

1 A bill to be entitled
 2 An act relating to older adults and the criminal justice
 3 system; creating a workgroup to study the involvement of
 4 older adults with the criminal justice system; providing
 5 requirements for the study; providing membership;
 6 authorizing reimbursement for per diem and travel
 7 expenses; requiring a report; providing for dissolution of
 8 the workgroup; providing an appropriation; providing an
 9 effective date.

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

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13 Section 1. (1) WORKGROUP.--The Department of Elderly
 14 Affairs shall establish a workgroup to study the involvement of
 15 older adults age 60 and over with the criminal justice system,
 16 with particular emphasis on older adults age 70 and over. The
 17 study shall:

18 (a) Determine the extent to which crimes committed by
 19 older adults result in arrest and the impact of arrest on older
 20 adults and on state law enforcement and the criminal justice
 21 system.

22 (b) Examine the incidence of and issues surrounding older
 23 adults with dementia or other mental health or health conditions
 24 and determine how these conditions affect their involvement with
 25 the criminal justice system.

26 (c) Determine the extent to which current programs,
 27 including, but not limited to, the community and forensic mental
 28 health, substance abuse, and domestic violence systems, and

29 specialty courts are addressing the issues experienced by older
 30 adults involved in the criminal justice system.

31 (d) Determine the unmet health, mental health, and other
 32 social service needs of individuals who are arrested that, if
 33 met, would result in the reduced arrest or incarceration of
 34 these individuals as well as reduced recidivism.

35 (e) Determine the state's current capacity to provide for
 36 early identification of older adults who are arrested who have
 37 significant medical issues or mental health conditions and its
 38 current ability to respond in a meaningful and timely manner to
 39 these issues.

40 (f) Identify the services and best practices that, if
 41 implemented, would ensure the early identification, assessment,
 42 treatment, and diversion of older adults who are arrested and
 43 ensure more effective use of available resources.

44 (g) Specify, to the extent possible, the costs associated
 45 with such services and best practices that are identified by the
 46 workgroup.

47 (2) MEMBERSHIP.--

48 (a) The workgroup shall consist of at least the following
 49 10 members:

50 1. The secretary of the Department of Elderly Affairs, or
 51 his or her designee.

52 2. The secretary of the Department of Children and Family
 53 Services, or his or her designee.

54 3. The executive director of the Department of Law
 55 Enforcement, or his or her designee.

56 4. A representative from the Florida Sheriffs Association.

57 5. The president of the Florida Police Chiefs Association,
58 or his or her designee.

59 6. A representative from the Office of the State Courts
60 Administrator.

61 7. A physician with experience with geriatric populations,
62 appointed by the secretary of the Department of Elderly Affairs.

63 8. An expert on the mental health of older adults,
64 appointed by the secretary of the Department of Children and
65 Family Services.

66 9. An expert on aging and legal issues, appointed by The
67 Florida Bar.

68 10. A member of the judiciary, appointed by the Chief
69 Justice of the Supreme Court.

70 (b) Any member of the workgroup may receive reimbursement
71 for per diem and travel expenses as provided in s. 112.061,
72 Florida Statutes.

73 (c) The secretary of the Department of Elderly Affairs, or
74 his or her designee, shall serve as the chairperson of the
75 workgroup and provide for the support of the workgroup.

76 (3) REPORT.--The Department of Elderly Affairs shall
77 prepare and submit a report to the President of the Senate, the
78 Speaker of the House of Representatives, and the chairpersons of
79 the appropriate substantive committees no later than January 31,
80 2006. The report must address the findings of the workgroup as
81 specified in subsection (1).

82 (4) DISSOLUTION.--The workgroup is dissolved upon
83 submission of its report.

84 Section 2. The sum of \$200,000 is appropriated from the

HB 1379

2005

85 | General Revenue Fund to the Department of Elderly Affairs for
86 | the purpose of paying for costs associated with carrying out the
87 | provisions of this act during the 2005-2006 fiscal year.

88 | Section 3. This act shall take effect July 1, 2005.