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CHAMBER ACTION

Senate

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House

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1 The Committee on Criminal Justice (Wise) recommended the
2 following **substitute for amendment (207442)**:

3
4 **Senate Amendment (with title amendment)**

5 Between line(s) 650 and 651

6 insert:

7 Section 13. Section 985.664, Florida Statutes, is amended
8 to read:

9 985.664 Juvenile justice circuit boards and juvenile
10 justice county councils.--

11 (1) There is created and authorized a juvenile justice
12 circuit board to be established in each of the 20 judicial
13 circuits and a juvenile justice county council to be established
14 in each of the 67 counties. The purpose of each juvenile justice
15 circuit board and each juvenile justice county council is to
16 provide advice and direction to the department in the development
17 and implementation of juvenile justice programs and to work

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18 | collaboratively with the department, the Department of Children
19 | and Family Services, and the governor's children and youth
20 | cabinet in seeking program improvements and policy changes to
21 | address the emerging and changing needs of Florida's youth who
22 | are in and at risk of delinquency and dependency.

23 | (2) Each juvenile justice county council shall develop a
24 | juvenile justice prevention and early intervention plan for the
25 | county and shall collaborate with the circuit board and other
26 | county councils assigned to that circuit in the development of a
27 | comprehensive plan for the circuit. The governor's children and
28 | youth cabinet based on the total comprehensive plan of each
29 | circuit shall monitor the local plans and design, direct, and
30 | monitor a statewide plan which shall be implemented by and
31 | through the boards and councils. And where beneficial boards and
32 | councils may implement through or recommend to the department,
33 | the governor's children and youth cabinet, or the Legislature a
34 | design or programs and projects in furtherance of and
35 | accomplishing the comprehensive plan.

36 | (3) Juvenile justice circuit boards and county councils
37 | shall also participate in facilitating interagency cooperation
38 | and information sharing by entering into a written county or
39 | circuit interagency agreement specifying the nature and extent of
40 | contributions each signatory agency will make in achieving the
41 | goals of the county or circuit plan and their commitment to the
42 | sharing of information useful in carrying out the goals of the
43 | interagency agreement to the extent authorized by law. The
44 | interagency agreement must include as parties, at a minimum,
45 | local school authorities or representatives, local law
46 | enforcement agencies, state attorneys, public defenders, and
47 | local representatives of the Department of Juvenile Justice and



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48 | the Department of Children and Family Services. The agreement
49 | must specify how community entities will cooperate, collaborate,
50 | and share information to achieve the goals of the juvenile
51 | justice prevention and early intervention plan or comprehensive
52 | plan of the circuit. The boards shall provide the forum for the
53 | presentation of interagency recommendations and the resolution of
54 | disagreements relating to the contents of the county or circuit
55 | interagency agreement or the performance by the parties of their
56 | respective obligations under the agreement.

57 | (4) Juvenile justice circuit boards and county councils may
58 | apply for and receive public or private grants to be administered
59 | by one of the community partners that support one or more
60 | components of the county or circuit plan and to be used as
61 | otherwise directed in their bylaws. To aid in this process, the
62 | department shall provide fiscal agency services for the boards
63 | and councils.

64 | (5) Juvenile justice circuit boards and county councils
65 | shall advise and assist the department in the evaluation and
66 | award of prevention and early intervention grant programs,
67 | including the Community Juvenile Justice Partnership Grant
68 | program established in s. 985.676 and proceeds from the Invest in
69 | Children license plate annual use fees.

70 | (6) Each juvenile justice circuit board shall provide an
71 | annual report to the department and the governor's children and
72 | youth cabinet describing the activities of the circuit board and
73 | each of the county councils contained within its circuit agreed
74 | upon and signed by each acting chair of the board and council.
75 | The department may prescribe a format and content requirements
76 | for submission of annual reports, and shall present and submit

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77 | it's annual legislative budget request reflecting the required
78 | material and fiscal needs of each board and council.

