

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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The Conference Committee on HB 5019 offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Martin Lee Anderson Act of 2006."

Section 2. Subsection (47) of section 39.01, Florida Statutes, is amended to read:

39.01 Definitions.--When used in this chapter, unless the context otherwise requires:

(47) "Other person responsible for a child's welfare" includes the child's legal guardian, legal custodian, or foster parent; an employee of a private school, public or private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service, or program for children that is operated or contracted by the Department of Juvenile Justice; or any other person

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18 | legally responsible for the child's welfare in a residential
 19 | setting; and also includes an adult sitter or relative entrusted
 20 | with a child's care. For the purpose of departmental
 21 | investigative jurisdiction, this definition does not include the
 22 | following persons when they are acting in an official capacity:
 23 | law enforcement officers, except as otherwise provided in this
 24 | subsection; or employees of municipal or county detention
 25 | facilities; or employees of the Department of Corrections, ~~while~~
 26 | ~~acting in an official capacity.~~

27 | Section 3. Paragraph (b) of subsection (2) of section
 28 | 985.2155, Florida Statutes, is amended to read:

29 | 985.2155 Shared county and state responsibility for
 30 | juvenile detention.--

31 | (2) As used in this section, the term:

32 | (b) "Fiscally constrained county" means a county within
 33 | ~~designated as~~ a rural area of critical economic concern as
 34 | designated by the Governor pursuant to ~~under~~ s. 288.0656 or each
 35 | county for which the value of a mill will raise in the county is
 36 | no more than \$5 million in revenue ~~\$3 million~~, based on the
 37 | certified school taxable value from the previous July 1 property
 38 | valuations and tax data annually published by the Department of
 39 | Revenue under s. 195.052.

40 | Section 4. Paragraph (j) of subsection (1) of section
 41 | 985.231, Florida Statutes, is amended to read:

42 | 985.231 Powers of disposition in delinquency cases.--

43 | (1)

44 | (j) If the offense committed by the child was grand theft
 45 | of a motor vehicle, the court:

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46 1. Upon a first adjudication for a grand theft of a motor
 47 vehicle, may place the child youth in a sheriff's training and
 48 respect program ~~boot camp~~, unless the child is ineligible under
 49 s. 985.3091 ~~pursuant to s. 985.309~~, and shall order the child
 50 youth to complete a minimum of 50 hours of community service.

51 2. Upon a second adjudication for grand theft of a motor
 52 vehicle which is separate and unrelated to the previous
 53 adjudication, may place the child youth in a sheriff's training
 54 and respect program ~~boot camp~~, unless the child is ineligible
 55 under s. 985.3091 ~~pursuant to s. 985.309~~, and shall order the
 56 child youth to complete a minimum of 100 hours of community
 57 service.

58 3. Upon a third adjudication for grand theft of a motor
 59 vehicle which is separate and unrelated to the previous
 60 adjudications, shall place the child youth in a sheriff's
 61 training and respect program ~~boot camp~~ or other treatment
 62 program, unless the child is ineligible under s. 985.3091
 63 ~~pursuant to s. 985.309~~, and shall order the child youth to
 64 complete a minimum of 250 hours of community service.

65 Section 5. Section 985.309, Florida Statutes, is repealed.

66 Section 6. Section 985.3091, Florida Statutes, is created
 67 to read:

68 985.3091 Sheriff's training and respect programs.--

69 (1) (a) For purposes of this section, the term "agency"
 70 means a county or municipal law enforcement agency.

71 (b) Contingent upon specific appropriation, local funding,
 72 or specific appropriation and local funding, an agency may,
 73 under contract with the department, implement and operate a
 74 sheriff's training and respect program to provide intensive

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75 education, physical training, and rehabilitation for children
 76 who are eligible under subsection (2). A sheriff's training and
 77 respect program shall be under the agency's supervisory
 78 authority as determined by the contract between the department
 79 and the agency.

80 (2) A child is eligible for placement in a sheriff's
 81 training and respect program if he or she:

82 (a) Is at least 14 years of age but less than 18 years of
 83 age at the time of adjudication.

84 (b) Has been committed to the department for any offense
 85 that, if committed by an adult, would be a felony other than a
 86 capital felony, a life felony, or a violent felony of the first
 87 degree.

