



101432

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2009	.	
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The Committee on Criminal Justice (Siplin) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (5) is added to section 20.316, Florida Statutes, to read:

20.316 Department of Juvenile Justice.—There is created a Department of Juvenile Justice.

(5) RESEARCH INSTITUTE.—The department shall establish the Juvenile Justice Policy Research Institute, which shall be headed by a director. The institute shall be the principal unit



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12 for research services within the department and shall provide
13 technical assistance, best practices, and policy and research
14 assistance and support to the department's policymakers.

15 Section 2. Paragraph (c) of subsection (1) of section
16 27.51, Florida Statutes, is amended to read:

17 27.51 Duties of public defender.—

18 (1) The public defender shall represent, without additional
19 compensation, any person determined to be indigent under s.
20 27.52 and:

21 (c) Alleged to be a delinquent child at all stages of any
22 delinquency court proceedings pursuant to a petition filed
23 before a circuit court;

24 Section 3. Paragraph (i) is added to subsection (4) of
25 section 394.492, Florida Statutes, to read:

26 394.492 Definitions.—As used in ss. 394.490-394.497, the
27 term:

28 (4) "Child or adolescent at risk of emotional disturbance"
29 means a person under 18 years of age who has an increased
30 likelihood of becoming emotionally disturbed because of risk
31 factors that include, but are not limited to:

32 (i) Being 9 years of age or younger at the time of referral
33 for a delinquent act.

34 Section 4. Subsection (9) of section 984.03, Florida
35 Statutes, is amended to read:

36 984.03 Definitions.—When used in this chapter, the term:

37 (9) "Child in need of services" means a child for whom
38 there is no pending investigation into an allegation or
39 suspicion of abuse, neglect, or abandonment; no pending referral
40 alleging the child is delinquent, except for a child 9 years of



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41 age or younger who is referred to the department; or no current
42 supervision by the department ~~of Juvenile Justice~~ or the
43 Department of Children and Family Services for an adjudication
44 of dependency or delinquency. The child must also, pursuant to
45 this chapter, be found by the court:

46 (a) To have persistently run away from the child's parents
47 or legal custodians despite reasonable efforts of the child, the
48 parents or legal custodians, and appropriate agencies to remedy
49 the conditions contributing to the behavior. Reasonable efforts
50 shall include voluntary participation by the child's parents or
51 legal custodians and the child in family mediation, services,
52 and treatment offered by the Department of Juvenile Justice or
53 the Department of Children and Family Services;

54 (b) To be habitually truant from school, while subject to
55 compulsory school attendance, despite reasonable efforts to
56 remedy the situation pursuant to ss. 1003.26 and 1003.27 and
57 through voluntary participation by the child's parents or legal
58 custodians and by the child in family mediation, services, and
59 treatment offered by the Department of Juvenile Justice or the
60 Department of Children and Family Services; ~~or~~

61 (c) To have persistently disobeyed the reasonable and
62 lawful demands of the child's parents or legal custodians, and
63 to be beyond their control despite efforts by the child's
64 parents or legal custodians and appropriate agencies to remedy
65 the conditions contributing to the behavior. Reasonable efforts
66 may include such things as good faith participation in family or
67 individual counseling; or

68 (d) To be 9 years of age or younger and have been referred
69 to the department for committing a delinquent act.



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70 Section 5. Subsection (7) of section 985.03, Florida
71 Statutes, is amended to read:

72 985.03 Definitions.—As used in this chapter, the term:

73 (7) "Child in need of services" means a child for whom
74 there is no pending investigation into an allegation or
75 suspicion of abuse, neglect, or abandonment; no pending referral
76 alleging the child is delinquent; or no current supervision by
77 the department or the Department of Children and Family Services
78 for an adjudication of dependency or delinquency. The child must
79 also, under this chapter, be found by the court:

80 (a) To have persistently run away from the child's parents
81 or legal custodians despite reasonable efforts of the child, the
82 parents or legal custodians, and appropriate agencies to remedy
83 the conditions contributing to the behavior. Reasonable efforts
84 shall include voluntary participation by the child's parents or
85 legal custodians and the child in family mediation, services,
86 and treatment offered by the department or the Department of
87 Children and Family Services;

