§ 529-b. Supervision and treatment services for juveniles program. 1. (a) Notwithstanding any provision of law to the contrary, eligible expenditures by an eligible municipality for services to divert from detention, residential placement or confinement, as applicable, youth who are: (i) at risk of, alleged to be, or adjudicated as juvenile delinquents; (ii) at risk of, or alleged to be or adjudicated as persons in need of supervision; (iii) alleged to be or convicted as juvenile offenders; (iv) alleged to be or convicted as youthful offenders; or (v) alleged to be or convicted as adolescent offenders shall be subject to state reimbursement under the supervision and treatment services for juveniles program for up to sixty-two percent of the municipality's expenditures, subject to available appropriations and exclusive of any federal funds made available for such purposes, not to exceed the municipality's distribution under the supervision and treatment services for juveniles program.

(b) The state funds appropriated for the supervision and treatment services for juveniles program shall be distributed to eligible municipalities by the office of children and family services based on a plan developed by the office which may consider historical information regarding the number of youth seen at probation intake for an alleged act of delinquency, the number of youth remanded to detention, the number of juvenile delinquents placed with the office, the number of juvenile delinquents and persons in need of supervision placed in residential care with the municipality, the municipality's reduction in the use of detention and residential placements, and other factors as determined by the office. Such plan developed by the office shall be subject to the approval of the director of the budget. The office is authorized, in its discretion, to make advance distributions to a municipality in anticipation of state reimbursement.

2. As used in this section, the term:

(a) "municipality" shall mean a county, or a city having a population of one million or more and

(b) "supervision and treatment services for juveniles" shall mean community-based services or programs designed to safely maintain youth in the community pending a family court disposition or conviction in criminal court and services or programs provided to eligible youth

pursuant to this section.

3. Supervision and treatment services for juveniles may include but are not limited to services or programs that:

(a) provide or facilitate support to such youth for mental health disorders, substance abuse problems, or learning disabilities that contribute to such youth being at risk for detention, residential placement, confinement or return to detention or residential placement;

(a-1) provide or facilitate support to youth who are eligible to receive services pursuant to subparagraph (ii) of paragraph (a) of subdivision one of this section, and their families, in family support services programs in accordance with title twelve of article six of the social services law;

(b) provide temporary respite care, including, but not limited to, respite provided pursuant to article seven of the family court act;

(c) provide family therapy or support or explore alternate housing options for youth who are at risk for detention or placement due to the absence of an available home;

(d) provide post-release support within the youth's community, including, but not limited to aftercare services; or

(e) reduce arrest rates or recidivism.

3-a. (a) The chief executive officer of the municipality shall designate a lead agency for the purposes of planning and administering the municipality's supervision and treatment services for juveniles program. In order for a municipality to be eligible to receive reimbursement pursuant to this section, such municipality must submit an annual plan to the office of children and family services detailing how the supervision and treatment services for juveniles will be provided within the municipality. Two or more eligible municipalities within a close geographic proximity to each other may enter into an agreement to jointly seek funding for and jointly administer a supervision and treatment services for juveniles programs to service eligible youth and families within such municipalities in accordance with this section. The municipality shall develop such plan in cooperation with the applicable local governmental departments responsible for probation, law enforcement, detention, diversion, and social services; and with the

courts, service providers, schools and youth development programs. The plan must be approved by the chief executive officer of the municipality, and must include:

(i) an analysis that identifies the neighborhoods or communities from which the greatest number of juvenile delinquents and persons in need of supervision are remanded to detention or residentially placed;

(ii) where the use of detention or residential placement in the municipality shows a significant racial or ethnic disproportionality, a description of how the services proposed for funding will address such disproportionality;

(iii) a description of how the services and programs proposed for funding will reduce the number of youth from the municipality who are detained and residentially or otherwise placed; how such services and programs are family-focused; and whether such services and programs are capable of being replicated across multiple sites;

(iv) a description of the demonstrated effectiveness of such services and programs or other justification why the services and programs are proposed for funding;

(v) projected performance outcomes for such services and programs, including an estimate of the anticipated reductions in detention utilization and residential placements, and other projected positive outcomes for youth who participate in the services and programs; and

(vi) for each year that the municipality submits a plan as required by this section, the municipality must provide the following information for the most recent preceding year for which such municipality received funding:

(A) the number of youth who participated in the services and programs funded pursuant to this section; and

(B) whether the services and programs achieved the projected reductions in detention utilization and residential placements and other performance outcomes.

(b) A municipality's plan shall be submitted to the office of children and family services for review and approval. The office may approve all or part of the plan based on the potential effectiveness of the plan.

(i) If the office does not approve a plan, the municipality shall have sixty days to submit an amended plan.

(ii) Upon approval of a plan, the office shall notify the municipality

and post the approved plan on the office of children and family services website.

(c) The office may require that such claims be submitted to the office electronically in the manner and format required by the office.

(d) Any municipality submitting claims for reimbursement shall certify to the office that supervision and treatment services for juveniles program funds were not used to supplant other state and local funds, and such claims for reimbursement are not for the same type and level of services that the municipality provided under any contract in existence on September thirtieth, two thousand ten that was funded other than through the office of children and family services as community optional preventive, alternatives to detention, alternatives to residential placement, preventive, independent living, or after care services.

4. Two or more eligible municipalities may join together to establish, operate and maintain supervision and treatment services for juveniles programs and may make and perform agreements in connection therewith. Such agreements shall include provisions for the proportionate cost to be borne by each municipality and for the manner of employment of personnel and may provide that a fiscal officer of one such municipality shall be the custodian of the moneys made available for expenditure for such purposes by all such municipalities and that such fiscal officer may make payments therefrom upon audit of the appropriate auditing body or officer of his municipality. In making claims for state reimbursement pursuant to this section, each municipality shall claim for its proportionate share of expenditures. However, where the agreement provides for a disbursing municipality, such disbursing municipality shall claim for the total joint program expenditures made and shall disburse the state reimbursement to each participating municipality based upon the proportionate share of each participating municipality's expenditures.

5. The office of children and family services shall report to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the assembly and the minority leader of the senate no later than July first, two thousand twelve, and each year thereafter, detailing the implementation and progress of the supervision

and treatment services for juveniles program, as established by this section. The report shall detail the following information for each municipality, as defined by this section:

(a) the amount of funds disbursed to date for the previous program year of the supervision and treatment services for juveniles program;

(b) the amount of juvenile detention funds distributed by such date in accordance with section five hundred thirty of this title for the previous program year and, if any, the amount of such funds used for supervision and treatment services for juveniles program;

(c) the number of alleged and adjudicated juvenile delinquents and persons in need of supervision and alleged and convicted juvenile offenders being served by such programs; and

(d) each program name and its provider.