

# **LSC Greenbook**

**Analysis of the Enacted Budget**

**Department of Youth Services**

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**ATTACHMENT:**

Budget Spreadsheet By Line Item

# Department of Youth Services

- Institutional population decreasing; community money increasing
- Reduce in force likely, magnitude uncertain
- Stipulated judgment requires institutional improvements

## OVERVIEW

### Duties and Responsibilities

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. During FY 2009, the services and activities performed in support of that mission most notably included:

- Financing the operation of seven juvenile correctional facilities, including the privately run Paint Creek Youth Center;
- Operating six regional parole offices;
- Funding 12 county-operated community correctional facilities (CCFs); and
- Distributing \$48.8 million to support local residential and nonresidential treatments and sanctions used by county juvenile justice systems.

### Appropriation Overview

#### Fund Group

Table 1 below summarizes the Department's budget by fund group.

Table 1. Agency Appropriations by Fund Group, FY 2010-FY 2011					
Fund Group	FY 2009*	FY 2010	% change, FY 2009-FY 2010	FY 2011	% change, FY 2010-FY 2011
General Revenue	\$256,647,305	\$260,597,479	1.5%	\$251,753,079	-3.4%
General Services	\$14,190,823	\$11,935,000	-15.9%	\$11,885,000	-0.4%
Federal Special Revenue	\$13,724,156	\$19,143,726	39.5%	\$18,808,113	-1.8%
State Special Revenue	\$3,078,020	\$3,666,296	19.1%	\$4,288,906	17.0%
<b>TOTALS</b>	<b>\$287,640,304</b>	<b>\$295,342,501</b>	<b>2.7%</b>	<b>\$286,735,098</b>	<b>-2.9%</b>

\*Actual expenditures in FY 2009

GRF funding is the most critical component affecting the Department's ability to deliver appropriate juvenile justice system services, financing close to 90% of its total

annual operating budget. The budget provides a total GRF appropriation of \$260.6 million and \$251.8 million in FYs 2010 and 2011, respectively. The total FY 2010 GRF appropriation represents a \$4.0 million, or 1.5%, increase relative to the Department's total FY 2009 expenditures of \$256.6 million. The total FY 2011 GRF appropriation represents an \$8.8 million, or 3.4%, decrease from the FY 2010 total appropriation, and a \$4.8 million, or 1.9%, decrease from FY 2009 expenditures. The decreased level of funding available in FY 2011 will exert pressure on the Department to cut annual operating expenses, in particular the costs of running its juvenile correctional facilities.

Part of the overall strategy by which the Department plans to cut institutional operating expenses is by maintaining a reduced institutional population, which it intends to accomplish by providing additional funding for county juvenile justice systems to treat and sanction juveniles, and, by doing so, divert juveniles from being committed to a state juvenile correctional facility. Table 2 below compares the Department's level of GRF funding for county juvenile justice systems for FYs 2009-2011.

<b>Table 2. Estimated GRF Allocations for County Juvenile Justice Systems*</b>					
<b>Category</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>% change, FY 2009-FY 2010</b>	<b>FY 2011</b>	<b>% change, FY 2010-FY 2011</b>
Youth Services	\$18.2	\$16.7	-8.2%	\$16.7	0.0%
County Subsidy	\$24.0	\$30.6	27.5%	\$30.6	0.0%
CCFs	\$19.1	\$18.8	-1.6%	\$18.8	0.0%
CBTCs	\$0	\$2.2	N/A	\$2.2	0.0%
Community Programs	\$0	\$5.1	N/A	\$5.1	0.0%
<b>Totals</b>	<b>\$61.3</b>	<b>\$73.4</b>	<b>19.7%</b>	<b>\$73.4</b>	<b>0.0%</b>

\* Dollars in millions

As of the close of FY 2009, the Department's support of county juvenile justice systems consisted of a youth services subsidy program and two carve-outs from its RECLAIM funding: formula based funding for juvenile court community programs, and funding for community correctional facilities (CCFs). As noted in the table above, starting in FY 2010, the Department will initiate funding for: (1) community based treatment centers (CBTCs), and (2) community programs, the purpose of which is generally to decrease the number of juveniles that might otherwise have been committed to a state juvenile correctional facility.

### **Funding Category**

For the purposes of the section in this document labeled "Analysis of Enacted Budget," we have reorganized all of the Department's appropriated line items for the

FY 2010-FY 2011 biennium into seven funding categories. Table 3 below displays the anticipated annual allocation of the Department's biennial budget for each of those seven funding categories. The funding category denoted as RECLAIM Ohio will receive the largest allocation of \$380.3 million, or 65.3%, of the total \$582.1 million biennial budget. RECLAIM Ohio funding pays for a wide range of institutional, county juvenile justice, and program management services and activities.

<b>Funding Category</b>	<b>FY 2010</b>	<b>FY 2011</b>
RECLAIM Ohio	\$196,288,874	\$184,026,374
Parole Operations	\$11,400,020	\$11,400,020
State Institutional Services	\$23,347,372	\$22,844,319
Independent Juvenile Court Subsidies	\$16,702,728	\$16,702,728
Program Management	\$20,913,557	\$21,151,057
Federal Juvenile Justice Grants	\$3,826,650	\$4,566,700
Debt Service	\$22,863,300	\$26,043,900
<b>Total Funding</b>	<b>\$295,342,501</b>	<b>\$286,735,098</b>

### Staffing Levels

Table 4 below summarizes the Department's staffing levels from FYs 2006 through FY 2009. Based on the biennial budget, in particular the FY 2011 GRF appropriation, the Department will need to reduce its total number of full-time equivalent staff (FTE) positions. The closure of the Marion Juvenile Correctional Facility and the Freedom Center will result in the reduction or reallocation of a few hundred FTE staff positions. It does appear, however, that additional staffing reductions will be necessary beyond those triggered by the closure of Marion and Freedom Center. The Department will have to balance these staffing reductions in such a manner that it remains compliant with the system improvements agreed to under the *S.H. v. Stickrath* stipulated judgment, which is discussed in more detail below.