88 (b) To be habitually truant from school, while subject to
89 compulsory school attendance, despite reasonable efforts to
90 remedy the situation under ss. 1003.26 and 1003.27 and through
91 voluntary participation by the child's parents or legal
92 custodians and by the child in family mediation, services, and
93 treatment offered by the Department of Juvenile Justice or the
94 Department of Children and Family Services; or

95 (c) To have persistently disobeyed the reasonable and
96 lawful demands of the child's parents or legal custodians, and
97 to be beyond their control despite efforts by the child's
98 parents or legal custodians and appropriate agencies to remedy



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99 the conditions contributing to the behavior. Reasonable efforts
100 may include such things as good faith participation in family or
101 individual counseling.

102 Section 6. Section 409.9025, Florida Statutes, is amended
103 to read:

104 409.9025 Eligibility while an inmate or in certain juvenile
105 programs.—

106 (1) Notwithstanding any other provision of law other than
107 s. 409.9021, in the event that a person who is an inmate in the
108 state's correctional system as defined in s. 944.02, in a county
109 detention facility as defined in s. 951.23, or in a municipal
110 detention facility as defined in s. 951.23 or committed to a
111 high-risk residential or maximum-risk residential juvenile
112 program as defined in s. 985.03(44) was in receipt of medical
113 assistance under this chapter immediately prior to being
114 admitted as an inmate or committed, such person shall remain
115 eligible for medical assistance while an inmate or while
116 committed, except that no medical assistance shall be furnished
117 under this chapter for any care, services, or supplies provided
118 during such time as the person is an inmate or is committed;
119 however, nothing in this section shall be deemed as preventing
120 the provision of medical assistance for inpatient hospital
121 services furnished to such person ~~an inmate~~ at a hospital
122 outside of the premises of the place of incarceration or
123 commitment ~~inmate's facility~~ to the extent that federal
124 financial participation is available for the costs of such
125 services.

126 (2) Upon release from incarceration or commitment, such
127 person shall continue to be eligible for receipt of medical



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128 assistance furnished under this chapter until such time as the
129 person is otherwise determined to no longer be eligible for such
130 assistance.

131 (3) To the extent permitted by federal law, the time during
132 which such person is an inmate or was committed to a juvenile
133 program described in subsection (1) shall not be included in any
134 calculation of when the person must recertify his or her
135 eligibility for medical assistance in accordance with this
136 chapter.

137 Section 7. Subsection (1) of section 985.125, Florida
138 Statutes, is amended to read:

139 985.125 Prearrest or postarrest diversion programs.—

140 (1) A law enforcement agency, ~~or~~ school district, county,
141 municipality, or the department, in cooperation with the state
142 attorney, is encouraged to ~~may~~ establish a prearrest or
143 postarrest diversion programs for first-time misdemeanor
144 offenders and offenders who are 9 years of age or younger
145 program.

146 Section 8. Section 985.165, Florida Statutes, is created to
147 read:

148 985.165 Diversion of first-time drug possession offenders.—

149 (1) The Legislature finds that drug involvement, especially
150 among young adolescents, is best addressed through informal
151 settings. Placing young, minor offenders in detention is more
152 costly and does not provide the most appropriate mechanism for
153 treatment. Diversion of a youth whose first referral is for drug
154 possession into substance abuse services programs should result
155 in fewer youth placed on probation or in other formal
156 dispositions and more appropriate and effective handling of



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157 youth arrested on drug charges. Diversion of such youth should
158 also prevent young offenders from exposure to more serious
159 offenders.

160 (2) The state shall fund community-based substance abuse
161 intervention, evaluation, and treatment services programs in
162 each judicial circuit. A youth who has not previously been
163 referred to the juvenile justice system for any offense and
164 whose first referral is for a controlled substance possession in
165 violation of s. 893.13(6) shall be diverted into a substance
166 abuse services program.

