

By the Committee on Juvenile Justice and Representative
Merchant

1 A bill to be entitled
2 An act relating to criminal and juvenile
3 justice; amending s. 435.04, F.S., relating to
4 employment screening; expanding list of
5 prohibited offenses; amending s. 943.0515,
6 F.S.; requiring the retention of criminal
7 history records of minors committed to a
8 maximum-risk residential program; amending s.
9 985.308, F.S.; removing rulemaking authority
10 regarding minimum standards for juvenile sex
11 offender programs; creating s. 985.421, F.S.;
12 creating the Florida Business Partners for
13 Prevention; defining "direct-support
14 organization"; providing that the Department of
15 Juvenile Justice may permit use by a
16 direct-support organization of property and
17 facilities of the state juvenile justice
18 system, under specified circumstances;
19 providing for a board of directors of the
20 Department of Juvenile Justice direct-support
21 organization; providing for an annual audit and
22 report; authorizing the department and the
23 Auditor General to require certain data from
24 the organization or its independent auditor;
25 amending s. 985.03, F.S.; defining "aftercare"
26 and redefining "delinquency program" and
27 "restrictiveness level" with respect to the
28 minimum-risk nonresidential level; amending s.
29 985.207, F.S., relating to taking a child into
30 custody; removing reference to "furlough";
31 amending s. 985.208, F.S., relating to

1 detention of child on authority of the
2 department; replacing reference to "furloughed"
3 child with reference to "released" child;
4 amending s. 985.212, F.S., relating to
5 fingerprint and photograph records of children
6 charged with or found to have committed
7 specified misdemeanors; permitting submission
8 of such records to the Department of Law
9 Enforcement for use by criminal justice
10 agencies for specified purposes; amending s.
11 985.231, F.S., relating to powers of
12 disposition in delinquency cases; replacing
13 references to "aftercare" with references to
14 "postcommitment community control"; providing
15 for the department or the state attorney to
16 bring the child before the court on an
17 affidavit alleging a violation of a community
18 control program or a postcommitment community
19 control program; replacing reference to
20 "furlough" with "release"; providing for
21 release of the child in a postresidential
22 minimum-risk nonresidential aftercare program,
23 or subsequent transfer to another program or
24 facility, under specified circumstances;
25 amending s. 985.3141, F.S.; revising provisions
26 relating to escapes from secure detention or
27 residential commitment facilities; amending s.
28 985.316, F.S.; providing legislative intent
29 with respect to aftercare; replacing references
30 to a "furloughed" child with references to a
31 "released" child; providing for delivery of

1 aftercare services, continuation of a child's
2 commitment status, or transfer under specified
3 circumstances; providing that a juvenile on
4 postcommitment community control will be
5 subject to specified provisions relating to use
6 of detention upon findings that the child
7 presents a substantial risk of not appearing at
8 a subsequent hearing; removing certain
9 provisions authorizing an administrative
10 hearing to be held in cases when furlough
11 revocation is recommended; removing provision
12 relating to legislative intent with respect to
13 provision of reentry services; amending s.
14 985.404, F.S., relating to administering the
15 juvenile justice continuum; providing for
16 transfer of a child to a postresidential
17 minimum-risk nonresidential aftercare program;
18 amending s. 985.417, F.S., relating to transfer
19 of children from the Department of Corrections
20 to the Department of Juvenile Justice;
21 replacing reference to a "furloughed" child
22 with reference to a "released" child; amending
23 s. 984.03, F.S.; redefining "delinquency
24 program" to remove reference to "furlough";
25 amending s. 39.0132, F.S; removing requirement
26 that the Department of Children and Family
27 Services disclose to the school superintendent
28 the presence of certain children who have known
29 histories of sexual behavior with other
30 juveniles and who are under departmental care,
31 custody, jurisdiction, or supervision; amending

1 s. 985.04, F.S.; removing requirement that the
2 Department of Juvenile Justice disclose to the
3 school superintendent the presence of certain
4 children who have known histories of sexual
5 behavior with other juveniles and who are under
6 departmental care, custody, jurisdiction, or
7 supervision; amending s. 985.406, F.S.;
8 providing for establishment of a "certifiable"
9 program for juvenile justice training;
10 providing for competency-based examination;
11 prescribing minimum requirements for Department
12 of Juvenile Justice program staff and providers
13 who deliver direct-care services and are hired
14 on or after October 1, 1999; providing an
15 exception; amending s. 960.001, F.S., relating
16 to guidelines for fair treatment of victims and
17 witnesses in the criminal justice and juvenile
18 justice systems; providing for certain agency
19 expenditures for crime prevention and related
20 activities; amending s. 784.075, F.S.;
21 replacing the term "intake counselor or case
22 manager" with "juvenile probation officer" and
23 correcting statutory references; amending ss.
24 419.001, 984.05, 985.227, 985.31, 985.311, and
25 985.312, F.S.; correcting cross references;
26 providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Subsection (2) of section 435.04, Florida
31 Statutes, 1998 Supplement, is amended to read:

1 435.04 Level 2 screening standards.--
2 (2) The security background investigations under this
3 section must ensure that no persons subject to the provisions
4 of this section have been found guilty of, regardless of
5 adjudication, or entered a plea of nolo contendere or guilty
6 to, any offense prohibited under any of the following
7 provisions of the Florida Statutes or under any similar
8 statute of another jurisdiction:
9 (a) Section 415.111, relating to adult abuse, neglect,
10 or exploitation of aged persons or disabled adults.
11 (b) Section 782.04, relating to murder.
12 (c) Section 782.07, relating to manslaughter,
13 aggravated manslaughter of an elderly person or disabled
14 adult, or aggravated manslaughter of a child.
15 (d) Section 782.071, relating to vehicular homicide.
16 (e) Section 782.09, relating to killing of an unborn
17 child by injury to the mother.
18 (f) Section 784.011, relating to assault, if the
19 victim of the offense was a minor.
20 (g) Section 784.021, relating to aggravated assault.
21 (h) Section 784.03, relating to battery, if the victim
22 of the offense was a minor.
23 (i) Section 784.045, relating to aggravated battery.
24 (j) Section 784.075, relating to battery on a
25 detention or commitment facility staff.
26 ~~(k)(j)~~ Section 787.01, relating to kidnapping.
27 ~~(l)(k)~~ Section 787.02, relating to false imprisonment.
28 (m) Section 787.04(2), relating to taking, enticing,
29 or removing a child beyond the state limits with criminal
30 intent pending custody proceedings.
31