<b>Program Series</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
Institutional Operations	1,712.0	1,767.6	1,790.0	1,816.0
Parole Operations	151.0	154.7	148.0	145.0
Program Management	193.0	205.6	182.0	185.0
<b>Totals</b>	<b>2,056.0</b>	<b>2,127.9</b>	<b>2,120.0</b>	<b>2,146.0</b>

\* These numbers represent full-time equivalent (FTE) staff positions.

## ***S.H. v. Stickrath* Settlement**

In December 2004, a class action suit (*S.H. v. Stickrath*) was filed that alleged a system-wide failure of the conditions of confinement within the facilities operated by the Department. The suit alleged this failure resulted in the endangerment of plaintiffs' physical health and safety, threatened emotional and psychological well-being, and deprived plaintiffs of the adequate programming, education, medical and mental health care, and dental care, and deprived plaintiffs' due process of law.

In December 2007, a fact-finding report related to the duration and conditions of confinement at facilities operated by the Department was released. Extensive negotiations followed the release of the fact-finding report in order to reach agreement on the procedures and substantive criteria to be followed to ensure the delivery of constitutionally and legally adequate services.

Toward the end of FY 2008, the parties to litigation proposed, and the court accepted, a stipulated judgment to resolve the claims raised in the litigation. During the FY 2010-FY 2011 biennium, the Department will continue to improve conditions of confinement in accordance with the stipulated judgment. The major focus of the stipulated judgment is on increasing the safety of juvenile correctional facilities by reducing incidents of violence; improving the conditions of confinement relative to the quality of mental health, education, clinical programming, medical and dental services; and building better ties to community-based services.

Within a five-year timeframe, the Department is required to significantly improve the conditions of confinement in order to be in compliance with the settlement agreement. The initial estimate for the implementation of the necessary changes totaled \$30.0 million annually.

The Department has closed two of its juvenile correctional facilities: the Marion Juvenile Correctional Facility (MaJCF) and the Freedom Center (FC). These closings were made possible by a substantial reduction in the Department's institutional population. The closing of these facilities is expected to save the Department \$24 million in annual operating costs. The Department is forecasting further reductions in the size of its institutional population in the FY 2010-FY 2011 biennium. These reductions will take place as a result of changes in the Department's policies, and by increasing the funding available to counties for lower cost noninstitutional juvenile justice options. The Department expects that, by reducing the time juveniles stay above their minimum sentence, and by increasing community treatment options, thereby reducing the total number of juveniles committed to its facilities, it will be able to close additional facilities or additional units within facilities in FY 2011.

## ANALYSIS OF ENACTED BUDGET

### **Funding Categories**

This section provides an analysis of each appropriated line item in the Department's FY 2010-FY 2011 biennial budget. In this analysis, the Department's line items are grouped into seven funding categories reflecting the focus of its services and activities. For each category, a table is provided listing the appropriation in each fiscal year of the biennium. Following the table, a narrative describes how the appropriation is used. The seven categories used in this analysis are as follows:

1. RECLAIM;
2. Parole Operations;
3. State Institutional Services;
4. Juvenile Court Subsidies;
5. Program Management;
6. Federal Juvenile Justice & Delinquency Prevention; and
7. Debt Service.

To aid the reader in finding each line item in the analysis, Table 5 on the following page shows the category in which it has been placed, listing the line items generally in order within their respective fund groups and funds. This is generally the same order the line items appear in the budget bill.

<b>Table 5. Categorization of Department's Line Items for Analysis of Enacted Budget</b>			
<b>Fund</b>	<b>ALI and Name</b>		<b>Funding Category</b>
<b>General Revenue Fund Group</b>			
GRF 470401	RECLAIM Ohio		1: RECLAIM Ohio
GRF 470412	Lease Rental Payments		7: Debt Service
GRF 470510	Youth Services		4: Juvenile Court Subsidies
GRF 472321	Parole Operations		2: Parole Operations
GRF 477321	Administrative Operations		5: Program Management
<b>General Services Fund Group</b>			
1750 470613	Education Reimbursement		3: State Institutional Services
4790 470609	Employee Food Service		3: State Institutional Services
4A20 470602	Child Support		3: State Institutional Services
4G60 470605	General Operational Funds		3: State Institutional Services
5BN0 470629	E-Rate Program		5: Program Management
<b>Federal Special Revenue Fund Group</b>			
3210 470601	Education		3: State Institutional Services
3210 470603	Juvenile Justice Prevention		6: Federal Juvenile Justice
3210 470606	Nutrition		3: State Institutional Services
3210 470610	Rehabilitation Programs		5: Program Management
3210 470614	Title IV-E Reimbursements		5: Program Management
3BH0 470630	Federal Juvenile Programs FFY 06		6: Federal Juvenile Justice Grants
3BT0 470634	Federal Juvenile Programs		6: Federal Juvenile Justice Grants
3BY0 470635	Federal Juvenile Programs FFY 07		6: Federal Juvenile Justice Grants
3BZ0 470636	Federal Juvenile Programs FFY 08		6: Federal Juvenile Justice Grants
3CP0 470638	Federal Juvenile Programs FFY 09		6: Federal Juvenile Justice Grants
3CR0 470639	Federal Juvenile Programs FFY 10		6: Federal Juvenile Justice Grants
3V50 470604	Juvenile Justice/Delinquency Prevention		6: Federal Juvenile Justice Grants
3Z80 470625	Federal Juvenile Programs FFY 04		6: Federal Juvenile Justice Grants
3Z90 470626	Federal Juvenile Programs FFY 05		6: Federal Juvenile Justice Grants
<b>State Special Revenue Fund Group</b>			
1470 470612	Vocational Education		3: State Institutional Services
5BH0 470628	Partnerships for Success		5: Program Management

## Funding Category 1: RECLAIM

The RECLAIM Ohio line item constitutes 65.3% of the Department's total FY 2010-FY 2011 biennial budget, and of that biennial budget 74.2% of the total GRF appropriation. What this reflects is the reality that RECLAIM funding pays for a variety of services and activities associated with institutional services, juvenile court subsidies, community programs, and program management.

