By Senator Geller

31-265-06

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
5	sentenced to life or more than 10 years in
6	prison is eligible for parole if the child has
7	been incarcerated for a minimum period and has
8	not previously been adjudicated for certain
9	offenses; requiring that the child be
10	incarcerated in a youthful-offender facility;
11	providing for review of a child's eligibility
12	for parole by the Parole Commission; requiring
13	the commission to conduct an initial interview
14	with the child within a minimum time; providing
15	that, if the child is not granted parole by the
16	time the child reaches a specified age, or
17	after the child receives a second
18	parole-eligibility review before that age, the
19	child must be transferred from the
20	youthful-offender facility to an appropriate
21	adult facility; providing an effective date.
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23	Be It Enacted by the Legislature of the State of Florida:
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25	Section 1. Present subsection (4) of section 985.225,
26	Florida Statutes, is redesignated as subsection (5), and a new
27	subsection (4) is added to that section, to read:
28	985.225 Indictment of a juvenile
29	(4)(a) If the child is 15 years of age or younger and
30	is sentenced to life imprisonment or to a minimum term of
31	imprisonment in excess of 10 years, the child is eliqible for

parole when he or she has served 8 years of that sentence if 2 he or she has not previously been adjudicated for a violation 3 of: 4 1. Any offense specified in s. 775.084(1)(b)1.; 5 Section 784.03, relating to battery; 6 Section 827.03, relating to child abuse; or 7 4. Section 828.12, relating to cruelty to animals. 8 (b) Except as otherwise provided in s. 958.11(3), the 9 child shall be incarcerated in a facility for youthful 10 offenders. (c) The Parole Commission shall review the child's 11 12 eliqibility for release under ss. 947.16-947.26, except that 13 the commission shall conduct the initial interview with the child within 2 months after the initial date of confinement in 14 execution of the judgment. The age and maturity of the child 15 at the time of the offense and the wishes of the victim or the 16 17 victim's next of kin must be considered in establishing the 18 presumptive parole release date. If the child has not been granted parole by the time the child reaches 25 years of age, 19 or is not granted parole after a second eligibility review 2.0 21 conducted by the commission before the child reaches 25 years of age, the child shall be transferred from the facility for 2.2 23 youthful offenders to an appropriate facility for adults. Section 2. This act shall take effect July 1, 2006. 2.4 2.5 26 27 28 29 30 31

********** SENATE SUMMARY Provides that a child, 15 years of age or younger, who is sentenced to life or more than 10 years in prison is eligible for parole if he or she has been incarcerated for a minimum period and has no previous violation of certain offenses. Requires that the child be incarcerated in a youthful-offender facility. Provides for review of a child's eligibility for parole release by the Parole Commission. Requires the commission to conduct an interview with the child within 2 months after the initial date of confinement. Provides that, if the child is not granted parole by the time the child reaches the age of 25, or after the child receives a second parole eligibility review before that age, he or she must be transferred from the youthful-offender facility to an appropriate adult facility.