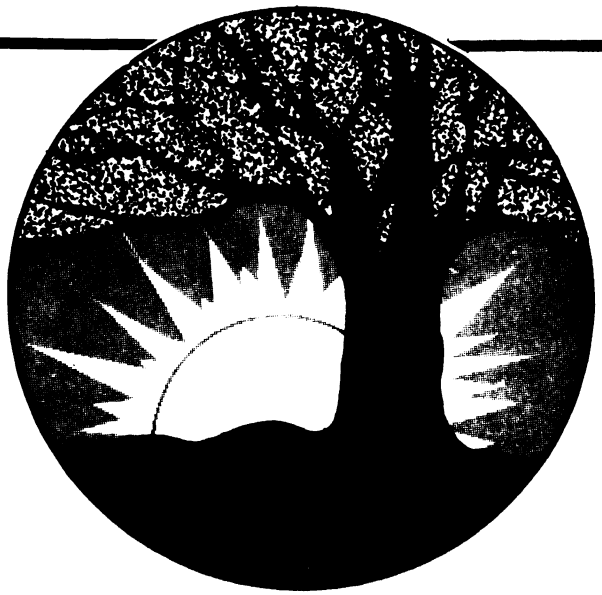
PERFORMANCE AUDIT

Department of Children's Services
Division of Juvenile Justice
July 2010



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July 12, 2010

The Honorable Ron Ramsey
Speaker of the Senate
The Honorable Kent Williams
Speaker of the House of Representatives
The Honorable Bo Watson, Chair
Senate Committee on Government Operations
The Honorable Susan Lynn, Chair
House Committee on Government Operations
and
Members of the General Assembly
State Capitol
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the performance audit of the Department of Children's Services, Division of Juvenile Justice. This audit was conducted pursuant to the requirements of Section 4-29-111, *Tennessee Code Annotated*, the Tennessee Governmental Entity Review Law.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the department should be continued, restructured, or terminated.

Sincerely,

Arthur A. Hayes, Jr., CPA
Director

AAH/dww
09-032

State of Tennessee

Audit Highlights

Comptroller of the Treasury | Division of State Audit

Performance Audit
Department of Children's Services
Division of Juvenile Justice
July 2010

AUDIT OBJECTIVES

The objectives of the audit were to review the division's complaint handling process; determine whether the department tracks recidivism; determine how the department monitors contract performance; review employee turnover and overtime costs for each facility; determine the bed space and operating costs for each facility; determine what programs are offered to juveniles, including aftercare and prevention/diversion; determine whether the department is complying with the policies related to the Doe lawsuit; and review department actions to comply with requirements of Title VI of the Civil Rights Act of 1964.

FINDINGS

The Division of Juvenile Justice Did Not Establish Adequate Measures to Monitor Recidivism of Delinquents Who Were in the State's Custody, Increasing the Risk of Inability to Adequately Measure the Effectiveness of Youth Treatment Programs
Division of Juvenile Justice management still has not established adequate methods to measure recidivism, despite concurring with a finding in a 2003 performance audit noting the problem. Of the division's former delinquent juveniles, management did not have an accurate report of how many reentered the juvenile system or the adult correctional facilities. Without establishing and implementing procedures to measure recidivism, the department may not adequately measure the effectiveness of the treatment and rehabilitation programs created to help the youth (page 16).

The Division of Juvenile Justice Could Not Provide Documentation of Sufficient Contract Monitoring Processes of Vendors That Provide Services to Youth, nor Could the Division Ensure the Completion of Background Checks for Some Vendors
The department could not provide documentation of sufficient contract monitoring processes of vendors that provide services to youth for contract compliance and did not ensure completion of background

checks for some of these vendors. Without proper procedures for monitoring vendor contracts, the department cannot ensure that vendors comply with their contract, and citizens do not have proper assurances that youth are receiving the services that the state has paid for. Without procedures for background checks for all vendors who have contact with children, there is an increased risk that service providers might have a background unfit for working with children (page 19).

The Division of Juvenile Justice Paid Over $189,000 for Leases on Two Vacant Buildings

These two buildings had been used to house delinquent children in the state's custody, but one building has not been used since July 2008 and the other building has not been used since February 2009. Management should develop procedures to expedite the decision-making process for terminating leases on unused buildings to reduce the additional costs to the state (page 24).

OBSERVATIONS AND COMMENTS

The audit also discusses the following issues: (1) during our audit period, one youth development center was not accredited; (2) since its creation in 1996, the department continues to be under the John Doe lawsuit relative to the class members in the state's custody; (3) the department is implementing requirements for evidence-based programs; and (4) the department has collaborated with the Tennessee Commission on Children and Youth to integrate Quality Service Reviews (page 26).

Performance Audit
Department of Children's Services
Division of Juvenile Justice

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Performance Audit
Department of Children's Services
Division of Juvenile Justice

INTRODUCTION

PURPOSE AND AUTHORITY FOR THE AUDIT

This performance audit of the Department of Children's Services, Division of Juvenile Justice, was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-233, the Department of Children's Services is scheduled to terminate June 30, 2012. However, Chapter 557 of the 2009 Public Acts required a performance review of the Division of Juvenile Justice by June 15, 2010. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the agency and to report to the Joint Government Operations Committee of the General Assembly. The audit is intended to aid the committee in determining whether the Department of Children's Services should be continued, restructured, or terminated.

OBJECTIVES OF THE AUDIT

The objectives of the audit were to

- review the division's complaint handling process;
- determine whether the department tracks recidivism;
- determine how the department monitors contract performance;
- review employee turnover and overtime costs for each facility;
- determine the bed space and operating costs for each facility;
- determine what programs are offered to juveniles, including aftercare and prevention/diversion;
- determine whether the department is complying with the policies related to the Doe lawsuit; and
- review department actions to comply with requirements of Title VI of the Civil Rights Act of 1964.

SCOPE AND METHODOLOGY OF THE AUDIT

The activities of the Department of Children's Services, Division of Juvenile Justice, were reviewed for the period July 2005 to December 2009. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Methods used included

1. review of applicable legislation and policies and procedures;
2. a review of prior performance audits and financial and compliance audit reports, and a review of audit reports from other states;
3. examination of the entity's records and reports, including visits to all five youth development centers and five group homes; and
4. interviews with department staff and staff of other state agencies that interact with the agency.

HISTORY AND STATUTORY RESPONSIBILITIES

The Division of Juvenile Justice was created by an act of the legislature during the 2006 legislative session to coordinate statewide services to adjudicated delinquent youth and their families. The division is housed within the Department of Children's Services. According to Section 37-5-102, *Tennessee Code Annotated*,

> Through the department of children's services, the state of Tennessee, in cooperation with juvenile courts, local communities, schools and families will strive to provide timely, appropriate and cost-effective services for children in state custody and at risk of entering state custody so that these children can reach their full potential as productive, competent and healthy adults. The department is created to provide services to those children who are unruly, delinquent, dependent and neglected, and their respective families, as well as for children who are at imminent risk and in need of services to prevent entry into state custody, who are in state custody pending family reunification or other permanent placement, or as otherwise may be required for such children and their families pursuant to state law. In all cases, the focus of the services shall be to further the best interest of the child, and when appropriate, to preserve the relationship between the child and the family. Whenever possible, the services shall be provided in the community where the child lives and in a setting that is the least restrictive and, yet, the most beneficial to the child. For the children it serves, the department shall strive to:

(1) Protect children from abuse, mistreatment or neglect;
(2) Provide prevention, early intervention, rehabilitative and educational services;
(3) Pursue appropriate and effective behavioral and mental health treatment; and
(4) Ensure that health care needs, both preventive and practical, are met.

The department will work to preserve the safety and protect the standards in Tennessee communities through efforts to combat delinquency and other social ills concerning young people. The department shall work to continuously improve the management and coordination of services for the children and families of Tennessee identified in this section by ensuring thorough evaluations and assessments, appropriate and effective service delivery, timely permanency planning and supportive supervision and monitoring of the progress of children discharged from state custody.

ORGANIZATION

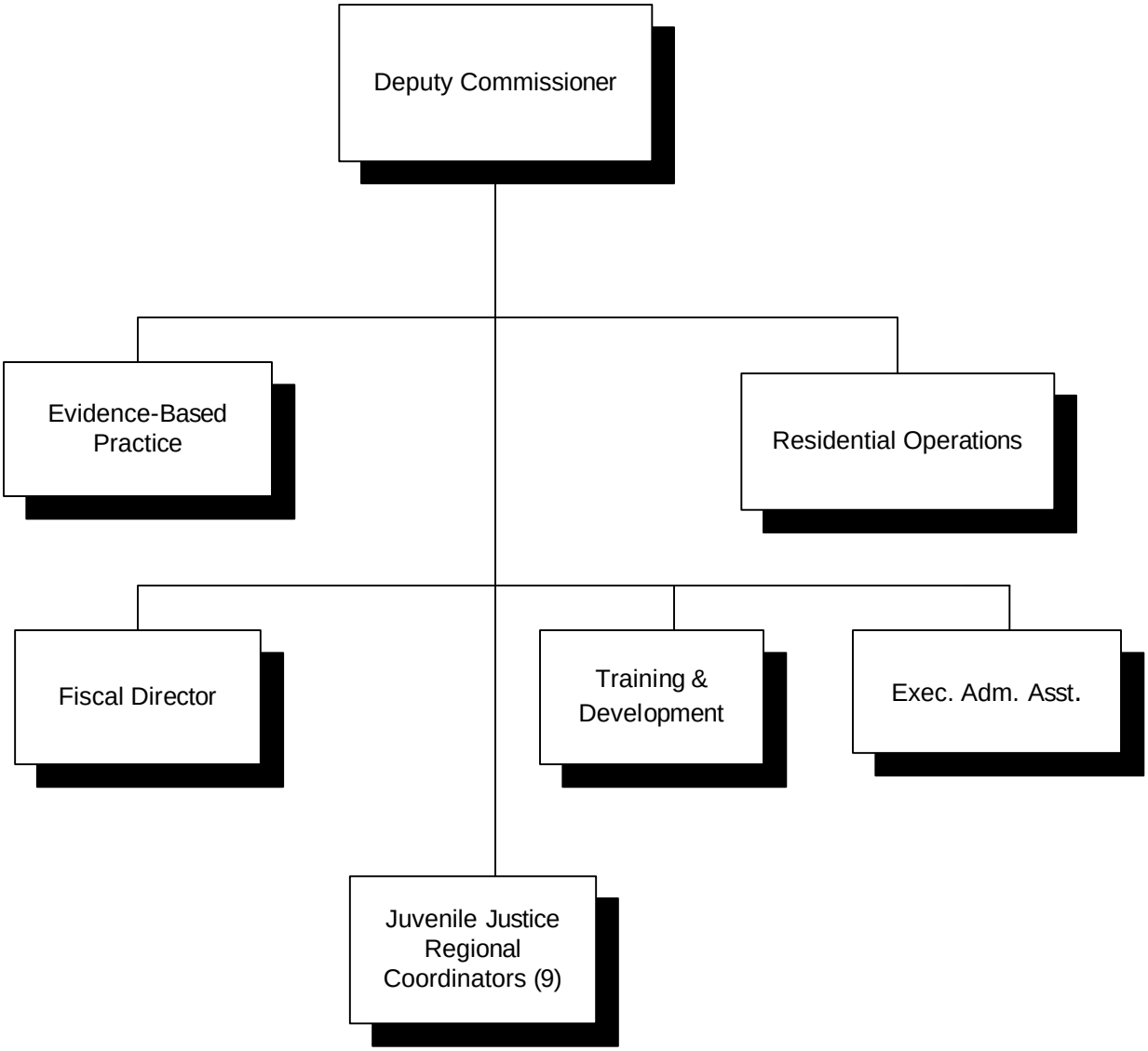
The Division of Juvenile Justice, including staff in all 12 DCS regions and its residential facilities, serves approximately 9,000 youth annually. The division's programs consist of probation and aftercare services, five youth development centers serving youth with more serious delinquent offenses, nine community-based group homes serving youth with less serious offenses, a residential treatment facility for developmentally challenged youth, and an observation and assessment center. (See organization chart on the following page.)