Table 6 below displays the FY 2010 and FY 2011 appropriation for the RECLAIM GRF line item.

Table 6. Appropriations for RECLAIM Ohio				
Fund		ALI and Name	FY 2010	FY 2011
<b>General Revenue Fund (GRF)</b>				
GRF	470401	RECLAIM Ohio	\$196,288,874	\$184,026,374
<b>Total Funding: RECLAIM</b>			<b>\$196,288,874</b>	<b>\$184,026,073</b>

Table 7 below provides a more detailed breakdown of the manner in which the RECLAIM line item's appropriation will be allocated for certain program areas in each of FYs 2010 and 2011. It is followed by a narrative describing how the appropriated amounts will be used.

Table 7. Allocation of RECLAIM-Supported Program Area Funding		
RECLAIM-Funded Program Area	FY 2010	FY 2011
Juvenile Correctional Facilities	\$134,115,270	\$121,852,770
Private Facility Contract	\$2,574,966	\$2,574,966
RECLAIM County Subsidy	\$30,600,000	\$30,600,000
Community Correction Facilities (CCFs)	\$18,773,604	\$18,773,604
Community Based Treatment Centers (CBTCs)	\$2,187,207	\$2,187,207
Community Programs	\$5,137,827	\$5,137,827
Program Management	\$2,900,000	\$2,900,000
<b>Total Funding</b>	<b>\$196,288,874</b>	<b>\$184,026,374</b>

### Juvenile Correctional Facilities

This RECLAIM-funded program area pays for a variety of expenses relative to institutional services and activities. Roughly 85% of the moneys that the Department needs annually to operate its juvenile correctional facilities are drawn from its RECLAIM appropriation.

Under the budget, of the RECLAIM appropriation, \$134.1 million in FY 2010 and \$121.9 million in FY 2011 is allocated for the costs of operating the Department's juvenile correctional facilities. Relative to the portion of the FY 2009 RECLAIM appropriation allocated for institutional operations, which LSC fiscal staff estimates at

roughly \$135 million, the planned FY 2011 RECLAIM allocation of \$121.9 million represents a decrease of about \$13 million.

In response to the tight budgetary environment and the decline in the size of its institutional population, the Department has closed the Marion Juvenile Correctional Facility and the Freedom Center. The Marion facility housed around 176 youth and employed 302 staff members; the Freedom Center housed approximately 18 youth and employed 29 staff members. The Department estimates the closing of these two juvenile correctional facilities will save \$24 million annually. In part, these closures are made possible as a result of a decline in the Department's average institutional population from 1,843 in 2007 to 1,555 in 2008, a decrease of 288, or 15.6%.

The Department expects the size of its institutional population to continue to decrease over the course of the FY 2010-FY 2011 biennium. If the institutional population declines as expected, in FY 2011, the Department plans to close additional juvenile correctional facilities or several units within certain juvenile correctional facilities. The amount of RECLAIM funding allocated for the Department's juvenile correctional facilities in FY 2011 (\$121.9 million) is \$12.3 million, or 9.1%, less than the FY 2010 allocation. This reduced allocation assumes that the Department will make further cuts to certain institutional services expenditures in the second year of the FY 2010-FY 2011 biennium, and it will do so while complying with the stipulated judgment in *S.H. v. Stickrath*.

### **Private Facility Contract**

The \$2.6 million in RECLAIM funding allocated as "private facility contract" finances a contract the Department has with the Lighthouse Youth Center (Paint Creek). Paint Creek is a private nonprofit residential treatment facility capable of providing comprehensive services for up to 50 males over age 16. The facility is located on 32 acres outside the village of Bainbridge, Ohio in Ross County. The facility has been operating since 1986 as a program of Lighthouse Youth Center of Cincinnati, Ohio.

### **RECLAIM County Subsidy**

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. Under the formula, the fiscal allocations for juvenile courts (as well as those for the Department's juvenile

correctional facilities and community correctional facilities) are established at the beginning of the fiscal year. This enables counties to plan on an annual basis and better manage their programs and infrastructure. The RECLAIM Ohio subsidy amounts are set by the Director of Youth Services.

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. For FY 2010 and FY 2011, the Department plans to allocate \$30.6 million annually in RECLAIM Ohio funding for local programs. (To manage its way through FY 2009, the Department reduced the amount allocated for county subsidies to about \$24 million.) These funds provide the juvenile courts with tools to treat juveniles where there is an increased likelihood of success (i.e., decreased recidivism).

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 a juvenile court's annual budget, a juvenile court can arguably be viewed as 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 amount of the RECLAIM County Subsidy Program money has not significantly changed in the last several fiscal years. In fact, in FY 2002, the program's subsidy totaled \$33.4 million. As previously mentioned, these funds are provided to counties to subsidize their local programming for delinquent youth who would otherwise be sent to the custody of the Department. With flat funding and inflation-driven cost increases, these state moneys are purchasing less programming today for the juvenile courts than was the case at the beginning of this decade.

The Department has noted repeatedly over the years that, if funding to juvenile courts is significantly reduced from the \$30.6 million annual figure, then the juvenile courts may end up placing more juveniles into the care and custody of the Department, at considerably greater expense, due to a lack of appropriate local alternatives for these juveniles.

### **Community Correctional Facilities (CCFs)**

CCFs are local, secure, county-operated facilities and are fully funded by the Department. Moneys allocated from the Department's annual RECLAIM appropriation currently funds in excess of 350 beds at 12 CCFs located around the state. The facilities

are typically able to provide more individualized care for juvenile offenders by keeping them closer to their communities and support a better transition to community settings following release. The beds are for felony adjudicated delinquent children who would otherwise be committed to a state juvenile correctional facility.

Under the budget, from its RECLAIM funding, the Department plans to allocate \$18.8 million which likely means a reduction in the total number of CCF beds available statewide as well as cuts in staffing and programming. It is possible that this expected reduction in CCFs as a local sanctioning tool may be offset by other community program funding contained in the budget.