167 Section 9. Subsection (2) of section 985.245, Florida
168 Statutes, is amended to read:

169 985.245 Risk assessment instrument.—

170 (2) (a) The risk assessment instrument for detention care
171 placement determinations and court orders shall be developed by
172 the department in agreement with a committee composed of two
173 representatives appointed by the ~~following associations: the~~
174 Conference of Circuit Judges of Florida, the Prosecuting
175 Attorneys Association, the Public Defenders Association, the
176 Florida Sheriffs Association, and the Florida Association of
177 Chiefs of Police. Each association shall appoint two
178 individuals, one representing an urban area and one representing
179 a rural area. The committee must also include two
180 representatives from child advocacy organizations appointed by
181 the secretary of the department. The parties involved shall
182 evaluate and revise the risk assessment instrument as is
183 considered necessary using the method for revision as agreed by
184 the parties.

185 (b) The risk assessment instrument shall take into



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186 consideration, but need not be limited to, prior history of
187 failure to appear, prior offenses, offenses committed pending
188 adjudication, any unlawful possession of a firearm, theft of a
189 motor vehicle or possession of a stolen motor vehicle, and
190 probation status at the time the child is taken into custody.
191 The risk assessment instrument shall also take into
192 consideration appropriate aggravating and mitigating
193 circumstances, and ~~shall~~ be designed to identify target a
194 narrower population of children than the population identified
195 under s. 985.255. The risk assessment instrument shall also
196 include any information concerning the child's history of abuse
197 and neglect. The risk assessment shall indicate whether
198 detention care is warranted, and, if detention care is
199 warranted, whether the child should be placed into secure,
200 nonsecure, or home detention care.

201 (c) The risk assessment instrument shall be independently
202 validated. The department shall review the population, policies,
203 and procedures affecting the use of detention every 7 years and
204 determine the necessity of revalidating the risk assessment
205 instrument. Validation shall include an assessment of the
206 effectiveness of the instrument's ability to measure the risk
207 that the child will commit a repeat offense or fail to appear
208 for court proceedings. The risk assessment instrument shall also
209 be evaluated to determine if the instrument contributes to
210 disproportionate minority contact.

211 Section 10. Paragraph (e) is added to subsection (1) of
212 section 985.441, Florida Statutes, to read:

213 985.441 Commitment.—

214 (1) The court that has jurisdiction of an adjudicated



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215 delinquent child may, by an order stating the facts upon which a
216 determination of a sanction and rehabilitative program was made
217 at the disposition hearing:

218 (e) Commit the child to the department for placement in a
219 mother-infant program designed to serve the needs of the
220 juvenile mothers or expectant juvenile mothers who are committed
221 as delinquents. The department's mother-infant program must be
222 licensed as a child care facility in accordance with s. 402.308,
223 and must provide the services and support necessary to enable
224 the committed juvenile mothers to provide for the needs of their
225 infants who, upon agreement of the mother, may accompany them in
226 the program. The department shall adopt rules to govern the
227 operation of such programs.

228 Section 11. Section 985.461, Florida Statutes, is created
229 to read:

230 985.461 Transition planning team.—Prior to exiting juvenile
231 justice commitment programs, all youth shall have made available
232 to them the services of an identified community-based,
233 interagency transition planning team to facilitate a
234 comprehensive, multiagency reintegration of each youth into the
235 community. Transition planning teams shall address issues that
236 include the youth's housing, education, and employability.

237 Section 12. Section 985.495, Florida Statutes, is created
238 to read:

239 985.495 Aftercare services for girls.—The department shall
240 require community-based, gender-specific aftercare services for
241 girls transitioning from department programs. Such programs
242 shall include, but are not limited to, mental health, substance
243 abuse, family counseling and crisis intervention, education and



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244 vocational training, and independent or transitional living
245 alternatives. The department shall place such girls under the
246 supervision of a female probation or conditional release case
247 manager. A female caseload supervision team shall be established
248 if the number of girls under supervision justifies it.