- 1 (n) Section 787.04(3), relating to carrying a child
2 beyond the state lines with criminal intent to avoid producing
3 a child at a custody hearing or delivering the child to the
4 designated person.
- 5 (o) Section 790.115(1), relating to possessing an
6 electric weapon or device, destructive device, or other weapon
7 on school property.
- 8 (p) Section 790.115(2)(b), relating to possessing an
9 electric weapon or device, destructive device, or other weapon
10 on school property.
- 11 ~~(q)(l)~~ Section 794.011, relating to sexual battery.
- 12 ~~(r)(m)~~ Former s. 794.041, relating to prohibited acts
13 of persons in familial or custodial authority.
- 14 ~~(s)(n)~~ Chapter 796, relating to prostitution.
- 15 ~~(t)(o)~~ Section 798.02, relating to lewd and lascivious
16 behavior.
- 17 ~~(u)(p)~~ Chapter 800, relating to lewdness and indecent
18 exposure.
- 19 ~~(v)(q)~~ Section 806.01, relating to arson.
- 20 ~~(w)(r)~~ Chapter 812, relating to theft, robbery, and
21 related crimes, if the offense is a felony.
- 22 ~~(x)(s)~~ Section 817.563, relating to fraudulent sale of
23 controlled substances, only if the offense was a felony.
- 24 ~~(y)(t)~~ Section 825.102, relating to abuse, aggravated
25 abuse, or neglect of an elderly person or disabled adult.
- 26 ~~(z)(u)~~ Section 825.1025, relating to lewd or
27 lascivious offenses committed upon or in the presence of an
28 elderly person or disabled adult.
- 29 ~~(aa)(v)~~ Section 825.103, relating to exploitation of
30 an elderly person or disabled adult, if the offense was a
31 felony.

- 1 ~~(bb)~~~~(w)~~ Section 826.04, relating to incest.
- 2 ~~(cc)~~~~(x)~~ Section 827.03, relating to child abuse,
3 aggravated child abuse, or neglect of a child.
- 4 ~~(dd)~~~~(y)~~ Section 827.04, relating to contributing to
5 the delinquency or dependency of a child.
- 6 ~~(ee)~~~~(z)~~ Section 827.05, relating to negligent
7 treatment of children.
- 8 ~~(ff)~~~~(aa)~~ Section 827.071, relating to sexual
9 performance by a child.
- 10 (gg) Section 843.01, relating to resisting arrest with
11 violence.
- 12 (hh) Section 843.025, relating to depriving a law
13 enforcement, correctional, or correctional probation officer
14 means of protection or communication.
- 15 (ii) Section 832.12, relating to aiding in an escape.
- 16 (jj) Section 843.13, relating to aiding in the escape
17 of juvenile inmates in correctional institutions.
- 18 ~~(kk)~~~~(bb)~~ Chapter 847, relating to obscene literature.
- 19 (ll) Section 874.05(1), relating to encouraging or
20 recruiting another to join a criminal gang.
- 21 ~~(mm)~~~~(cc)~~ Chapter 893, relating to drug abuse
22 prevention and control, only if the offense was a felony or if
23 any other person involved in the offense was a minor.
- 24 (nn) Section 944.35(3), relating to inflicting cruel
25 or inhuman treatment on an inmate resulting in great bodily
26 harm.
- 27 (oo) Section 944.46, relating to harboring,
28 concealing, or aiding an escaped prisoner.
- 29 (pp) Section 944.47, relating to introduction of
30 contraband into a correctional facility.
- 31

1 (qq) Section 985.4045, relating to sexual misconduct
2 in juvenile justice programs.

3 (rr) Section 985.4046, relating to contraband
4 introduced into detention facilities.

5 Section 2. Subsection (1) of section 943.0515, Florida
6 Statutes, 1998 Supplement, is amended to read:

7 943.0515 Retention of criminal history records of
8 minors.--

9 (1)(a) The Criminal Justice Information Program shall
10 retain the criminal history record of a minor who is
11 classified as a serious or habitual juvenile offender or is
12 committed to a maximum-risk residential program under chapter
13 985 for 5 years after the date the offender reaches 21 years
14 of age, at which time the record shall be expunged unless it
15 meets the criteria of paragraph (2)(a) or paragraph (2)(b).

16 (b) If the minor is not classified as a serious or
17 habitual juvenile offender or committed to a maximum-risk
18 residential program under chapter 985, the program shall
19 retain the minor's criminal history record for 5 years after
20 the date the minor reaches 19 years of age, at which time the
21 record shall be expunged unless it meets the criteria of
22 paragraph (2)(a) or paragraph (2)(b).

23 Section 3. Subsections (14) and (15) of section
24 985.308, Florida Statutes, 1998 Supplement, are amended to
25 read:

26 985.308 Juvenile sexual offender commitment programs;
27 sexual abuse intervention networks.--

28 (14) Subject to specific appropriation, availability
29 of funds, or receipt of appropriate grant funds, the Office of
30 the Attorney General, the Department of Children and Family
31 Services, the Department of Juvenile Justice, or local

1 juvenile justice councils shall award grants to sexual abuse
2 intervention networks that apply for such grants. The grants
3 may be used for training, treatment, aftercare, evaluation,
4 public awareness, and other specified community needs that are
5 identified by the network. A grant shall be awarded based on
6 the applicant's level of local funding, level of
7 collaboration, number of juvenile sexual offenders to be
8 served, number of victims to be served, and level of unmet
9 needs. ~~The Department of Legal Affairs' Office of the Attorney~~
10 ~~General, in collaboration with the Department of Juvenile~~
11 ~~Justice and the Department of Children and Family Services,~~
12 ~~shall establish by rule minimum standards for each respective~~
13 ~~department for residential and day treatment juvenile sexual~~
14 ~~offender programs funded under this subsection.~~

15 ~~(15) The Department of Legal Affairs may adopt rules~~
16 ~~necessary to award grants under this section.~~

17 Section 4. Section 985.421, Florida Statutes, is
18 created to read:

19 985.421 Florida Business Partners for Prevention; use
20 of property; audit.--

21 (1) DEFINITION.--For the purpose of this section,
22 "direct-support organization" means an organization which is:

23 (a) A Florida corporation not for profit incorporated
24 under the provisions of chapter 617 and approved by the
25 Department of State.