### **Community-Based Treatment Centers (CBTCs)**

CBTCs represent a new option in the Department's treatment/sanctions continuum. The Department plans to fund several of these regionally based units during the FY 2010-FY 2011 biennium to serve youth locally in small, 12 to 24 bed programs. These centers will focus on low and moderate-risk youth who will stay 120 days at the CBTC instead of up to 270 days in a state juvenile correctional facility. Under the budget, the Department plans to allocate from its RECLAIM funding \$2.2 million in each of FYs 2010 and 2011 to fund the CBTC initiative.

The Department has been working with stakeholders and planning for the CBTC program for the last year or so, and when provided with the funding to do so, expects to open the first CBTC center very early in FY 2010 with additional centers beginning operation that year.

### **Community Programs**

Of its appropriated RECLAIM funding, the Department's plan to allocate \$5.1 million in each of FYs 2010 and 2011 to initiate a new program directed at making investments in community programs that focus on reducing commitments to the Department's juvenile correctional facilities. The exact nature of this investment has not been determined at this time.

This is viewed as a flexible pot of money that could be allocated for a range of services and activities, including supplementing the County Subsidy portion of RECLAIM and financing behavioral health programs, wrap-around services for youth released from juvenile correctional facilities, and other residential and nonresidential services. It appears likely that the Community Programs allocation will be deployed to ensure that the county juvenile justice systems around Ohio have sufficient funding to develop, implement, and maintain appropriate treatments and sanctions, and thus reduce the number of juveniles that might otherwise be committed into the state's care and custody.

### **Program Management**

Of its appropriated RECLAIM funding, the Department plans to allocate \$2.9 million in each of FYs 2010 and 2011 for what is essentially the Department's central office operation (a funding category herein referred to as "program management"). This funding level likely means some reduction in the number of program management FTEs over the course of the FY 2010-FY 2011 biennium.

## Funding Category 2: Parole Operations

This funding category includes moneys appropriated for use by the Department's Division of Parole and Community Services, which operates six regional parole offices for the purpose of supervising juveniles released from its institutions. Parole operations can be grouped into two relatively distinct services and activities: (1) parole operations and (2) contract treatment. Approximately 4.0% of the Department's FY 2010-FY 2011 biennial operating budget has been allocated for parole operations, virtually all of which will be supported by GRF appropriations.

Table 8 below shows the line item that is the single most significant source of funding for Parole Operations, as well as its funding level. It is then followed by a narrative describing how the appropriated amounts will be used, and the implications of those funding levels.

Table 8. Appropriations for Parole Operations				
Fund	ALI and Name		FY 2010	FY 2011
<b>General Revenue Fund (GRF)</b>				
GRF	472321	Parole Operations	\$11,400,020	\$11,400,020
<b>Total Funding: Parole Operations*</b>			<b>\$11,400,020</b>	<b>\$11,400,020</b>

\*Total does not include \$400,000 in each year to be allocated from federal line item 470614, Title IV-E Reimbursements.

### Parole Operations (GRF line item 472321)

This GRF line item's appropriation is used to fund the Department's six regional parole office operations (e.g., safety vehicles and equipment, staff training, office maintenance, security and maintenance of youth records, and other confidential correspondence). The budget appropriates \$11.4 million to the line item in each of FYs 2010 and 2011, an annual decrease of \$4.1 million, or 26.5%, from the \$15.5 million expended from the line item in FY 2009.

Due to this reduction in the parole operations funding, the Department's Bureau of Parole is working with juvenile courts and other stakeholders to comprehensively review its service delivery structure. Through this collaboration, the Bureau will reduce staff, rent and supply costs, travel costs, and both residential and nonresidential contract services to operate within the reduced budget. A portion of the parolee population may be served differently based on the outcome of the comprehensive review of service delivery.

### Funding Category 3: State Institutional Services

This funding category includes some of the appropriations that pay for the services and activities that the Department provides to the delinquent children in their care and custody, including, but not limited to, behavioral health services, medical services, security, education, and food services.

Table 9 below shows the line items whose purpose generally is to fund the State Institutional Services category, as well as the enacted funding levels. It is then followed by a narrative describing the Department's institutional services and activities and how the appropriated amounts will be used.

<b>Table 9. Appropriations for State Institutional Services</b>				
<b>Fund</b>	<b>ALI and Name</b>		<b>FY 2010</b>	<b>FY 2011</b>
<b>General Services Fund (GSF) Group</b>				
1750	470613	Education Reimbursement	\$11,000,000	\$11,000,000
4790	470609	Employee Food Service	\$200,000	\$150,000
4A20	470602	Child Support	\$450,000	\$450,000
4G60	470605	General Operational Funds	\$250,000	\$250,000
<b>General Services Fund Group Subtotal</b>			<b>\$11,900,000</b>	<b>\$11,850,000</b>
<b>Federal Special Revenue (FED) Fund Group</b>				
3210	470601	Education	\$6,531,076	\$5,455,413
3210	470606	Nutrition	\$2,750,000	\$2,750,000
<b>Federal Special Revenue Fund Group Subtotal</b>			<b>\$9,281,076</b>	<b>\$8,205,413</b>
<b>State Special Revenue (SSR) Fund Group</b>				
1470	470612	Vocational Education	\$2,166,296	\$2,788,906
<b>State Special Revenue Fund Group Subtotal</b>			<b>\$2,166,296</b>	<b>\$2,788,906</b>
<b>Total Funding: State Institutional Services</b>			<b>\$23,347,372</b>	<b>\$22,844,319</b>

In addition to the above-noted line items, a considerably larger portion of the Department's institutional operating costs will be paid from the two carve-outs of the Department's RECLAIM Ohio funding (GRF line item 470401) summarized in Table 10 below. The manner in which the RECLAIM funding will be allocated across a range of the Department's services and activities is discussed earlier in this "Analysis of Enacted Budget" under the subject heading "Funding Category 1: RECLAIM."