249 Section 13. Section 985.622, Florida Statutes, is amended
250 to read:

251 985.622 Multiagency plan for vocational education.—

252 (1) The Department of Juvenile Justice and the Department
253 of Education shall, in consultation with the statewide Workforce
254 Development Youth Council, school districts, providers, and
255 others, jointly develop a multiagency plan for vocational
256 education that establishes the curriculum, goals, and outcome
257 measures for vocational programs in juvenile commitment
258 facilities. Vocational training providing educational credits or
259 nationally recognized certification shall be available in all
260 juvenile justice day treatment programs and residential
261 commitment programs. The department shall work with the Agency
262 for Workforce Innovation and Workforce Florida, Inc., to ensure
263 that all job skills training is in areas directly tied to
264 careers listed on Florida's targeted occupation list. The plan
265 must include the following:

266 (a) Provisions for maximizing appropriate state and federal
267 funding sources, including funds under the Workforce Investment
268 Act and the Perkins Act.†

269 (b) The responsibilities of both departments and all other
270 appropriate entities; ~~and~~

271 ~~(c) A detailed implementation schedule.~~

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273 ~~The plan must be submitted to the Governor, the President of the~~
274 ~~Senate, and the Speaker of the House of Representatives by May~~
275 ~~1, 2001.~~

276 (2) ~~The plan must define~~ Vocational programming must be
277 ~~that is~~ appropriate based upon:

278 (a) The age and assessed educational abilities and goals of
279 the youth to be served; and

280 (b) The typical length of stay and custody characteristics
281 at the commitment program to which each youth is assigned.

282 (3) The plan must include a definition of vocational
283 programming that includes the following classifications of
284 commitment facilities that will offer vocational programming by
285 one of the following types:

286 (a) *Type A.*—Programs that teach personal accountability
287 skills and behaviors that are appropriate for youth in all age
288 groups and ability levels and that lead to work habits that help
289 maintain employment and living standards.

290 (b) *Type B.*—Programs that include Type A program content
291 and an orientation to the broad scope of career choices, based
292 upon personal abilities, aptitudes, and interests. Exploring and
293 gaining knowledge of occupation options and the level of effort
294 required to achieve them are essential prerequisites to skill
295 training.

296 (c) *Type C.*—Programs that include Type A program content
297 and the vocational competencies or the prerequisites needed for
298 entry into a specific occupation.

299 (4) Vocational programming shall ~~The plan must also address~~
300 ~~strategies to~~ facilitate involvement of business and industry in
301 the design, delivery, and evaluation of vocational programming



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302 in juvenile justice commitment facilities and conditional
303 release programs, including apprenticeship and work experience
304 programs, mentoring and job shadowing, and other strategies that
305 lead to postrelease employment. Incentives for business
306 involvement, such as tax breaks, bonding, and liability limits
307 should be investigated, implemented where appropriate, or
308 recommended to the Legislature for consideration.

309 (5) The department ~~of Juvenile Justice~~ and the Department
310 of Education shall each align its respective agency policies,
311 practices, technical manuals, contracts, quality-assurance
312 standards, performance-based-budgeting measures, and outcome
313 measures with the plan in commitment facilities ~~by July 31,~~
314 ~~2001. Each agency shall provide a report on the implementation~~
315 ~~of this section to the Governor, the President of the Senate,~~
316 ~~and the Speaker of the House of Representatives by August 31,~~
317 ~~2001.~~

318 (6) All provider contracts executed by the department ~~of~~
319 ~~Juvenile Justice~~ or the school districts ~~after January 1, 2002,~~
320 must be aligned with the plan.

321 (7) The planning and execution of quality assurance reviews
322 conducted by the department or the Department of Education ~~or~~
323 ~~the Department of Juvenile Justice after August 1, 2002,~~ must be
324 aligned with the plan.

325 (8) Outcome measures reported by the department ~~of Juvenile~~
326 ~~Justice~~ and the Department of Education for youth ~~released on or~~
327 ~~after January 1, 2002,~~ should include outcome measures that
328 conform to the plan.