79 | (7) Membership of the juvenile justice circuit board may
80 | not exceed 18 members, except as provided in subsections (8) and
81 | (9). Members must include the state attorney, the public
82 | defender, and the chief judge of the circuit, or their respective
83 | designees who shall preside each on a rotating basis as chair in
84 | intervals of two year terms. The remaining 15 members of the
85 | board must be appointed by the county councils within that
86 | circuit. Notwithstanding county council members may serve as ex
87 | officio members of the juvenile justice circuit board. The board
88 | where possible for purposes of equity must be composed of an
89 | equal number of active members ~~include at least one~~
90 | ~~representative~~ from each county council within the circuit. In
91 | appointing members to the circuit board, the county councils must
92 | reflect:

93 | (a) The circuit's geography and population distribution.

94 | (b) Juvenile justice partners, including, but not limited
95 | to, representatives of law enforcement, the school system, and
96 | the Department of Children and Family Services.

97 | (c) Diversity in the judicial circuit.

98 | (8) At any time after the adoption of initial bylaws
99 | pursuant to subsection (12), and absent any county councils
100 | formed within a circuit, a juvenile justice circuit board may
101 | revise the bylaws to increase the number of members by not more
102 | than three in order to adequately reflect the diversity of the
103 | population and community organizations or agencies in the
104 | circuit.

105 | (9) If county councils are not formed within a circuit, the
106 | circuit board may establish its membership in accordance with



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107 subsection (10) of not more than 18 members. For juvenile justice
108 circuit boards organized pursuant to this subsection, the state
109 attorney, public defender, and chief circuit judge, or their
110 respective designees, shall be members of the circuit board.

111 (10) Membership of the juvenile justice county councils, or
112 juvenile justice circuit boards established under subsection (9),
113 may include representatives from the following entities:

114 (a) Representatives from the school district, which may
115 include elected school board officials, the school
116 superintendent, school or district administrators, teachers, and
117 counselors.

118 (b) Representatives of the board of county commissioners.

119 (c) Representatives of the governing bodies of local
120 municipalities within the county.

121 (d) A representative of the corresponding circuit or
122 regional entity of the Department of Children and Family
123 Services.

124 (e) Representatives of local law enforcement agencies,
125 including the sheriff or the sheriff's designee.

126 (f) Representatives of the judicial system.

127 (g) Representatives of the business community.

128 (h) Representatives of other interested officials, groups,
129 or entities, including, but not limited to, a children's services
130 council, public or private providers of juvenile justice programs
131 and services, students, parents, and advocates. Private providers
132 of juvenile justice programs may not exceed one-third of the
133 voting membership.

134 (i) Representatives of the faith community.

135 (j) Representatives of victim-service programs and victims
136 of crimes.



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137 (k) Representatives of the Department of Corrections.

138 (11) Each juvenile justice county council, or juvenile
139 justice circuit board established under subsection (9), must
140 provide for the establishment of an executive committee of not
141 more than 10 members. The duties and authority of the executive
142 committee must be addressed in the bylaws.

143 (12) Each juvenile justice circuit board and county council
144 shall develop and adopt bylaws that provide for officers and
145 committees as the board or council deems necessary and shall
146 specify the qualifications, method of selection, and term for
147 each office created, and other rules of procedure for it's
148 operation, provided such bylaws and rules are not inconsistent
149 with federal and state laws or county ordinances. The bylaws
150 shall address at least the following issues: process for
151 appointments to the board or council; election or appointment of
152 officers; filling of vacant positions; duration of member terms;
153 provisions for voting; meeting attendance requirements; and the
154 establishment and duties of an executive committee, if required
155 under subsection (11).

156 (13) Members of juvenile justice circuit boards and county
157 councils are subject to the provisions of part III of chapter 112.

158 (14) The secretary shall hold quarterly meetings with
159 chairpersons of the juvenile justice boards and councils and
160 governor's children and youth cabinet in order to:

161 (a) Advise juvenile justice board and council chairs of
162 statewide juvenile justice issues and activities.

163 (b) Provide feedback on prevention and intervention program
164 budget priorities.

165 (c) Obtain input into the strategic planning process.



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166 (d) Discuss program development, program implementation,
167 and quality assurance.

168 (15) Nongovernmental members of the juvenile justice circuit
169 boards and county councils shall serve without compensation, but
170 are entitled to receive per diem and travel expenses in accordance
171 with s. 112.061, Florida Statutes. The department shall provide to
172 each board and council an allotted fund if appropriated by the
173 Legislature, for the administration of it's duties.

