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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
3/25/2008	.	
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1 The Committee on Criminal Justice (Wise) recommended the  
 2 following **amendment to amendment (841552)**:

**Senate Amendment (with title amendment)**

Delete line(s) 917-1140

and insert:

Section 17. Section 985.664, Florida Statutes, is amended to read:

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

(1) There is created and authorized a juvenile justice circuit board to be established in each of the 20 judicial circuits and a juvenile justice county council to be established in each of the 67 counties. The purpose of each juvenile justice circuit board and each juvenile justice county council is to provide advice and direction to the department in the development 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.

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

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

76 (7) Membership of the juvenile justice circuit board may  
77 not exceed 18 members, except as provided in subsections (8) and



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78 (9). Members must include the state attorney, the public  
79 defender, and the chief judge of the circuit, or their respective  
80 designees who shall preside each on a rotating basis as chair in  
81 intervals of two year terms. The remaining 15 members of the  
82 board must be appointed by the county councils within that  
83 circuit. Notwithstanding county council members may serve as ex  
84 officio members of the juvenile justice circuit board. The board  
85 where possible for purposes of equity must be composed of an  
86 equal number of members ~~include at least one representative~~ from  
87 each county council within the circuit, taking into account  
88 differences in population. In appointing members to the circuit  
89 board, the county councils must reflect:

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

91 (b) Juvenile justice partners, including, but not limited  
92 to, representatives of law enforcement, the school system, and  
93 the Department of Children and Family Services.

94 (c) Diversity in the judicial circuit.

95 (d) Representation from residents of the targeted high-  
96 crime zip code communities as identified by the department and  
97 based on referral rates within the county.

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  
107 subsection (10) of not more than 18 members. For juvenile justice



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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 must include representation from residents of the targeted high-  
114 crime zip code communities as identified by the department and  
115 based on referral rates within the county and may also include  
116 representatives from the following entities:

117 (a) Representatives from the school district, which may  
118 include elected school board officials, the school  
119 superintendent, school or district administrators, teachers, and  
120 counselors.

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

122 (c) Representatives of the governing bodies of local  
123 municipalities within the county.

124 (d) A representative of the corresponding circuit or  
125 regional entity of the Department of Children and Family  
126 Services.

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

129 (f) Representatives of the judicial system.

130 (g) Representatives of the business community.

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

137 (i) Representatives of the faith community.

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138 (j) Representatives of victim-service programs and victims  
139 of crimes.

140 (k) Representatives of the Department of Corrections.

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

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

159 (13) The secretary shall meet at least annually,  
160 individually or collectively, by phone or in person, with the  
161 chair of the juvenile justice circuit boards and the Children and  
162 Youth Cabinet in order to:

163 1. Advise juvenile justice circuit board chairs of  
164 statewide juvenile justice issues and activities.

165 2. Provide and receive comments on prevention and  
166 intervention program budget priorities.

167 3. Provide and receive comments on the planning process.



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168        4. Discuss program development, program implementation,  
169 quality assurance, and program outcomes.

170        ~~(14)~~(13) Members of juvenile justice circuit boards and  
171 county councils are subject to the provisions of part III of  
172 chapter 112.

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

176        Section 18. Subsection (1) of section 985.668, Florida  
177 Statutes, is amended to read:

178        985.668 Innovation zones.--The department shall encourage  
179 each of the juvenile justice circuit boards or councils to  
180 propose at least one innovation zone within the circuit for the  
181 purpose of implementing any experimental, pilot, or demonstration  
182 project that furthers the legislatively established goals of the  
183 department. An innovation zone is a defined geographic area such  
184 as a circuit, commitment region, county, municipality, service  
185 delivery area, school campus, or neighborhood providing a  
186 laboratory for the research, development, and testing of the  
187 applicability and efficacy of model programs, policy options, and  
188 new technologies for the department.

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



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197 Waivers of such existing rules, policies, or procedures must  
198 comply with applicable state or federal law.

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

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

208 Section 19. Section 985.676, Florida Statutes, is amended  
209 to read:

210 985.676 Community juvenile justice partnership grants.--

211 (1) GRANTS; CRITERIA.--

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

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

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

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





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

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

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

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

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

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

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

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

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

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

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



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256 (2) GRANT APPLICATION PROCEDURES.--

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

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

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

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

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

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

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

283 7. A program budget, including the amount and sources of  
284 local cash and in-kind resources committed to the budget. The  
285 proposal must establish to the satisfaction of the department



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286 that the entity will make a cash or in-kind contribution to the  
287 program of a value that is at least equal to 20 percent of the  
288 amount of the grant.

289 8. The necessary program staff.

290 (b) The department shall consider the following in awarding  
291 such grants:

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

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

298

299 As the first priority, the department shall fund applications  
300 that meet the requirements of this section and also fulfill the  
301 local juvenile circuit board plans.

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

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

309 (e) Each entity that is awarded a grant as provided for in  
310 this section shall submit an annual evaluation report to the  
311 department, the circuit juvenile justice manager, the juvenile  
312 justice circuit board, and the juvenile justice county council,  
313 by a date subsequent to the end of the contract period  
314 established by the department, documenting the extent to which  
315 the program objectives have been met, the effect of the program



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316 on the juvenile arrest rate, and any other information required  
 317 by the department. The department shall coordinate and  
 318 incorporate all such annual evaluation reports with s. 985.632.  
 319 Each entity is also subject to a financial audit and a  
 320 performance audit.

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

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

329  
 330 (Redesignate subsequent sections.)

331  
 332 ===== T I T L E A M E N D M E N T =====

333 And the title is amended as follows:

334 Delete line(s) 1267-1272

335 and insert:

336 to adopt rules; amending s. 985.664, F.S., authorizing  
 337 juvenile justice boards and county councils to implement  
 338 through or recommend to the Department, the governor's  
 339 children and youth cabinet, or the Legislature programs  
 340 furthering the comprehensive plan; requiring the  
 341 department to present its annual legislative budget  
 342 request reflecting required fiscal needs of each board and  
 343 council; changing membership of the circuit boards and  
 344 county councils; requiring the department to provide  
 345 counsel to boards and councils; specifying the parties to



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346 | an interagency agreement; amending s. 985.668, F.S.,  
347 | authorizing county councils to propose innovation zones  
348 | within the circuit; amending s. 985.676, F.S., providing  
349 | additional requirements the department must consider in  
350 | awarding certain grants; establishing a required  
351 | prioritization for awarding such grants; creating s.  
352 | 1006.125,