



March 6, 2023

SUMMARY OF BILL AS AMENDED (004859): Creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Commission on Children and Youth, and will meet at least quarterly to review a sampling of juvenile justice cases and any critical incidents involving delinquent juveniles in the custody of the Department of Children's Services (DCS). Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2024. Requires the Commission to be comprised of 20 members. Requires DCS to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2023. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025.

FISCAL IMPACT OF BILL AS AMENDED:

**Increase State Expenditures – \$221,600/FY23-24
\$216,600/FY24-25 and Subsequent Years**

Assumptions for the bill as amended:

- In order to accomplish the purpose of the proposed legislation, the Commission on Children and Youth will be required to hire one additional Program Administrator, which will result in a recurring increase in state expenditures of \$107,265 (\$85,704 salary + \$21,561 benefits) in FY23-24 and subsequent years.
- The Commission on Children and Youth will also require a one-time expenditure of \$5,000 in FY23-24 to cover supplies.
- Pursuant to the proposed legislation, the Commission will be comprised of 20 members: 3 state agency commissioners or their designees and 1 executive director, 2 members of the Tennessee House of Representatives, 2 members of the Tennessee Senate, 2 juvenile court judges, 1 district attorney general, 1 juvenile public defender, 2 law enforcement officers, 2 child development expert, 1 expert in service for people with disabilities, 1 individual with lived experience with an adjudicated delinquent case, and 2 persons affiliated with entities that receive prevention grant funds from the state.
- Legislative members of the Commission are to be reimbursed as members of the General Assembly and paid for attending meetings; other members will not receive

compensation for service, but will be reimbursed for any travel expenses incurred for attending meetings, except for the four state agency commissioners and director, who will attend Commission meetings in the course of their regular business.

- The General Assembly will be in session at the time of one quarterly Commission meeting.
- Legislative members will receive per diem of \$313 per meeting and be reimbursed for travel at a rate of \$0.63 per mile, with an average of 254 miles roundtrip, or \$160 (\$0.63 x 254 miles) for travel, for three Commission meetings each year; the total cost associated with reimbursing legislative members will be \$5,676 [(\$313 + \$160) x 4 legislative members x 3 meetings] in FY23-24 and subsequent years
- Reimbursing the other members of the Commission for travel will create a recurring increase in state expenditures of \$7,680 (\$160 x 12 members x 4 meetings) in FY23-24 and subsequent years.
- According to information provided by DCS, there have been an average of 5,993 critical incidents over the past three years.
- Assuming the Commission reviews five percent of those cases, it will be responsible for reviewing 300 (5,993 cases x 5%) cases per year.
- The Commission will be responsible for reimbursing witness travel expenses.
- Assuming there is an average of two witnesses per case, there will be a recurring increase in state expenditures of \$96,000 (300 cases x 2 witnesses x \$160) in FY23-24 and subsequent years.
- The Commission will be able to submit its annual report to the TGA within existing resources.
- DCS will be able to provide the Commission will all required information by utilizing existing resources.
- The civil or criminal consequences created for by the breach of confidentiality will not create a significant impact to the courts.
- For the purposes of this analysis, it is assumed that the General Assembly will continue the Commission beyond the sunset date.
- The total increase in state expenditures as a result of the proposed legislation is \$221,621 (\$107,265 + \$5,000 + \$5,676 + \$7,680 + \$96,000) in FY23-24, and \$216,621 (\$107,265 + \$5,676 + \$7,680 + \$96,000) in FY24-25 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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