

1                                   A bill to be entitled  
2           An act relating to youthful offenders; amending  
3           s. 944.1905, F.S.; requiring that certain  
4           inmates who are less than a specified age be  
5           placed in specific correctional facilities and  
6           housed in separate dormitories; requiring that  
7           the Department of Corrections report to the  
8           Legislature on its compliance with housing  
9           youthful offenders; requiring that certain  
10          inmates who are less than a specified age and  
11          who have no prior juvenile adjudication be  
12          placed in facilities for youthful offenders;  
13          providing for the reassignment of an inmate to  
14          the general population if the inmate threatens  
15          the safety of other inmates or correctional  
16          staff; amending s. 944.1905, F.S.; requiring  
17          that certain inmates who are less than a  
18          specified age be placed in specific  
19          correctional facilities and housed in separate  
20          dormitories; requiring that the Department of  
21          Corrections report to the Legislature on its  
22          compliance with housing youthful offenders;  
23          requiring that certain inmates who are less  
24          than a specified age and who have no prior  
25          juvenile adjudication be placed in facilities  
26          for youthful offenders; providing for the  
27          reassignment of an inmate to the general  
28          population if the inmate threatens the safety  
29          of other inmates or correctional staff;  
30          amending s. 921.0021, F.S.; redefining the term  
31          "prior record" to extend the time during which

1 the disposition of certain juvenile offenses  
2 are included in an offender's record;  
3 providing an effective date.  
4

5 Be It Enacted by the Legislature of the State of Florida:  
6

7 Section 1. Subsection (5) is added to section  
8 944.1905, Florida Statutes, to read:

9 944.1905 Initial inmate classification; inmate  
10 reclassification.--The Department of Corrections shall  
11 classify inmates pursuant to an objective classification  
12 scheme. The initial inmate classification questionnaire and  
13 the inmate reclassification questionnaire must cover both  
14 aggravating and mitigating factors.

15 (5)(a) Notwithstanding any other provision of this  
16 section, the department shall assign to specific correctional  
17 facilities all inmates who are less than 18 years of age and  
18 who are not eligible for and have not been assigned to a  
19 facility for youthful offenders. Any such inmate who is less  
20 than 18 years of age shall be housed in a dormitory that is  
21 separate from inmates who are 18 years of age or older.  
22 Furthermore, the department shall provide any food service,  
23 education, and recreation for such inmate separately from  
24 inmates who are 18 years of age or older. The department shall  
25 report to the Legislature on compliance with this paragraph by  
26 April 1, 2002.

27 (b) Notwithstanding the requirements of s. 958.11, any  
28 inmate who is less than 18 years of age, who was 15 years of  
29 age or younger at the time of his or her offense, and who has  
30 no prior juvenile adjudication must be placed in a facility  
31 for youthful offenders until the inmate is 18 years of age. At

1 the discretion of the department, such an inmate may be placed  
2 in a facility for youthful offenders until the inmate is 21  
3 years of age.

4 (c) Any inmate who is assigned to a facility under  
5 paragraph (a) or paragraph (b) shall be removed and reassigned  
6 to the general inmate population if his or her behavior  
7 threatens the safety of other inmates or correctional staff.

8 Section 2. Subsection (5) of section 921.0021, Florida  
9 Statutes, is amended to read:

10 921.0021 Definitions.--As used in this chapter, for  
11 any felony offense, except any capital felony, committed on or  
12 after October 1, 1998, the term:

13 (5) "Prior record" means a conviction for a crime  
14 committed by the offender, as an adult or a juvenile, prior to  
15 the time of the primary offense. Convictions by federal,  
16 out-of-state, military, or foreign courts, and convictions for  
17 violations of county or municipal ordinances that incorporate  
18 by reference a penalty under state law, are included in the  
19 offender's prior record. Convictions for offenses committed  
20 by the offender more than 10 years before the primary offense  
21 are not included in the offender's prior record if the  
22 offender has not been convicted of any other crime for a  
23 period of 10 consecutive years from the most recent date of  
24 release from confinement, supervision, or sanction, whichever  
25 is later, to the date of the primary offense. Juvenile  
26 dispositions of offenses committed by the offender within 5 ~~3~~  
27 years before the primary offense are included in the  
28 offender's prior record when the offense would have been a  
29 crime had the offender been an adult rather than a juvenile.  
30 Juvenile dispositions of sexual offenses committed by the  
31 offender which were committed 5 ~~3~~ years or more before the

1 primary offense are included in the offender's prior record if  
2 the offender has not maintained a conviction-free record,  
3 either as an adult or a juvenile, for a period of 5 ~~3~~  
4 consecutive years from the most recent date of release from  
5 confinement, supervision, or sanction, whichever is later, to  
6 the date of the primary offense.

7 Section 3. This act shall take effect July 1, 2001.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31