As youth come into custody, each is assessed to determine service needs. Youth may be placed in a group home, youth development center, or a resource home. Upon release, youth may receive non-custodial services such as probation and aftercare supervision and monitoring, family engagement, and resource linkage.

Each of the community-based group homes has a capacity for eight youth, and each is accredited by the Council on Accreditation. The minimum-security facilities offer education, work experience, counseling, and community service. Each youth has an Individual Program Plan intended to help guide the youth toward total reintegration into their home community and family. Five of the homes have in-house schools designed for students who have had problems with adjustment in public schools. The following are the names and locations of the group homes:

- Bradley County Group Home, Cleveland (closed in February 2009)
- Brighter Paths, Cookeville
- Elizabethton Group Home, Elizabethton
- Inman Group Home, Tullahoma

Department of Children's Services
Division of Juvenile Justice
Organization Chart
April 2010



- Henderson House, Jackson
- Johnson City Boys Group Home, Johnson City
- Johnson City Observation and Assessment Center, Johnson City
- Madisonville Group Home, Madisonville
- Nashville Transition Center – Tallman Cottage, Nashville
- Peabody Residential Treatment Center, Memphis
- West View Center, Knoxville (closed July 2008)

Each youth development center is a secure residential facility that provides treatment for delinquent youth ages 12 to 19. Upon admission, each youth receives a comprehensive assessment that includes an Individual Program Plan. Each center provides special and regular education, GED preparation, pre-vocational education, medical and dental services, recreational programs, and programs to help youth develop independent living skills. Specialty services include therapy for a broad range of needs, alcohol and drug treatment, and speech therapy. The five youth development centers, their locations, and capacity are below:

- Mountain View Youth Development Center, Dandridge, 144 males
- New Visions Youth Development Center, Nashville, 36 females
- Taft Youth Development Center, Pikeville, 156 males
- Wilder Youth Development Center, Somerville, 144 males
- Woodland Hills Youth Development Center, Nashville, 120 males

If the youth is not placed in a group home or a youth development center, he or she may be placed in a resource (foster) home. However, resource homes have the right to refuse placement of delinquent offenders who they believe present a risk to their family, property, or community. Resource homes that agree to accept delinquent youth are taught how best to care for them through educational courses.

The following table illustrates the placement of the Division of Juvenile Justice youth as of January 31, 2010.

Table 1
Placement of Youth as of January 31, 2010

Youth Placement	Total
Youth Development Center	418
DCS Group Home	46
Foster Home	245
Residential Facility	584
Trial Home Visit	132
Independent Living	3
Level 4 – Highest Level in a Residential Facility	17
Detention/Jail	45
Primary Treatment Center – 30-45 day placement where assessments are given to determine best place for treatment	31
Runaway	64
Other	0

Commitment to the Department of Children's Services

Section 37-1-137, *Tennessee Code Annotated*, outlines the procedures and protocol for committing children to DCS as delinquent both for indeterminate committal spans and for determinate committal spans for certain enumerated higher-level offenses.

How Juveniles Exit Custody

According to DCS Policy 12.1, "Return to Home Placement for Youth Adjudicated Delinquent," delinquent youth in family foster care, contract agencies, DCS-operated group homes, and youth development centers return to home placement with approval of the committing court and the Commissioner of the Department of Children's Services.

The following summarizes some of the actions that must take place before a youth adjudicated delinquent may leave custody according to DCS Policy 12.1:

- Preparation for Return to Home Placement: When youth nears completion of the Individual Program Plan objectives and/or Permanency Plan goals, the youth's Facility Case Worker or Family Service Worker (FSW) schedules a child and family team meeting. Release forms and documents are submitted by the youth's FSW or contracted agency case worker 30 days prior to the youth's trial home visit.
- Advancement of Release Date Due to Hardship: Under hardship circumstances (death of an immediate family member, major medical problem, or family relocation out of state) a youth's release date can be advanced. In these circumstances, the FSW and other members of the youth's treatment team must agree that the advancement release date is in the best interest of the youth and the FSW must notify the committing court of the proposed date and reasons. Oral approval from the court is documented in TNKids (information database), and the Commissioner must approve the advancement release date.
- Aftercare Plan: Every youth will have a period of aftercare supervision that is no less than 90 days in duration, which begins on the first day of the trial home visit. Youth who are 19 years old when released from custody are exempt from aftercare supervision. The committing court may also order an exemption for a youth from aftercare supervision.
- The FSW must notify the committing court of the youth's proposed home placement at least 15 days prior to the trial home pass. The Commissioner will then review and approve the release packet.
- Court Ordered Release: In the event the department receives a court order to release a youth, the office of the Deputy Commissioner of Juvenile Justice will acknowledge receipt of the order, DCS Legal Counsel will review the order, the facility case worker will prepare the release paperwork, and program staff will request a copy of the court order.
- If the trial home visit is successful, the youth is automatically placed on home placement status, and the department's legal custody of the youth terminates at the end of 30 days.

Role of the Family Service Worker

Each youth is assigned a family service worker (FSW) from his or her home county. The FSW is responsible for the case and has the primary responsibility of the Child and Family Team as the child and family move to permanence. While the juvenile is in a facility, the FSW works with both the family and the residential case manager assigned to the juvenile at the facility. The residential case manager is responsible for case management services while in the DCS facility along with treatment planning. The FSW is required to visit the juvenile once a month, and each visit must be recorded in TNKids. Policy states that if the juvenile is farther than 75 miles from the location of the FSW, only a quarterly visit is required. Because the FSW specializes in Juvenile Justice cases, each must go through an initial eight weeks of training, including a one-week focus on Juvenile Justice.

Complaints/Grievances

All youth have the opportunity to complain about an action or circumstance that affects them and that they feel is unjust. A grievance can be resolved informally, or the youth can file a formal complaint. All grievances are to be handled in a timely manner with no retaliation against the complainant.

Formal grievances are to be filed within seven days of the circumstance or action that has given rise to the complaint. A complaint about a continuing practice or policy should also be filed within seven days of the most recent time the youth was affected.

Grievance boxes and forms are maintained at each youth development center and group home in areas that are easily accessible by the youth, such as a dormitory, classroom, or cafeteria. Once the grievance form is completed by the youth, it is to be placed in the grievance box. There is a designated Grievance Clerk at each facility that is responsible for receiving and processing grievances. The grievance must be forwarded to the Grievance Chairperson of the Grievance Hearing Committee within 24 hours of receiving it. A hearing is held within five days from the time the grievance was filed. If the youth disagrees with the Grievance Committee's decision, the youth may file an appeal within five days to the Superintendent of the facility. If the youth also disagrees with the decision of the Superintendent, the youth may appeal to the Assistant Commissioner of Residential Services.

Some youth choose not to file a grievance. Instead, they may write a letter directly to the Department of Children's Services. Once the letter is received, it is logged into the Office of Legislative and Constituent Services Intake Tracking System. If there is an allegation of mistreatment by staff, the complaint is forwarded to Internal Affairs. If the complaint is not an allegation of mistreatment, the Division of Juvenile Justice staff investigate the complaint by reading TNKids case notes and interviewing appropriate personnel. Once the complaint is resolved, it is closed out of the information system and notice is sent to the student.

Demographics

The following tables illustrate the demographics for all juveniles in Division of Juvenile Justice custody for fiscal years ended June 30, 2007, through June 30, 2009.

Demographics for FY 2007

As of June 30, 2007

Female	Number	Percent	Male	Number	Percent	Total Male and Female	Percent Male and Female
Black	89	27.14%	Black	658	41.96%	747	39.40%
White	222	67.68%	White	848	54.08%	1,070	56.43%
Mixed Race	7	2.13%	Mixed Race	29	1.85%	36	1.90%
Unknown	4	1.22%	Unknown	29	1.85%	33	1.74%

Am. Indian/ Alaskan Na.	2	0.61%	Am. Indian/ Alaskan Na.	2	0.13%	4	0.21%
Asian American	4	1.22%	Asian American	2	0.13%	6	0.32%
Total	328	100.00%	Total	1,568	100.00%	1,896	100.00%
Percent	17.30%		Percent	82.70%			

Demographics for FY 2008

As of June 30, 2008

Female	Number	Percent	Male	Number	Percent	Total Male and Female	Percent Male and Female
Black	98	30.82%	Black	596	41.08%	694	39.23%
White	204	64.15%	White	786	54.17%	990	55.96%
Mixed Race	5	1.57%	Mixed Race	33	2.27%	38	2.15%
Unknown	9	2.83%	Unknown	32	2.21%	41	2.32%
Am. Indian/ Alaskan Na.	0	0.00%	Am. Indian/ Alaskan Na.	0	0.00%	0	0.00%
Asian American	2	0.63%	Asian American	4	0.28%	6	0.34%
Total	318	100.00%	Total	1,451	100.00%	1,769	100.00%
Percent	17.98%		Percent	82.02%			

Demographics for FY 2009

As June 30, 2009

Female	Number	Percent	Male	Number	Percent	Total Male and Female	Percent Male and Female
Black	121	38.54%	Black	673	47.10%	794	45.55%
White	176	56.05%	White	698	48.84%	874	50.14%
Mixed Race	6	1.91%	Mixed Race	22	1.54%	28	1.61%
Unknown	11	3.50%	Unknown	32	2.24%	43	2.47%
Am. Indian/ Alaskan Na.	0	0.00%	Am. Indian/ Alaskan Na.	1	.07%	1	0.06%
Asian American	0	0.00%	Asian American	3	.21%	3	0.17%
Total	314	100.00%	Total	1,429	100.00%	1,743	100.00%
Percent	18.01%		Percent	81.99%			

REVENUES AND EXPENDITURES

The following table lists the actual budget for fiscal year ended June 30, 2008, along with the estimated budget for fiscal year ended June 30, 2009, and the proposed budget for fiscal year ended June 30, 2010, for the youth development centers.