26 (b) Organized and operated to conduct programs and
27 activities; raise funds; request and receive grants, gifts,
28 and bequests of money; acquire, receive, hold, invest, and
29 administer, in its own name, securities, funds, objects of
30 value, or other property, real or personal; and make
31 expenditures to or for the direct or indirect benefit of the

1 state juvenile justice system, or county councils, or district
2 boards.

3 (c) Determined by the Department of Juvenile Justice
4 to be consistent with the goals of the state juvenile justice
5 system and in the best interest of the state and in accordance
6 with the adopted goals and mission of the organization.

7 (2) USE OF PROPERTY.--

8 (a) The Department of Juvenile Justice may permit,
9 without charge, appropriate use of fixed property and
10 facilities of the state juvenile justice system by a
11 direct-support organization, subject to the provisions of this
12 section.

13 (b) The Department of Juvenile Justice may prescribe
14 any condition with which a direct-support organization shall
15 comply in order to use fixed property or facilities of the
16 state juvenile justice system.

17 (c) The Department of Juvenile Justice shall not
18 permit the use of any fixed property or facilities of the
19 state juvenile justice system by a direct-support organization
20 which does not provide equal membership and employment
21 opportunities to all persons regardless of race, color,
22 religion, sex, age, or national origin.

23 (3) BOARD OF DIRECTORS.--The board of directors of the
24 Department of Juvenile Justice direct-support organization
25 shall be appointed by the Secretary of Juvenile Justice and
26 shall include representation from business, each of the
27 juvenile justice service districts, and one at-large
28 representative.

29 (4) ANNUAL AUDIT.--The direct-support organization
30 shall make provision for any annual postaudit of its financial
31 accounts to be conducted by an independent certified public

1 accountant in accordance with s. 20.055. The annual audit
2 report shall include a management letter and shall be
3 submitted to the Auditor General and the Department of
4 Juvenile Justice for review. The Department of Juvenile
5 Justice and the Auditor General have the authority to require
6 and receive from the organization or from its independent
7 auditor any detailed or supplemental data relative to the
8 operation of the organization.

9 Section 5. Subsections (4) through (59) of section
10 985.03, Florida Statutes, 1998 Supplement, are renumbered as
11 subsections (5) through (60), respectively, paragraph (a) of
12 present subsection (15) and paragraph (a) of present
13 subsection (46) are amended, and a new subsection (4) is added
14 to said section, to read:

15 985.03 Definitions.--When used in this chapter, the
16 term:

17 (4) "Aftercare" is the care, treatment, help, and
18 supervision provided juveniles released from residential
19 commitment programs to promote rehabilitation and prevent
20 recidivism. The purpose of aftercare is to protect public
21 safety, reduce recidivism, increase responsible productive
22 behaviors, and provide for a successful transition of care and
23 custody of the youth from the state to the family. Examples
24 of aftercare include, but are not limited to, minimum-risk
25 nonresidential programs, reentry services, and postcommitment
26 community control.

27 ~~(16)~~~~(15)~~(a) "Delinquency program" means any intake,
28 community control ~~and furlough~~, or similar program; regional
29 detention center or facility; or community-based program,
30 whether owned and operated by or contracted by the Department
31 of Juvenile Justice, or institution owned and operated by or

1 contracted by the Department of Juvenile Justice, which
2 provides intake, supervision, or custody and care of children
3 who are alleged to be or who have been found to be delinquent
4 pursuant to part II.

5 (47)~~(46)~~ "Restrictiveness level" means the level of
6 custody provided by programs that service the custody and care
7 needs of committed children. There shall be five
8 restrictiveness levels:

9 (a) Minimum-risk nonresidential.--Youth assessed and
10 classified for placement in programs at this restrictiveness
11 level represent a minimum risk to themselves and public safety
12 and do not require placement and services in residential
13 settings. Programs or program models in this restrictiveness
14 level include: community counselor supervision programs,
15 special intensive group programs, nonresidential marine
16 programs, nonresidential training and rehabilitation centers,
17 and other local community nonresidential programs, including
18 any of the nonresidential or supervision programs that are
19 used for aftercare placement.

20 Section 6. Paragraph (d) of subsection (1) of section
21 985.207, Florida Statutes, 1998 Supplement, is amended to
22 read:

23 985.207 Taking a child into custody.--

24 (1) A child may be taken into custody under the
25 following circumstances:

26 (d) By a law enforcement officer who has probable
27 cause to believe that the child is in violation of the
28 conditions of the child's community control, ~~furlough,~~ or
29 aftercare supervision.
30
31

1 Nothing in this subsection shall be construed to allow the
2 detention of a child who does not meet the detention criteria
3 in s. 985.215.

4 Section 7. Section 985.208, Florida Statutes, 1998
5 Supplement, is amended to read:

6 985.208 Detention of released ~~furloughed~~ child or
7 escapee on authority of the department.--

8 (1) If an authorized agent of the department has
9 reasonable grounds to believe that any delinquent child
10 committed to the department has escaped from a facility of the
11 department or from being lawfully transported thereto or
12 therefrom, the agent may take the child into active custody
13 and may deliver the child to the facility or, if it is closer,
14 to a detention center for return to the facility. However, a
15 child may not be held in detention longer than 24 hours,
16 excluding Saturdays, Sundays, and legal holidays, unless a
17 special order so directing is made by the judge after a
18 detention hearing resulting in a finding that detention is
19 required based on the criteria in s. 985.215(2). The order
20 shall state the reasons for such finding. The reasons shall be
21 reviewable by appeal or in habeas corpus proceedings in the
22 district court of appeal.

23 (2) Any sheriff or other law enforcement officer, upon
24 the request of the secretary of the department or duly
25 authorized agent, shall take a child who has escaped or
26 absconded from a department facility for committed delinquent
27 children, or from being lawfully transported thereto or
28 therefrom, into custody and deliver the child to the
29 appropriate juvenile probation officer of the department.

