

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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The Committee on Juvenile Justice offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Section 985.309, Florida Statutes, is amended to read:

985.309 Boot camp for children.--

(1) Contingent upon specific appropriation, ~~the department shall implement and operate a boot camp program to provide an intensive educational and physical training and rehabilitative program for appropriate children.~~

~~(2) Contingent upon local funding, or specific appropriation and local funding, the department or a county or municipal government may implement and operate a boot camp program to provide an intensive educational and physical training and rehabilitative program for appropriate children.~~
Boot camps implemented and operated by a sheriff shall be under his or her supervisory jurisdiction and authority as determined by a contract between the department and the

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1 sheriff.

2 (2)(3) A child may be placed in a boot camp program if
3 he or she is at least 14 years of age but less than 18 years
4 of age at the time of adjudication and has been committed to
5 the department for any offense that, if committed by an adult,
6 would be a felony, other than a capital felony, a life felony,
7 or a violent felony of the first degree.

8 (3) A child committed to the department and eligible
9 for placement in a boot camp shall be placed in a boot camp in
10 or nearest to the judicial circuit in which the child was
11 adjudicated, unless such a placement would not be in the best
12 interest of the child or the boot camp was unable to accept
13 the child.

14 (4) The department, county, or municipality operating
15 the boot camp program shall screen children sent to the boot
16 camp program, so that only those children who have medical and
17 psychological profiles conducive to successfully completing an
18 intensive work, educational, and disciplinary program may be
19 admitted to the program. The department shall adopt rules for
20 use by the department, county, or municipality operating the
21 boot camp program for screening such admissions.

22 (5) The program shall include educational assignments,
23 work assignments, and physical training exercises. Children
24 shall be required to participate in educational, vocational,
25 and substance abuse programs and to receive additional
26 training in techniques of appropriate decisionmaking, as well
27 as in life skills and job skills. The program shall include
28 counseling that is directed at replacing the criminal
29 thinking, beliefs, and values of the child with moral
30 thinking, beliefs, and values.

31 (6) A boot camp operated by the department, a county,

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1 or a municipality must provide for the following minimum
2 periods of participation:

3 (a) A participant in a low-risk residential program
4 must spend at least 2 months in the boot camp component of the
5 program and 2 months in aftercare.

6 (b) A participant in a moderate-risk residential
7 program must spend at least 4 months in the boot camp
8 component of the program and 4 months in aftercare.

9
10 This subsection does not preclude the operation of a program
11 that requires the participants to spend more than 4 months in
12 the boot camp component of the program or that requires the
13 participants to complete two sequential programs of 4 months
14 each in the boot camp component of the program.

15 (7) The department shall adopt rules for use by the
16 department, county, or municipality operating the boot camp
17 program which provide for disciplinary sanctions and
18 restrictions on the privileges of the general population of
19 children in the program.

20 (8) The department shall conduct quarterly inspections
21 and evaluations of each department, county, or municipal
22 government boot camp program to determine whether the program
23 complies with department rules for continued operation of the
24 program. ~~The department shall charge, and the county or~~
25 ~~municipal government shall pay, a monitoring fee equal to 0.5~~
26 ~~percent of the direct operating costs of the boot camp~~
27 ~~program. The operation of a~~ If a county or municipal
28 government boot camp program ~~that~~ fails to pass the
29 department's quarterly inspection and evaluation, such failure
30 shall cause the department to terminate the program unless the
31 program complies with department rules within 3 months or

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1 unless there are documented extenuating circumstances.~~if the~~
2 ~~deficiency causing the failure is material, must be terminated~~
3 ~~if the deficiency is not corrected by the next quarterly~~
4 ~~inspection.~~

5 (9) If a department-operated boot camp fails to pass
6 the department's quarterly inspection and evaluation, the
7 department must take necessary and sufficient steps to ensure
8 and document program changes to achieve compliance with
9 department rules. If the department-operated boot camp fails
10 to achieve compliance with department rules within 3 months
11 and if there are no documented extenuating circumstances, the
12 department must notify the Executive Office of the Governor
13 and the Legislature of the corrective action taken.
14 Appropriate corrective action may include, but is not limited
15 to:

16 a. contracting out for the operation of the boot camp;
17 b. initiating appropriate disciplinary action against
18 all employees whose conduct or performance is deemed to have
19 materially contributed to the program's failure to meet
20 department rules;

21 c. redesigning the program; or

22 d. realigning the program.