Table 2
FY 2008 – FY 2010 Youth Development Center Budget

	John S. Wilder YDC			Taft YDC			Woodland Hills YDC			Mountain View YDC			New Visions YDC		
	FY 2008	**FY 2009**	**FY 2010**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2008**	**FY 2009**	**FY 2010**
	Actual	**Estimated**	**Proposed**	**Actual**	**Estimated**	**Proposed**	**Actual**	**Estimated**	**Proposed**	**Actual**	**Estimated**	**Proposed**	**Actual**	**Estimated**	**Proposed**
Expend.															
Payroll	$9,266,300	$10,785,900	$10,487,300	$11,565,900	$11,853,800	$11,637,300	$9,553,800	$10,312,500	$10,109,900	$10,055,600	$10,590,500	$10,226,500	$3,253,100	$3,729,400	$3,727,100
Operat.	$2,238,300	$2,449,000	$2,441,200	$2,473,000	$2,527,400	$2,496,900	$2,598,700	$2,591,200	$2,710,900	$2,257,400	$2,261,400	$2,261,900	$1,141,700	$1,060,800	$1,006,100
Total	**$11,504,600**	**$13,234,900**	**$12,928,500**	**$14,038,900**	**$14,381,200**	**$14,134,200**	**$12,152,500**	**$12,903,700**	**$12,820,800**	**$12,313,000**	**$12,851,900**	**$12,488,400**	**$4,394,800**	**$4,790,200**	**$4,733,200**
Revenue															
State	$11,233,800	$12,928,100	$12,617,800	$13,500,500	$13,731,900	$13,546,400	$11,779,400	$12,508,000	$12,358,000	$12,052,200	$12,517,700	$12,145,000	$4,343,200	$4,699,000	$4,662,100
Federal	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Other	$270,800	$306,800	$310,700	$538,400	$649,300	$587,800	$373,100	$395,700	$462,800	$260,800	$334,200	$343,400	$51,600	$91,200	$71,100
Total	**$11,504,600**	**$13,234,900**	**$12,928,500**	**$14,038,900**	**$14,381,200**	**$14,134,200**	**$12,152,500**	**$12,903,700**	**$12,820,800**	**$12,313,000**	**$12,851,900**	**$12,488,400**	**$4,394,800**	**$4,790,200**	**$4,733,200**

Source: The Budget, State of Tennessee, Fiscal Year 2009 – 2010.

The following table lists the actual budget for fiscal year ended June 30, 2008, along with the estimated budget for fiscal year ended June 30, 2009, and the proposed budget for fiscal year ended June 30, 2010, for the community treatment facilities (group homes).

Table 3
FY 2008 – FY 2010 Community Treatment Facilities Budgets

Community Treatment Facilities

	FY 2008 Actual	FY 2009 Estimated	FY 2010 Proposed
Expenditures			
Payroll	$7,785,300	$7,618,700	$6,058,400
Operational	2,015,400	1,727,800	1,545,900
Total	**$9,800,700**	**$9,346,500**	**$7,604,300**
Revenues			
State	$7,971,900	$7,017,200	$5,592,500
Federal	0	0	0
Other	1,828,800	2,329,300	2,011,800
Total	**$9,800,700**	**$9,346,500**	**$7,604,300**

Source: The Budget, State of Tennessee, Fiscal Year 2009 – 2010.

Employee Turnover

The following tables are the employee turnover rates for the Division of Juvenile Justice group homes and youth development centers for fiscal years ended June 30, 2007, through June 30, 2009.

Table 4
Employee Turnover for FY 2007

Region/Institution	Total Separated	Total Staff	Turnover Rate
GH - Bradley County	5	18	27.78%
GH - Brighter Paths	1	14	7.14%
GH – Elizabethton	3	15	20.00%
GH - Henderson House	1	14	7.14%
GH – Inman	2	18	11.11%
GH - Johnson City	1	16	6.25%
GH - Johnson City O & A	1	22	4.55%
GH - Madisonville	3	16	18.75%

Region/Institution	Total Separated	Total Staff	Turnover Rate
GH - Nashville Transition Center	2	24	8.33%
GH - Westview	2	16	12.50%
YDC - Mt View	31	222	13.96%
YDC - New Visions	10	76	13.16%
YDC - Taft	28	229	12.23%
YDC - Wilder	19	193	9.84%
YDC - Woodland Hills	28	197	14.21%
Grand Total	**137**	**1,090**	**12.57%**

Table 5
Employee Turnover for FY 2008

Region/Institution	Total Separated	Total Staff	Turnover
GH - Bradley County	6	16	37.50%
GH - Brighter Paths	1	13	7.69%
GH - Elizabethton	1	14	7.14%
GH - Inman	2	14	14.29%
GH - Johnson City	2	15	13.33%
GH - Johnson City O & A	2	23	8.70%
GH - Madisonville	2	14	14.29%
GH - Nashville Transition Center	1	17	5.88%
GH - Peabody	1	18	5.56%
GH - Westview	3	14	21.43%
YDC - Mt View	31	220	14.09%
YDC - New Visions	11	72	15.28%
YDC - Taft	30	239	12.55%
YDC - Wilder	15	203	7.39%
YDC - Woodland Hills	28	224	12.50%
Grand Total	**136**	**1,116**	**12.19%**

Table 6
Employee Turnover for FY 2009

Region/Institution	Grand Total	Total Staff	Turnover
GH - Bradley County	5	28	17.86%
GH - Elizabethton	3	14	21.43%
GH - Henderson House	2	14	14.29%
GH - Inman	1	14	7.14%
GH - Johnson City	6	35	17.14%
GH - Madisonville	4	12	33.33%
GH - Nashville Transition Center	4	17	23.53%
GH - Peabody	2	18	11.11%
GH - Westview Center	8	8	100.00%
YDC - Mt View	52	214	24.30%
YDC - New Visions	20	89	22.47%
YDC - Taft	35	238	14.71%
YDC - Wilder	30	218	13.76%
YDC - Woodland Hills	45	219	20.55%
Grand Total	**217**	**1,138**	**19.07%**

As you can see from the table, the employee turnover rate has increased significantly in fiscal year 2009.

Overtime Costs

The following table details the overtime costs of the group homes for fiscal years ended June 30, 2006, through June 30, 2009:

Table 7
Overtime Costs for Group Homes FY 2006 – FY 2009

	Budget	Expenditures	Variance	Percentage
FY 2006	$325,800	$323,400	$2,400	99.26%
FY 2007	$274,900	$296,800	($21,900)	108%
FY 2008	$274,900	$303,600	($28,700)	110.4%
FY 2009	$258,100	$235,200	$22,900	91.13%

The following table details the overtime costs for the youth development centers for fiscal years June 30, 2006, through June 30, 2009:

Table 8
Overtime Costs for FY 2006

FY 2006	Budget	Expenditures	Variance	Percentage
Wilder	$166,000	$295,600	($129,600)	178.1%
Taft	$96,500	$471,300	($374,800)	488.4%
Woodland Hills	$483,900	$422,700	$61,200	87.4%
Mountain View	$324,700	$445,300	($120,600)	137.1%
New Visions	$26,000	$202,900	($176,900)	780.4%
Total	$1,097,100	$1,837,800	($740,700)	

Table 9
Overtime Costs for FY 2007

FY 2007	Budget	Expenditures	Variance	Percentage
Wilder	$166,000	$372,200	($206,200)	224.2%
Taft	$96,500	$489,000	($392,500)	506.7%
Woodland Hills	$359,300	$272,700	$86,600	75.9%
Mountain View	$324,700	$555,900	($231,200)	171.2%
New Visions	$26,000	$295,700	($269,700)	1137.3%
Total	$972,500	$1,985,500	($1,013,000)	

Table 10
Overtime Costs for FY 2008

FY 2008	Budget	Expenditures	Variance	Percentage
Wilder	$166,000	$239,100	($73,100)	144.0%
Taft	$302,400	$302,800	($400)	100.1%
Woodland Hills	$359,300	$310,100	$49,200	86.3%
Mountain View	$324,700	$349,400	($24,700)	107.6%
New Visions	$26,000	$327,800	($301,800)	1260.8%
Total	$1,178,400	$1,529,200	($350,800)	

Table 11
Overtime Costs for FY 2009

FY 2009	Budget	Expenditures	Variance	Percentage
Wilder	$166,000	$342,400	($176,400)	206.3%
Taft	$257,400	$291,100	($33,700)	113.1%
Woodland Hills	$263,600	$279,900	($16,300)	106.2%
Mountain View	$297,000	$331,800	($34,800)	111.7%
New Visions	$26,000	$244,100	($218,100)	938.8%
Total	$1,010,000	$1,489,300	($479,300)	

For FY 2009, overtime costs for group homes and youth development centers declined.

FINDINGS AND RECOMMENDATIONS

1. The Division of Juvenile Justice did not establish adequate measures to monitor recidivism of delinquents who were in the state's custody, increasing the risk of inability to adequately measure the effectiveness of youth treatment programs

Finding

Division of Juvenile Justice management still has not established adequate methods to measure recidivism despite concurring with a finding in a 2003 performance audit noting the problem. Although no written definition could be provided, the Executive Director of Residential Operations defined recidivism as "a youth who exits custody of the department and returns into custody as the result of a delinquent offense within 12 months." Of the division's former delinquent juveniles, management did not have an accurate report of how many reentered the juvenile system or the adult correctional facilities. In addition, management did not develop or adopt formal criteria to measure the effectiveness of the youth treatment and rehabilitation programs.

The 2003 performance audit of the Department of Children's Services found that the department did not track recidivism rates. Management concurred with the finding in the 2003 performance audit and stated,

> In March 2003, the department developed a system for tracking children formerly in state custody that subsequently entered the adult correctional system; however, information on students returning to juvenile justice facilities is not being consistently maintained by all of the department's facilities. Management has established a work group to develop a working definition of recidivism that will meet the reporting needs of stakeholders and anticipates that by June 2004, a state-wide tracking system will be in operation to track student recidivists in all youth development centers.

Management informed us that no research or studies concerning recidivism have been conducted because it is costly and resources are not available. They stated that after the 2003 audit, staff developed a report showing delinquent youth who exited custody and reentered custody within 12 months. However, management stated that this report (which is extracted from the TNKIDS database) is not accurate and is not being used. According to data in this report, "Percentage of Delinquents Re-Entering Custody within 12 Months of a Previous Episode FY 2007 – 2008" (from the TNKIDS database), of the 1,874 delinquents that were released from the state's custody, 296 reentered the department's custody within 12 months, or an average of 15.80%.