88 (c) Is physically examined by a physician licensed under
 89 chapter 458 or chapter 459 or an advanced registered nurse
 90 practitioner licensed and certified under chapter 464.

91 (d) Has a physical, psychological, and substance abuse
 92 profile that is conducive to successful completion of the
 93 program, as determined by the agency's and department's review
 94 of the preadmission physical examination under paragraph (c) and
 95 of preadmission psychological and substance abuse screenings,
 96 which must be conducted or ordered to be conducted by the
 97 department.

98 (e) Will be placed in the judicial circuit in which the
 99 child was adjudicated or, if there is no sheriff's training and
 100 respect program in that judicial circuit, the child may be
 101 placed in the judicial circuit nearest to the judicial circuit
 102 in which he or she was adjudicated which has a sheriff's
 103 training and respect program.

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104 (3) A sheriff's training and respect program shall require
 105 children to:

106 (a) Receive a written, easily understandable statement
 107 that sets forth, and a verbal description of, their rights under
 108 this section. At the time of admission into the sheriff's
 109 training and respect program, each child must acknowledge in
 110 writing his or her receipt and understanding of the written
 111 statement and verbal description.

112 (b) Participate in physical training exercises.

113 (c) Complete educational, vocational, community service,
 114 and substance abuse programs.

115 (d) Receive training in life and job skills and in
 116 techniques for appropriate decisionmaking.

117 (e) Receive counseling that is directed at replacing
 118 criminal thinking, beliefs, and values with moral thinking,
 119 beliefs, and values.

120 (4) A sheriff's training and respect program must provide
 121 for youth medical treatment needs by a physician licensed under
 122 chapter 458 or chapter 459, an advanced registered nurse
 123 practitioner licensed and certified under chapter 464, or a
 124 registered nurse licensed under chapter 464 who works daily
 125 between the hours of 7:00 a.m. and 9:00 p.m. and must provide
 126 for on-call access to at least one such medical professional at
 127 all other times.

128 (5) A sheriff's training and respect program shall be a
 129 moderate-risk residential program and must provide conditional
 130 release assessment and services in accordance with s. 985.316.
 131 The minimum period of participation in the residential component
 132 of a sheriff's training and respect program is 4 months;

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133 however, this subsection does not prohibit operation of a
 134 program that requires the participants to spend more than 4
 135 months in the residential component of the program or that
 136 requires the participants to complete two sequential programs of
 137 4 months each in the residential component of the program.

138 (6) Staff in a sheriff's training and respect program who
 139 exercise direct care, as defined in s. 985.4055, shall comply
 140 with the Protective Action Response policy established in
 141 department rules adopted under s. 985.4055(2)(a).

142 (7) The department shall adopt rules under ss. 120.536(1)
 143 and 120.54 for the sheriff's training and respect program that
 144 specify:

145 (a) Requirements for the preadmission physical
 146 examinations and psychological and substance abuse screenings
 147 required by subsection (2).

148 (b) Authorized disciplinary sanctions and restrictions on
 149 the privileges of the general population of children in the
 150 program.

151 (c) Prohibitions on the use of harmful psychological
 152 intimidation techniques. For purposes of this section, the term
 153 "harmful psychological intimidation techniques":

154 1. Includes the following actions when intentionally used
 155 as a therapeutic or training technique or as a means to
 156 encourage compliance with program requirements:

157 a. The threat of physical force or violence.

158 b. An intentional attempt to humiliate or embarrass a
 159 child.

160 c. An intentional attempt to diminish a child's self-
 161 confidence or otherwise psychologically break a child's will.

