

By Senator Smith

14-1020-06

1 A bill to be entitled
 2 An act relating to youth custody officers;
 3 amending s. 985.2075, F.S.; requiring that a
 4 youth custody officer take a youth into custody
 5 if the officer has probable cause to believe
 6 that the youth has escaped from a facility
 7 operated by the Department of Juvenile Justice
 8 or has absconded from the supervision of the
 9 department; requiring a youth custody officer
 10 to report a new violation of criminal law and
 11 gather evidence before delivering a youth to
 12 certain facilities; authorizing a youth custody
 13 officer to exercise his or her arrest powers
 14 under certain circumstances; prohibiting a
 15 youth custody officer from enforcing state
 16 traffic laws; providing an effective date.

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

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 20 Section 1. Subsection (1) of section 985.2075, Florida
 21 Statutes, is amended, present subsection (2) of that section
 22 is redesignated as subsection (3), and a new subsection (2) is
 23 added to that section, to read:

24 985.2075 Youth custody officer.--

25 (1) There is created within the Department of Juvenile
 26 Justice the position of youth custody officer. The duties of
 27 each youth custody officer shall be to take youth into custody
 28 if the officer has probable cause to believe that the youth
 29 has violated the conditions of probation, home detention,
 30 conditional release, or postcommitment probation; has escaped
 31 from a facility operated by or under contract with the

1 department; has absconded from the supervision of the
2 department;~~7~~ or has failed to appear in court after being
3 properly noticed. The authority of the youth custody officer
4 to take youth into custody is specifically limited to this
5 purpose.

6 (2) Notwithstanding any other provision of this
7 chapter, a youth custody officer who, while performing his or
8 her duties, takes a youth into custody for any reason
9 specified in subsection (1) and has probable cause to believe
10 that the youth has committed a new violation of criminal law
11 shall report the alleged violation and gather any evidence for
12 prosecution in a court of law before delivering the youth to a
13 local law enforcement agency, juvenile assessment center, or
14 detention center. If a felony or a misdemeanor is committed
15 by a youth in the presence of a youth custody officer, the
16 youth custody officer may, while performing his or her duties
17 of apprehension and investigation, exercise his or her arrest
18 powers as a sworn state law enforcement officer. A youth
19 custody officer may not exercise any power or duty authorized
20 in chapter 316.

21 Section 2. This act shall take effect October 1, 2006.

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24 SENATE SUMMARY

25 Requires that a youth custody officer take a youth into
26 custody if the officer has probable cause to believe that
27 the youth has escaped from a facility operated by the
28 Department of Juvenile Justice or has absconded from the
29 supervision of the department. Requires a youth custody
30 officer to report a new violation of criminal law and
31 gather evidence before delivering a youth to certain
facilities. Authorizes a youth custody officer to
exercise his or her arrest powers under certain
circumstances. Prohibits a youth custody officer from
exercising powers under the state traffic control law.