

BILL SUMMARY
2nd Session of the 52nd Legislature

Bill No.:	SB 1830
Version:	Engrossed
Author:	Sen. Crain/Rep. Nelson
Date:	3/18/2010
Impact:	\$55,778 State Dollar Savings for OKDHS; No cost related to OJA

Bill Summary

Research Analyst: Marcia Goff

Requires the Department of Human Services to make a referral to law enforcement if it receives a report alleging abuse or neglect of a child that is in an Office of Juvenile Affairs (OJA) secure facility at the time of the alleged abuse in lieu of conducting its own investigation. The measure also directs the Office to establish a system for investigating allegations of misconduct by a person responsible for a child in an OJA secure facility.

Fiscal Summary

Fiscal Analyst: David Ligon

Engrossed SB 1830 would amend 10A O.S. §1-2-102 to eliminate the Oklahoma Department of Human Services' (OKDHS) jurisdiction to investigation allegations of abuse or neglect of a child in the custody of the Office of Juvenile Affairs (OJA) and placed in an OJA secure juvenile facility at the time of the alleged abuse or neglect. A law enforcement agency would be responsible for such investigations. The bill would also authorize the OJA Advocate General to establish a system for investigating allegations of misconduct by a person responsible for a child in the custody of OJA and placed in an OJA secure juvenile facility.

Fiscal Analysis

During FY-09, the OKDHS Office of Client Advocacy (OCA) received 563 referrals alleging abuse, neglect or caretaker misconduct at the three OJA secure juvenile facilities operated by the Institutional Services Division, to-wit: the L.E. Rader Center in Sand Springs, the Central Oklahoma Juvenile Center in Tecumseh, and the Southwest Oklahoma Juvenile Center in Manitou. OCA conducted 149 formal investigations in response to these referrals. With few exceptions, the remaining referrals were dispositioned for caretaker conduct reviews conducted by the facility administration having physical custody of the affected juvenile(s), with a report being submitted to OCA within thirty days. During FY-09, OCA completed 154 investigations involving children at these three secure juvenile facilities.

With one exception, OCA investigators are non-exempt employees classified as Social Services Inspectors II. The current annual salary and benefits with spouse coverage is \$58,102.32. An investigator typically completes approximately 100 investigations per year. Based on the volume of investigations conducted at OJA secure juvenile facilities during FY'09, if abuse and neglect

investigations are conducted by a law enforcement agency, the fiscal impact to OKDHS would be an annual total cost saving of \$87,153.48 of which \$55,778 would be in state dollars.

According to OJA, it is the hope of the agency that an immediate referral by DHS will provide for a criminal investigation, as well as speed the ability of OJA to take personnel actions. Authority would be given to establish a system to investigate allegations of misconduct, as well as ensure the reporting of alleged abuse or neglect of a child to DHS.

While 2 FTEs will be necessary, OJA will absorb the cost internally by utilizing reassignment of existing personnel.

Long Term Fiscal Considerations

Based on the size of the communities where the three OJA secure juvenile facilities are located, the ability of local law enforcement agencies to respond to the volume of referrals originating from these facilities may stress available resources. Specialized training associated with conducting abuse and neglect investigations involving children may be needed.

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director