<b>Table 10. RECLAIM-Supported State Institutional Services Funding</b>		
<b>RECLAIM-Funded Program Area</b>	<b>FY 2010</b>	<b>FY 2011</b>
Juvenile Correctional Facilities	\$134,115,270	\$121,852,770
Private Facility Contracts	\$2,574,966	\$2,574,966

The specific types of institutional services and activities are described in more detail below.

- **Behavioral Health Services.** Mental health services, recovery (substance abuse) services, social services, sex offender services, recreation and community services.
- **Medical and Dietary Services.** Nursing and medical services, including primary health care, emergency and obstetrical services, hospitalization, dental, pharmacy, radiology, optometry, laboratory, preventative health care, and health care supplies and equipment for all institutionalized juveniles (physical health and wellness, acute care, dental care, chronic care disease management) delinquent children institutionalized in its juvenile correctional facilities, and food services (food, equipment, and staff necessary to provide meals).
- **Educational Services.** High school graduation and GED classes, job-training skills, remediation and services for youth with learning disabilities, school administration, guidance, and library services.
- **Facility Management and Operations.** Unit management, security, institutional coordination and oversight (superintendents, deputy superintendents, labor relations officers, administrative assistants, human service program administrators, executive secretaries, secretaries, clerks, and office assistants), maintenance (repair/upkeep of mechanical equipment and physical plant), support services (laundry, storeroom, training personnel, fiscal departments, records personnel, and personnel), community partnerships, and religious services.

### **Education Reimbursement (GSF line item 470613)**

This GSF line item is funded through basic aid and special education program payments transferred from the Ohio Department of Education's budget and its appropriation is used to support educational services provided to youth within institutions operated by the Department of Youth Services. The education services provided to the school age youth in the Department's custody enable all children to work toward high school graduation or a GED, develop job-training skills, as well as remediation and services for youth with learning disabilities. In addition, school administration, guidance, and library services are also provided through this funding. The Department operates its own school district under a charter from the Ohio Department of Education.

The budget provides the Department \$11.0 million for this line item in each of FYs 2010 and 2011. Also of note is that the appropriation in each of FYs 2010 and 2011 is \$2.3 million, or 17.3%, less than the line item's total expenditures of \$13.3 million in

FY 2009. This decrease is a result of the ongoing decline in the size of the Department's institutional population.

**Employee Food Service (GSF line item 470609)**

This GSF line item's appropriation is supported by moneys received from institutional cafeterias and the sale of surplus property. Its use is statutorily restricted generally for the purchase of food, supplies, and equipment for the Department's institutions. The budget appropriates the Department \$200,000 in FY 2010 and \$150,000 in FY 2011 for these purposes.

**Child Support (GSF line item 470602)**

This GSF line item, which draws its appropriation from child support payments collected from noncustodial parents on behalf of youth committed to the Department's custody, is used to defray costs related to providing programs and services to youth that are committed to its institutions. For this line item, the budget appropriates \$450,000 in each of FYs 2010 and 2011.

**General Operational Funds (GSF line item 470605)**

This GSF line item's appropriation is supported through gifts, bequests, awards from nonprofit organizations or other nonfederal agencies in the state, and other receipts such as the sale of recyclable products. These funds may 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 may use the revenue. For this line item, the budget appropriates \$250,000 in each of FYs 2010 and 2011.

**Education (FED line item 470601)**

This line item consists of federal moneys that support the Department's institutional education program and cover a wide variety of academic, vocational, special education, remedial, and individualized programming. For this line item, the budget appropriates \$6.5 million in FY 2010 and \$5.5 million in FY 2011.

**Nutrition (FED line item 470606)**

This federal line item's appropriation is supported by 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. For this line item, the budget appropriates \$2,750,000 in each of FYs 2010 and 2011.

**Vocational Education (SSR line item 470612)**

This SSR line item, which draws its appropriation from funds transferred for the Ohio Department of Education's budget, is used to pay for the delivery of vocational education services and programs to youth who are incarcerated in departmental institutions. For this line item, the budget appropriates \$2.2 million in FY 2010 and \$2.8 million in FY 2011.

## Funding Category 4: Independent Juvenile Court Subsidies

This funding category includes appropriations used by the Department to distribute moneys to juvenile courts for the development, implementation, and operation of secure and nonsecure community programs for at-risk, unruly, and delinquent youth. Table 11 below shows the line item whose exclusive purpose is to subsidize juvenile court services and programs, as well as its funding level. It is then followed by a narrative describing how the appropriated amounts will be used.

Fund	ALI and Name	FY 2010	FY 2011
<b>General Revenue Fund (GRF)</b>			
GRF	470510 Youth Services	\$16,702,728	\$16,702,728
<b>Total Funding: Independent Juvenile Court Subsidies</b>		<b>\$16,702,728</b>	<b>\$16,702,728</b>

In addition to the above-noted GRF line item 470510, Youth Services, juvenile court subsidies will be paid from the two carve-outs of the Department's RECLAIM Ohio funding (GRF line item 470401) summarized in Table 12 below. The manner in which the RECLAIM funding will be allocated across a range of the Department's services and activities is discussed earlier in this "Analysis of Enacted Budget" under the subject heading "Funding Category 1: RECLAIM."

RECLAIM-Funded Program Area	FY 2010	FY 2011
RECLAIM County Subsidy	\$30,600,000	\$30,600,000
Community Programs	\$5,137,827	\$5,137,827

### Youth Services (GRF line item 470510)

This GRF line item funds the Youth Services Block Grant program. The purpose of this program is to distribute funds to juvenile courts to provide services to juveniles that have not been adjudicated delinquent for a felony; such services typically fund nonsecure community programs that emphasize prevention, diversion, and correctional services. The budget appropriates \$16.7 million in each of FYs 2010 and 2011 for this line item, a decrease of \$1.5 million, or 8.0%, from the line item's total expenditures of \$18.2 million in FY 2009. At this reduced funding level, courts will in all likelihood be forced to institute cutbacks in programming.

While the RECLAIM Ohio program funding is dependent on the number of youths diverted from DYS institutions by a juvenile court, under the Youth Services Block Grant, moneys are distributed to juvenile courts according to a set formula. Each juvenile court is guaranteed a base of \$50,000 plus additional funding on a per capita basis for counties with a population over 25,000.