Management stated that the 15.80% recidivism rate in the report was likely underreporting the recidivism rate because the report did not capture the population of re-offenders who "aged out" of the system (i.e., individuals who were 19 years old or older, formerly in Division of Juvenile Justice custody, committed an offense after being released, and were reincarcerated in an adult facility rather than a Juvenile Justice facility.) Management stated that extensive efforts would be required to produce meaningful data. Management also informed us that after the 2003 audit, discussions were held with the Tennessee Department of Correction in order to create a system that would allow DCS to track the adult system, but the effort was abandoned until a better system for a statewide criminal justice data exchange could be developed.

We obtained recidivism data from the department's central office staff and staff at the youth development centers, group homes, and the Division of Juvenile Justice. Because management could not provide support for the information provided, we could not verify the accuracy of the information. However, staff at the department's youth development centers disclosed that during fiscal year 2008, at least 21% of delinquents reentered the same youth development center after being released. There was no information or data provided about the delinquents who entered the adult correctional facilities.

Tennessee is not the only state that has difficulties with measuring recidivism of juvenile offenders. According to *Juvenile Offenders and Victims: 2006 National Report* by the Office of Juvenile Justice and Delinquency Prevention, "There is no national recidivism rate for juveniles. Such a rate would not have much meaning since juvenile justice systems vary so much across states." According to an article in *Youth Today*, some states count juveniles who are on parole, and others start measuring once parole is complete; while some states track juveniles for two years, some track for three. About half the states that track recidivism do not count a former juvenile who was later arrested and sent to the adult system.

Without establishing and implementing procedures to measure recidivism, the department may not adequately measure the effectiveness of the treatment and rehabilitation programs created to help the youth. This may make it more difficult for the youth to overcome their improper behaviors and reduce the probability of committing further offenses. Moreover, because the division does not track recidivism rates that could measure the effectiveness of the programs, taxpayers do not have the necessary information to determine whether they are funding programs that effectively improve a youth's life or are wastefully funding ineffective programs.

Recommendation

The Commissioner should establish and implement criteria to measure recidivism and use the data to measure the effectiveness of the department's treatment programs. The Deputy Commissioner of the Division of Juvenile Justice should evaluate the problems with the recidivism data, determine the causes of these problems, and take all reasonable steps to correct these problems, including controls for regular testing of the accuracy of the data. The department should take steps to measure the number and percentage of youth formerly in the custody of the

Juvenile Justice Division who have entered Tennessee's adult correctional system and use the information to improve the current treatment programs.

Management's Comment

We do not concur. As noted in the finding, in response to the 2003 audit, management developed a "working definition" of recidivism, which is the youth that have exited and returned to departmental custody within 12 months. A report was developed which tracks that data and is being used. Contrary to the statement in the finding that the report is not accurate, the report is believed to be an accurate reflection of the data which is entered into TNKids for those delinquent youth who have left custody and reentered within 12 months.

In 2005, Chapin Hall began data management for the Department of Children's Services (DCS), including Juvenile Justice youth, on youth who are placed in placements other than state-operated youth development centers and group homes. This data is used to measure performance and is part of the performance based contracting initiative. This report uses the 12 month return to custody as the outcome measure which is tied to payment for the contract agencies. This measure is also used to evaluate the performance of the regions.

The department also held discussions with Department of Correction (DOC) regarding the possibility of DCS and DOC database interface to see what reports could be generated to track youth who cross systems. After much discussion, it was decided that very little information could be obtained that would be helpful and that the expense would be prohibitive. The effort was abandoned until a better system for statewide criminal justice data exchange could be developed.

The department believes that the most effective way to track and study recidivism would involve conducting a longitudinal cohort study of delinquent youth who leave state custody. This would require contracting with a competent resource which would most likely be a research university. Should funding become available, juvenile justice management would gladly pursue such an opportunity.

<u>Division of State Audit comment:</u>

Division of Juvenile Justice management stated in interviews that its information on recidivism was not accurate and thus not used. To evaluate its treatment programs, the division needs an operational definition of recidivism and should determine how it can get useful data to measure it. The Chapin Hall data cover youth in contract facilities, not youth in state-operated facilities. Data on all youth are needed.

2. The Division of Juvenile Justice could not provide documentation of sufficient contract monitoring processes of vendors that provide services to youth, nor could the division ensure the completion of background checks for some vendors

Finding

The department could not provide documentation of sufficient contract monitoring processes of vendors that provide services to youth for contract compliance and did not ensure completion of background checks for some of these vendors. These services include dental, optometry, psychological, and speech and language services. Also, the department misclassified vendors such as residential facilities as subrecipients, increasing the risk that actual subrecipients will not be monitored since the department monitors only a sample of subrecipients.

Policies for Monitoring Vendor Contracts Needed

The department did not document contract compliance of vendors providing services to youth such as counselors, dentists, therapists, doctors, psychiatrists, psychologists, and unique care facilities (which provide highly specialized residential treatment unique to the needs of a specific child). Department of Finance and Administration rule 0620-3-8-.03 states, "A procuring state agency is responsible for contract management of all vendor and subrecipient contracts under its purview."

Auditors requested documentation of contract monitoring of vendors. We were provided with quarterly summaries of oversight activities at Taft, Mountain View, Woodland Hills, and Wilder Youth Development Centers. There were elements regarding services provided by vendors in the summaries, but nothing regarding whether a specific vendor was operating according to the contract requirements. The reports are not sufficient for contract monitoring.

The Division of Juvenile Justice does not have any formal procedures for monitoring contracts of vendors. Without guidelines in place, staff cannot perform uniform monitoring of vendor contracts. There must be policies and procedures established that will give staff requirements to follow, including checklists that will allow staff to know exactly what is to be monitored, how frequently the contracts are to be monitored, and what steps are to be taken when a vendor is not adhering to the contract requirements.

Without proper procedures for monitoring vendor contracts, the department cannot ensure that vendors comply with their contract, and citizens do not have proper assurances that youth are receiving the services that the state has paid for.

Policies for Vendor Background Checks Needed

We selected and tested a non-statistical sample of ten vendors from fiscal year 2009 to determine if background checks had been completed on service providers. Our testwork disclosed that for seven of the ten vendors, management could not provide adequate

documentation to show that background checks were performed. For two vendors, the department provided a written note indicating the vendor name and date of the background check from 1995. The department stated that for two other vendors in our sample, no background check was needed because the youth were transported to the vendor's office (the vendor does not come to campus). No explanation was given for the other three vendors that lacked a background check.

Ensuring a proper completion of background checks of the service providers such as doctors, dentists, therapists, psychiatrists, psychologists, and unique care facilities is essential to helping mitigate the risk of abuse to the children in the department's custody. Therefore, because DCS did not conduct background checks on these service providers, DCS exposed the children in the department's custody to an increased risk that service providers might have a background unfit for working with children.

The Fiscal Director of Juvenile Justice stated that the background checks were overlooked because DCS does not have specific policies or procedures requiring the completion of background checks for the Division of Juvenile Justice vendor contracts. DCS has policies and procedures requiring background checks for employees and volunteers with direct contact with children; however, these policies do not specifically require the completion of background checks for Division of Juvenile Justice vendors having such contact with children. Vendors are required to comply with all applicable state laws and regulations. A state law that is applicable to department and childcare agency employees is below. However, the department should seek clarification on whether this is applicable to individual vendors under contract with the department.

According to Section 37-5-511(a)(1) and (2), *Tennessee Code Annotated*,

> Each person . . . applying to work with children as a paid employee with a child care agency as defined in § 37-5-501, or with the department in any position in which any significant contact with children is likely in the course of the person's employment . . . shall submit to a criminal history records check to be conducted through the Tennessee bureau of investigation, shall supply fingerprint samples to the Tennessee bureau of investigation and to the federal bureau of investigation."

<u>Some Vendors Misclassified as Subrecipients</u>

The department misclassified some vendors, such as residential facilities, as subrecipients in order to monitor those facilities that management considered high risk. According to Policy 22, subrecipients are to be "a non-federal entity that expends state and/or federal funds received from the state to carry out a state and/or federal program." Residential facilities are providing services to the youth for the department, not implementing a state program. According to F&A Policy 22, agencies should monitor a minimum of one-third of the total number of all subrecipient contracts and two-thirds of the aggregate current-year maximum liability value of the agency's entire subrecipient grant population. The misclassification of vendors as subrecipients increases the risk that the actual subrecipients that receive grants may not be

monitored because the department monitored a vendor instead of an additional subrecipient. The department needed to check that the vendors were complying with contract requirements, just not under the procedures of Policy 22.

Recommendation

The department should monitor contracted residential facilities and vendors to determine that the facilities or vendors provided the services the department contracted for. The department should develop policies for monitoring and documenting the results of these reviews, including a checklist of what is to be reviewed along with what measures are to be taken when a vendor has not complied with the contract. Furthermore, the department should monitor these vendors to ensure the safety and care of children by promulgating a policy that requires background checks on individuals who come in contact with the children (such as contracted employees, contracted foster parents, contracted doctors, dentists, therapists, and counselors). The policy should address precisely which vendors require background checks, who performs them (youth development centers, group homes, or the central office), when they are to be performed, and how often they are to be updated. It should also address whether a background check is only required on those vendors that come onto DCS property or whether one should be required for the vendors that youth are transported off campus to visit. The department should ensure that these background checks are performed.

Since residential facilities are not subrecipients as defined by Policy 22, Policy 22 does not apply. Nevertheless, these facilities should still be monitored in an appropriate manner to ensure compliance with the contract.

The Commissioner should evaluate the current monitoring procedures and, if warranted, should establish an internal policy to ensure that all contracts are properly monitored. Also, the Program Accountability Review Division should ensure that all subrecipients of the department grants are monitored in accordance with Finance and Administration Policy 22.

Management's Comment

We concur in part. With regard to the section headed Policies for Monitoring Vendor Contracts Needed, we do not concur. Vendors conducting services at Youth Development Centers have been monitored on a regular basis in both a quantitative and qualitative manner. Facility staff, including treatment managers and administrators, approves individual service invoices as matched to the children who actually receive these services. Payment for those services is approved only following a reconciliation of the invoice by these staff. A DCS Juvenile Justice Psychologist performs a 2 day review of the quality of the work performed by contract vendors at each YDC location according to a consistent observation and reporting template. When indicated, facilities have made adjustments to the level of service provision as the result of these checks in order to comply with contract limits, and during the course of the contract, vendors have incorporated measures to comply with TCA 37-5-121, the evidence-based

law. Although, none of the above were ever considered subrecipients and as such were not monitored by Program Accountability Review (PAR), PAR has in the past monitored unique care contracts if they were with a provider already on the list of subrecipient contracts (i.e., Omnivision or Youth Villages). In addition, as part of its annual American Correctional Association (ACA) inspection, the Licensing division does verify that these services are available for each YDC and that services are provided by contract. Sufficient controls have been in place to assure citizens that youth are receiving appropriate services. However, DCS can and will continue to improve contract monitoring with clearer roles and written protocols for areas where documentation was deemed insufficient by the auditors.

