

HB 1457

2006
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CHAMBER ACTION

1 The Juvenile Justice Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to youth custody officers; amending s.
7 985.2075, F.S.; providing that youth custody officers may
8 file criminal charges and gather evidence under specified
9 circumstances; providing that youth custody officers have
10 the authority and powers of law enforcement officers,
11 subject to specified exceptions, while in the performance
12 of their duties; requiring youth custody officers to be
13 certified as law enforcement officers; providing an
14 effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Section 985.2075, Florida Statutes, is amended
19 to read:

20 985.2075 Youth custody officer.--

21 (1) There is created within the department ~~of Juvenile~~
22 ~~Justice~~ the position of youth custody officer. The primary
23 duties of each youth custody officer shall be to take youth into

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24 custody if the officer has probable cause to believe that the
25 youth has violated the conditions of probation, home detention,
26 conditional release, or postcommitment probation, or has failed
27 to appear in court after being properly noticed. The authority
28 of the youth custody officer to take youth into custody is
29 specifically limited to these purposes ~~this purpose~~.

30 (2) While in the performance of his or her duties, a youth
31 custody officer:

32 (a) May file criminal charges and gather evidence for
33 prosecution where the officer has probable cause to believe that
34 a youth, who he or she has taken into custody pursuant to
35 subsection (1), has committed violations of criminal law.

36 (b) Has statewide jurisdiction.

37 (c) Has the same authority and powers granted to law
38 enforcement officers by law, including the authority to make
39 arrests under chapter 901, carry firearms, serve court process,
40 and seize contraband and the proceeds of illegal activities,
41 except that a youth custody officer may not exercise any power
42 or duty authorized in chapter 316 or in s. 901.15(5).

43 (3)~~(2)~~ A youth custody officer must meet the minimum
44 qualifications for employment or appointment, be certified as a
45 law enforcement officer under chapter 943, and comply with the
46 requirements for continued employment required by s. 943.135.
47 The department ~~of Juvenile Justice~~ must comply with the
48 responsibilities provided for an employing agency under s.
49 943.133 for each youth custody officer.

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50 | (4)~~(3)~~ A youth custody officer shall inform appropriate
51 | local law enforcement agencies of his or her activities under
52 | this section.

53 | Section 2. This act shall take effect July 1, 2006.