30 Section 8. Paragraph (b) of subsection (1) of section
31 985.212, Florida Statutes, is amended to read:

- 1 985.212 Fingerprinting and photographing.--
2 (1)
3 (b) A child who is charged with or found to have
4 committed one of the following misdemeanors shall be
5 fingerprinted and the fingerprints shall be submitted to the
6 Department of Law Enforcement as provided in s. 943.051(3)(b):
7 1. Assault, as defined in s. 784.011.
8 2. Battery, as defined in s. 784.03.
9 3. Carrying a concealed weapon, as defined in s.
10 790.01(1).
11 4. Unlawful use of destructive devices or bombs, as
12 defined in s. 790.1615(1).
13 5. Negligent treatment of children, as defined in
14 former s. 827.05.
15 6. Assault on a law enforcement officer, a
16 firefighter, or other specified officers, as defined in s.
17 784.07(2)(a).
18 7. Open carrying of a weapon, as defined in s.
19 790.053.
20 8. Exposure of sexual organs, as defined in s. 800.03.
21 9. Unlawful possession of a firearm, as defined in s.
22 790.22(5).
23 10. Petit theft, as defined in s. 812.014.
24 11. Cruelty to animals, as defined in s. 828.12(1).
25 12. Arson, resulting in bodily harm to a firefighter,
26 as defined in s. 806.031(1).

27
28 A law enforcement agency may fingerprint and photograph a
29 child taken into custody upon probable cause that such child
30 has committed any other violation of law, as the agency deems
31 appropriate. Such fingerprint records and photographs shall be

1 retained by the law enforcement agency in a separate file, and
2 these records and all copies thereof must be marked "Juvenile
3 Confidential." These records shall not be available for public
4 disclosure and inspection under s. 119.07(1) except as
5 provided in ss. 943.053 and 985.04(5), but shall be available
6 to other law enforcement agencies, criminal justice agencies,
7 state attorneys, the courts, the child, the parents or legal
8 custodians of the child, their attorneys, and any other person
9 authorized by the court to have access to such records. In
10 addition, such records may be submitted to the Department of
11 Law Enforcement for inclusion in the state-level file and
12 utilized by criminal justice agencies for criminal justice
13 purposes. These records may, in the discretion of the court,
14 be open to inspection by anyone upon a showing of cause. The
15 fingerprint and photograph records shall be produced in the
16 court whenever directed by the court. Any photograph taken
17 pursuant to this section may be shown by a law enforcement
18 officer to any victim or witness of a crime for the purpose of
19 identifying the person who committed such crime.

20 Section 9. Paragraph (a) of subsection (1) of section
21 985.231, Florida Statutes, 1998 Supplement, is amended to
22 read:

23 985.231 Powers of disposition in delinquency cases.--

24 (1)(a) The court that has jurisdiction of an
25 adjudicated delinquent child may, by an order stating the
26 facts upon which a determination of a sanction and
27 rehabilitative program was made at the disposition hearing:

28 1. Place the child in a community control program or
29 postcommitment community control ~~an aftercare~~ program under
30 the supervision of an authorized agent of the Department of
31 Juvenile Justice or of any other person or agency specifically

1 authorized and appointed by the court, whether in the child's
2 own home, in the home of a relative of the child, or in some
3 other suitable place under such reasonable conditions as the
4 court may direct. A community control program for an
5 adjudicated delinquent child must include a penalty component
6 such as restitution in money or in kind, community service, a
7 curfew, revocation or suspension of the driver's license of
8 the child, or other nonresidential punishment appropriate to
9 the offense and must also include a rehabilitative program
10 component such as a requirement of participation in substance
11 abuse treatment or in school or other educational program.
12 Upon the recommendation of the department at the time of
13 disposition, or subsequent to disposition pursuant to the
14 filing of a petition alleging a violation of the child's
15 conditions of community control or postcommitment community
16 control ~~aftercare~~ supervision, the court may order the child
17 to submit to random testing for the purpose of detecting and
18 monitoring the use of alcohol or controlled substances.

19 a. A restrictiveness level classification scale for
20 levels of supervision shall be provided by the department,
21 taking into account the child's needs and risks relative to
22 community control supervision requirements to reasonably
23 ensure the public safety. Community control programs for
24 children shall be supervised by the department or by any other
25 person or agency specifically authorized by the court. These
26 programs must include, but are not limited to, structured or
27 restricted activities as described in this subparagraph, and
28 shall be designed to encourage the child toward acceptable and
29 functional social behavior. If supervision or a program of
30 community service is ordered by the court, the duration of
31 such supervision or program must be consistent with any

1 treatment and rehabilitation needs identified for the child
2 and may not exceed the term for which sentence could be
3 imposed if the child were committed for the offense, except
4 that the duration of such supervision or program for an
5 offense that is a misdemeanor of the second degree, or is
6 equivalent to a misdemeanor of the second degree, may be for a
7 period not to exceed 6 months. When restitution is ordered by
8 the court, the amount of restitution may not exceed an amount
9 the child and the parent or guardian could reasonably be
10 expected to pay or make. A child who participates in any work
11 program under this part is considered an employee of the state
12 for purposes of liability, unless otherwise provided by law.

13 b. The court may conduct judicial review hearings for
14 a child placed on community control for the purpose of
15 fostering accountability to the judge and compliance with
16 other requirements, such as restitution and community service.
17 The court may allow early termination of community control for
18 a child who has substantially complied with the terms and
19 conditions of community control.

20 c. If the conditions of the community control program
21 or the postcommitment community control ~~aftercare~~ program are
22 violated, the agent supervising the program as it relates to
23 the child involved, or the state attorney, may bring the child
24 before the court on an affidavit ~~a petition~~ alleging a
25 violation of the program. Any child who violates the
26 conditions of community control or postcommitment community
27 control ~~aftercare~~ must be brought before the court if
28 sanctions are sought. A child taken into custody under s.
29 985.207 for violating the conditions of community control or
30 postcommitment community control ~~aftercare~~ shall be held in a
31 consequence unit if such a unit is available. The child shall

1 be afforded a hearing within 24 hours after being taken into
2 custody to determine the existence of probable cause that the
3 child violated the conditions of community control or
4 postcommitment community control ~~aftercare~~. A consequence unit
5 is a secure facility specifically designated by the department
6 for children who are taken into custody under s. 985.207 for
7 violating community control or postcommitment community
8 control ~~aftercare~~, or who have been found by the court to have
9 violated the conditions of community control or postcommitment
10 community control ~~aftercare~~. If the violation involves a new
11 charge of delinquency, the child may be detained under s.
12 985.215 in a facility other than a consequence unit. If the
13 child is not eligible for detention for the new charge of
14 delinquency, the child may be held in the consequence unit
15 pending a hearing and is subject to the time limitations
16 specified in s. 985.215. If the child denies violating the
17 conditions of community control or postcommitment community
18 control ~~aftercare~~, the court shall appoint counsel to
19 represent the child at the child's request. Upon the child's
20 admission, or if the court finds after a hearing that the
21 child has violated the conditions of community control or
22 postcommitment community control ~~aftercare~~, the court shall
23 enter an order revoking, modifying, or continuing community
24 control or postcommitment community control ~~aftercare~~. In each
25 such case, the court shall enter a new disposition order and,
26 in addition to the sanctions set forth in this paragraph, may
27 impose any sanction the court could have imposed at the
28 original disposition hearing. If the child is found to have
29 violated the conditions of community control or postcommitment
30 community control ~~aftercare~~, the court may:
31

1 (I) Place the child in a consequence unit in that
2 judicial circuit, if available, for up to 5 days for a first
3 violation, and up to 15 days for a second or subsequent
4 violation.