329 Section 14. Subsection (7) is added to section 985.644,
330 Florida Statutes, to read:



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331 985.644 Departmental contracting powers; personnel
332 standards and screening.-

333 (7) The department shall conduct demonstration projects
334 that emphasize the benefits of outcome-based contracting with
335 critical interim performance standard requirements in lieu of
336 compliance-based contracts. The department may contract for such
337 projects based upon interim and long-term outcome performance
338 measures. Such projects shall be completed by December 31, 2010.

339 Section 15. Subsection (3) of section 435.04, Florida
340 Statutes, is amended to read:

341 435.04 Level 2 screening standards.-

342 (3) The security background investigations conducted under
343 this section for employees of the Department of Juvenile Justice
344 must ensure that no persons subject to the provisions of this
345 section have been found guilty of, regardless of adjudication,
346 or entered a plea of nolo contendere or guilty to, any offense
347 prohibited under any of the following provisions of the Florida
348 Statutes or under any similar statute of another jurisdiction:

349 (a) Section 784.07, relating to assault or battery of law
350 enforcement officers, firefighters, emergency medical care
351 providers, public transit employees or agents, or other
352 specified officers.

353 (b) Section 810.02, relating to burglary, if the offense is
354 a felony.

355 (c) Section 944.40, relating to escape.

356
357 The Department of Juvenile Justice may not remove a
358 disqualification from employment or grant an exemption to any
359 person who is disqualified under this section for any offense



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360 disposed of during the most recent 7-year period. However, the
361 Department of Juvenile Justice may authorize the hiring of a
362 person for employment in youth facilities who was formerly in a
363 juvenile justice system program and exited it successfully if
364 the person has not been arrested for or charged with any offense
365 in the adult criminal justice system or, for a period of 5 years
366 prior to hiring, had a delinquency petition filed against him or
367 her.

368 Section 16. Paragraph (b) of subsection (1) of section
369 985.644, Florida Statutes, is amended to read:

370 985.644 Departmental contracting powers; personnel
371 standards and screening.—

372 (1) The Department of Juvenile Justice or the Department of
373 Children and Family Services, as appropriate, may contract with
374 the Federal Government, other state departments and agencies,
375 county and municipal governments and agencies, public and
376 private agencies, and private individuals and corporations in
377 carrying out the purposes of, and the responsibilities
378 established in, this chapter.

379 (b) The Department of Juvenile Justice and the Department
380 of Children and Family Services shall require employment
381 screening pursuant to chapter 435, using the level 2 standards
382 set forth in that chapter for personnel in programs for children
383 or youths. The Department of Juvenile Justice may conditionally
384 hire juvenile justice employees upon successful completion of a
385 preliminary background screening, but prior to completion of a
386 full background screening, on the condition that no direct
387 contact with children occurs when the employee is located in
388 facility housing a program for which background screening is



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389 required or on the grounds of a facility where youth are
390 located.

391 Section 17. Subsection (14) is added to section 985.664,
392 Florida Statutes, to read:

393 985.664 Juvenile justice circuit boards and juvenile
394 justice county councils.—

395 (14) Subject to specific legislative appropriation,
396 juvenile justice circuit boards and juvenile justice county
397 councils shall receive local discretionary grant prevention
398 funds that they may allocate to meet the specific needs within
399 their local communities.

400 Section 18. Paragraph (c) of subsection (1) of section
401 1011.62, Florida Statutes, is amended to read:

402 1011.62 Funds for operation of schools.—If the annual
403 allocation from the Florida Education Finance Program to each
404 district for operation of schools is not determined in the
405 annual appropriations act or the substantive bill implementing
406 the annual appropriations act, it shall be determined as
407 follows:

408 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
409 OPERATION.—The following procedure shall be followed in
410 determining the annual allocation to each district for
411 operation:

412 (c) *Determination of programs.*—Cost factors based on
413 desired relative cost differences between the following programs
414 shall be established in the annual General Appropriations Act.
415 The Commissioner of Education shall specify a matrix of services
416 and intensity levels to be used by districts in the
417 determination of the two weighted cost factors for exceptional



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418 students with the highest levels of need. For these students,
419 the funding support level shall fund the exceptional students'
420 education program, with the exception of extended school year
421 services for students with disabilities.

