding, the Department cut its institutional staff that are financed through the RECLAIM Ohio program by 164 FTEs between FYs 2002 and 2003. To accomplish this, the Department closed the Maumee Juvenile Correctional Facility, one of its older and less efficient institutions. At that time, parole and administrative staff were largely unaffected.

In FY 2000, primarily as a result of activating the Marion Juvenile Correctional Facility, the number of institutional staff financed through the RECLAIM Ohio program increased.

The drop in the number of institutional personnel financed through the RECLAIM Ohio program that between FYs 1997 and 1998 was primarily attributable to the closing of the Department's Training Institute of Central Ohio (TICO).

The jump in the number of institutional personnel financed through the RECLAIM Ohio program that occurred between FYs 1995 and 1996 was tied to the opening of the Ohio River Valley Youth Center and the Opportunity Center, as well as an expansion at the Scioto Juvenile Correctional Center that required the hiring of additional juvenile correction officers.

Table 2: Total Departmental Commitments by Fiscal Year											
Type	**1992**	**1993**	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002***
New	2,361	2,325	2,388	2,237	2,211	2,078	1,959	1,885	1,858	1,661	1,585
Recommitments	520	482	443	440	431	378	308	278	276	211	209
Prior Discharge	187	201	172	125	116	87	93	91	81	61	46
Revocations	461	526	630	608	616	616	635	524	551	520	496
Totals	**3,529**	**3,534**	**3,633**	**3,410**	**3,374**	**3,159**	**2,995**	**2,778**	**2,766**	**2,453**	**2,336**

*FY 2002 numbers reflect preliminary estimates.
Note: Totals do not reconcile completely with Table 4, but are believed to be generally accurate.

Table 2 displays the total number of juveniles that were committed to the care and custody of the Department of Youth Services by fiscal year and type of commitment. Over the course of the last ten years or so, the Department's total number of annual commitments has declined from 3,529 in FY 1992 to 2,336 in FY 2002, a decrease of 33.8%. Over that same period of time, the percentage of annual commitments attributable to revocations upon breaking parole conditions increased, while the percentage of annual commitments attributable to recommitments decreased.

Table 3: Statewide Adjudications by Felony Level by Fiscal Year**								
Felony	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001***
Murder	25 (0.2)	22 (0.1)	35 (0.2)	17 (0.1)	2 (>0.1)	1 (>0.1)	0 (0)	1 (>0.1)
Felony 1	1,769 (12.2)	1,920 (12.5)	1,979 (12.5)	1,298 (8.6)	805 (6.1)	614 (5.0)	662 (6.1)	471 (5)
Felony 2	1,866 (12.9)	2,073 (13.5)	2,168 (13.7)	2,446 (16.2)	2,136 (16.2)	1,746 (14.3)	1,422 (13.1)	1,161(12)
Felony 3	3,908 (27.0)	3,945 (25.7)	4,016 (25.3)	2,859 (18.9)	1,899 (14.4)	1,734 (14.2)	1,400 (12.9)	1,374 (14)
Felony 4	6,917 (47.8)	7,367 (48.1)	7,659 (48.3)	5,300 (35.1)	3,733 (28.3)	3,336 (27.4)	3,117 (28.7)	2,764 (28)
Felony 5	N/A	N/A	N/A	3,176 (21)	4,619 (35.0)	4,754 (39.0)	4,277 (39.3)	4,115 (42)
Totals	**14,485**	**15,327**	**15,857**	**15,096**	**13,194**	**12,185**	**10,878**	**9,886**

*FY 2002 data was as yet unavailable from the Department.
**Numbers in parentheses are percentages. Due to rounding error, percentages may not total 100.

The total number of juveniles adjudicated delinquent rose gradually from FY 1993 to FY 1996, when it then peaked. Since that time, total annual felony adjudications have dropped noticeably.

Table 4: Statewide Commitments by Felony Level by Fiscal Year**									
Felony	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002***
Murder	14 (0.5)	12 (0.4)	6 (0.2)	2 (0.1)	3 (0.1)	5 (0.2)	1 (> 0.1)	2 (0.1)	3 (0.2)
Felony 1	473 (15.8)	536 (19.1)	505 (19.0)	400 (15.9)	319 (13.7)	231 (10.3)	275 (12.5)	245 (13)	287 (16)
Felony 2	473 (15.8)	416 (14.9)	426 (16.0)	414 (16.4)	392 (16.8)	357 (15.9)	337 (15.3)	325 (17)	268 (15)
Felony 3	993 (33.1)	834 (29.8)	769 (29.0)	550 (21.8)	429 (18.4)	369 (16.4)	340 (15.5)	312 (16)	326 (18)
Felony 4	1,050 (35.0)	1,004 (35.8)	956 (35.9)	832 (33.0)	680 (29.2)	648 (28.9)	652 (29.7)	548 (28)	500 (27)
Felony 5	N/A	N/A	N/A	323 (12.8)	505 (21.7)	636 (28.3)	591 (26.9)	501 (26)	546 (30)
Totals	**3,003**	**2,802**	**2,662**	**2,521**	**2,328**	**2,246**	**2,196**	**1,933**	**1,930**

*Based on preliminary information.
**Numbers in parentheses are percentages. Due to rounding error, percentages may not total 100.
Note: Totals do not reconcile completely with Table 2, but are believed to be generally accurate.

Two things stand out from Table 4 above. First, total annual commitments have declined, which is one result that the Department had hoped to achieve as a result of implementing the RECLAIM Ohio program. Second, with the enactment of Am. Sub. H.B. 1 of the 121st General Assembly, juvenile courts were given a wider range of sanctions for sentencing juveniles to the commitment of the Department of Youth Services. It appears that, the bill, at least in part, has resulted in fewer juveniles being sentenced as third degree felons and more juveniles being sentenced as fourth and fifth degree felons.

Table 5: Number of Youth Committed for Felony Sex Offenses by Calendar Year			
Calendar Year	**# Sex Offenders Committed**	**# Offenders Committed**	**Percentage Sex Offenders**
1990	113	3,603	3.1%
1991	152	3,534	4.3%
1992	177	3,633	4.9%
1993	190	3,410	5.6%
1994	157	3,374	4.7%
1995	180	3,159	5.7%
1996	168	2,995	5.6%
1997	176	2,246	7.8%
1998	207	2,196	9.4%
1999	217	2,246	9.7%
2000	197	2,196	9.0%
2001	216	1,933	11.2%

Table 5 above shows that the number of juvenile sex offenders committed annually to the Department has risen, most notably in the last five years. Juvenile sex offenders also typically have a more noticeable effect on the Department's average daily population, as juvenile sex offenders serve longer sentences than juveniles sentenced to the Department for other types of offenses and there are sometimes delays in releasing juvenile sex offenders back into the community because of the relatively few specialized treatment beds available.