23 (10)(9) The department shall keep records and monitor
24 criminal activity, educational progress, and employment
25 placement of all boot camp program participants in department,
26 county, and municipal boot camp programs after their release
27 from the program. The department must publish an outcome
28 evaluation study of each boot camp program within 18 months
29 after the fourth platoon has graduated.

30 (11)(10) A child in any boot camp program who becomes
31 unmanageable or medically or psychologically ineligible must

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1 be removed from the program.

2 (12)~~(11)~~(a) The department may contract with private
3 organizations for the operation of its boot camp program and
4 aftercare.

5 (b) A county or municipality may contract with private
6 organizations for the operation of its boot camp program and
7 aftercare.

8 (13)~~(12)~~(a) The Juvenile Justice Standards and
9 Training Commission shall either establish criteria for
10 training all contract staff or provide a special training
11 program for department, county, and municipal boot camp
12 program staff, which shall include appropriate methods of
13 dealing with children who have been placed in such a stringent
14 program.

15 (b) Administrative staff must successfully complete a
16 minimum of 120 contact hours of commission-approved training.
17 Staff who have direct contact with children must successfully
18 complete a minimum of 200 contact hours of commission-approved
19 training, which must include training in the counseling
20 techniques that are used in the boot camp program, basic
21 cardiopulmonary resuscitation and choke-relief, and the
22 control of aggression.

23 (c) All training courses must be taught by persons who
24 are certified as instructors by the Division of Criminal
25 Justice Standards and Training of the Department of Law
26 Enforcement and who have prior experience in a juvenile boot
27 camp program. A training course in counseling techniques need
28 not be taught by a certified instructor but must be taught by
29 a person who has at least a bachelor's degree in social work,
30 counseling, psychology, or a related field.

31 (d) A person may not have direct contact with a child

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1 in the boot camp program until he or she has successfully
2 completed the training requirements specified in paragraph
3 (b), unless he or she is under the direct supervision of a
4 certified drill instructor or camp commander.

5 ~~(13)(a) The department may institute injunctive~~
6 ~~proceedings in a court of competent jurisdiction against a~~
7 ~~county or a municipality to:~~

8 ~~1. Enforce the provisions of this chapter or a minimum~~
9 ~~standard, rule, regulation, or order issued or entered~~
10 ~~pursuant thereto; or~~

11 ~~2. Terminate the operation of a facility operated~~
12 ~~pursuant to this section.~~

13 ~~(b) The department may institute proceedings against a~~
14 ~~county or a municipality to terminate the operation of a~~
15 ~~facility when any of the following conditions exist:~~

16 ~~1. The facility fails to take preventive or corrective~~
17 ~~measures in accordance with any order of the department.~~

18 ~~2. The facility fails to abide by any final order of~~
19 ~~the department once it has become effective and binding.~~

20 ~~3. The facility commits any violation of this section~~
21 ~~constituting an emergency requiring immediate action as~~
22 ~~provided in this chapter.~~

23 ~~4. The facility has willfully and knowingly refused to~~
24 ~~comply with the screening requirement for personnel pursuant~~
25 ~~to s. 985.01 or has refused to dismiss personnel found to be~~
26 ~~in noncompliance with the requirements for good moral~~
27 ~~character.~~

28 ~~(c) Injunctive relief may include temporary and~~
29 ~~permanent injunctions.~~

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, lines 1-15,
4 remove the entire title of the bill:

5
6 and insert in lieu thereof:

7 A bill to be entitled
8 An act relating to juvenile justice; amending
9 s. 985.309, F.S.; providing funding for boot
10 camps operated by the department, a county, or
11 municipal government, contingent upon specific
12 appropriation, local funding, or state and
13 local funding; requiring boot camps operated by
14 a sheriff to be under his or her supervisory
15 jurisdiction and authority as determined by a
16 contract between the department and the
17 sheriff; providing for placement of children
18 eligible for boot camp placement in boot camp
19 in or nearest to the judicial circuit in which
20 they were adjudicated; requiring exceptions to
21 a boot camp placement; deleting requirement
22 that the department charge and a county or
23 municipal government pay a monitoring fee;
24 clarifying consequences for a department,
25 county or municipal boot camp failing to comply
26 with department rules for boot camps; deleting
27 authorization by the department to institute
28 injunctive proceedings against a county or
29 municipal boot camp for failing to comply with
30 department rules for boot camps; providing an
31 effective date.