5 (II) Place the child on home detention with electronic
6 monitoring. However, this sanction may be used only if a
7 residential consequence unit is not available.

8 (III) Modify or continue the child's community control
9 program or postcommitment community control ~~aftercare~~ program.

10 (IV) Revoke community control or postcommitment
11 community control ~~aftercare~~ and commit the child to the
12 department.

13 d. Notwithstanding s. 743.07 and paragraph (d), and
14 except as provided in s. 985.31, the term of any order placing
15 a child in a community control program must be until the
16 child's 19th birthday unless he or she is released by the
17 court, on the motion of an interested party or on its own
18 motion.

19 2. Commit the child to a licensed child-caring agency
20 willing to receive the child, but the court may not commit the
21 child to a jail or to a facility used primarily as a detention
22 center or facility or shelter.

23 3. Commit the child to the Department of Juvenile
24 Justice at a restrictiveness level defined in s. 985.03(45).
25 Such commitment must be for the purpose of exercising active
26 control over the child, including, but not limited to,
27 custody, care, training, urine monitoring, and treatment of
28 the child and release ~~furlough~~ of the child into the community
29 in a postresidential minimum-risk nonresidential aftercare
30 program. If the child is not successful in the commitment
31 aftercare program, the department may utilize the transfer

1 procedure under s. 985.404. Notwithstanding s. 743.07 and
2 paragraph (d), and except as provided in s. 985.31, the term
3 of the commitment must be until the child is discharged by the
4 department or until he or she reaches the age of 21.

5 4. Revoke or suspend the driver's license of the
6 child.

7 5. Require the child and, if the court finds it
8 appropriate, the child's parent or guardian together with the
9 child, to render community service in a public service
10 program.

11 6. As part of the community control program to be
12 implemented by the Department of Juvenile Justice, or, in the
13 case of a committed child, as part of the community-based
14 sanctions ordered by the court at the disposition hearing or
15 before the child's release from commitment, order the child to
16 make restitution in money, through a promissory note cosigned
17 by the child's parent or guardian, or in kind for any damage
18 or loss caused by the child's offense in a reasonable amount
19 or manner to be determined by the court. The clerk of the
20 circuit court shall be the receiving and dispensing agent. In
21 such case, the court shall order the child or the child's
22 parent or guardian to pay to the office of the clerk of the
23 circuit court an amount not to exceed the actual cost incurred
24 by the clerk as a result of receiving and dispensing
25 restitution payments. The clerk shall notify the court if
26 restitution is not made, and the court shall take any further
27 action that is necessary against the child or the child's
28 parent or guardian. A finding by the court, after a hearing,
29 that the parent or guardian has made diligent and good faith
30 efforts to prevent the child from engaging in delinquent acts
31

1 absolves the parent or guardian of liability for restitution
2 under this subparagraph.

3 7. Order the child and, if the court finds it
4 appropriate, the child's parent or guardian together with the
5 child, to participate in a community work project, either as
6 an alternative to monetary restitution or as part of the
7 rehabilitative or community control program.

8 8. Commit the child to the Department of Juvenile
9 Justice for placement in a program or facility for serious or
10 habitual juvenile offenders in accordance with s. 985.31. Any
11 commitment of a child to a program or facility for serious or
12 habitual juvenile offenders must be for an indeterminate
13 period of time, but the time may not exceed the maximum term
14 of imprisonment that an adult may serve for the same offense.
15 The court may retain jurisdiction over such child until the
16 child reaches the age of 21, specifically for the purpose of
17 the child completing the program.

18 9. In addition to the sanctions imposed on the child,
19 order the parent or guardian of the child to perform community
20 service if the court finds that the parent or guardian did not
21 make a diligent and good faith effort to prevent the child
22 from engaging in delinquent acts. The court may also order the
23 parent or guardian to make restitution in money or in kind for
24 any damage or loss caused by the child's offense. The court
25 shall determine a reasonable amount or manner of restitution,
26 and payment shall be made to the clerk of the circuit court as
27 provided in subparagraph 6.

28 10. Subject to specific appropriation, commit the
29 juvenile sexual offender to the Department of Juvenile Justice
30 for placement in a program or facility for juvenile sexual
31 offenders in accordance with s. 985.308. Any commitment of a

1 juvenile sexual offender to a program or facility for juvenile
2 sexual offenders must be for an indeterminate period of time,
3 but the time may not exceed the maximum term of imprisonment
4 that an adult may serve for the same offense. The court may
5 retain jurisdiction over a juvenile sexual offender until the
6 juvenile sexual offender reaches the age of 21, specifically
7 for the purpose of completing the program.

8 Section 10. Subsection (2) of section 985.3141,
9 Florida Statutes, 1998 Supplement, is amended to read:

10 985.3141 Escapes from secure detention or residential
11 commitment facility.--An escape from:

12 (2) Any residential commitment facility assigned to a
13 restrictiveness level described in s. 985.03~~(45)~~, maintained
14 for the custody, treatment, punishment, or rehabilitation of
15 children found to have committed delinquent acts or violations
16 of law; or

17
18 constitutes escape within the intent and meaning of s. 944.40
19 and is a felony of the third degree, punishable as provided in
20 s. 775.082, s. 775.083, or s. 775.084.

21 Section 11. Section 985.316, Florida Statutes, is
22 amended to read:

23 985.316 ~~Furlough and intensive~~ Aftercare.--

24 (1) It is the intent of the Legislature that, to
25 prevent recidivism of juvenile offenders, aftercare be
26 provided statewide to each juvenile who returns to his or her
27 community from a residential commitment program and
28 demonstrates a need for aftercare based on an assessment.
29 Accordingly, the Legislature intends that aftercare be
30 included in the continuum of care, and that aftercare
31 transition planning begin as early in the commitment process

1 as possible. The Legislature further intends that commitment
2 programs include rehabilitative efforts on preparing committed
3 juveniles for a successful release to the community.