With regard to the section headed Policies for Vendor Background Checks Needed, we concur in part. DCS maintains a background check process for private providers in accordance with Policy 4.1, *Employee Background Checks*, designed for compliance with Title IV-E funding requirements. Such funding requirements do not extend to the state funds expended within a Youth Development Center for healthcare costs. While DCS has lacked a consistent background check process for licensed independent practitioners, such practitioners are not employees as defined in Tennessee statute 37-5-511. TCA 37-5-511 addresses a hiring process of employees, public or private, rather than independently licensed practitioners who are regulated by the Tennessee Department of Health, Health Related Boards.

Access to timely and competent healthcare services for Juvenile Justice youth is of vital importance. Tennessee Department of Children's Services is one of the named agencies in the Tennessee Justice Center lawsuits, and to be in compliance with *John B. v. Bredesen*, children in DCS custody must have timely and unimpeded access to healthcare services. Adding additional barriers to access to healthcare services, such as adding costly background checks on healthcare providers for services provided to the general public in publicly accessible offices will not help Juvenile Justice youth to obtain timely healthcare services. The ease of accessing services and the risks of accessing those services should be no greater or less for adjudicated youth than to the general public under the reasonable protections of public safety offered by the Health Related Boards.

With regard to the section headed Some Vendors Misclassified as Subrecipients, we do not concur. The discussion of the scope of Policy 22 and subrecipient monitoring has no bearing on vendor monitoring in the Division of Juvenile Justice.

- It's true that historically PAR had classified residential vendors as subrecipients, even back when they were under the Department of F&A, and monitored them under Policy 22 rules. However, for the current PAR monitoring cycle which began October 2009, and after consulting with our own fiscal division, it was decided to no longer consider residential providers as subrecipients. NOTE: Policy 22 doesn't actually require departments to monitor all of their contracts over a three-year cycle as long as a risk assessment is conducted each year, and the 1/3-2/3 rule is followed.
- Residential providers are still monitored through PAR although they are no longer considered subrecipients. This is: 1) good practice; and 2) required as part of the provider scorecard strategy. This year all the level III and IV providers were monitored for the

scorecard. Our intention is to monitor all of the residential contracts on a three year cycle similar to the Policy 22 requirements. This is in addition to regular PAR monitoring, and will not affect the scheduled Policy 22 monitoring activities. Most of these residential contracts serve Juvenile Justice kids as well as Social Service kids.

- PAR does monitor for background check compliance as per DCS policy 4.1 and the *Provider Policy Manual.*
- PAR is in compliance with all Policy 22 guidelines.
- The licensing division does conduct annual monitoring for all the residential providers for which it issues licenses (such as level II, detention, temporary holding resources).

Additionally, a random sample of youth records annually is selected by DCS and the Tennessee Commission on Children and Youth for evaluation of service components and child well-being under the Quality Service Review (QSR). These reviews evaluate child progress and system effectiveness in meeting children's permanency needs, and include children in DCS contract agencies and Youth Development Centers. Additionally, the Assessment Service Quality (ASQ) review is an external quality review conducted by Vanderbilt Center of Excellence on every facility providing congregate care services for levels 3 and 4—our highest service levels. These reviews determine if an agency is meeting children's actionable treatment needs as determined by DCS assessments and if the agency is sufficiently engaging families in achieving timely permanence and healthy outcomes for youth. Vendors in YDCs are monitored by quantitative and qualitative means. The Department of Children's Services also has an aggressive and comprehensive vendor monitoring process, the Provider Quality Team (PQT), which maintains high-level DCS representation, including Juvenile Justice staff. This body routinely tracks data points of quality such as incident reports, restraints, outcomes scores, licensure findings, and the anecdotal observations of field staff that are frequently in contact with these facilities and their staff. The PQT acts quickly on identified problems and determine appropriate levels of corrective action. We concur with the recommendation that DCS should clarify who does and who does not require a criminal background check, and who the custodian of those records will be for vendors in youth development centers.

With regard to the recommendations section for finding #2, we concur. DCS Juvenile Justice will improve procedures for background checks, and will clearly state to whom those checks apply and where the results will be stored.

<u>Division of State Audit comment:</u>

The Division of State Audit acknowledges that the department monitors the status of a sample of children in Juvenile Justice custody through the Quality Service Reviews (discussed in the Observation and Comments section). However, the department could not provide policies and procedures for, or monitoring results for, compliance of vendors (such as dentists) with contract requirements.

3. The Division of Juvenile Justice paid over $189,000 for leases on two vacant buildings

Finding

The Division of Juvenile Justice paid over $189,500 for leases on two vacant buildings that had been used to house delinquent children in the state's custody, but one building has not been used since July 2008 and the other has not been used since February 2009.

After DCS staff provided the auditors with information that the Bradley Group Home had been suspended/closed, the auditors interviewed the Executive Director of Residential Operations and the Fiscal Director of the division. These officials stated that the Bradley Group Home located in Cleveland, Tenn., was closed and has been vacant since February 2009. However, DCS continued to pay the lease. Also, the telephone services and utilities continued to be provided and payments were still made to the provider until April 30, 2010. According to the DCS CHIPFINS database, the lease payment for Bradley Group Home was $7,083.34 per month.

In addition, the auditors noted that DCS continued to pay the lease for the West View Group Home in Knoxville, Tenn., that was closed around July 2008. Based on discussion with the Executive Director, the West View building has been vacant since that time except for the network routers used to support the DCS East Tennessee Regional Offices. He stated that DCS "did not have the resources to move these routers." According to the DCS CHIPFINS database, the lease payment for West View Development Center was $5,500 per month.

Table 12
Lease Payments Summary From Closure Month Through February 2010

Group Home/Center	Monthly Payment	Months	Total
West View (July 08-February 10)	$ 5,500.00	19	$ 104,500.00
Bradley (March 09-February 10)	$ 7,083.34	12	$ 85,000.08
Total			**$ 189,500.08**

Source of the data above is a printout of lease payments for Bradley and West View from DCS Browser "CHIPFINS" and the lease agreements.

On July 31, 2009, the auditors were informed that the department's Executive Director of Finance and Program Support had instructed the procurement staff to terminate the leases. At that time, procurement staff were in the process of informing the Department of Finance and Administration to terminate these two leases. However, the leases were not terminated until February 28, 2010.

When auditors asked the Division of Juvenile Justice Fiscal Director the reason for the long delay in closing these two group homes, he said the closing of the Bradley Group Home was to be temporary due to a staffing shortage. The goal was to reopen it when adequate staffing could be acquired, but as the fiscal year drew to a close, budgetary constraints forced DCS to close the group home. The West View Group Home remained open because it housed all the

computer equipment for the regional office and the group home. The regional office closed on June 30, 2009, and at that time, West View was closed. Shortly thereafter, notification letters were sent to the lessor giving the required 180-day notice for lease termination.

It appears that maintaining and paying for the vacant buildings rendered no recognizable value to the state.

Recommendation

The Commissioner or designee should evaluate the benefit to the department of keeping buildings such as these within the lease and determine the viability of the benefit received versus the cost paid. For the past few years, the Governor has asked state agencies to cut a percentage of their budget. It is likely this will continue. Management should establish procedures to quicken the lease termination process should they be in a similar situation in the future. This will ensure a decision regarding the additional costs to the state is reached more timely to minimize the loss of state funds.

Management's Comment

We concur in part. These two group homes' operations were suspended at various times due to staffing issues. The closure of the Bradley County Group Home was initially deemed temporary until staff could be hired. The West View Group Home contained computer equipment that supported our Knox County regional offices while those regional offices were being moved. The department explored the possibility of sub-leasing both of these two facilities to private providers, which in the end the department did not do. The group homes were finally closed permanently due to rising budgetary pressures. It should be noted that $75,500—almost 40%—of the noted costs were due to the six-month advance notice required to cancel the leases for convenience. This factor would reduce the questioned lease costs to $114,000.

OBSERVATIONS AND COMMENTS

The topics discussed below did not warrant a finding but are included in this report because of their effect on the operations of the Division of Juvenile Justice and on the citizens of Tennessee.

During our audit period, one youth development center was not accredited

State law requires the department to have all its youth development centers accredited. One of the youth development centers had not been accredited by a regionally or nationally recognized accreditation body.

Section 37-5-113, *Tennessee Code Annotated*, states,

> The department shall have its youth development centers accredited by a regionally or nationally recognized accreditation body such as the American Correctional Association, the Council on Accreditation or other accreditation agency.

Also, the accreditation is required by DCS Policy 28.5-DOE, "Standards for Physical Plant," that states,

> The Department of Children's Services will achieve accreditation of all existing youth development centers and will comply with the standards for physical plants set forth in this policy.

As of May 2010, the Division of Juvenile Justice operates five youth development centers and nine group homes and treatment centers in various locations in Tennessee. Based on our inquiries of management and field visits to the centers and group homes, New Visions Youth Development Center was established in May 2005 and was not accredited until January 25, 2010. During our audit period, management was working on obtaining the required accreditation, and New Visions was evaluated by the American Correctional Association (ACA) in November 2009. The other four centers were already accredited facilities by the ACA. In addition, management informed us that although the group homes are not required to be accredited facilities, division management was working on obtaining accreditation by the Council on Accreditation for all group homes. The group homes obtained accreditation status on January 31, 2010.

Not obtaining the required accreditation for the facility that houses youth presented a risk to the youths' safety and security. In addition, lack of accreditation could have resulted in a negative effect on the youths' treatment, educational, and training programs.

Since its creation in 1996, the department continues to be under the John Doe lawsuit relative to the class members in the state's custody

In September 1976, the state was sued on behalf of emotionally disturbed or mentally retarded individuals alleging that the Department of Correction was providing inadequate treatment, habilitation, educational, and training services for juveniles committed to the custody of the Division of Youth Services. The parties entered into an agreed order in 1981 which detailed the appropriate elements of a program of habilitation, care, and treatment for members of the plaintiff class. In October 1987, the parties entered into a second agreed order to formalize the substitution of certain new policies for the original ones.

The Division of Youth Services was separated from the Department of Correction in 1989 to create the Department of Youth Development. In 1990, the Department of Youth Development created 60 policies for it to follow under the agreed order. In 1996, Section 37-5-114, *Tennessee Code Annotated*, transferred the Division of Juvenile Justice from the Department of Youth Development to the Department of Children's Services (DCS). With the transfer of the Division of Juvenile Justice, DCS continued with the 60 approved policies and created additional policies and procedures relative to the Division of Juvenile Justice. The last case activity was on December 20, 1996, when new counsel was substituted for the plaintiffs. As of May 2010, DCS was still under the John Doe order. The department did not have plans to reevaluate the current standing of the case to determine the appropriate actions needed to resolve the case.