In the last four calendar years, the number of juvenile sex offenders committed to the Department has been nearly double the number committed in 1990. This doubling has occurred during a period of time when the overall number of children adjudicated delinquent has decreased.

Specialized treatment units for juvenile male sex offenders are located at the Marion Juvenile Correctional Facility and the Circleville Juvenile Correctional Facility.

Table 6: Descriptions of Department of Youth Services Institutions

Juvenile Correctional Facility	Built	Calendar Year 2002 Population	Rated Capacity	Security Level	Programs & Specialized Youth Populations
Circleville	1994	219	144	Maximum	Male sex offenders
Cuyahoga Hills	1969	317	200	Medium	General population
Indian River	1973	207	192	Maximum	Occupational Work Experience Program; non-intensive mental health programming
Marion	1999	296	260	Maximum	28-bed sex offender/general population transition unit
Mohican	1935	167	120	Medium	Southern Ohio youth; substance abuse treatment-therapeutic community
Ohio River Valley	1996	242	240	High	Occupational Work Experience Program; moderate risk sex offender program
Riverview	1968	123	144	Maximum	Only secure female facility
Scioto	1993	244	192	Close	Male admission/evaluation center; residential treatment center for youth with mental retardation, developmental disabilities, or chronic medical conditions
Residential Treatment Facility					
Freedom Center	1956	21 females	26	Minimum	Residential treatment center for females; drug and alcohol treatment
Private Facility*					
Lighthouse Youth Center–Paint Creek Youth Center	1986	50	49	---	Private non-profit residential treatment facility; felony 1 and 2 male offenders

*Private facilities do not have a security level.

Although it is listed in the above table, the Department has already announced its intention to close the Riverview Juvenile Correctional Facility. The current population of Riverview will be moved to the Scioto Juvenile Correctional Facility, an adjacent facility. The two populations, females from Riverview and males from Scioto, will be within the same perimeter fence; however, the two populations will be kept separate within the institution. This is not the Department's first co-educational facility. Up until just four years ago or so, the Department operated co-educational facilities and has stated that it did not encounter any serious management problems.

Table 6 above illustrates the position taken by the Department that, especially after RECLAIM Ohio went into effect, it has expanded the number of higher security beds to accommodate a larger concentration of serious juvenile offenders.

Opportunity Center, a departmental residential treatment facility, was formally incorporated into the Scioto Juvenile Correctional Facility during the FY 2002-2003 biennium. The Opportunity Center houses 42 juveniles with mental retardation, developmental disabilities, or serious medical conditions.

Five of the Department's institutions are 30 or more years old. The Mohican Juvenile Correctional Facility, having been built in 1935, is the oldest at 68.

As a result of GRF expenditure reductions instituted during FYs 2002 and 2003, the Department eliminated a private contract for girls (FIRST program) and closed the Maumee Juvenile Correctional Facility.

PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that explicitly affect the duties, responsibilities, or fiscal operations of the Department of youth Services.

Permanent Law Provisions

Community corrections facilities (R.C. section 5139.36)

Relative to the operation of community corrections facilities (CCFs), the bill: (1) requires the Department of Youth Services to set guidelines for minimum occupancy rates for CCFs, (2) allows the Department to place any child committed to DYS directly into a CCF if the facility is not meeting the minimum occupancy threshold, (3) grants the committing court the authority to approve or disapprove the placement of a child into a CCF, and (4) allows counties not associated with a CCF to refer children to such a facility with the consent of the facility. These modifications to existing law could increase the utilization rate of CCF beds.

Federal juvenile justice programs funds (R.C. section 5139.87)

With regard to the Department of Youth Services and its existing duties and responsibilities to administer the state's role in federal juvenile justice and delinquency programs, the bill makes two modifications to existing law. First, a provision is added clearly specifying that the Department is designated as the state agent for the administration of all federal juvenile justice grants awarded to Ohio. Under the FY 2002-2003 biennial budget, responsibility for these federal programs was transferred to the Department from the Office of Criminal Justice Service. This modification in a sense codifies the Department's role as the state agent in such federal matters.

Second, the bill contains a provision specifying that all rules, orders, and determinations of the Office of Criminal Justice Services regarding the administration of federal juvenile justice grants that are in effect on the effective date of this provision continue in effect as rules, orders, and determinations of the Department.

Temporary Law Provisions

Ohio Building Authority Lease Payments

Temporary law stipulates that the moneys contained in GRF line item 470–412, Lease Rental Payments, are for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance the state's juvenile correctional building program. This temporary law has been included in every one of the Department's biennial operating budgets since first appearing in Am. Sub. H.B. 111 of the 118th General Assembly, the main operating appropriations act covering FYs 1990 and 1991.

Employee Food Service and Equipment

Temporary law associated with the Department's Fund 479 (line item 470–609, Employee Food Service) notwithstands section 125.14 of the Revised Code, which allocates the proceeds from the transfer, sale, or lease of excess and surplus supplies, in order to permit moneys deposited in Fund 479 collected as reimbursement for state surplus property to be used to purchase any food operational items. Existing permanent law, which creates the fund in section 5139.86 of the Revised Code, already specifies that all of its moneys shall be used to purchase food, supplies, and cafeteria equipment for the Department's institutions. Thus, the temporary law is consistent with existing permanent, as well as current practice. This temporary law has been included in every one of the Department's biennial operating budgets since first appearing in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993.

Education Reimbursement

Temporary law associated with the Department's Fund 175 (line item 470–613, Education Reimbursement) states that all of its moneys must be used for the operational costs of providing educational services to youth supervised by the Department, including, but not limited to, teacher salaries, maintenance expenses, and equipment purchases. The use of any of the fund's money for capital expenses is explicitly prohibited. The temporary law has been included in every one of the Department's biennial operating budgets since first appearing in Am. Sub. H.B. 298 of the 119th General Assembly, the main operating appropriations act covering FYs 1992 and 1993.