174 (16) The department shall provide legal counsel on all
175 internal matters to the boards and councils where necessary as to
176 their duties, responsibilities, and jurisdiction.

177 Section 14. Subsection (1) of section 985.668, Florida
178 Statutes, is amended to read:

179 985.668 Innovation zones.--The department shall encourage
180 each of the juvenile justice circuit boards or councils to
181 propose at least one innovation zone within the circuit for the
182 purpose of implementing any experimental, pilot, or demonstration
183 project that furthers the legislatively established goals of the
184 department. An innovation zone is a defined geographic area such
185 as a circuit, commitment region, county, municipality, service
186 delivery area, school campus, or neighborhood providing a
187 laboratory for the research, development, and testing of the
188 applicability and efficacy of model programs, policy options, and
189 new technologies for the department.

190 (1)(a) The juvenile justice circuit board or council shall
191 submit a proposal for an innovation zone to the secretary. If the
192 purpose of the proposed innovation zone is to demonstrate that
193 specific statutory goals can be achieved more effectively by
194 using procedures that require modification of existing rules,
195 policies, or procedures, the proposal may request the secretary



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196 to waive such existing rules, policies, or procedures or to
197 otherwise authorize use of alternative procedures or practices.
198 Waivers of such existing rules, policies, or procedures must
199 comply with applicable state or federal law.

200 (b) For innovation zone proposals that the secretary
201 determines require changes to state law, the secretary may submit
202 a request for a waiver from such laws, together with any proposed
203 changes to state law, to the chairs of the appropriate
204 legislative committees for consideration.

205 (c) For innovation zone proposals that the secretary
206 determines require waiver of federal law, the secretary may
207 submit a request for such waivers to the applicable federal
208 agency.

209 Section 15. Section 985.676, Florida Statutes, is amended
210 to read:

211 985.676 Community juvenile justice partnership grants.--

212 (1) GRANTS; CRITERIA.--

213 (a) In order to encourage the development of county and
214 circuit juvenile justice plans and the development and
215 implementation of county and circuit interagency agreements under
216 s. 985.664, the community juvenile justice partnership grant
217 program is established and shall be administered by the
218 department.

219 (b) In awarding these grants, the department shall consider
220 applications that at a minimum provide for the following:

221 1. The participation of the agencies and programs needed to
222 implement the project or program for which the applicant is
223 applying;



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224 2. The reduction of truancy and in-school and out-of-school
225 suspensions and expulsions, the enhancement of school safety, and
226 other delinquency early-intervention and diversion services;

227 3. The number of youths from 10 through 17 years of age
228 within the geographic area to be served by the program, giving
229 those geographic areas having the highest number of youths from
230 10 to 17 years of age priority for selection;

231 4. The extent to which the program targets high-juvenile-
232 crime neighborhoods and those public schools serving juveniles
233 from high-crime neighborhoods;

234 5. The validity and cost-effectiveness of the program; and

235 6. The degree to which the program is located in and
236 managed by local leaders of the target neighborhoods and public
237 schools serving the target neighborhoods.

238 7. The development and implementation of the goals of the
239 local juvenile justice county council or circuit board, governor's
240 children and youth cabinet, and other department purposes.

241 (c) In addition, the department may consider the following
242 criteria in awarding grants:

243 1. The circuit juvenile justice plan and any county
244 juvenile justice plans that are referred to or incorporated into
245 the circuit plan, including a list of individuals, groups, and
246 public and private entities that participated in the development
247 of the plan.

248 2. The diversity of community entities participating in the
249 development of the circuit juvenile justice plan.

250 3. The number of community partners who will be actively
251 involved in the operation of the grant program.

252 4. The number of students or youths to be served by the
253 grant and the criteria by which they will be selected.



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254 5. The criteria by which the grant program will be
255 evaluated and, if deemed successful, the feasibility of
256 implementation in other communities.