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- 162 d. Any action that would be considered child abuse or
- 163 neglect under chapter 39 or chapter 827.
- 164 2. Does not include the following actions:
- 165 a. Direct and forceful communication to a child of program
- 166 requirements or legitimate performance expectations prior to or
- 167 during participation in program activities, including positive,
- 168 active encouragement of children engaged in physical training
- 169 exercises.
- 170 b. Communication necessary to inform a child of
- 171 noncompliance with program requirements or appropriate actions
- 172 to remediate such noncompliance.
- 173 c. Communication necessary to inform a child of poor
- 174 performance or appropriate actions to remediate such poor
- 175 performance.
- 176 d. Communications or other actions necessary to maintain
- 177 order or safety in a program.
- 178 e. Any lawful and reasonable communications or actions
- 179 that are permissible for parents, other juvenile justice
- 180 programs, school officials, or other adults who have custody of
- 181 or supervisory responsibilities for children.
- 182 (d) Requirements for provision of notice by the program to
- 183 the department and for the removal of a child from the program
- 184 if the child becomes unmanageable or ineligible for the program
- 185 due to changes in his or her physical, psychological, or
- 186 substance abuse profile.
- 187 (e) Requirements for the prominent display of the
- 188 telephone number of the statewide abuse registry and for
- 189 immediate access by children in the program, upon request, to a
- 190 telephone for the purpose of contacting the statewide abuse

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191 registry, the public defender's office, his or her attorney, or
 192 a law enforcement agency.

193 (f) Requirements for the delivery of a copy of each
 194 child's exit statement under subsection (10) to the department
 195 by facsimile or electronic mail.

196 (8) (a) Evaluations under s. 985.412(5) of each sheriff's
 197 training and respect program shall be conducted quarterly during
 198 the first year of the program's operation. Thereafter, if the
 199 program met the minimum thresholds during its most recent
 200 evaluation, the program shall be evaluated at least once
 201 annually. If a sheriff's training and respect program fails to
 202 meet the minimum thresholds, the department shall cancel the
 203 contract for the program:

204 1. Immediately if the program has a deficiency in a
 205 critical life safety aspect of its operations, as defined in
 206 department rule, or has failed to train its staff as required
 207 under subsection (9).

208 2. If the program fails to achieve compliance with the
 209 minimum thresholds within 3 months, unless there are documented
 210 extenuating circumstances, as defined in department rule.

211 (b) Upon cancellation of a contract under paragraph (a),
 212 the program's operations shall immediately cease and the
 213 department shall immediately discontinue any state payments to
 214 the program.

215 (9) (a) The department shall adopt rules under ss.
 216 120.536(1) and 120.54 that establish training requirements that
 217 must be completed by staff in a sheriff's training and respect
 218 program within 90 calendar days following the person's date of
 219 hire, and that must, at a minimum, require:

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- 220 1. Administrative staff to successfully complete 120
 221 contact hours of department-approved training.
- 222 2. Staff who provide direct care, as defined in s.
 223 985.4055 to be:
- 224 a. Certified correctional, correctional probation, or law
 225 enforcement officers under chapter 943 and to receive at least
 226 20 hours of department-approved training in the Protective
 227 Action Response policy established in department rules adopted
 228 under s. 985.4055(2)(a); or
- 229 b. Certified in protective action response under s.
 230 985.4055(2)(b)-(e) and to successfully complete 200 contact
 231 hours of department-approved training, which must include, but
 232 is not limited to, training on:
- 233 (I) State and federal laws relating to child abuse.
- 234 (II) Authorized disciplinary sanctions and privilege
 235 restrictions under paragraph (7)(b) and prohibited harmful
 236 psychological intimidation techniques under paragraph (7)(c).
- 237 (III) Appropriate counseling techniques and aggression
 238 control methods.
- 239 (IV) Appropriate methods for dealing with children who
 240 have been placed in programs that emphasize physical fitness and
 241 personal discipline, including training on the identification
 242 of, and appropriate responses to, children who are experiencing
 243 physical or mental distress.
- 244 (V) Cardiopulmonary resuscitation, choke-relief, and other
 245 emergency medical procedures.
- 246 (b) All department-approved training courses under this
 247 subsection must be taught by one or more persons who are
 248 certified as, or who have completed the necessary education and

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249 training to be, an instructor for the course being taught. A
 250 training course in counseling techniques must be taught by a
 251 person who has at least a bachelor's degree in social work,
 252 counseling, psychology, or a related field.

253 (c) A person who exercises direct care, as defined in s.
 254 985.4055, in a sheriff's training and respect program prior to
 255 successful completion of the training requirements in this
 256 subsection must be directly supervised by a person who has
 257 successfully completed the training requirements in this
 258 subsection.