4 (2)(1) With regard to children referred or committed
5 to the department, the function of the department may include,
6 but shall not be limited to, supervising the child when
7 released ~~referred~~ into the community from a facility of the
8 department, including providing such counseling and other
9 services as may be necessary for the families and assisting
10 their preparations for the return of the child.

11 (3) After a juvenile is released from a residential
12 commitment program, aftercare services may be delivered
13 through either minimum-risk nonresidential commitment
14 restrictiveness programs or postcommitment community control.
15 A juvenile under minimum-risk nonresidential commitment
16 placement will continue to be on commitment status and subject
17 to the transfer provision under s. 985.404. A juvenile on
18 postcommitment community control shall be subject to the
19 provisions of s. 985.231(1)(a).

20 (4)(2) Whenever a delinquent child is committed to a
21 residential program operated by a private vendor under
22 contract, the department may negotiate with such vendor to
23 provide intensive aftercare for the child in the home
24 community following successful completion of the residential
25 program. Intensive aftercare shall involve regular contact
26 between the child and the staff of the vendor with whom the
27 child has developed a relationship during the course of the
28 commitment program. Contingent upon specific appropriation, a
29 contract for intensive aftercare provided by the residential
30 commitment program vendor shall provide for caseloads of 10 or
31 fewer children, intensive aftercare for 1 year, and a transfer

1 of the ongoing case management and reentry responsibilities
2 from the department to the vendor at the time the vendor
3 admits the child into the commitment program. The department
4 shall annually seek the necessary resources to provide
5 intensive aftercare.

6 (5)~~(3)~~ Subject to specific appropriation, the
7 department shall provide or contract for outpatient sexual
8 offender counseling for any juvenile sexual offender
9 furloughed from a commitment program, as a component of
10 aftercare services.

11 ~~(4) Upon a recommendation that a child committed to~~
12 ~~the department have his or her furlough revoked, the~~
13 ~~department shall, within 30 days after the date the~~
14 ~~recommendation is made, hold an administrative hearing~~
15 ~~pursuant to chapter 120.~~

16 (6)~~(5)~~ It is the legislative intent that, to prevent
17 recidivism of juvenile offenders, ~~reentry and~~ aftercare
18 services be provided statewide to each juvenile who returns to
19 his or her community from a residential commitment program.
20 Accordingly, the Legislature further intends that reentry and
21 aftercare services be included in the continuum of care.

22 Section 12. Subsection (4) of section 985.404, Florida
23 Statutes, 1998 Supplement, is amended to read:

24 985.404 Administering the juvenile justice
25 continuum.--

26 (4) The department may transfer a child, when
27 necessary to appropriately administer the child's commitment,
28 from one facility or program to another facility or program
29 operated, contracted, subcontracted, or designated by the
30 department, including a postresidential minimum-risk
31 nonresidential aftercare program. The department shall notify

1 the court that committed the child to the department, in
2 writing, of its transfer of the child from a commitment
3 facility or program to another facility or program of a higher
4 or lower restrictiveness level. The court that committed the
5 child may agree to the transfer or may set a hearing to review
6 the transfer. If the court does not respond within 10 days
7 after receipt of the notice, the transfer of the child shall
8 be deemed granted.

9 Section 13. Subsection (5) of section 985.417, Florida
10 Statutes, is amended to read:

11 985.417 Transfer of children from the Department of
12 Corrections to the Department of Juvenile Justice.--

13 (5) Any child who has been convicted of a capital
14 felony while under the age of 18 years may not be released
15 ~~furloughed~~ on community control without the consent of the
16 Governor and three members of the Cabinet.

17 Section 14. Subsection (16) of section 984.03, Florida
18 Statutes, 1998 Supplement, is amended to read:

19 984.03 Definitions.--When used in this chapter, the
20 term:

21 (16) "Delinquency program" means any intake, community
22 control ~~and furlough~~, or similar program; regional detention
23 center or facility; or community-based program, whether owned
24 and operated by or contracted by the Department of Juvenile
25 Justice, or institution owned and operated by or contracted by
26 the Department of Juvenile Justice, which provides intake,
27 supervision, or custody and care of children who are alleged
28 to be or who have been found to be delinquent pursuant to
29 chapter 985.

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1 Section 15. Paragraph (b) of subsection (4) of section
2 39.0132, Florida Statutes, 1998 Supplement, is amended to
3 read:

4 39.0132 Oaths, records, and confidential
5 information.--

6 (4)

7 (b) The department shall disclose to the school
8 superintendent the presence of any child in the care and
9 custody or under the jurisdiction or supervision of the
10 department who has received an adjudication of delinquency or
11 had adjudication withheld for a sexual offense ~~a known history~~
12 ~~of sexual behavior with other juveniles~~; is an alleged
13 juvenile sex offender, as defined in s. 415.50165; or has pled
14 guilty or nolo contendere to, or has been found to have
15 committed, a violation of chapter 794, chapter 796, chapter
16 800, s. 827.071, or s. 847.0133, regardless of adjudication.
17 Any employee of a district school board who knowingly and
18 willfully discloses such information to an unauthorized person
19 commits a misdemeanor of the second degree, punishable as
20 provided in s. 775.082 or s. 775.083.

21 Section 16. Paragraph (b) of subsection (3) of section
22 985.04, Florida Statutes, 1998 Supplement, is amended to read:

23 985.04 Oaths; records; confidential information.--

24 (3)

25 (b) The department shall disclose to the school
26 superintendent the presence of any child in the care and
27 custody or under the jurisdiction or supervision of the
28 department who ~~has a known history of sexual behavior with~~
29 ~~other juveniles~~; is an alleged juvenile sex offender, as
30 defined in s. 415.50165; or has pled guilty or nolo contendere
31 to, or has been found to have committed, a violation of

1 chapter 794, chapter 796, chapter 800, s. 827.071, or s.
2 847.0133, regardless of adjudication. Any employee of a
3 district school board who knowingly and willfully discloses
4 such information to an unauthorized person commits a
5 misdemeanor of the second degree, punishable as provided in s.
6 775.082 or s. 775.083.