Since the Department of Children's Services must adhere to 60 policies as a result of the John Doe lawsuit, we chose 12 of the 60 Doe policies to review for compliance based on what we determined were most relevant to youth and staff safety and youth rehabilitation. We obtained a list of every youth in the juvenile justice system (in state custody) at May 31, 2009. We selected and tested a non-statistical sample of 40 of 515 youth files to review. Our testwork disclosed that, except for one of the five youth development centers that did not have the proper accreditation by a nationally recognized accreditation institution as required by Policy 28.5-DOE, "Standards for Physical Plant," the department had complied with the 12 sampled policies of the Doe Court Order. (See prior observation.)

Our inquiries of the Special Counsel to the Commissioner disclosed that since the transfer in 1996, the department has never been required to appear before the court to demonstrate compliance with the Doe order; however, the state has never filed a motion to dismiss the lawsuit. Whether and when to file such a motion requires a weighing of numerous legal, policy, and resource considerations by a variety of officials across state government. The department may wish to consider asking the court to dismiss the lawsuit to give management the flexibility to operate the Juvenile Justice Program without the possibility of Chancery Court intervention.

The department is implementing requirements for evidence-based programs

Section 37-5-121, *Tennessee Code Annotated*, passed in 2007, requires the Department of Children's Services to start a multi-year process of implementing practices and programs that have been scientifically proven to reduce juvenile delinquency or are supported by research or theory to reduce delinquency. The department was also required to determine which of its current programs meet the statutory requirements, and report to the legislature no later than January 1, 2009. The department fulfilled the requirement and submitted the report *Progress Toward Evidence-Based Practices in DCS Funded Juvenile Justice Programs* to the legislators timely.

In addition, the law requires the department to ensure that 25% of the funds expended for delinquent juveniles meet the requirements during fiscal year 2009-2010, that 50% of such funds meet the requirements during fiscal year 2010-2011, that 75% of such funds meet the requirements during fiscal year 2011-2012, and that 100% of such funds meet the requirements during fiscal year 2012-2013 and each fiscal year thereafter.

The evidence-based practice program is establishing and implementing rehabilitation programs that help the delinquent youths in the state's custody to overcome their improper habits (violence and/or addiction to drugs and alcohol) and reenter into the community without or with minimal chance that they will offend again or continue with the old habits. Although currently there are no adequate criteria to measure the success of the new approach, DCS is basing its definition of success on a clinical theory of success. That is, the therapist will decide the appropriate program along with the length of the program the youth is to complete. Once the youth has successfully completed the program, through responsiveness and participation, the therapist recommends the release of the youth from the program.

Based on our inquiry of the Executive Director for Program Development and Management, the treatment and rehabilitation programs practiced by DCS prior to the evidence-based practices were mostly in accordance with the evidence-based practices. Therefore, DCS appears to have adequate programs to begin evaluating and implementing the new approach of treating and rehabilitating offender youths.

According to the Executive Director for Program Development and Management, the department has visited all of the DCS group homes, youth development centers, and contract agencies. During these visits, the department conducted interviews with staff and youth regarding the initial assessment of DCS programs and reported the results to the legislators. Based on DCS assessment, all of the DCS facilities have programs that conform to the evidence-based practices; however, about 6% of the contracted facilities do not have programs to support the evidence-based practices. According to the Executive Director for Program Development and other management personnel, these facilities will be required to comply with the evidence-based practices or DCS will terminate their contracts.

Based on discussion with the Division of Juvenile Justice Fiscal Director and the Program Manager for Continuous Quality Improvement (CQI) and Provider Relations, there is ongoing communication with the service providers regarding the requirements for the evidence-based practices. DCS is adding the language regarding the requirements for evidence-based practices for those agencies and contractors serving juvenile justice youth to all new and renewed contracts. According to the Program Manager for CQI and Provider Relations, it is more practical to add the proper language on the new or renewed contracts after the service providers become aware of their responsibilities toward complying with the new requirements. Since some of the contracts are multi-year contracts, amending the existing contracts retroactively may result in some confusion about the service providers' responsibilities for services already provided that were not in accordance with the evidence-based practices. The language of the requirements for the evidence-based practices was added to contracts beginning July 1, 2009, and within the next few years as contracts come up for renewal, all will include the proper language.

According to the Program Manager for Continuous Quality Improvement and Provider Relations, the Division of Juvenile Justice communicated to all relative parties the findings and the implications for their future work. All service providers are to establish and/or modify the treatment manual to be the guide for evidence-based practices treatment. This manual is to be comprehensive and apply to the appropriate level of service and treatments. During the fiscal year ended June 30, 2009, the Division of Juvenile Justice staff have worked with the contracted agencies to standardize the manuals to have measureable results.

Our inquiry and review of the available documents disclosed that DCS is still in the initial phase in implementing the evidence-based practice, and DCS is to complete at least 25% of the implementation by June 30, 2010. Therefore, as of July 2009, we could not determine the percentage of completion for implementing the evidence-based practice. However, it appears that the progress has been made toward achieving at least 25% of implementing the evidence-based programs by the deadline. Accurate recidivism rates would help determine whether the juvenile justice programs have been proven to reduce delinquency. Given that the department's recidivism information is inaccurate (see Finding 1) the department should take all steps necessary to ensure the accuracy of this information.

The department has collaborated with the Tennessee Commission on Children and Youth to integrate Quality Service Reviews

Since 1994, the Tennessee Commission on Children and Youth has provided independent Quality Service Reviews (QSRs) of service delivery outcomes for children in custody and their families. In 2005, the Tennessee Commission on Children and Youth Division of Children's Program Outcome Review Team (CPORT) and the Department of Children's Services collaborated on an integrated QSR process. The integration was designed to produce quantitative and qualitative results that could be used for continuous system improvement, implementation, and reinforcement of best practices to children and their families. The CPORT is under the direction of the Tennessee Commission on Children and Youth and works to provide an independent review of service delivery outcomes for children and families served by the

Department of Children's Services. Beginning July 2006, the implementation of the QSR process was moved to a fiscal year cycle, succeeding the pilot year 2005/2006.

The Quality Service Reviews have been performed in partnership with DCS, CPORT, and Tennessee Center for Child Welfare (TCCW). The process has required coordinated efforts of youth center staff, regional staff, reviewers, and interviewees of the Division of Juvenile Justice.

TCCW provides direct services to DCS in the form of professional development, technical assistance, and organizational support. TCCW's mission is to "partner with key stakeholders to provide quality social work education, training, professional development, and organizational support to the child welfare system and the social welfare systems to which it is linked."

QSR staff analyze 22 indicators to determine what programs have been or have not been working for children and families in the child welfare system. The indicators consist of 11 child status indicators (safety, stability, appropriate placement, health/physical well-being, emotional/behavioral well-being, learning and development, caregiver functioning, permanence, family functioning and resourcefulness, family connections, and satisfaction); and 11 practice performance indicators (engagement, teamwork and coordination, ongoing functional assessment, long-term view, child and family permanency planning process, permanency plan/service implementation, tracking and adjustment, resource availability and use, informal support and community involvement, placement supports, and transitioning for child).

There are two types of QSRs: regional reviews and youth development center reviews. For the regional review, QSR staff choose a representative sample of approximately 22 children that are in custody or have been released within 30 days (prior to the review) if the child is in aftercare. QSR staff choose representative samples of 9 to 12 children for each center review. The final number chosen is based on how many children are in the center. QSRs have been conducted for each of the 13 DCS regions and 5 youth development centers.

The QSR process reviews the past 30 days of a child's case including face-to-face interviews (except when prevented by circumstances) with the child (if age-appropriate), parents, custodial department caseworkers, caregivers (foster parent or direct-care staff in a group facility), court representatives, teachers, and other relevant service providers. The case records are reviewed, and pertinent documents or reports are copied and compiled for the reviews.

In 2005, the QSRs were performed on all youth development centers and are now completed annually. According to the Executive Director of Juvenile Justice, the QSRs of the centers have provided management insight into how well centers have performed along with the type of services that are working and the types of services still needed.

Auditors reviewed the QSRs for the youth development centers for review years 2008 and 2009. The reports include a list of strengths and challenges for each center. The most noteworthy strengths for the centers were youth safety, meeting health needs, teamwork among

staff, and positive family connections. Some of the common challenges were communication with the Family Service Worker and treatment team members, understanding the treatment team process, and too much emphasis on completing a program rather than changing the behavior.

Mountain View Youth Development Center had a shortage of teachers while New Visions Youth Development Center was considered to be understaffed, specifically lacking therapists. It was also noted that many staff share multiple roles and responsibilities. Another concern was the shortage of supplies (books, games, and reading materials). Taft Youth Development Center and Wilder Youth Development Center needed training on gang cultures. They also had several out-of-region placements; therefore, maintaining contact with the families was difficult.

RESULTS OF OTHER AUDIT WORK

The following topics, reviewed as part of our audit objectives, are included in this report to provide additional information on the activities of the Division of Juvenile Justice

Prevention and Diversion Programs

The Division of Juvenile Justice offers four types of prevention/diversion programs for its juveniles.

1. Truancy Prevention Programs focus on decreasing truancy and improving academic performance by attendance monitoring, obtaining a GED, counseling, vocational skills training, and independent living skills development.
2. Custody Prevention Programs focus on a broad range of programs including day treatment, education, intensive counseling, probation, and parenting classes.
3. Child and Parent Intervention Programs serve children who are at imminent risk of coming into the state's custody. The services through these programs include probation, counseling, case management, direct delivery of services, transportation, liaison for education issues, and assistance working with court orders.
4. Community Intervention Services (CIS) provide community-based intervention, treatment, and intensive probation services for delinquent children (usually felony offenders) who have violated county and/or state probation, and would be placed in state custody if these services were not available. DCS contracts with seven service providers for intensive probation services, case management, and counseling for these youth. The goal of the CIS is to reduce the number of commitments to DCS custody by keeping these delinquent children in their homes and communities by providing a blend of intensive supervision and treatment.

Based on discussions with the Program Coordinator and the Deputy Commissioner, the prevention and diversion programs are effective in keeping children with parents/guardians

instead of in the state's custody. These programs have a success rate between 94% and 96% each year. Based on the information provided by DCS staff, the auditor noted that between 4% and 6% of the children entering the prevention programs were committed to the state's custody. The information provided by the Program Coordinator is summarized below.

Table 13
Youth and Prevention/Diversion Programs

	FY 2006	FY 2007	FY 2008
Total Number of Youth Served	7,217	7,437	6,504
Total Number of Youth Committed To DCS Custody	341	470	264
Percentage of Youth Committed to DCS Custody	4.72%	6.32%	4.06%

Aftercare Program

Aftercare, supervision of a youth following a custodial episode, is designed to provide supportive follow-up and assistance to the youth and family following a custody episode to ensure a smooth transition back to the community. Department policy requires each child to have a period of aftercare supervision that is no less than 90 days in duration, beginning on the first day of the trial home visit. Youth who reach their 19th birthday, or as ordered by the committing court, are exempt from this aftercare supervision.