259 (10) Prior to release of a child from a sheriff's training
 260 and respect program, the child:

261 (a) Must be physically examined by a physician licensed
 262 under chapter 458 or chapter 459 or an advanced registered nurse
 263 practitioner licensed and certified under chapter 464. Any
 264 evidence of abuse as defined in s. 39.01(2) must be documented
 265 and immediately reported by the examiner to the statewide abuse
 266 registry and the department.

267 (b) Must sign an exit statement indicating whether his or
 268 her rights under this section were observed and whether he or
 269 she was subjected to any abuse as defined in s. 39.01(2),
 270 harmful psychological intimidation techniques, or violations of
 271 the Protective Action Response policy established in department
 272 rules adopted under s. 985.4055(2) (a). Any allegation by the
 273 child that:

274 1. He or she was subjected to abuse as defined in s.
 275 39.01(2) in the sheriff's training and respect program must be
 276 investigated by the Department of Children and Family Services
 277 under s. 39.302.

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278 2. His or her rights under this section were not observed
 279 or that he or she was subjected to harmful psychological
 280 intimidation techniques or to violations of the department's
 281 Protective Action Response policy must be investigated by the
 282 department's Inspector General.

283 (c) The sheriff's training and respect program shall
 284 deliver a copy of each child's exit statement at the time it is
 285 executed to:

286 1. The department in the manner prescribed under paragraph
 287 (7) (f).

288 2. The statewide abuse registry if it contains any
 289 allegation of abuse as defined in s. 39.01(2).

290 (11) The department must:

291 (a) Maintain records for each sheriff's training and
 292 respect program participant and shall monitor his or her
 293 recidivism, educational progress, and employment placement for
 294 at least 1 year following his or her release from the program.
 295 Recidivism statistics shall indicate the degree and severity of
 296 the criminal activity.

297 (b) Annually publish an outcome evaluation study of each
 298 sheriff's training and respect program that includes recidivism
 299 statistics.

300 (12) Children shall not be admitted to a sheriff's
 301 training and respect program until the department has adopted
 302 the rules required by this section and has verified that each
 303 program is in compliance with all laws and rules applicable to
 304 the program. The department may adopt emergency rules pursuant
 305 to s. 120.54(4) if necessary to allow operation of sheriff's
 306 training and respect programs beginning July 1, 2006.

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307 Section 7. Paragraph (i) of subsection (3) of section
 308 985.311, Florida Statutes, is amended to read:

309 985.311 Intensive residential treatment program for
 310 offenders less than 13 years of age.--

311 (3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND
 312 TREATMENT.--

313 (i) The treatment and placement recommendations shall be
 314 submitted to the court for further action pursuant to this
 315 paragraph:

316 1. If it is recommended that placement in an intensive
 317 residential treatment program for offenders less than 13 years
 318 of age is inappropriate, the court shall make an alternative
 319 disposition pursuant to s. 985.3091 ~~985.309~~ or other alternative
 320 sentencing as applicable, utilizing the recommendation as a
 321 guide.

322 2. If it is recommended that placement in an intensive
 323 residential treatment program for offenders less than 13 years
 324 of age is appropriate, the court may commit the child to the
 325 department for placement in the restrictiveness level designated
 326 for intensive residential treatment program for offenders less
 327 than 13 years of age.

328 Section 8. Section 985.4055, Florida Statutes, is created
 329 to read:

330 985.4055 Protective action response.--

331 (1) For purposes of this section, the term:

332 (a) "Direct care" means direct contact with youth for the
 333 purpose of providing care, supervision, custody, or control of
 334 youth in a detention facility, delinquency program, or
 335 commitment program within any restrictiveness level, which is

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336 operated by the department or by a provider under contract with
 337 the department.

338 (b) "Employee" means any person who exercises direct care.
 339 The term "employee" does not include a licensed medical
 340 professional, mental health counselor, substance abuse
 341 counselor, or social services counselor whose primary
 342 responsibilities are to provide treatment to youth in a
 343 detention facility, delinquency program, or commitment program
 344 within any restrictiveness level, which is operated by the
 345 department or by a provider under contract with the department.