Federal Juvenile Justice Program Transfer

Under the FY 2002-2003 biennial budget, responsibility for the state's involvement in federal juvenile justice programs was transferred to the Department from the Office of Criminal Justice Service. Temporary law states that: (1) any business related to the Office of Criminal Justices' federal line item 196-602, Criminal Federal Justice Programs, commenced but not completed by the Office of Criminal Justice Services must be completed by the Department in the same manner and with the same effect, (2) no validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer, and (3) upon the effective date of the Department's FY 2004-2005 biennial operating budget, the Department becomes the responsible party for any action or proceeding pending against the Office of Criminal Justice Services.

REQUESTS NOT FUNDED

The difference, or variance, between what the Department of Youth Services requested for its biennial budget and the Governor's recommended funding level is summarized in the tables below for four of the Department's seven program series: RECLAIM Ohio, Parole Operations, Independent Juvenile Court Subsidies, and Administration. The remaining three program series – State Institutional Services, Juvenile Justice and Delinquency Prevention, and Debt Service – were fully funded by the executive budget. Only one of those three fully funded program series – Debt Service – is financed by the GRF.

Reclaim Ohio — Program Series 1

RECLAIM Ohio GRF Funding						
Funding Level	FY 2004			FY 2005		
	Requested	Recommended	Difference	Requested	Recommended	Difference
Continuation	$162,149,528	$164,637,416	$ 2,487,888	$169,776,347	$167,697,792	($ 2,078,555)
Expansion	$ 10,359,933	$ 0	($ 10,359,933)	$ 19,868,723	$ 0	($ 19,868,723)

Relative to the information contained in the table immediately above, the reader should keep in mind the basic distinction between "Continuation" funding and "Expansion" funding. Continuation funding basically represents the amount of money it will take in FYs 2004 and 2005 to continue RECLAIM Ohio program services that were being delivered during FY 2003. Expansion funding is essentially new money explicitly provided to undertake new initiatives, expand existing services, or hire new staff.

Continuation funding

As is evidenced in the table immediately above, the Governor recommended the RECLAIM Ohio program series receive $2.5 million more than the Department requested as continuation funding in FY 2004 and $2.1 million less than the Department requested as continuation funding in FY 2005.

While it might appear that, given the current FY 2003 estimated expenditures of $155.1 million for RECLAIM Ohio, the program series received a notable increase in GRF funding under the executive-recommended budget, that appearance is somewhat misleading. The FY 2004 and FY 2005 executive-recommended levels of GRF funding numbers are only 0.31% and 2.0%, respectively, above the original FY 2003 appropriation of $164.4 million.

As a result of the level of RECLAIM Ohio funding provided in the executive budget, the Department plans to take the following actions:

- The funding level will only support seven of the Department's existing eight correctional facilities. To this end, the Department plans to consolidate two of its correctional facilities: the Riverview Juvenile Correctional Facility and the Scioto Juvenile Correctional Facility. The Riverview facility will be deactivated, but kept operationally ready in the event that it is needed and/or revenue to support its activation is made available.

- The Department will reduce the number of full-time equivalent (FTE) staff positions associated with its RECLAIM Ohio program by 256, including some education positions not funded by

GRF. The Department will first attempt to reduce FTEs by offering early retirement incentives (ERIs). However, the Department does not expect that ERIs alone will be sufficient to reduce the necessary number of FTEs, and anticipates that approximately 190 FTEs will have to be laid off.

Expansion funding

As is evidenced in the table immediately above, the Department's RECLAIM Ohio program received no expansion funding for the FY 2004-2005 biennium. The Department had requested expansion funding for the following purposes: (1) to fully open the community corrections facilities (CCFs) in Montgomery and Stark counties which are currently running at half capacity, (2) to open CCFs in Belmont and Erie counties, (3) to open an already built expansion at the Ohio River Valley Juvenile Correctional Facility, which would have increased the Department's number of beds for sex offenders and required 59 additional FTEs to operate, and (4) to fill 100 institutional positions which were vacant because of a lack of funding. The Department intends to at least partially activate the new CCFs in Belmont and Erie counties, and to bring the CCFs in Montgomery and Stark counties up to full operation. If this were in fact to occur, it will not be until FY 2005. The Department has indicated that it will not be able to open the expansion at the Ohio River Valley Juvenile Correctional Facility, or to fill any of the 100 vacant institutional positions.

Parole Operations — Program Series 2

Parole Operations GRF Funding						
Funding Level	FY 2004			FY 2005		
	Requested	Recommended	Difference	Requested	Recommended	Difference
Continuation	$ 16,700,116	$ 15,347,154	($ 1,352,962)	$ 17,232,907	$ 14,841,872	($ 2,391,035)

In the table immediately above, a "Continuation" funding level basically represents the amount of money it will take in FYs 2004 and 2005 to continue parole services that were being delivered during FY 2003. Expansion funding is essentially new money explicitly provided to undertake new initiatives, expand existing services, or hire new staff.

Continuation funding

As is evidenced in the table immediately above, the Department's parole operation received less GRF funding than it calculated would be necessary to continue existing services by $1.4 million in FY 2004 and by $2.4 million in FY 2005. As a result, the Department is considering two actions: (1) eliminating 40 FTEs from parole operations, and (2) possibly closing one of its seven regional parole offices. The Department will first attempt to reduce FTEs by offering an early retirement incentive (ERI). However, the Department does not expect that the ERI alone will be sufficient to reduce the necessary number of FTEs, and anticipates that staff layoffs are very likely.

Expansion funding

The Department did not request any GRF expansion funding for its parole services; all of the program's needs were covered under its request for continuation funding.

Independent Juvenile Court Subsidies — Program Series 4

Independent Juvenile Court Subsidies GRF Funding						
Funding Level	FY 2004			FY 2005		
	Requested	Recommended	Difference	Requested	Recommended	Difference
Continuation	$ 21,758,587	$ 18,558,587	($ 3,200,000)	$ 26,925,860	$ 18,558,587	($ 8,367,273)

In the table immediately above, a "Continuation" funding level basically represents the amount of money it will take in FYs 2004 and 2005 to continue the level of independent juvenile court subsidies that were distributed during FY 2003. Expansion funding is essentially new money explicitly provided to undertake new initiatives, expand existing services, or hire new staff.