7 Section 17. Subsections (4) through (8) of section
8 985.406, Florida Statutes, 1998 Supplement, are renumbered as
9 subsections (5) through (9), respectively, subsection (3) is
10 amended, and a new subsection (4) is added to said section, to
11 read:

12 985.406 Juvenile justice training academies
13 established; Juvenile Justice Standards and Training
14 Commission created; Juvenile Justice Training Trust Fund
15 created.--

16 (3) JUVENILE JUSTICE TRAINING PROGRAM.--The commission
17 shall establish a certified program for juvenile justice
18 training pursuant to the provisions of this section, and all
19 Department of Juvenile Justice program staff and providers who
20 deliver direct-care services pursuant to contract with the
21 department shall be required to participate in and
22 successfully complete the commission-approved program of
23 training pertinent to their areas of responsibility. Judges,
24 state attorneys, and public defenders, law enforcement
25 officers, and school district personnel may participate in
26 such training program. For the juvenile justice program staff,
27 the commission shall, based on a job-task analysis:

28 (a) Design, implement, maintain, evaluate, and revise
29 a basic training program, including a competency-based
30 ~~curriculum-based~~ examination, for the purpose of providing
31

1 minimum employment training qualifications for all juvenile
2 justice personnel.

3 (b) Design, implement, maintain, evaluate, and revise
4 an advanced training program, including a competency-based
5 ~~curriculum-based~~ examination for each training course, which
6 is intended to enhance knowledge, skills, and abilities
7 related to job performance.

8 (c) Design, implement, maintain, evaluate, and revise
9 a career development training program, including a
10 competency-based ~~curriculum-based~~ examination for each
11 training course. Career development courses are intended to
12 prepare personnel for promotion.

13 (d) The commission is encouraged to design, implement,
14 maintain, evaluate, and revise juvenile justice training
15 courses, or to enter into contracts for such training courses,
16 that are intended to provide for the safety and well-being of
17 both citizens and juvenile offenders.

18 (4) JUVENILE JUSTICE PROGRAM STAFF MINIMUM
19 REQUIREMENTS.--All Department of Juvenile Justice program
20 staff and providers who deliver direct-care services hired on
21 or after October 1, 1999, must meet the following minimum
22 requirements:

23 (a) Be at least 19 years of age.

24 (b) Be a citizen of the United States, notwithstanding
25 any law of the state to the contrary.

26 (c) Be a high school graduate or the "equivalent," as
27 defined by the commission.

28 (d) Not have been convicted of any felony or of a
29 misdemeanor involving perjury or a false statement, not have
30 received a dishonorable discharge from any of the Armed Forces
31 of the United States. Any person who, after September 30,

1 1999, pleads guilty or nolo contendere to or is found guilty
2 of any felony or of a misdemeanor involving perjury or false
3 statement is not eligible for employment, notwithstanding
4 suspension of sentence or withholding adjudication.

5 Notwithstanding this paragraph, any person who has pled nolo
6 contendere to a misdemeanor involving a false statement before
7 October 1, 1999, and has had such record of that plea sealed
8 or expunged is not ineligible for employment for that reason.

9 (e) Abide by all the provisions of s. 985.01(2)
10 regarding fingerprinting and background investigations and
11 other personnel screening requirements.

12 (f) Have passed a physical exam by a licensed
13 physician, based on specifications established by the
14 department, which shall include preemployment drug screening
15 and testing.

16 (g) Execute and submit to the department an
17 affidavit-of-application form, adopted by the department,
18 attesting to his or her compliance with paragraphs (a)-(f).
19 The affidavit shall be executed under oath and constitutes an
20 official statement within the purview of s. 837.06. The
21 affidavit shall include conspicuous language that the
22 intentional false execution of the affidavit constitutes a
23 misdemeanor of the second degree. The affidavit shall be
24 retained by the employing agency.

25 (h) Complete a commission-approved basic training
26 program for the applicable juvenile justice responsibilities.

27 (i) Achieve an acceptable score on the certification
28 examination for the applicable juvenile justice
29 responsibilities.

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1 Section 18. Paragraph (r) is added to subsection (1)
2 of section 960.001, Florida Statutes, 1998 Supplement, to
3 read:

4 960.001 Guidelines for fair treatment of victims and
5 witnesses in the criminal justice and juvenile justice
6 systems.--

7 (1) The Department of Legal Affairs, the state
8 attorneys, the Department of Corrections, the Department of
9 Juvenile Justice, the Parole Commission, the State Courts
10 Administrator and circuit court administrators, the Department
11 of Law Enforcement, and every sheriff's department, police
12 department, or other law enforcement agency as defined in s.
13 943.10(4) shall develop and implement guidelines for the use
14 of their respective agencies, which guidelines are consistent
15 with the purposes of this act and s. 16(b), Art. I of the
16 State Constitution and are designed to implement the
17 provisions of s. 16(b), Art. I of the State Constitution and
18 to achieve the following objectives:

19 (r) Implementation of crime prevention efforts to
20 enhance the protection of individual personal safety and
21 property as prescribed by s. 187.201(7)(b)9., State
22 Comprehensive Plan.--By preventing future crimes that either
23 produce new victims or further harm former victims, crime
24 prevention efforts are an essential part of providing victims
25 and witnesses with effective service; therefore, the agencies
26 identified in this subsection may participate in and expend
27 funds for crime prevention, including those involving public
28 awareness, public participation, and educational activities.

29 Section 19. Paragraph (d) of subsection (1) of section
30 419.001, Florida Statutes, 1998 Supplement, is amended to
31 read:

1 419.001 Site selection of community residential
2 homes.--

3 (1) For the purposes of this section, the following
4 definitions shall apply:

5 (d) "Resident" means any of the following: a frail
6 elder as defined in s. 400.618; a physically disabled or
7 handicapped person as defined in s. 760.22(7)(a); a
8 developmentally disabled person as defined in s. 393.063(11);
9 a nondangerous mentally ill person as defined in s.
10 394.455(18); or a child as defined in s. 39.01(11), s.
11 984.03(9) or (12), or s. 985.03(9)~~985.03(8)~~.

12 Section 20. Section 784.075, Florida Statutes, 1998
13 Supplement, is amended to read:

14 784.075 Battery on detention or commitment facility
15 staff.--A person who commits a battery on a juvenile probation
16 officer ~~an intake counselor or case manager~~, as defined in s.
17 984.03 ~~984.03(31)~~ or s. 985.03 ~~985.03(30)~~, on other staff of a
18 detention center or facility as defined in s. 984.03
19 ~~984.03(19)~~ or s. 985.03 ~~985.03(19)~~, or on a staff member of a
20 commitment facility as defined in s. 985.03(47)~~985.03(45)~~,
21 commits a felony of the third degree, punishable as provided
22 in s. 775.082, s. 775.083, or s. 775.084. For purposes of this
23 section, a staff member of the facilities listed includes
24 persons employed by the Department of Juvenile Justice,
25 persons employed at facilities licensed by the Department of
26 Juvenile Justice, and persons employed at facilities operated
27 under a contract with the Department of Juvenile Justice.