346 (c) "Protective Action Response policy" means the policy
 347 governing the use of verbal and physical intervention
 348 techniques, mechanical restraints, aerosol and chemical agents,
 349 and Tasers by employees.

350 (d) "Taser" means any mechanism that is designed to emit
 351 or project an electronic, magnetic, or other type of charge or
 352 shock for the purpose of temporarily incapacitating a person.

353 (2) The department shall adopt rules under ss. 120.536(1)
 354 and 120.54 that:

355 (a) Establish a Protective Action Response policy that:

356 1. Defines the authorized level of response by an employee
 357 to each level of verbal or physical resistance by a youth.

358 2. Requires the use of verbal intervention techniques as
 359 the initial response by an employee to verbal or physical
 360 resistance by a youth, except where physical intervention
 361 techniques are necessary to prevent:

362 a. Physical harm to the youth, employee, or another
 363 person;

364 b. Property damage; or

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365 c. The youth from escaping or absconding from lawful
 366 supervision.

367 3. Defines authorized physical intervention techniques and
 368 the situations under which employees may use these techniques
 369 for youth. Pain compliance techniques and use of less than
 370 lethal force shall be prohibited, except where necessary to
 371 prevent:

372 a. Physical harm to the youth, employee, or another
 373 person;

374 b. Property damage; or

375 c. The youth from escaping or absconding from lawful
 376 supervision.

377
 378 Lethal force shall be prohibited, except where necessary to
 379 protect the employee or another person from an imminent threat
 380 of great bodily harm or death. Prior authorization by an
 381 employee's supervisor for the use of physical intervention
 382 techniques shall be obtained when practical.

383 4. Defines authorized use of mechanical restraints and the
 384 situations under which employees may use such restraints on
 385 youth. Prohibited uses of mechanical restraints shall include
 386 the use of neck restraints and the securing of a youth to a
 387 fixed object. Supervision requirements for youth who are secured
 388 in mechanical restraints shall include constant and direct
 389 visual monitoring by an employee for purposes of ensuring youth
 390 safety and ascertaining indications by the youth that restraints
 391 are no longer necessary. Prior authorization by an employee's
 392 supervisor for the use of mechanical restraints shall be
 393 obtained when practical.

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394 5. Prohibits the use of aerosol or chemical agents,
 395 including, but not limited to, oleoresin capsicum spray and
 396 ammonia capsules, on a youth unless required for medical
 397 treatment of the youth by a licensed medical professional.

398 6. Prohibits the use of a Taser on a youth.

399 (b) Establish training curriculums for protective action
 400 response certification of employees and instructors. The
 401 training curriculum for employee certification shall, at a
 402 minimum, require the employee to:

403 1. Complete instruction on the Protective Action Response
 404 policy.

405 2. Obtain a passing score:

406 a. On a written examination that tests the employee's
 407 knowledge and understanding of the Protective Action Response
 408 policy.

409 b. During an evaluation by an instructor of the employee's
 410 physically demonstrated ability to implement the Protective
 411 Action Response policy.

412 (c) Require training curriculums for protective action
 413 response certification of employees to be taught by instructors
 414 who have been certified under the training curriculum for
 415 protective action response certification of instructors.

416 (d) Except as provided in s. 985.3091(9) for specified
 417 certified officers, require each employee who was not certified
 418 by the department in protective action response prior to July 1,
 419 2006, to receive his or her protective action response
 420 certification by September 30, 2006, or within 90 calendar days
 421 following his or her date of hire, whichever date is later.

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422 (e) Require any employee who exercises direct care prior
 423 to receiving his or her protective action response certification
 424 to be directly supervised by an employee who has received his or
 425 her protective action response certification.

426 Section 9. Section 958.046, Florida Statutes, is amended
 427 to read:

428 958.046 Placement in county-operated boot camp programs
 429 for youthful offenders.--In counties where there are county-
 430 operated youthful offender boot camp programs, other than boot
 431 camps described in s. 958.04 or sheriff's training and respect
 432 programs in s. 985.3091 ~~985.309~~, the court may sentence a
 433 youthful offender to such a boot camp. In county-operated
 434 youthful offender boot camp programs, juvenile offenders shall
 435 not be commingled with youthful offenders.