Tailored to the individual needs of each child, the youth's aftercare supervision plan, or Youth and Family Intervention Agreement (YFIA), is developed by the Family Service Worker (FSW), along with input from the youth and family. The aftercare plan addresses ongoing and support issues identified in the treatment summary, permanency plan, and the youth's formal and informal supports. The plan also identifies services needed or desired, details the steps for obtaining these services, and specifies responsibilities of all parties. The FSW is required to make face-to-face contact with the youth, make visits to the home and school, and may make referrals to other agencies for additional services such as mental health care, tutoring, and employment. The FSW documents all notes from the contracts in the TNKids case recordings.

When a youth fails to abide by aftercare rules, a violation report is filed by the FSW. The court will then issue a ruling which may result in the termination of the trial home visit and the youth's return to the department's physical custody. Management estimated that the number of delinquents that did not follow through with aftercare and returned to custody to be 1% or less. The percentage of delinquent youth on aftercare returning to custody from February to July 2009 was 2.49%. The following table illustrates these numbers in greater detail.

Table 14
Delinquent Youth on Aftercare February to July 2009

Month	Total Aftercare Cases	Number Returning to Custody	Percentage Returning to Custody
February	611	13	2.13%
March	630	10	1.59%
April	644	16	2.48%
May	645	15	2.33%
June	667	24	3.60%
July	676	19	2.81%
	Average	Average	Average
	645.50	16.17	**2.49%**

When a delinquent youth on aftercare reaches the age of maturity, or the determinate sentence ends, the case is closed. The FSW will inform the youth of the option of post-custody services and provide written information to explain the options. When a youth has been on aftercare for at least 90 days and has met all of the aftercare requirements established by the court and DCS, the FSW will submit the proper discharge forms to the court having jurisdiction for approval and signature. Once the forms have been approved, the youth is discharged and the FSW will request permission to contact the youth and family in the future. All information pertaining to aftercare is documented in TNKids case recordings.

Youth Level of Service

The department evaluates the youth offenders in state custody by assessing the level of risk toward self or others. The department's family service worker (FSW) completes a "Youth Level of Service" questionnaire to determine the level of risk and the appropriate level of service the youth needs. The questionnaire has to be reviewed and approved by the FSW team leader to begin the youth placement and enrollment in the assigned level of service and appropriate treatment program ranging from 3 to 9 months depending on the youth's needs of service. The department has four levels of services. The youth offender minimum classification is level 2, and level 4 is for the most serious offenders. Usually, the department places the youth offenders in minimum security facilities such as group homes; however, for youth who commit serious criminal offenses such as rape, homicide, or attempted murder, the department places these youth in hardware lockup facilities such as a youth development center. Therefore, it is critical to determine the accurate youth risk and the proper level of services needed for each youth. All FSWs who are responsible for determining the risk and proper level of service for the youth must attend a specific training program designed to prepare the FSWs for these assessments.

The Executive Director for Program Development and Management stated that the FSW team leader reviews and approves the assessment prior to finalizing the risk and needs of the

youth. Because the evidence-based program is still in its early implementation stages and may not be evaluated accurately, we could not determine if the assessment of the youth risk made by the FSW and team leader represents the accurate diagnosis of the youth and if the level of service determined for the youth was adequate.

The initial questionnaire is completed when the youth is committed to state custody. A reassessment may be applicable if there is a consideration for a change in level of care, the youth is about to be released, the Child and Family Team determine the level of risk is decreased, the youth is on probation or aftercare, or the youth is being supervised under the Tennessee Interstate Compact on Juveniles. The department seeks to determine whether the youth has responded positively to the treatment based on the initial youth needs. Other assessments may be done based on the need and judgment of DCS staff.

The FSW does interviews, reviews records, etc., and this information must be documented in the Family Functional Assessment document. When the Tennessee Family and Child Tracking System (TFACTS) is up and running, the FSW will enter all information into TFACTS and the questionnaire form will no longer be required. There was no specific date given when this process will be complete. Once it is available, the completing, reviewing, and revising of the information will be faster and readily available for department personnel.

Based on the risk assessment of the youth, an Individual Program Plan is created containing the treatment programs that the youth will be enrolled in. It is reevaluated monthly to assess the youth's response to the treatment and determine if revisions to the treatment plan are needed. The plan is reviewed quarterly to determine the effectiveness of the program for the youth. In addition, the department personnel hold a Child and Family Team Meeting with the youth, his/her family member(s), FSW, the team leader, and others to discuss the youth's progress and revise the plan if needed.

Our review of a sample of youths' files disclosed that each youth file had the plan and the monthly/quarterly reviews, and at least one Child and Family Team Meeting.

RECOMMENDATIONS

ADMINISTRATIVE

The Department of Children's Services should address the following areas to improve the efficiency and effectiveness of its operations.

1. The Commissioner should establish and implement criteria to measure recidivism and use the data to measure the effectiveness of the department's treatment programs. The Deputy Commissioner of the Division of Juvenile Justice should evaluate the problems with the recidivism data, determine the causes of these problems, and take all reasonable steps to correct these problems, including controls for regular testing of the accuracy of the data. The department should take steps to measure the number and percentage of youth formerly in the custody of the Juvenile Justice Division who have entered Tennessee's adult correctional system and use the information to improve the current treatment programs.

2. The department should monitor contracted residential facilities and vendors to determine that the facilities or vendors provided the services the department contracted for. The department should develop policies for monitoring and documenting the results of these reviews, including a checklist of what is to be reviewed along with what measures are to be taken when a vendor has not complied with the contract. Furthermore, the department should monitor these vendors to ensure the safety and care of children by promulgating a policy that requires background checks on individuals that come in contact with the children (such as contracted employees, contracted foster parents, contracted doctors, dentists, therapists, and counselors). The policy should address precisely which vendors require background checks, who performs them (youth development centers, group homes, or the central office), when they are to be performed, and how often they are to be updated. It should also address whether a background check is only required on those vendors that come onto DCS property or whether one is needed on vendors that youth are transported off-campus to visit. The department should ensure that these background checks are performed.

3. Since residential facilities are not subrecipients as defined by Policy 22, Policy 22 does not apply. Nevertheless, these facilities should still be monitored in an appropriate manner to ensure compliance with the contract.

4. The Commissioner should evaluate the current monitoring procedures and, if warranted, should establish an internal policy to ensure that all contracts are properly monitored. Also, the Program Accountability Review Division should ensure that all

subrecipients of the department grants are monitored in accordance with Finance and Administration Policy 22.

5. The Commissioner or designee should evaluate the benefit to the department of keeping buildings such as these within the lease and determine the viability of the benefit received versus the cost paid. For the past few years, the Governor has asked state agencies to cut a percentage of their budget. It is likely this will continue. Management should establish procedures to quicken the lease termination process should they be in a similar situation in the future. This will ensure a decision regarding the additional costs to the state is reached more timely to minimize the loss of state funds.

APPENDIX
Title VI and Employee Gender and Ethnicity Information

All programs or activities receiving federal financial assistance are prohibited by Title VI of the Civil Rights Act of 1964 from discriminating against participants or clients on the basis of race, color, or national origin. In response to a request from members of the Government Operations Committee, the audit team compiled information concerning federal financial assistance received by the Department of Children's Services, and the agency's efforts to comply with Title VI requirements. The results of the information gathered are summarized below.

According to *The Budget: Fiscal Year 2009-10*, the Department of Children's Services received an estimated $123,980,700 in federal assistance during fiscal year 2008-09. The following programs receive federal assistance:

- Child Abuse and Neglect (CAN)
- Children's Justice (CJA)
- Community-Based Family (CBF)
- Independent Living Program (ILP)
- Chafee (ETV)
- IV-B Part 1
- Foster Care
- Adoption Assistance
- IV-B Part 2
- SSBG

Title VI Staff

The department has a Title VI Coordinator/Director of the Division of Diversity Initiatives who has the overall responsibility of directing the division in all areas of the Civil Rights Act of 1964 inclusive of Title VI. The Title VI Coordinator in conjunction with the Title VI Program Manager is responsible for the development and implementation of the department's overall Title VI Program. This program is organized to attain compliance and implement civil rights enforcement by providing coordination of effort through the Commissioner of the Department of Children's Services, and the Core Leadership Team. The Division of Diversity Initiatives is responsible for the implementation.

Annual Title VI Compliance Plan

The department submitted its Title VI Compliance Plans for 2008-09 and 2009-2010 to the Comptroller's Division of State Audit in October of each year.

Title VI Training and Awareness

According to the Title VI Coordinator, the department staff are required to receive annual Title VI training and all new employees are required by administrative policy to receive new employee Title VI orientation/training. Additionally, all clients are informed of the practices of the department and provisions of Title VI of the Civil Rights Act of 1964 by way of the "Notification of Equal Access to Programs and Services and Grievance Procedure" form upon intake with the signed original maintained in the DCS case file.

Title VI Complaints

According to the Title VI coordinator, complaints or grievances may be filed locally with the designated regional or facility Title VI representative, the DCS Legislative and Constituent's Office, or directly with the DCS Division of Diversity Initiatives within 180 days from the date of the alleged discrimination or adverse action. All complaints must be forwarded to the DCS Division of Diversity Initiatives within two business days of the receipt of any complaint by any DCS employee or representative. According to the Title VI Coordinator, the Division of Diversity Initiatives should complete an investigation within 45 days of receipt of a complaint. The investigation will review, minimally, (1) applicable practices and policies, (2) the circumstances and events which led to the filing of the complaint, and (3) all other pertinent information. Then the Director of Diversity of Initiatives will complete an Investigator's Memorandum.

There were ten Title VI complaints filed during FY'08-09. Nine were investigated and found to have no basis or no finding of a violation under Title VI. One was still pending investigation as of August 2009. All complaints alleged racial discrimination.

Title VI Tracking and Monitoring

According to the Title VI Coordinator, mandated training is provided annually to all DCS staff by Computer Based Training and is tracked through the Division of Training and Development for verification. Additionally, mandated annual training is provided to all subrecipients in each grand region of the state (Jackson, Nashville, and Knoxville) on a consistent basis. Monitoring and tracking are attained by the use of a Title VI survey, on-site reviews, and desk audits.

According to the Title VI Coordinator, there is a Community Outreach Program which conducts Job Fairs for recruitment purposes and monitors the availability and participation of minorities in the area of contract providers and vendors by establishing a partnership with the U.S. Small Business Administration – Tenn. District Office.