## Funding Category 5: Program Management

This funding category includes moneys appropriated for essentially central office operations that are charged with oversight of departmental institutions, private facilities, community correctional facilities, and parole operations, as well as the administration of county subsidies. Table 13 below shows the line items most associated with program management, as well as the funding levels. It is then followed by a narrative describing how the appropriated amounts will be used.

<b>Table 13. Appropriations for Program Management</b>				
<b>Fund</b>	<b>ALI and Name</b>		<b>FY 2010</b>	<b>FY 2011</b>
<b>General Revenue Fund (GRF)</b>				
GRF	477321	Administrative Operations	\$13,342,557	\$13,580,057
<b>General Revenue Fund Subtotal</b>			<b>\$13,342,557</b>	<b>\$13,580,057</b>
<b>General Services (GSF) Fund Group</b>				
5BN0	470629	E-Rate Program	\$35,000	\$35,000
<b>General Services Fund Group Subtotal</b>			<b>\$35,000</b>	<b>\$35,000</b>
<b>Federal Special Revenue (FED) Fund Group</b>				
3210	470614	Title IV-E Reimbursements	\$6,000,000	\$6,000,000
3210	470610	Rehabilitation Programs	\$36,000	\$36,000
<b>Federal Special Revenue Fund Group Subtotal</b>			<b>\$6,636,000</b>	<b>\$6,636,000</b>
<b>State Special Revenue (SSR) Fund Group</b>				
5BH0	470628	Partnerships for Success	\$1,500,000	\$1,500,000
<b>State Special Revenue Fund Group Subtotal</b>			<b>\$1,500,000</b>	<b>\$1,500,000</b>
<b>Total Funding: Program Management</b>			<b>\$20,913,557</b>	<b>\$21,151,057</b>

The line items dedicating all or most of their appropriation to program management services and activities are listed in Table 13 above, however, other line items, such as RECLAIM Ohio (GRF line item 470401), Education (FED line item 470601), and General Operational Funds (GSF line item 470605), contribute some portion of their appropriation to program management as well.

### Administrative Operations (GRF line item 477321)

This GRF line item contains the bulk of the money appropriated for the purpose of funding the payroll, maintenance, and equipment costs associated with the Department's central office operations. For this line item, the budget appropriates \$13.3 million in FY 2010 and \$13.6 million in FY 2011, amounts that are \$1.3 million and \$1.1 million, respectively, less than the total amount of \$14.7 million expended from the line item in FY 2009.

During the FY 2008-FY 2009 biennium, the Department began to redirect central office resources to address the remedies stipulated in *S.H. v. Stickrath*. This action

included reducing the central office operating budget through a reduction of FTEs and cuts in the purchase of supplies, equipment, training, and travel used for support monitoring, management, and administrative duties. The savings from these reductions were used to purchase the services of the federal monitors, pay plaintiff's attorney fees, hire incident investigators, and implement an integrated data system. The reduced amount of funding provided by the line item's FY 2010 and FY 2011 appropriations means that the Department will need to make additional cuts in program management operating expenses (payroll, supplies, training, travel, and equipment).

#### **Title IV-E Reimbursements (FED line item 470614)**

This federal line item, which draws its appropriation from federal foster care and Medicaid reimbursement moneys, is utilized for costs associated with residential placements for youth on parole, for example, foster care, group homes, treatment centers, nonresidential services for youth on parole, such as substance abuse counseling, day treatment, drug testing, sex offender counseling, electronic monitoring, and other administrative and support services costs. Title IV-E funds cannot be used for delinquent children in secure settings. The line item's appropriation is primarily allocated for costs associated with program management and secondarily expenses of the Department's parole operations. For this line item, the budget appropriates \$6.0 million in each of FYs 2010 and 2011.

**Program management.** Of the line item's \$6.0 million annual appropriation, \$5.6 million will be allocated to pay for program management operating expenses.

**Parole operations.** The remainder of the line item's appropriation, or \$400,000 annually, will be allocated for operating expenses of the Department's parole operations, more specifically contract services. The Department uses these moneys to contract for the provision of residential and community-based (nonresidential) treatment services for delinquent children on parole. These contract services include, but are not limited to, residential placement for difficult to place youth (mental health facilities, group homes, foster care), substance abuse programming, mental health programming, surveillance, sex offender counseling, electronic monitoring, and home-based counseling. The bulk of the Department's parole and community services funding is supported through GRF line item 472321, Parole Operations.

#### **Rehabilitation Programs (FED line item 470610)**

This federal line item, which is currently supported by a federal crime victims assistance grant, pays for the Department's involvement in the statewide project known as Victim Information and Notification Everyday (VINE), which links county sheriffs, county prosecutors, and state correctional facilities to make the status of offenders and

information on related court events available 24 hours a day, 365 days a year. The budget appropriates \$36,000 for this line item in each of FYs 2010 and 2011.

#### **Partnerships for Success (SSR line item 470628)**

This line item's appropriation, which is supported by cash transferred from the Children's Trust Fund (Fund 1890) used by the Department of Job and Family Services, pays for costs associated with Partnerships for Success (PfS), a program that takes a strategic approach to building a community's capacity to prevent and respond effectively to youth problem behaviors while promoting positive youth development. Communities engaged in PfS are mobilized to focus their efforts on identifying the risks affecting children and youth and on the protection and assets necessary to successfully move these youths into productive adult lives. For this line item, the budget appropriates \$1.5 million in each of FYs 2010 and 2011.

Currently, 53 counties participate in the PfS Program. A participating county is funded over a two-year period, after which the Department continues to provide technical assistance and training tailored to the circumstances of each county being served.

#### **E-Rate Program (GSF line item 470629)**

The moneys appropriated to this GSF line item consist of reimbursement payments from telecommunications vendors that participate in the E-Rate Program, which discounts in the form of reimbursement checks or discounts applied to billings to assist most schools and libraries in obtaining affordable telecommunications and internal connections based on the percentage of students that qualify for free and reduced lunch. The Department operates a qualifying school district and is eligible for a 90% reimbursement on local and long distance phone service, Internet services, T1 lines, and other qualifying telecommunications services. This line item funds the Department's telecommunications and data-communications costs of its institutional school district. The budget appropriates \$35,000 in both FYs 2010 and 2011 to this line item.