Continuation funding

As is evidenced in the table immediately above, the Department's Independent Juvenile Court Subsidies program series received less GRF funding than it calculated would be necessary to continue existing service levels by $3.2 million in FY 2004 and by $8.4 million in FY 2005. This presumably means that, in the future, in order to maintain current service levels as the costs of doing business increase, a juvenile court will have to find alternative revenue streams, reduce the number of available programs, reduce the number of juveniles that can be served, and/or reduce the type or level of services available.

This program series, which until relatively recently included several different subsidy programs that distributed moneys to county juvenile justice systems for various purposes, currently contains only one subsidy program: GRF line item 470-510, Youth Services. Under the Youth Services subsidy program, moneys are distributed to juvenile courts to provide services to juveniles that have been not been adjudicated delinquent; such services typically non-secure community programs that emphasize prevention, diversion, and correctional services.

Expansion funding

The Department did not request any GRF expansion funding for its Independent Juvenile Court Subsidies program series; all of the program series' needs were covered under its request for continuation funding.

Administration — Program Series 5

DYS Administration Funding						
Funding Level	FY 2004			FY 2005		
	Requested	Recommended	Difference	Requested	Recommended	Difference
Continuation	$ 16,706,908	$ 14,427,323	($ 2,279,585)	$ 18,749,752	$ 14,166,008	($ 4,583,744)

In the table immediately above, a "Continuation" funding level basically represents the amount of money it will take in FYs 2004 and 2005 to continue the level of administrative services that were being performed in FY 2003. Expansion funding is essentially new money explicitly provided to undertake new initiatives, expand existing services, or hire new staff.

Continuation funding

As is evidenced in the table immediately above, under the executive budget, the Department's Administration program series received less GRF funding than it calculated would be necessary to continue existing service levels by $2.3 million in FY 2004 and by $4.6 million in FY 2005. The level of continuation funding requested by the Department was intended: (1) to cover personnel, equipment, and maintenance costs, (2) to provide a $306,000 state cash match for federal funds, (3) to finance computer system upgrades, and (4) to replace 25% of the Department's vehicles.

As a result of the level of Administration program series funding provided in the executive budget, the Department anticipates the following will happen:

- The Department will reduce the number of full-time equivalent (FTE) staff positions associated with the Administration program series by 33. The Department will first attempt to reduce FTEs by offering early retirement incentives (ERIs). However, the Department does not expect that ERIs alone will be sufficient to reduce the necessary number of FTEs, and anticipates that staff layoffs are very likely.
- The Department will be able to provide the state cash match for the federal funds.
- The Department will not be able to afford upgrading various computer systems or to replace vehicles.

Expansion funding

The Department did not request any GRF expansion funding for its Administration program series; all of the program series' needs were covered under its request for continuation funding.

General Revenue Fund

GRF 470-401 RECLAIM Ohio

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$147,960,057	$153,776,923	$158,494,607	$155,054,146	**$164,637,416**	**$167,697,792**
	3.9%	3.1%	-2.2%	**6.2%**	**1.9%**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139 (originally established by Am. Sub. H.B. 152 of the 120th G.A., the main operating appropriations act covering FYs 1994 and 1995)

Purpose: This line item functions as the funding mechanism for the state's RECLAIM Ohio program, which is shorthand for Reasoned and Equitable Community and Local Alternatives to Incarceration of Minors. RECLAIM Ohio was launched as a pilot in January 1994 and taken statewide in 1995. RECLAIM Ohio funds are used to provide institutional placement and community program services to youths who have been convicted of a felony offense, and to any delinquent child, unruly child, or juvenile traffic offender who is under the jurisdiction of a juvenile court.

The line item's annual appropriations are allocated to cover a number of purposes; outlined here are five of those purposes. First, approximately 3% to 5% of the line item's annual appropriation is held as a contingency to ensure that a juvenile court can continue to commit felony delinquents to the Department, even if it has exhausted its annual allotment of RECLAIM Ohio funding. This contingency also ensures that the Department's institutions and county-run community corrections facilities (CCFs) are fiscally solvent. Second, of the remaining funds, 25% of the annual appropriation is set aside to fund state institutions, privately contracted facilities, residential treatment centers, CCFs, as well as the program's administrative costs. Third, the Department estimates the number of "public safety beds" and sets aside funding for these beds; these beds are provided to the counties free of charge for delinquent children who commit selected serious violent offenses. Fourth, money is set aside to cover commitments from counties which account for one-tenth of one percent, or less, of statewide felony adjudications. Fifth, the portion of the annual appropriation that is left after funds have been allocated for the preceding four purposes are then distributed to counties on a monthly basis. Those monthly distributions to counties work as follows: on or before the 15th of the month, each county receives one twelfth of their annual funding allotment, minus 75% of the daily per diem cost for each youth the county has committed to a Departmental institution and 50% of the daily per diem cost for each youth the county has committed to a CCF in the previous month that has not either met the requirements for a public safety bed or been placed with a Community Based Options program (CBOP) provider.

This line item was previously called Care and Custody. Under Am. Sub. H.B. 283 of the 123rd G.A., the main operating appropriations act covering FYs 2000 and 2001, the name was changed to RECLAIM Ohio.

GRF 470-402 Community Program Services

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$2,334,926	$2,149,757	$1,071,597	$0	**$0**	**$0**
	-7.9%	-50.2%	-100.0%	**N/A**	**N/A**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139.07; Proposed for elimination under FY 2004-2005 executive budget (originally established by Am. Sub. H.B. 440 of the 114th G.A., which replaced the Ohio Youth Commission with the Department of Youth Services)

Purpose: The Department used this line item to fund specialized residential and non-residential treatment services under its Community Based Options program, also known as CBOP. Under CBOP, the Department contracted for services for higher-risk, multi-need youth who were transitioning into communities after incarceration. As a result of GRF expenditure reductions instituted over the course of FYs 2002 and 2003, the Department eliminated funding for the CBOP program in FY 2003.

GRF 470-404 Vocational Rehabilitation

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$268,435	$0	$0	**$0**	**$0**
	N/A		N/A	**N/A**	**N/A**

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 152 of the 120th G.A, the main operating appropriations act covering FYs 1994 and 1995)

Purpose: This line item was used to support an interagency agreement with the Rehabilitation Services Commission (RSC) to provide vocational rehabilitation services and staff to mutually eligible clients. This GRF funding represented the state cash match that enabled RSC to draw on federal vocational rehabilitation services funding.