28 Section 21. Section 984.05, Florida Statutes, 1998
29 Supplement, is amended to read:

30 984.05 Rules relating to habitual truants; adoption by
31 Department of Education and Department of Juvenile

1 Justice.--The Department of Juvenile Justice and the
2 Department of Education shall work together on the development
3 of, and shall adopt, rules as necessary for the implementation
4 of ss. 232.19, 984.03(29), and 985.03(28)~~985.03(27)~~.

5 Section 22. Paragraph (b) of subsection (2) of section
6 985.227, Florida Statutes, is amended to read:

7 985.227 Prosecution of juveniles as adults by the
8 direct filing of an information in the criminal division of
9 the circuit court; discretionary criteria; mandatory
10 criteria.--

11 (2) MANDATORY DIRECT FILE.--

12 (b) Notwithstanding subsection (1), regardless of the
13 child's age at the time the alleged offense was committed, the
14 state attorney must file an information with respect to any
15 child who previously has been adjudicated for offenses which,
16 if committed by an adult, would be felonies and such
17 adjudications occurred at three or more separate delinquency
18 adjudicatory hearings, and three of which resulted in
19 residential commitments as defined in s. 985.03(47)
20 ~~985.03(45)~~.

21 Section 23. Paragraph (e) of subsection (3) and
22 paragraph (a) of subsection (4) of section 985.31, Florida
23 Statutes, 1998 Supplement, are amended to read:

24 985.31 Serious or habitual juvenile offender.--

25 (3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND
26 TREATMENT.--

27 (e) After a child has been adjudicated delinquent
28 pursuant to s. 985.228, the court shall determine whether the
29 child meets the criteria for a serious or habitual juvenile
30 offender pursuant to s. 985.03(49)~~985.03(47)~~. If the court
31

1 determines that the child does not meet such criteria, the
2 provisions of s. 985.231(1) shall apply.

3 (4) ASSESSMENTS, TESTING, RECORDS, AND INFORMATION.--

4 (a) Pursuant to the provisions of this section, the
5 department shall implement the comprehensive assessment
6 instrument for the treatment needs of serious or habitual
7 juvenile offenders and for the assessment, which assessment
8 shall include the criteria under s. 985.03(49)~~985.03(47)~~and
9 shall also include, but not be limited to, evaluation of the
10 child's:

11 1. Amenability to treatment.

12 2. Proclivity toward violence.

13 3. Tendency toward gang involvement.

14 4. Substance abuse or addiction and the level thereof.

15 5. History of being a victim of child abuse or sexual
16 abuse, or indication of sexual behavior dysfunction.

17 6. Number and type of previous adjudications, findings
18 of guilt, and convictions.

19 7. Potential for rehabilitation.

20 Section 24. Paragraph (e) of subsection (3) and
21 paragraph (a) of subsection (4) of section 985.311, Florida
22 Statutes, 1998 Supplement, are amended to read:

23 985.311 Intensive residential treatment program for
24 offenders less than 13 years of age.--

25 (3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND
26 TREATMENT.--

27 (e) After a child has been adjudicated delinquent
28 pursuant to s. 985.228(5), the court shall determine whether
29 the child is eligible for an intensive residential treatment
30 program for offenders less than 13 years of age pursuant to s.
31 985.03(8)~~985.03(7)~~. If the court determines that the child

1 does not meet the criteria, the provisions of s. 985.231(1)
2 shall apply.

3 (4) ASSESSMENTS, TESTING, RECORDS, AND INFORMATION.--

4 (a) Pursuant to the provisions of this section, the
5 department shall implement the comprehensive assessment
6 instrument for the treatment needs of children who are
7 eligible for an intensive residential treatment program for
8 offenders less than 13 years of age and for the assessment,
9 which assessment shall include the criteria under s. 985.03(8)
10 ~~985.03(7)~~ and shall also include, but not be limited to,
11 evaluation of the child's:

- 12 1. Amenability to treatment.
- 13 2. Proclivity toward violence.
- 14 3. Tendency toward gang involvement.
- 15 4. Substance abuse or addiction and the level thereof.
- 16 5. History of being a victim of child abuse or sexual
17 abuse, or indication of sexual behavior dysfunction.
- 18 6. Number and type of previous adjudications, findings
19 of guilt, and convictions.
- 20 7. Potential for rehabilitation.

21 Section 25. Section 985.312, Florida Statutes, is
22 amended to read:

23 985.312 Intensive residential treatment programs for
24 offenders less than 13 years of age; prerequisite for
25 commitment.--No child who is eligible for commitment to an
26 intensive residential treatment program for offenders less
27 than 13 years of age as established in s. 985.03(8)~~985.03(7)~~,
28 may be committed to any intensive residential treatment
29 program for offenders less than 13 years of age as established
30 in s. 985.311, unless such program has been established by the
31

1 department through existing resources or specific
2 appropriation, for such program.

3 Section 26. This act shall take effect upon becoming a
4 law.

5
6 *****

7 HOUSE SUMMARY

8
9 Revises various provisions relating to juvenile justice.
10 Authorizes the retention of criminal history records of
11 minors committed to a maximum-risk residential program.
12 Provides that the Department of Juvenile Justice may
13 permit use by a direct-support organization of certain
14 property and facilities. Provides that fingerprint and
15 photograph records of children charged with or found to
16 have committed specified misdemeanors may be submitted to
17 the Department of Law Enforcement for specified purposes.
18 Provides for the department or the state attorney to
19 bring the child before the court on an affidavit alleging
20 a violation of a community control program or a
21 postcommitment community control program, and provides
22 for subsequent release and transfer in certain cases.
23 Authorizes the department to use tax-exempt financing in
24 leasing juvenile justice facilities. Removes requirements
25 for disclosure to the school superintendent of the
26 presence of certain children who have known histories of
27 sexual behavior with other juveniles. Revises duties of
28 the Juvenile Justice Standards and Training Commission.
29 Prescribes minimum requirements for Department of
30 Juvenile Justice program staff and providers who deliver
31 direct-care services and are hired after October 1, 1999.
Provides for certain agency expenditures for crime
prevention and related activities. See bill for details.