## Funding Category 6: Federal Juvenile Justice Grants

The Department is designated as the state agency to administer all juvenile justice grants provided to Ohio through the federal Office of Juvenile Justice and Delinquency Prevention. This funding category includes all of the associated federal awards that are distributed as subgrants to state agencies, local governments, and nonprofit 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 deinstitutionalization of status offenders, (2) the removal of juvenile offenders from adult jails, and (3) the separation of juvenile offenders from adult offenders.

Table 14 below shows the line items that are included in the Federal Juvenile Justice Grants funding category, as well as the funding levels. It is then followed by a narrative describing how the appropriated amounts will be used.

<b>Table 14. Appropriations for Federal Juvenile Justice Grants</b>				
<b>Fund</b>	<b>ALI and Name</b>		<b>FY 2010</b>	<b>FY 2011</b>
<b>Federal Special Revenue (FED) Fund Group</b>				
3210	470603	Juvenile Justice Prevention	\$300,000	\$300,000
3BH0	470630	Federal Juvenile Programs FFY 06	\$50,000	\$0
3BT0	470634	Federal Juvenile Programs	\$50,000	\$0
3BY0	470635	Federal Juvenile Programs FFY 07	\$334,000	\$335,000
3BZ0	470636	Federal Juvenile Programs FFY 08	\$653,350	\$570,700
3CP0	470638	Federal Juvenile Programs FFY 09	\$500,000	\$500,000
3CR0	470639	Federal Juvenile Programs FFY 10	\$0	\$500,000
3V50	470604	Juvenile Justice/Delinquency Prevention	\$1,935,300	\$2,361,000
3Z80	470625	Federal Juvenile Programs FFY 04	\$2,000	\$0
3Z90	470626	Federal Juvenile Programs FFY 05	\$2,000	\$0
<b>Federal Special Revenue Fund Group Subtotal</b>			<b>\$3,826,650</b>	<b>\$4,566,700</b>
<b>Total Funding: Federal Juvenile Justice Grants</b>			<b>\$3,826,650</b>	<b>\$4,566,700</b>

### Federal Juvenile Justice Grants Line items

The moneys appropriated to these federal line items (a set of ten in the above table) are distributed as subgrants to local governments and nonprofit agencies for implementing various programs that address the problem of juvenile delinquency and its prevention. As of FY 2009, the Department had oversight and administrative responsibilities for four federally funded grants, three of which are awarded through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Title V incentive funds, Title II formula funds, and Juvenile Accountability Block Grants) and one of

which was an Americorps grant provided through the Corporation for National Community Services. The budget provides no Americorps grant funding which was anticipated for the next biennium.

Arguably, the most notable feature of the Department's federal juvenile justice programs is the ongoing reduction in the amount of money allocated for distribution to states and local governments. In FY 2001, the amount of juvenile justice grant money awarded to Ohio totaled \$10.7 million. Thereafter, that total annual amount began a steady decline and now sits at around \$4.0 million. The practical effect of this drop in federal funding is not only that noticeably less money is available to fund local programs, but less money is available for the Department's administrative costs as well.

Under the budget, the Department received, as per its request for federal juvenile justice program funding, appropriations totaling \$3.8 million in FY 2010 and \$4.6 million in FY 2011. The Department expects at these funding levels to be able to maintain the FY 2009 level of federally funded services to youths. Together, these OJJDP grants are utilized to fund sub-grants to approximately 80 agencies serving approximately 25,000 youth annually; services include tutoring, mentoring, substance abuse prevention and treatment, as well as youth and family counseling, and mental health services to at-risk youth and youths already involved in the juvenile justice system.

## Funding Category 7: Debt Service

This funding category includes moneys appropriated to retire bond debt related to various capital improvements projects financed through the Juvenile Correctional Building Fund (Fund 7028). Table 15 below shows the lone line item that is used to make the Department's debt service payments, as well as the funding level. It is then followed by a narrative describing how the appropriated amounts will be used.

Table 15. Appropriations for Debt Service				
Fund	ALI and Name		FY 2010	FY 2011
<b>General Revenue Fund (GRF)</b>				
GRF	470412	Lease Rental Payments	\$22,863,300	\$26,043,900
<b>Total Funding: Debt Service</b>			<b>\$22,863,300</b>	<b>\$26,043,900</b>

### Lease Rental Payments (GRF line item 470412)

This GRF line item pays for the state's debt service to the Ohio Building Authority (OBA) for its obligations incurred as a result of issuing bonds that cover the Department's capital appropriations. 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 correctional facilities, county detention centers, and the like). The appropriation authority and actual spending levels are set and controlled by OBM, and not by the Department.

The budget provides this line item with appropriations of \$22.9 million in FY 2010 and \$26.0 million in FY 2011, amounts deemed sufficient by OBM to pay the Department's bonded debt obligations over the course of the next biennium.

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**FY 2010 - 2011 Final Appropriation Amounts**