GRF 470-412 Lease Rental Payments

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$13,251,131	$13,250,822	$17,003,741	$18,739,900	**$21,110,100**	**$21,110,000**
	0.0%	28.3%	10.2%	**12.6%**	**0.0%**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 111 of the 118th G.A, the main operating appropriations act covering FYs 1990 and 1991)

Purpose: This special purpose account funds debt service payments made to the Ohio Building Authority for its obligations incurred as a result of issuing the bonds that cover the Department's capital appropriations. This account's appropriation authority and actual spending levels are set and controlled by the Office of Budget and Management, and not by the Department. The moneys made available as a result of these bonds have financed the design, construction, renovation, and rehabilitation phases of various departmental capital projects, as well as the construction and renovation costs associated with community projects (community corrections facilities, county detention centers, and the like).

GRF 470-501 Rehabilitation Subsidy

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$2,014,946	$2,068,645	$111,230	$0	**$0**	**$0**
	2.7%	-94.6%	-100.0%	**N/A**	**N/A**

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 283 of the 123rd G.A., the main operating appropriations act for FYs 2000 and 2001)

Purpose: This line item was created effective July 1, 1999, as a byproduct of separating the Department's existing GRF line item 470-502, Detention Subsidies, into two separate subsidy accounts. The purpose of creating line item 470-501, Rehabilitation Subsidy, was to create a recognizable state revenue stream that provided financial assistance to county rehabilitation and treatment centers. The FY 2002-2003 biennial operating budget eliminated the statutory authority for providing this form of financial assistance to counties by repealing section 5139.28 of the Revised Code.

GRF 470-502 Detention Subsidies

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$6,211,139	$5,820,691	$342,497	$0	**$0**	**$0**
	-6.3%	-94.1%	-100.0%	**N/A**	**N/A**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139.281; Proposed for elimination under FY 2004-2005 executive budget (originally established in Am. Sub. H.B. 440 of the 114th G.A., which replaced the Ohio Youth Commission with the Department of Youth Services)

Purpose: Historically, this line item supported two programs: (1) a detention center subsidy, and (2) a rehabilitation and treatment center subsidy. The detention center subsidy was used to provide funding that assists county detention centers in meeting maintenance and operational expenses. Priority was given to funding for county detention centers, and any residual funding was allocated to provide financial assistance to county rehabilitation and treatment centers. Amended Substitute House Bill 283 of the 123rd G.A., the main operating appropriations act covering FYs 2000 and 2001, split this GRF line item into two separate line items: 470-501, Rehabilitation Subsidy, and 470-502, Detention Subsidies. The intention was that line item 470-502 be used exclusively to provide financial assistance to county detention centers. As a result of GRF expenditure reductions instituted over the course of FYs 2002 and 2003, the Department eliminated funding for the Detention Subsidies line item in FY 2003.

GRF 470-510 Youth Services

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$21,243,779	$21,772,243	$18,558,579	$18,094,622	**$18,558,587**	**$18,558,587**
	2.5%	-14.8%	-2.5%	**2.6%**	**0.0%**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139.34 (originally established by Am. Sub. H.B. 440 of the 114th G.A., which replaced the Ohio Youth Commission with the Department of Youth Services)

Purpose: This line item funds a subsidy program through which all juvenile courts receive moneys to provide services and programs to divert at-risk, unruly, and delinquent youths from entering the juvenile justice system. These funds are distributed according to a modified per capita formula that is specified in the Revised Code.

GRF 472-321 Parole Operations

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$16,873,690	$16,140,171	$15,857,921	$15,797,621	**$15,347,154**	**$14,841,872**
	-4.3%	-1.7%	-0.4%	**-2.9%**	**-3.3%**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 117 of the 121st G.A., the main operating appropriations act covering FYs 1996 and 1997)

Purpose: This line item represents the consolidation of funding for parole/aftercare operations previously funded through GRF line items 470-100, Personal Services, 470-200, Maintenance, and 470-300, Equipment. Amended Substitute House Bill 215 of the 122nd G.A., the main operating appropriations act covering FYs 1998 and 1999, subsequently shifted some funding from GRF line item 470-402, Community Program Services, into line item 470-321, Parole Operations. The funding that was shifted reflected the portion of line item 470-402 that had traditionally financed the residential placement of paroled youth, and non-residential programs like GED preparation, substance abuse treatment, counseling, and the like for parolees. The amount of funding that was shifted totaled close to $5 million annually.

GRF 474-321 Facilities Activation

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$2,489,486	$469,326	$0	$0	**$0**	**$0**
	-81.1%		N/A	**N/A**	**N/A**

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 117 of the 121st G.A., the main operating appropriations act covering FYs 1996 and 1997)

Purpose: In the past, this line item has served at least two distinct one-time purposes. First, in FYs 1996 and 1997, this line item's funding was used to purchase equipment for the newly constructed Ohio River Valley Correctional Facility located in Scioto County. Second, in FY 2000, this line item's funding was used to provide start-up funding for the Marion Juvenile Correctional Facility, which replaced the Department's Training Institution of Central Ohio, also known as TICO.

GRF 477-321 Administrative Operations

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$13,739,593	$13,870,253	$14,490,306	$14,040,105	**$14,427,323**	**$14,166,008**
	1.0%	4.5%	-3.1%	**2.8%**	**-1.8%**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 117 of the 121st G.A., the main operating appropriations act covering FYs 1996 and 1997)

Purpose: This line item represents the consolidation of funding for the Department’s central office operations that previously had been financed through GRF line items 470-100, Personal Services, 470-200 Maintenance, and 470-300, Equipment.

GRF 477-406 Interagency Collaborations

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$250,000	$250,000	$248,663	$243,750	**$0**	**$0**
	0.0%	-0.5%	-2.0%	**-100.0%**	**N/A**

Source: GRF

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; Proposed for elimination under FY 2004-2005 executive budget (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main operating appropriations act covering FYs 1998 and 1999)

Purpose: This line item served two purposes. First, it assisted with the Department's role in the state's Family and Children First initiative. Second, it supported the Department's involvement in what is termed the Linkages Project. This is a strategy to allow juvenile and adult courts to appropriately divert mental health and substance abuse offenders from jail, detention, and prison.