Employee Gender and Ethnicity

The department reported statistics concerning its staff and gender composition which are presented below:

Department of Children's Services
Staff by Job Title, Gender, and Ethnicity
As of September 11, 2009

	Gender		Ethnicity					
Title	**Male**	**Female**	**Asian**	**Black**	**Hispanic**	**Indian**	**White**	**Other**
Account Clerk	2	20	0	7	0	0	14	1
Accountant 2	5	1	1	1	0	0	4	0
Accountant 3	4	3	0	2	0	0	5	0
Accounting Manager	6	4	0	1	0	0	9	0
Accounting Technician 1	8	37	0	8	0	0	35	2
Accounting Technician 2	0	7	0	2	0	0	5	0
Administrative Assistant 1	0	6	0	1	0	0	5	0
Administrative Secretary	2	59	0	13	0	0	48	0
Admin. Services Assistant 1	0	1	0	0	0	0	1	0
Admin. Services Assistant 2	4	33	0	6	0	0	30	1
Admin Services Assistant 3	4	20	1	4	0	0	19	0
Admin. Services Assistant 4	1	6	0	3	0	0	4	0
Admin. Services Assistant 5	1	3	0	2	0	0	2	0
Admin. Services Manager	4	7	0	4	0	0	7	0
Affirmative Action Director	1	0	0	0	0	0	1	0
Affirmative Action Officer 1	0	3	0	3	0	0	0	0
Assistant Commissioner 2	1	0	0	0	0	0	1	0
Attorney 3	18	41	0	4	0	0	55	0
Attorney 4	4	13	0	2	0	0	15	0
Audit Director 1	1	0	0	0	0	0	1	0
Auditor 2	2	3	0	0	0	0	4	1
Auditor 3	1	0	1	0	0	0	0	0
Auditor 4	1	0	0	0	0	0	1	0
Boiler Operator 1	3	0	0	0	0	0	3	0
Boiler Operator Supervisor	1	0	0	0	0	0	1	0
Budget Analysis Director 1	1	0	0	0	0	0	1	0
Budget Analysis Director 2	1	0	0	0	0	0	1	0
Budget Analyst	1	0	0	0	0	0	1	0
Building Maint. Worker 2	13	0	0	0	0	0	13	0
Building Maint. Worker 3	4	0	0	0	0	0	4	0
Clerk 2	2	8	0	6	0	0	4	0
Clerk 3	1	17	0	6	0	0	12	0
Commissioner 2	0	1	0	0	0	0	1	0
Community Services Assist.	2	40	0	16	0	0	26	0
Correctional Principal	0	3	0	1	0	0	2	0

	Gender		Ethnicity					
Title	**Male**	**Female**	**Asian**	**Black**	**Hispanic**	**Indian**	**White**	**Other**
Correctional Program Manager 1	1	0	0	0	0	0	1	0
Correctional Teacher	24	38	0	18	0	0	44	0
Correctional Teacher Super.	2	0	0	0	0	0	2	0
Custodial Worker 1	0	1	0	1	0	0	0	0
Data Entry Operator	0	2	0	0	0	0	2	0
Data Processing Operator 2	0	1	0	0	0	0	1	0
Database Administrator 3	1	1	0	1	0	0	1	0
DCS Administrative Services Manager	3	0	0	0	0	0	3	0
DCS Case Manager 1	21	102	0	33	1	0	86	3
DCS Case Manager 2	315	1,438	6	673	8	7	1,050	9
DCS Case Manager 3	52	204	0	85	2	0	169	0
DCS Case Manager 4	56	332	2	127	2	0	256	1
DCS Corporal	62	36	0	51	0	0	46	1
DCS Executive Director 1	3	3	0	3	0	0	3	0
DCS Executive Director 2	2	2	0	0	1	0	3	0
DCS Inspector General	0	1	0	1	0	0	0	0
DCS Institut. Superintendent	2	1	0	1	0	0	2	0
DCS Investigation Director	1	0	0	0	0	0	1	0
DCS Lieutenant	10	4	0	7	0	1	6	0
DCS Officer	281	193	1	241	4	2	225	1
DCS Program Coordinator	14	47	1	23	0	0	37	0
DCS Program Director 1	6	9	0	4	0	0	11	0
DCS Program Director 2	3	6	0	1	1	0	7	0
DCS Program Director 3	0	5	0	2	0	0	3	0
DCS Program Manager	3	7	0	4	0	0	6	0
DCS Program Specialist	10	44	0	21	0	0	33	0
DCS Regional Administrator	1	11	0	3	0	0	9	0
DCS Security Manager	4	0	0	2	0	0	2	0
DCS Sergeant	18	5	0	13	0	1	9	0
DCS Special Investigator 1	3	2	0	1	0	0	4	0
DCS Special Investigator 2	4	1	0	3	0	0	2	0
DCS Special Investigator 3	2	1	0	1	0	0	2	0
DCS Team Coordinator	15	63	0	25	0	0	53	0
DCS Treatment Manager	2	3	0	2	0	0	3	0
Deputy Commissioner 2	2	1	0	1	0	0	2	0
Education Consultant 1	4	11	0	2	0	0	13	0
Education Consultant 2	3	3	0	1	0	0	5	0

	Gender		Ethnicity					
Title	**Male**	**Female**	**Asian**	**Black**	**Hispanic**	**Indian**	**White**	**Other**
Education Consultant 4	0	1	0	0	0	0	1	0
Eligibility Counselor 1	0	1	0	0	0	0	1	0
Eligibility Counselor 2	6	32	0	11	0	0	27	0
Executive Admin. Assistant 2	6	7	0	6	0	0	7	0
Executive Admin. Assistant 3	0	4	0	4	0	0	0	0
Executive Secretary 1	0	1	0	1	0	0	0	0
Facilities Manager 1	4	0	0	0	0	0	4	0
Facilities Safety Officer 2	4	1	0	1	0	0	4	0
Facilities Safety Officer 3	1	0	0	0	0	0	1	0
Fiscal Director 1	2	1	0	1	0	0	2	0
Fiscal Director 2	3	2	0	0	0	0	5	0
Fiscal Director 3	1	0	0	0	0	0	1	0
Food Service Director 3	0	1	0	0	0	0	1	0
Food Service Manager 1	3	1	0	0	0	0	3	1
Food Service Steward 1	1	14	0	7	0	0	8	0
Food Service Steward 2	6	15	0	8	0	0	13	0
General Counsel 4	0	1	0	0	0	0	1	0
Graduate Trainee	6	78	1	44	2	0	37	0
Human Resource Analyst 1	1	0	0	1	0	0	0	0
Human Resource Analyst 2	2	15	0	5	0	0	12	0
Human Resource Analyst 3	0	11	0	5	0	0	6	0
Human Resource Director 3	0	1	0	0	0	0	1	0
Human Resource Manager 1	0	2	0	1	0	0	1	0
Human Resource Manager 2	0	1	0	1	0	0	0	0
Human Resource Tech. 2	0	10	0	2	0	0	8	0
Human Resource Tech. 3	0	4	0	2	0	0	2	0
Information Resource Support Specialist 2	19	11	0	14	0	0	16	0
Information Resource Support Specialist 3	3	2	0	1	0	0	4	0
Information Resource Support Specialist 4	5	4	0	2	0	0	7	0
Information Resource Support Specialist 5	6	1	0	2	0	0	5	0
Information Officer	0	1	0	0	0	0	1	0
Inform. Systems Analyst 3	0	3	0	2	0	0	1	0
Inform. Systems Analyst 4	2	1	1	1	0	0	1	0
Inform. Systems Analyst Supervisor	0	2	0	0	0	0	2	0
Inform. Systems Associate	0	2	0	2	0	0	0	0

	Gender		Ethnicity					
Title	**Male**	**Female**	**Asian**	**Black**	**Hispanic**	**Indian**	**White**	**Other**
Inform. Systems Consultant	2	2	0	1	0	0	3	0
Inform. Systems Director 1	0	3	0	0	0	0	3	0
Inform. Systems Director 2	4	0	0	0	0	0	4	0
Inform. Systems Director 3	2	0	0	1	0	0	1	0
Inform. Systems Manager 1	4	0	0	3	0	0	1	0
Inform. Systems Manager 2	1	0	0	0	0	0	1	0
Inform. Systems Manager 3	1	3	0	0	0	0	4	0
Legal Assistant	0	12	0	2	0	0	10	0
Legal Services Director	0	1	0	0	0	0	1	0
Licensed Practical Nurse 2	1	13	0	3	0	0	11	0
Licensed Practical Nurse 3	0	7	0	1	0	0	6	0
Maintenance Mechanic 2	1	0	0	0	0	0	1	0
MH Program Specialist 3	1	0	0	1	0	0	0	0
MH/MR Student Coordinator	0	1	0	1	0	0	0	0
Office Supervisor	0	1	0	0	0	0	1	0
Procurement Officer 1	1	2	0	1	0	0	2	0
Procurement Officer 2	1	4	0	0	0	0	5	0
Program Monitor 2	1	5	0	2	0	0	4	0
Program Monitor 3	0	2	0	0	0	0	2	0
Program Monitor 4	0	1	0	1	0	0	0	0
Programmer/ Analyst 3	4	1	1	1	0	0	3	0
Programmer/Analyst 4	5	4	1	1	0	1	6	0
Programmer/Analyst Supervisor	4	0	2	1	0	0	1	0
Psychiatric Chaplain 2	1	0	0	0	0	0	1	0
Psychiatric Social Worker 1	0	1	0	0	0	0	1	0
Psychologist	8	6	0	2	0	0	12	0
Public Health Nursing Consultant 1	1	9	1	1	0	0	8	0
Public Health Nursing Consultant 2	0	4	0	1	0	0	3	0
Public Health Nursing Consultant Manager	0	1	0	0	0	0	1	0
Recreation Assistant	1	1	0	1	0	0	1	0
Recreation Specialist 2	3	0	0	0	0	0	3	0
Registered Nurse 2	1	1	0	0	0	0	2	0
Registered Nurse 3	1	3	0	1	0	1	2	0
Registered Nurse 4	0	5	0	0	0	0	5	0
Registered Nurse 5	0	1	0	0	0	0	1	0

	Gender		Ethnicity					
Title	**Male**	**Female**	**Asian**	**Black**	**Hispanic**	**Indian**	**White**	**Other**
Secretary	3	181	0	38	1	1	142	2
Security Guard 1	1	0	0	1	0	0	0	0
Statistical Analyst 3	0	1	0	1	0	0	0	0
Statistical Analyst Supervisor	1	0	0	0	0	0	1	0
Statistics Assistant Director	0	1	0	1	0	0	0	0
Storekeeper 1	1	0	0	0	0	0	1	0
Storekeeper 2	2	2	0	1	0	0	3	0
Stores Clerk	0	2	0	1	0	0	1	0
Stores Manager	1	0	0	0	0	0	1	0
Student Assistant	1	0	0	1	0	0	0	0
Teacher's Assist. - Correction	1	12	1	5	0	0	7	0
Teaching Specialist 2	2	2	0	1	0	0	3	0
Treatment Plant Operator	2	1	0	0	0	0	3	0
Vocational Instructor - Performance Specialist	14	6	0	3	0	0	17	0
Volunteer Services Coord. 2	1	0	0	0	0	0	1	0
Website Developer 2	0	2	0	0	0	0	2	0
	1,189	3,449	21	1,646	22	14	2,912	23
	25.6%	74.4%	0.5%	35.5%	0.5%	0.3%	62.8%	0.5%