257 (2) GRANT APPLICATION PROCEDURES.--

258 (a) Each entity wishing to apply for an annual community
259 juvenile justice partnership grant, which may be renewed for a
260 maximum of 2 additional years for the same provision of services,
261 unless subject to extension as prescribed under paragraph (3) of
262 this section, shall submit a grant proposal for funding or
263 continued funding to the department. The department shall
264 establish the grant application procedures. In order to be
265 considered for funding, the grant proposal shall include the
266 following assurances and information:

267 1. A letter from each ~~the~~ chair of the juvenile justice
268 circuit board and council confirming that the grant application
269 has been reviewed and found to support one or more purposes or
270 goals of the juvenile justice plan as developed by the board.

271 2. A rationale and description of the program and the
272 services to be provided, including goals and objectives.

273 3. A method for identification of the juveniles most likely
274 to be involved in the juvenile justice system who will be the
275 focus of the program.

276 4. Provisions for the participation of parents and
277 guardians in the program.

278 5. Coordination with other community-based and social
279 service prevention efforts, including, but not limited to, drug
280 and alcohol abuse prevention and dropout prevention programs,
281 that serve the target population or neighborhood.

282 6. An evaluation component to measure the effectiveness of
283 the program in accordance with s. 985.632.



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284 7. A program budget, including the amount and sources of
285 local cash and in-kind resources committed to the budget. The
286 proposal must establish to the satisfaction of the department
287 that the entity will make a cash or in-kind contribution to the
288 program of a value that is at least equal to 20 percent of the
289 amount of the grant.

290 8. The necessary program staff.

291 (b) The department shall consider and is required by the
292 following in awarding such grants:

293 1. The recommendations of the juvenile justice county
294 council as to the priority that should be given to proposals
295 submitted by entities within a county.

296 2. The recommendations of the juvenile justice circuit
297 board as to the priority that should be given to proposals
298 submitted by entities within a circuit.

299 3. First to fund and fulfill the local juvenile justice
300 county council or circuit board plans, secondarily, governor's
301 children and youth cabinet plan, and lastly, any other department
302 stated purpose.

303 (c) The department shall make available, to anyone wishing
304 to apply for such a grant, information on all of the criteria to
305 be used in the selection of the proposals for funding pursuant to
306 the provisions of this subsection.

307 (d) The department shall review all program proposals
308 submitted. Entities submitting proposals shall be notified of
309 approval not later than June 30 of each year.

310 (e) Each entity that is awarded a grant as provided for in
311 this section shall submit an annual evaluation report to the
312 department, the circuit juvenile justice manager, the juvenile
313 justice circuit board, and the juvenile justice county council,



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314 by a date subsequent to the end of the contract period
 315 established by the department, documenting the extent to which
 316 the program objectives have been met, the effect of the program
 317 on the juvenile arrest rate, and any other information required
 318 by the department. The department shall coordinate and
 319 incorporate all such annual evaluation reports with s. 985.632.
 320 Each entity is also subject to a financial audit and a
 321 performance audit.

322 (f) The department may establish rules and policy
 323 provisions necessary to implement this section.

324 (3) RESTRICTIONS.--This section does not prevent a program
 325 initiated under a community juvenile justice partnership grant
 326 established pursuant to this section from continuing to operate
 327 beyond the 3-year maximum funding period if it can find other
 328 funding sources. Likewise, this section does not restrict the
 329 number of programs an entity may apply for or operate.

330
 331 (Redesignate subsequent section.)

332
 333 ===== T I T L E A M E N D M E N T =====

334 And the title is amended as follows:

335 Delete line 694

336 and insert:

337 985.721, F.S.; conforming cross-references; amending s.
 338 985.664, F.S., authorizing juvenile justice boards and
 339 county councils to implement through or recommend to the
 340 Department, the governor's children and youth cabinet, or
 341 the Legislature programs furthering the comprehensive
 342 plan; requiring the department to present its annual
 343 legislative budget request reflecting required material



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344 and fiscal needs of each board and council; changing
345 membership of the circuit boards and county councils;
346 requiring the department to provide legal counsel and
347 fiscal agency services to boards and councils; specifying
348 the parties to an interagency agreement; amending s.
349 985.668, F.S., authorizing county councils to propose
350 innovation zones within the circuit; amending s. 985.676,
351 F.S., providing additional requirements the department
352 must consider in awarding certain grants; establishing a
353 required prioritization for awarding such grants;
354 providing an