General Services Fund Group

175 470-613 Education Reimbursement

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$6,740,152	$10,423,639	$10,589,292	$8,817,597	**$8,817,598**	**$8,817,598**
	54.6%	1.6%	-16.7%	**0.0%**	**0.0%**

Source: GSF: Basic aid and special education program payments transferred from the Ohio Department of Education's budget

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 111 of the 118th G.A., the main operating appropriations act covering FYs 1990 and 1991)

Purpose: This line item supports educational services provided to youth within institutions operated by the Department of Youth Services.

479 470-609 Employee Food Service

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$125,800	$151,547	$77,420	$146,933	**$118,454**	**$122,008**
	20.5%	-48.9%	89.8%	**-19.4%**	**3.0%**

Source: GSF: (1) Moneys received from institutional cafeterias, and (2) moneys received from the sale of surplus property

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139.86(C) (originally established by the Controlling Board in March 1982)

Purpose: All of the moneys credited to Fund 479 are used to purchase food, supplies, and equipment for the Department's institutions.

4A2 470-602 Child Support

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$599,262	$437,872	$322,974	$400,000	**$311,302**	**$320,641**
	-26.9%	-26.2%	23.8%	**-22.2%**	**3.0%**

Source: GSF: Child support collected from non-custodial parents on behalf of youth committed to the Department's custody

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on August 3, 1992)

Purpose: All of the moneys credited to Fund 4A2 are used by the Department to defray costs related to providing programs and services to youth that are committed to its institutions. At this time, the Department utilizes all of these moneys to pay for staff training.

4G6 470-605 General Operational Funds

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$0	$63,500	**$10,000**	**$10,000**
	N/A	N/A	N/A	**-84.3%**	**0.0%**

Source: GSF: Gifts, bequests, awards from non-profit organizations or other non-federal agencies in the state, and other receipts such as the sale of recyclable products

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board in April 1994)

Purpose: The moneys deposited to the credit of Fund 4G6 vary in terms of how much flexibility the Department has in the purposes for which those moneys can be used. In some instances, the source of the revenue restricts its use to a certain purpose or certain purposes, while in other instances, the source of the revenue carries no restrictions whatsoever on how the Department can use it.

4J7 470-619 Mental Health & Substance Abuse Treatment

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$309,078	$0	$0	$0	**$0**	**$0**
		N/A	N/A	**N/A**	**N/A**

Source: GSF: GRF moneys transferred under permissive temporary law from the Department of Mental Health's budget, as well as moneys transferred from the Department's Fund 321, line item 470-614, Title IV-E Reimbursements

Legal Basis: Discontinued line item (originally established by Am. Sub. S.B. 310, the supplemental operating appropriations act of the 121st G.A.)

Purpose: These funds were used to support the Linkages Project, an effort jointly planned and coordinated by the departments of Rehabilitation and Correction, Mental Health, Youth Services, and Alcohol and Drug Addiction Services. This collaborative effort was for the purpose of creating a partnership with certain counties in the delivery of mental health and recovery (alcohol and substance abuse treatment) services to adult and juvenile offenders. Starting with FY 1997, funds flowed to demonstration or pilot projects in five counties (Cuyahoga, Hamilton, Lorain, Summit, and Trumbull).

523 470-621 Wellness Program

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$114,386	$154,883	$16,581	$197,778	**$197,778**	**$197,778**
	35.4%	-89.3%	1092.8%	**0.0%**	**0.0%**

Source: GSF: Funds transferred from the Department of Job and Family Services, formerly known as the Department of Human Services prior to its merger with the Ohio Bureau of Employment Services, effective July 1, 2000

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on December 15, 1997)

Purpose: All of the moneys credited to Fund 523 are used to deliver a parenting and pregnancy prevention program that targets female offenders currently housed at the Department's Riverview Juvenile Correctional Facility located in Delaware County.

6A5 470-616 Building Demolition

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$0	$31,100	**$0**	**$0**
	N/A	N/A	N/A	**-100.0%**	**N/A**

Source: GSF: Proceeds from the conveyance of real estate by the Department; most recently, $47,000 was received in April 2002 from the sale of real estate to Concord Township in Delaware County.

Legal Basis: Discontinued line item (originally established Am. Sub. H.B. 636 of the 118th G.A.)

Purpose: These funds act as a supplement to capital appropriations to cover the cost of demolition work.

Federal Special Revenue Fund Group

321 470-601 Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$1,233,741	$1,387,183	$1,398,915	$1,334,121	**$1,491,587**	**$1,555,147**
	12.4%	0.8%	-4.6%	**11.8%**	**4.3%**

Source: FED: Various federal education grants, including: (1) CFDA 84.013, Title I Program for Neglected and Delinquent Children, (2) CFDA 84.027, Special Education - Grants to States, and (3) CFDA 84.048, Vocational Education - Basic Grants to States

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 111 of the 118th G.A., the main operating appropriations act covering FYs 1990 and 1991; replaced former federal line item 471-601)

Purpose: These federal moneys are used to support the Department's institutional education program, which covers a wide variety of academic, vocational, special education, remedial, and individualized programming.

321 470-603 Juvenile Justice Prevention

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$1,290,226	$2,101,246	$1,449,384	$2,973,734	**$1,558,138**	**$1,558,138**
	62.9%	-31.0%	105.2%	**-47.6%**	**0.0%**

Source: FED: Various project specific federal criminal and juvenile justice grants, most notably CFDA 16.579, Byrne Memorial Criminal Justice Block Grant

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on August 18, 1986)

Purpose: These federal funds are used for a variety of purposes related primarily to aiding operations within the Department's institutions, including the delivery of substance abuse services to incarcerated youth.

321 470-606 Nutrition

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$2,404,752	$2,569,256	$2,452,236	$2,800,000	**$2,389,587**	**$2,485,170**
	6.8%	-4.6%	14.2%	**-14.7%**	**4.0%**

Source: FED: (1) CFDA 10.555, National School Lunch Program, and (2) CFDA 10.553, School Breakfast Program

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board in November 1976)

Purpose: These federal moneys represent reimbursement payments from the U.S. Department of Agriculture's Food and Nutrition Service for breakfasts and lunches served to eligible youth committed to the Department's institutions. These moneys are used to support the Department's institutional food services program.

321 470-610 Rehabilitation Programs

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$217,775	$423,011	$330,142	$711,200	**$585,000**	**$585,000**
	94.2%	-22.0%	115.4%	**-17.7%**	**0.0%**

Source: FED: CFDA 16.575, Crime Victims Assistance

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main operating appropriations act covering FYs 1984 and 1985)

Purpose: These federal funds are used to provide for substance abuse programming and education within the Department's institutions.