- 422 1. Basic programs.—
- 423 a. Kindergarten and grades 1, 2, and 3.
 - 424 b. Grades 4, 5, 6, 7, and 8.
 - 425 c. Grades 9, 10, 11, and 12.
- 426 2. Programs for exceptional students.—
- 427 a. Support Level IV.
 - 428 b. Support Level V.
 - 429 3. Secondary career education programs.
 - 430 4. English for Speakers of Other Languages.
 - 431 5. Juvenile justice education programs.

432 Section 19. (1) The Department of Juvenile Justice shall
433 create a Disproportionate Minority Contact Task Force. The
434 secretary of the department shall appoint the members of the
435 task force, which shall include representation from education,
436 law enforcement, state attorneys, public defenders, the state
437 court system, faith communities, juvenile justice service
438 providers, advocacy organizations, members from communities most
439 affected, and other stakeholders. The goal of the task force
440 shall be to reduce disproportionate minority contact, statewide,
441 consistent with the federal Juvenile Justice and Delinquency
442 Prevention Act of 1974, as amended. Members of the task force
443 who are not government employees shall serve without
444 compensation but are entitled to receive reimbursement for
445 travel and per diem expenses as provided in s. 112.061, Florida
446 Statutes. The task force shall:



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447 (a) Work with each local juvenile justice board and council
448 to develop a disproportionate minority contact reduction plan
449 for its area.

450 (b) Develop, in conjunction with the department,
451 requirements for every entity with which the department works,
452 throughout its continuum of services, to implement the
453 strategies, policies, and practices to reduce disproportionate
454 minority contact.

455 (c) Assist the department in developing ongoing cultural
456 sensitivity and cultural competence training for department and
457 provider staff to facilitate their participation in
458 disproportionate minority contact reduction plans and
459 strategies.

460 (d) Assist the department in developing training and
461 education classes to be made available to local law enforcement,
462 school system, and court personnel and other identified local
463 stakeholders.

464 (e) Assist the department in developing a strategic plan to
465 reduce disproportionate minority contact and over-
466 representation, which shall include strategies such as
467 restorative decisionmaking practices, to offer alternatives
468 aimed at preventing movement of youth to the next level of
469 intervention at the point of school disciplinary decisions,
470 arrest, charging, disposition, and placement.

471 (f) Assist the department and the juvenile justice boards
472 and councils in establishing comprehensive partnerships with
473 faith-based and community-based organizations that will be
474 minority-led, citizen-based, nonprofit organizations designed
475 and prepared to handle the range of responsibilities for



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476 responding to the needs of underserved youth.

477 (g) Submit a report to the Governor, the President of the
478 Senate, and the Speaker of the House of Representatives by July
479 1, 2010, summarizing its activities. The report shall also
480 include any specific recommendations for legislative action. The
481 task force is dissolved upon the submission of its report.

482 (2) The Department of Juvenile Justice shall establish a
483 pilot project for the reduction of disproportionate minority
484 contact in each of eight counties for a 3-year period. In each
485 county, the goals of the pilot project shall be to reduce
486 minority representation in and the overall number of youth and
487 school-based referrals to the juvenile justice system, reduce
488 minority representation in out-of-school suspensions and
489 expulsions, and reduce minority representation in the number of
490 youth held in secure detention or committed to residential
491 detention. The department shall submit preliminary reports
492 concerning the pilot projects to the Governor, the President of
493 the Senate, and the Speaker of the House of Representatives by
494 July 1, 2010, and July 1, 2011. The department shall submit a
495 final report concerning the pilot projects by January 1, 2012.
496 The final report must include any specific recommendations for
497 legislative action during the 2012 Regular Session of the
498 Legislature. The pilot projects shall terminate on June 30,
499 2012.

