

By Senator Geller

31-266-04

1 A bill to be entitled
2 An act relating to parole for juveniles;
3 amending s. 985.225, F.S.; providing that a
4 child younger than a specified age who is found
5 to have committed an offense punishable by
6 death or life imprisonment is eligible for
7 parole if the child has not previously been
8 adjudicated for certain offenses; requiring
9 that the child be incarcerated in a
10 youthful-offender facility for a minimum period
11 before becoming eligible for parole release;
12 requiring that the Parole Commission review a
13 child for release; requiring the commission to
14 conduct an initial interview with the child;
15 providing that the child's case be periodically
16 reviewed thereafter for eligibility for parole
17 release; providing that, if the child has not
18 been granted parole by the time the child
19 reaches a specified age, the child must be
20 transferred from the youthful-offender facility
21 to an appropriate adult facility; providing an
22 effective date;

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Present subsection (4) of section 985.225,
27 Florida Statutes, is redesignated as subsection (5), and a new
28 subsection (4) is added to that section, to read:

29 985.225 Indictment of a juvenile.--

30 (4)(a) A child, 15 years of age or younger, who is
31 found to have committed an offense punishable by death or by

1 life imprisonment, is eligible for parole if the child has not
2 previously been adjudicated for a violation of:

- 3 1. Any offense specified in s. 775.084(1)(b)1.;
- 4 2. Section 784.03, relating to battery;
- 5 3. Section 827.03, relating to child abuse; or
- 6 4. Section 828.12, relating to cruelty to animals.

7 (b) The child must be incarcerated in a facility for
8 youthful offenders for a minimum of 8 years before becoming
9 eligible for parole release.

10 (c) The Parole Commission shall review the child for
11 release under s. 947.16; however, the commission shall conduct
12 an interview with the child within 8 months after the initial
13 date of confinement in execution of the judgment. Thereafter,
14 the child's case shall be reviewed every 2 years for
15 eligibility for parole release. If the child has not been
16 granted parole by the time the child reaches 25 years of age,
17 the child must be transferred from the facility for youthful
18 offenders to an appropriate facility for adults.

19 Section 2. This act shall take effect July 1, 2004.

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22 SENATE SUMMARY

23 Provides that a child, 15 years of age or younger, who
24 commits an offense punishable by death or by life
25 imprisonment is eligible for parole if he or she has no
26 previous violation of certain specified offenses.
27 Requires that the child be incarcerated in a
28 youthful-offender facility for a minimum of 8 years
29 before becoming eligible for parole release. Requires
30 that the Parole Commission review a child for release.
31 Requires the commission to conduct an interview with the
child within 8 months after the initial date of
confinement, and every 2 years thereafter, for
eligibility for parole release. Provides that, if the
child has not been granted parole by the time the child
reaches the age of 25, he or she must be transferred from
the youthful-offender facility to an appropriate adult
facility.