321 470-614 Title IV-E Reimbursements

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$5,827,094	$5,690,294	$2,901,383	$5,700,000	**$4,776,002**	**$4,919,282**
	-2.3%	-49.0%	96.5%	**-16.2%**	**3.0%**

Source: FED: (1) CFDA 93.658, Foster Care - Title IV-E, and (2) CFDA 93.778, Medicaid Assistance Program

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on December 9, 1988)

Purpose: These moneys are used to help fund the placement of youth in non-institutional residential settings, such as treatment centers. Title IV-E and Medicaid funds cannot be used for delinquent children in secure settings.

321 470-617 AmeriCorps Programs

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$209,164	$235,087	$318,615	$418,444	**$460,000**	**$460,000**
	12.4%	35.5%	31.3%	**9.9%**	**0.0%**

Source: FED: CFDA 94.001, Corporation for National Community Service

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on December 6, 1993)

Purpose: AmeriCorps, created by the National and Community Service Trust Act of 1993, is a program under which young people perform paid work in community service projects in exchange for receiving financial help towards a college education. The Department of Youth Services was designated by the Office of the Governor to implement the program in Ohio, a duty that largely consists of disbursing and monitoring Americorps grants that are awarded to local organizations.

3V5 470-604 Juvenile Justice/Delinquency Prevention

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$1,399,181	$5,998,092	**$4,091,100**	**$4,254,744**
	N/A	N/A	328.7%	**-31.8%**	**4.0%**

Source: FED: Various juvenile justice and delinquency federal grant programs, including: (1) CFDA 16.540, Juvenile Justice and Delinquency Prevention - Allocation to State, (2) CFDA 16.548, Title V - Delinquency Prevention Program, and (3) CFDA 16.549, Part E - State Challenge Activities; Am. Sub. H.B. 94 of the 124th G.A. transferred control of this federal juvenile justice and delinquency prevention funding from the Office of Criminal Justice Services to the Department of Youth Services

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.

Purpose: The federal funding received under these various grants programs is disbursed to state and local agencies to support development of more effective education, training, research, prevention, diversion, treatment, accountability based sanctions, and rehabilitation programs in the area of juvenile delinquency, as well as to support programs that improve the state's juvenile justice system.

3V9 470-608 Federal Juvenile Programs FFY 01

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$1,691,604	$1,500,000	**$0**	**$0**
	N/A	N/A	-11.3%	**-100.0%**	**N/A**

Source: FED: CFDA 16.560, Juvenile Accountability Incentive Block Grants (JAIBG)

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139.87

Purpose: Under this federal juvenile justice and delinquency prevention block grant program, moneys are distributed to state and local units of government to promote greater accountability in the juvenile justice system. There are around a dozen designated funding purposes that address such things as the hiring of personnel, construction, and programming. The state is required to establish a separate fund for each federal fiscal year in which JAIBG funding is awarded and all investment earnings on the cash balance in each fund must be credited to that fund. Amended Substitute House Bill 94 of the 124th G.A. transferred control of the JAIBG grant program from the Office of Criminal Justice Services to the Department of Youth Services.

3W0 470-611 Federal Juvenile Programs FFY 02

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$0	$7,828,899	**$4,500,000**	**$0**
	N/A	N/A	N/A	**-42.5%**	**-100.0%**

Source: FED: CFDA 16.523, Juvenile Accountability Incentive Block Grants (JAIBG)

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 5139.87

Purpose: Under this federal juvenile justice and delinquency prevention block grant program, moneys are distributed to state and local units of government to promote greater accountability in the juvenile justice system. There are around a dozen designated funding purposes that address such things as the hiring of personnel, construction, and programming. The state is required to establish a separate fund for each federal fiscal year in which JAIBG funding is awarded and all investment earnings on the cash balance in each fund must be credited to that fund. Amended Substitute House Bill 94 of the 124th G.A. transferred control of the JAIBG grant program from the Office of Criminal Justice Services to the Department of Youth Services.

3Z8 470-625 Federal Juvenile Programs FFY 04

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$0	$0	**$7,828,899**	**$4,500,000**
	N/A	N/A	N/A	**N/A**	**-42.5%**

Source: FED: CFDA 16.523, Juvenile Accountability Incentive Block Grants (JAIBG)

Legal Basis: Proposed for creation under the FY 2004-2005 executive budget; ORC 5139.87

Purpose: Moneys are to be distributed to state and local units of government to promote greater accountability in the juvenile justice system. There are around a dozen designated funding purposes that address such things as the hiring of personnel, construction, and programming. The state is required to establish a separate fund for each federal fiscal year in which JAIBG funding is awarded and all investment earnings on the cash balance in each fund must be credited to that fund. Amended Substitute House Bill 94 of the 124th G.A. transferred control of the JAIBG grant program from the Office of Criminal Justice Services to the Department of Youth Services.

3Z9 470-626 Federal Juvenile Programs FFY 05

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$0	$0	$0	**$0**	**$7,828,899**
	N/A	N/A	N/A	**N/A**	**N/A**

Source: FED: CFDA 16.523, Juvenile Accountability Incentive Block Grants (JAIBG)

Legal Basis: Proposed for creation under the FY 2004-2005 executive budget; ORC 5139.87

Purpose: Moneys are to be distributed to state and local units of government to promote greater accountability in the juvenile justice system. There are around a dozen designated funding purposes that address such things as the hiring of personnel, construction, and programming. The state is required to establish a separate fund for each federal fiscal year in which JAIBG funding is awarded and all investment earnings on the cash balance in each fund must be credited to that fund. Amended Substitute House Bill 94 of the 124th G.A. transferred control of the JAIBG grant program from the Office of Criminal Justice Services to the Department of Youth Services.

State Special Revenue Fund Group

147 470-612 Vocational Education

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$1,883,836	$1,806,355	$1,864,073	$2,090,392	**$2,523,653**	**$2,630,612**
	-4.1%	3.2%	12.1%	**20.7%**	**4.2%**

Source: SSR: Vocational education program payments transferred from the Ohio Department of Education's budget

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on January 9, 1984)

Purpose: All of the moneys credited to Fund 147 are used for the delivery of vocational education services and programs to youth who are incarcerated in departmental institutions.