436 Section 10. Paragraph (i) of subsection (3) of section
 437 985.31, Florida Statutes, is amended to read:

438 985.31 Serious or habitual juvenile offender.--

439 (3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND
 440 TREATMENT.--

441 (i) The treatment and placement recommendations shall be
 442 submitted to the court for further action pursuant to this
 443 paragraph:

444 1. If it is recommended that placement in a serious or
 445 habitual juvenile offender program or facility is inappropriate,
 446 the court shall make an alternative disposition pursuant to s.
 447 985.3091 ~~985.309~~ or other alternative sentencing as applicable,
 448 using ~~utilizing~~ the recommendation as a guide.

449 2. If it is recommended that placement in a serious or
 450 habitual juvenile offender program or facility is appropriate,
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451 the court may commit the child to the department for placement
 452 in the restrictiveness level designated for serious or habitual
 453 delinquent children programs.

454 Section 11. Section 985.314, Florida Statutes, is amended
 455 to read:

456 985.314 Commitment programs for juvenile felony
 457 offenders.--

458 (1) Notwithstanding any other law and regardless of the
 459 child's age, a child who is adjudicated delinquent, or for whom
 460 adjudication is withheld, for an act that would be a felony if
 461 committed by an adult, shall be committed to:

462 (a) A sheriff's training and respect boot camp program
 463 under s. 985.3091 ~~985.309~~ if the child has participated in an
 464 early delinquency intervention program as provided in s.
 465 985.305.

466 (b) A program for serious or habitual juvenile offenders
 467 under s. 985.31 or an intensive residential treatment program
 468 for offenders less than 13 years of age under s. 985.311, if the
 469 child has participated in an early delinquency intervention
 470 program and has completed a sheriff's training and respect boot
 471 ~~camp~~ program.

472 (c) A maximum-risk residential program, if the child has
 473 participated in an early delinquency intervention program, has
 474 completed a sheriff's training and respect boot camp program,
 475 and has completed a program for serious or habitual juvenile
 476 offenders or an intensive residential treatment program for
 477 offenders less than 13 years of age. The commitment of a child
 478 to a maximum-risk residential program must be for an

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479 indeterminate period, but may not exceed the maximum term of
 480 imprisonment that an adult may serve for the same offense.

481 (2) In committing a child to the appropriate program, the
 482 court may consider an equivalent program of similar intensity as
 483 being comparable to a program required under subsection (1).

484 Section 12. Cost of supervision and care waiver; pilot
 485 program.--

486 (1) For purposes of this section, the term:

487 (a) "Approved parenting class" means a class approved by
 488 the department under subsection (4).

489 (b) "Court" means a circuit court in the Fourth or
 490 Eleventh Judicial Circuits.

491 (c) "Department" means the Department of Juvenile Justice.

492 (d) "Parent" means a parent, as defined in s.
 493 985.2311(13), Florida Statutes, whose child's delinquency case
 494 comes before a circuit court in the Fourth or Eleventh Judicial
 495 Circuit.

496 (2) (a) Notwithstanding any contrary provision of s.
 497 985.2311, Florida Statutes, for the period of October 1, 2006,
 498 through June 30, 2009, the court shall enter an order waiving
 499 the fees required to be paid under s. 985.2311, Florida
 500 Statutes, by a parent if the parent successfully completes an
 501 approved parenting class and presents the court with notarized
 502 documentation of such completion.

503 (b) Participation in an approved parenting class under
 504 this subsection is voluntary and the parent is responsible for
 505 the payment of all costs associated with participation in the
 506 class.

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507 (c) A parent who fails to successfully complete an
 508 approved parenting class shall pay the full amount of fees
 509 required by s. 985.2311, Florida Statutes.

510 (d) A parent may only have fees waived under this
 511 subsection once.

512 (3) The Office of Program Policy and Government
 513 Accountability shall evaluate the pilot program created by this
 514 section and shall submit a written report to the appropriate
 515 substantive and fiscal committees of the Legislature, the
 516 Governor, and the Department of Juvenile Justice on September
 517 30, 2007, and annually thereafter, which identifies for the
 518 Fourth and Eleventh Judicial Circuits during the fiscal year
 519 preceding the report:

520 (a) The number of delinquency cases in which fees were
 521 required to be ordered under s. 985.2311, Florida Statutes, and
 522 the total amount of those fees.