**All Fund Groups**

<i>Line Item Detail by Agency</i>			<i>FY 2008</i>	<i>FY 2009</i>	<i>FY 2010 Appropriations</i>	<i>% Change FY09 - FY10</i>	<i>FY 2011 Appropriations</i>	<i>% Change FY10 - FY11</i>
<b>Report For: Main Operating Appropriations Bill</b>			<b>Version: Enacted</b>					
<b>DYS Department of Youth Services</b>								
GRF	470401	RECLAIM Ohio	\$ 190,597,948	\$ 185,264,114	\$ 196,288,874	5.95%	\$ 184,026,374	-6.25%
GRF	470412	Lease Rental Payments	\$ 23,971,015	\$ 23,072,996	\$ 22,863,300	-0.91%	\$ 26,043,900	13.91%
GRF	470510	Youth Services	\$ 18,558,587	\$ 18,163,501	\$ 16,702,728	-8.04%	\$ 16,702,728	0.00%
GRF	472321	Parole Operations	\$ 15,469,745	\$ 15,484,212	\$ 11,400,020	-26.38%	\$ 11,400,020	0.00%
GRF	477321	Administrative Operations	\$ 14,917,492	\$ 14,662,482	\$ 13,342,557	-9.00%	\$ 13,580,057	1.78%
<b>General Revenue Fund Total</b>			<b>\$ 263,514,787</b>	<b>\$ 256,647,305</b>	<b>\$ 260,597,479</b>	<b>1.54%</b>	<b>\$ 251,753,079</b>	<b>-3.39%</b>
1750	470613	Education Reimbursement	\$ 11,207,640	\$ 13,306,220	\$ 11,000,000	-17.33%	\$ 11,000,000	0.00%
4790	470609	Employee Food Service	\$ 98,770	\$ 79,197	\$ 200,000	152.53%	\$ 150,000	-25.00%
4A20	470602	Child Support	\$ 312,400	\$ 247,083	\$ 450,000	82.12%	\$ 450,000	0.00%
4G60	470605	General Operational Funds	\$ 10,790	\$ 314,361	\$ 250,000	-20.47%	\$ 250,000	0.00%
4G60	470631	SCALE Program	\$ 67,174	\$ 10,169	\$ 0	-100.00%	\$ 0	N/A
5BN0	470629	E-Rate Program	\$ 118,102	\$ 233,793	\$ 35,000	-85.03%	\$ 35,000	0.00%
<b>General Services Fund Group Total</b>			<b>\$ 11,814,877</b>	<b>\$ 14,190,823</b>	<b>\$ 11,935,000</b>	<b>-15.90%</b>	<b>\$ 11,885,000</b>	<b>-0.42%</b>
3210	470601	Education	\$ 3,249,924	\$ 3,627,374	\$ 6,531,076	80.05%	\$ 5,455,413	-16.47%
3210	470603	Juvenile Justice Prevention	\$ 201,102	\$ 235,641	\$ 300,000	27.31%	\$ 300,000	0.00%
3210	470606	Nutrition	\$ 2,869,475	\$ 2,293,609	\$ 2,750,000	19.90%	\$ 2,750,000	0.00%
3210	470610	Rehabilitation Programs	\$ 36,000	\$ 36,000	\$ 36,000	0.00%	\$ 36,000	0.00%
3210	470614	Title IV-E Reimbursements	\$ 3,287,249	\$ 3,108,017	\$ 6,000,000	93.05%	\$ 6,000,000	0.00%
3210	470617	AmeriCorps Programs	\$ 258,360	\$ 133,262	\$ 0	-100.00%	\$ 0	N/A
3210	470632	Juvenile Sexual Assault & PREA Initiative	\$ 1,081,373	\$ 157,631	\$ 0	-100.00%	\$ 0	N/A
3210	470633	Project Re-Entry	\$ 892,152	\$ 968,939	\$ 0	-100.00%	\$ 0	N/A
3210	470637	Family Advocacy	\$ 0	\$ 904,752	\$ 0	-100.00%	\$ 0	N/A
3BH0	470630	Federal Juvenile Programs FFY 06	\$ 127,315	\$ 235,450	\$ 50,000	-78.76%	\$ 0	-100.00%
3BT0	470634	Federal Juvenile Programs	\$ 699,557	\$ 128,320	\$ 50,000	-61.04%	\$ 0	-100.00%
3BY0	470635	Federal Juvenile Programs FFY 07	\$ 288,007	\$ 368,763	\$ 334,000	-9.43%	\$ 335,000	0.30%
3BZ0	470636	Federal Juvenile Programs FFY 08	\$ 0	\$ 143,865	\$ 653,350	354.14%	\$ 570,700	-12.65%
3CP0	470638	Federal Juvenile Programs FFY 09	\$ 0	\$ 0	\$ 500,000	N/A	\$ 500,000	0.00%
3CR0	470639	Federal Juvenile Programs FFY 10	\$ 0	\$ 0	\$ 0	N/A	\$ 500,000	N/A

**FY 2010 - 2011 Final Appropriation Amounts**

**All Fund Groups**

<b>Line Item Detail by Agency</b>			<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010 Appropriations</b>	<b>% Change FY09 - FY10</b>	<b>FY 2011 Appropriations</b>	<b>% Change FY10 - FY11</b>
<b>DYS Department of Youth Services</b>								
3V50	470604	Juvenile Justice/Delinquency Prevention	\$ 2,174,038	\$ 1,382,532	\$ 1,935,300	39.98%	\$ 2,361,000	22.00%
3Z80	470625	Federal Juvenile Programs FFY 04	\$0	\$ 0	\$ 2,000	N/A	\$ 0	-100.00%
3Z90	470626	Federal Juvenile Programs FFY 05	\$ 106,257	\$ 0	\$ 2,000	N/A	\$ 0	-100.00%
<b>Federal Special Revenue Fund Group Total</b>			<b>\$ 15,270,810</b>	<b>\$ 13,724,156</b>	<b>\$ 19,143,726</b>	<b>39.49%</b>	<b>\$ 18,808,113</b>	<b>-1.75%</b>
1470	470612	Vocational Education	\$ 1,702,504	\$ 1,632,043	\$ 2,166,296	32.74%	\$ 2,788,906	28.74%
5BH0	470628	Partnerships for Success	\$ 1,509,492	\$ 1,445,977	\$ 1,500,000	3.74%	\$ 1,500,000	0.00%
<b>State Special Revenue Fund Group Total</b>			<b>\$ 3,211,996</b>	<b>\$ 3,078,020</b>	<b>\$ 3,666,296</b>	<b>19.11%</b>	<b>\$ 4,288,906</b>	<b>16.98%</b>
<b>Department of Youth Services Total</b>			<b>\$ 293,812,471</b>	<b>\$ 287,640,304</b>	<b>\$ 295,342,501</b>	<b>2.68%</b>	<b>\$ 286,735,098</b>	<b>-2.91%</b>