4W3 470-618 Help Me Grow

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$0	$1,000	$0	$11,587	**$11,587**	**$11,587**
	N/A		N/A	**0.0%**	**0.0%**

Source: SSR: Cash transferred from the Department of Health's GRF-funded Ohio Early Start program

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on March 2, 1998)

Purpose: This revenue stream supports the Department's community services program with its involvement in the mail fulfillment component of the state's Family and Children First initiative known as Help Me Grow. The Department's involvement consists of having institutionalized youth prepare envelopes that contain information and coupons related to the nutrition and well-being of children.

5J7 470-623 Residential Treatment Services

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
$1,462,391	$421,462	$7,057	$500,000	**$500,000**	**$500,000**
	-71.2%	-98.3%	6984.8%	**0.0%**	**0.0%**

Source: SSR: Moneys allocated annually from the Department of Rehabilitation and Correction's federal Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants program (Fund 3S1)

Legal Basis: Section 117 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by the Controlling Board on September 13, 1999)

Purpose: To date, moneys credited to Fund 5J7 have been used to purchase contract beds for male sex offenders and serious female offenders.

LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

Fund	ALI	ALI Title	2002	Estimated 2003	Executive 2004	% Change 2003 to 2004	Executive 2005	% Change 2004 to 2005
DYS		**Youth Services, Department of**						
GRF	470-401	RECLAIM Ohio	$ 158,494,607	$155,054,146	$ 164,637,416	6.2%	$ 167,697,792	1.9%
GRF	470-402	Community Program Services	$ 1,071,597	$0	$ 0	N/A	$ 0	N/A
GRF	470-412	Lease Rental Payments	$ 17,003,741	$18,739,900	$ 21,110,100	12.6%	$ 21,110,000	0.0%
GRF	470-501	Rehabilitation Subsidy	$ 111,230	$0	$ 0	N/A	$ 0	N/A
GRF	470-502	Detention Subsidies	$ 342,497	$0	$ 0	N/A	$ 0	N/A
GRF	470-510	Youth Services	$ 18,558,579	$18,094,622	$ 18,558,587	2.6%	$ 18,558,587	0.0%
GRF	472-321	Parole Operations	$ 15,857,921	$15,797,621	$ 15,347,154	-2.9%	$ 14,841,872	-3.3%
GRF	477-321	Administrative Operations	$ 14,490,306	$14,040,105	$ 14,427,323	2.8%	$ 14,166,008	-1.8%
GRF	477-406	Interagency Collaborations	$ 248,663	$243,750	$ 0	-100.0%	$ 0	N/A
General Revenue Fund Total			**$ 226,179,141**	**$ 221,970,144**	**$ 234,080,580**	**5.5%**	**$ 236,374,259**	**1.0%**
175	470-613	Education Reimbursement	$ 10,589,292	$8,817,597	$ 8,817,598	0.0%	$ 8,817,598	0.0%
479	470-609	Employee Food Service	$ 77,420	$146,933	$ 118,454	-19.4%	$ 122,008	3.0%
4A2	470-602	Child Support	$ 322,974	$400,000	$ 311,302	-22.2%	$ 320,641	3.0%
4G6	470-605	General Operational Funds	----	$63,500	$ 10,000	-84.3%	$ 10,000	0.0%
523	470-621	Wellness Program	$ 16,581	$197,778	$ 197,778	0.0%	$ 197,778	0.0%
6A5	470-616	Building Demolition	----	$31,100	$ 0	-100.0%	$ 0	N/A
General Services Fund Group Total			**$ 11,006,267**	**$ 9,656,908**	**$ 9,455,132**	**-2.1%**	**$ 9,468,025**	**0.1%**
321	470-601	Education	$ 1,398,915	$1,334,121	$ 1,491,587	11.8%	$ 1,555,147	4.3%
321	470-603	Juvenile Justice Prevention	$ 1,449,384	$2,973,734	$ 1,558,138	-47.6%	$ 1,558,138	0.0%
321	470-606	Nutrition	$ 2,452,236	$2,800,000	$ 2,389,587	-14.7%	$ 2,485,170	4.0%
321	470-610	Rehabilitation Programs	$ 330,142	$711,200	$ 585,000	-17.7%	$ 585,000	0.0%
321	470-614	Title IV-E Reimbursements	$ 2,901,383	$5,700,000	$ 4,776,002	-16.2%	$ 4,919,282	3.0%
321	470-617	AmeriCorps Programs	$ 318,615	$418,444	$ 460,000	9.9%	$ 460,000	0.0%
3V5	470-604	Juvenile Justice/Delinquency Prevention	$ 1,399,181	$5,998,092	$ 4,091,100	-31.8%	$ 4,254,744	4.0%
3V9	470-608	Federal Juvenile Programs FFY 01	$ 1,691,604	$1,500,000	$ 0	-100.0%	$ 0	N/A
3W0	470-611	Federal Juvenile Programs FFY 02	----	$7,828,899	$ 4,500,000	-42.5%	$ 0	-100.0%
3Z8	470-625	Federal Juvenile Programs FFY 04	----	$0	$ 7,828,899	N/A	$ 4,500,000	-42.5%

LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

Fund	ALI	ALI Title	2002	Estimated 2003	Executive 2004	% Change 2003 to 2004	Executive 2005	% Change 2004 to 2005
DYS	**Youth Services, Department of**							
3Z9	470-626	Federal Juvenile Programs FFY 05	----	$0	$ 0	N/A	$ 7,828,899	N/A
Federal Special Revenue Fund Group Total			**$ 11,941,459**	**$ 29,264,490**	**$ 27,680,313**	**-5.4%**	**$ 28,146,380**	**1.7%**
147	470-612	Vocational Education	$ 1,864,073	$2,090,392	$ 2,523,653	20.7%	$ 2,630,612	4.2%
4W3	470-618	Help Me Grow	----	$11,587	$ 11,587	0.0%	$ 11,587	0.0%
5J7	470-623	Residential Treatment Services	$ 7,057	$500,000	$ 500,000	0.0%	$ 500,000	0.0%
State Special Revenue Fund Group Total			**$ 1,871,130**	**$ 2,601,979**	**$ 3,035,240**	**16.7%**	**$ 3,142,199**	**3.5%**
Total All Budget Fund Groups			***$ 250,997,997***	***$ 263,493,521***	***$ 274,251,265***	***4.1%***	***$ 277,130,863***	***1.0%***