523 (b) The number of delinquency cases in which parents
 524 agreed to complete an approved parenting class and the number of
 525 delinquency cases in which the parent submitted notarized
 526 documentation of successful completion to the court.

527 (c) The number of delinquency cases in which the court
 528 entered an order waiving fees under subsection (2) and the total
 529 amount of fees waived.

530 (d) The number of youth, as such data becomes available,
 531 who are taken into custody for a felony or misdemeanor within 6
 532 months following their release from department custody or
 533 supervision, whichever occurs later, and whose parents' fees
 534 under s. 985.2311, Florida Statutes, are:

535 1. Waived by court order under subsection (2).

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536 2. Not waived by court order under subsection (2).
537 (4) The department shall contract or otherwise arrange for
538 the provision of parenting courses in the Fourth and Eleventh
539 Judicial Circuits between October 1, 2006, through June 30,
540 2009.

541 (5) This section is repealed October 1, 2009.

542 Section 13. This act shall take effect July 1, 2006.

543

544 ===== T I T L E A M E N D M E N T =====

545 Remove the entire title and insert:

546 A bill to be entitled

547 An act relating to juvenile justice; providing a short

548 title; amending s. 39.01, F.S.; including specified law

549 enforcement officers in the definition of "other person

550 responsible for a child's welfare" for purposes of abuse

551 investigations; amending s. 985.2155, F.S.; revising the

552 definition of the term "fiscally constrained county" for

553 purposes of determining state payment of costs of juvenile

554 detention care; amending s. 985.231, F.S.; conforming

555 cross-references; repealing s. 985.309, F.S., relating to

556 boot camps for children; creating s. 985.3091, F.S.;

557 authorizing the department to contract with a county or

558 municipal law enforcement agency for sheriff's training

559 and respect programs; providing eligibility requirements

560 for children placed in the programs; specifying required

561 program offerings; specifying program participation time

562 frames; requiring a physician or nurse to provide youth

563 medical treatment during specified hours; requiring

564 compliance with the Protective Action Response policy;

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Amendment No. (for drafter's use only)

565 requiring the department to adopt rules on specified
566 subjects; defining and prohibiting "harmful psychological
567 intimidation techniques"; providing for evaluations and
568 contract cancellation under specified circumstances;
569 specifying staff training requirements; requiring the
570 department to adopt training rules; requiring specified
571 supervision for staff who provide direct care prior to
572 compliance with training requirements; requiring the
573 completion of exit physical examinations of, and exit
574 statements by, youth upon release from the program;
575 requiring investigations under specified circumstances;
576 requiring the department to maintain specified records and
577 complete an annual report; prohibiting the operation of a
578 program until department rules are adopted and the
579 department has verified program compliance with applicable
580 law and rules; authorizing emergency rules to expedite
581 implementation; amending s. 985.311, F.S.; conforming a
582 cross-reference; creating s. 985.4055, F.S.; providing
583 definitions; requiring the department to adopt rules
584 establishing a Protective Action Response policy;
585 specifying when verbal and physical intervention
586 techniques may be used; specifying prohibited uses of
587 mechanical restraints; prohibiting use of aerosol and
588 chemical agents and Tasers; requiring the department to
589 adopt rules establishing protection action response
590 training curriculums and certification procedures;
591 requiring department and provider direct care employees to
592 be certified in protective action response within
593 specified time frames and to be supervised prior to

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Amendment No. (for drafter's use only)

594 certification; amending ss. 958.046, 985.31, and 985.314,
 595 F.S.; conforming cross-references and terminology;
 596 creating the cost of supervision and care waiver pilot
 597 program in the Fourth and Eleventh Judicial Circuits;
 598 providing definitions; requiring waiver of fees imposed
 599 under s. 985.2311, F.S., for successful completion of
 600 specified parenting classes; providing conditions
 601 applicable to such waiver; providing for review of the
 602 pilot program and reports by the Office of Program Policy
 603 and Government Accountability; requiring the department to
 604 contract or otherwise arrange for the provision of
 605 parenting classes; providing for future repeal; providing
 606 an effective date.