500 Section 20. (1) The Legislature finds that Florida's
501 communities have much to offer youth and their families who are
502 involved in the juvenile justice system. Placement of a youth
503 far away from his or her home community weakens community
504 linkages that can assist the youth. Defining service areas that



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505 will facilitate services near the youth's home will promote
506 providing the youth with the appropriate service when it is
507 needed. The Department of Juvenile Justice's current regions are
508 too large to achieve this goal. Other components of the juvenile
509 justice system operate within judicial circuits. For this
510 reason, the effectiveness of using judicial circuits as service
511 areas should be considered.

512 (2) The Department of Juvenile Justice shall identify
513 service areas that promote the concept of community-based
514 programs while recognizing the unique characteristics of
515 Florida's communities and recommend implementation to the
516 Legislature. Adoption of the service area boundaries of the
517 Department of Children and Family Services shall receive careful
518 consideration. A full continuum of services that includes, but
519 is not limited to, prevention, early intervention, supervision,
520 and support services in the family, probation, residential, and
521 aftercare fields shall be available in each service area. The
522 Department of Juvenile Justice shall submit a report to the
523 Governor, the President of the Senate, and the Speaker of the
524 House of Representatives by January 1, 2010, concerning the use
525 of service areas as described in this section and any specific
526 recommendations for legislative action.

527 Section 21. The Legislature finds that the services and
528 education that a youth receives in detention while awaiting
529 placement in a commitment program should be considered as part
530 of completing the youth's treatment plan. Similarly, the
531 services and education that youth receive in a competency
532 restoration placement should be taken into consideration as part
533 of the predisposition report at the youth's treatment plan in



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534 any subsequent disposition. Therefore, the Governor shall
535 establish a task force to review and make recommendations to
536 modify current statutes or practices associated with restoration
537 of competency. The task force shall include members of the
538 judicial branch, the Department of Juvenile Justice, the
539 Department of Children and Family Services, and community mental
540 health providers. Members of the task force who are not
541 government employees shall serve without compensation but are
542 entitled to receive reimbursement for travel and per diem
543 expenses as provided in s. 112.061, Florida Statutes. The task
544 force shall submit a report of its findings to the Governor, the
545 President of the Senate, and the Speaker of the House of
546 Representatives by January 1, 2010. The task force shall
547 terminate upon submission of its report.

548 Section 22. (1) The Legislature finds that the Department
549 of Juvenile Justice must have the ability to recruit and retain
550 a professional direct care staff and substantially reduce
551 turnover to ensure the most appropriate supervision and
552 rehabilitation of at-risk youth in their care. To further this
553 goal, the Governor shall establish a task force to perform a
554 role delineation study. The task force shall review and make
555 recommendations concerning the following:

556 (a) Core competencies for all state and contracted direct
557 care staff and minimum hiring requirements.

558 (b) Professional curriculum, continuing education
559 requirements, and establishment of a certification program to
560 include standards, requirements, examinations, certification,
561 and decertification.

562 (c) Base rates of pay for all direct care staff.



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563 (d) The possibility of granting special risk retirement
564 benefits for care staff who work directly with youth.

565 (2) Members of the task force who are not government
566 employees shall serve without compensation but are entitled to
567 receive reimbursement for travel and per diem expenses as
568 provided in s. 112.061, Florida Statutes. The task force shall
569 submit a report of its findings to the Governor, the President
570 of the Senate, and the Speaker of the House of Representatives
571 by January 1, 2010. The task force shall terminate upon
572 submission of its report.

573 Section 23. The Legislature finds that the Washington State
574 Institute for Public Policy has helped develop effective
575 strategies in that state that have produced a significant return
576 on investment in crime reduction through diversion of funding
577 for adult prisons to prevention programs. The Department of
578 Corrections, the Department of Juvenile Justice, and the
579 Department of Children and Family Services shall select and work
580 with a university in the State University System to calculate
581 the return on investment and cost savings of crime reduction
582 through effective prevention and intervention programming with
583 the goal of implementing similar cost-saving strategies and
584 practices in this state. The university selected by the
585 departments shall submit a report to the secretary of each of
586 the departments, the Governor, the President of the Senate, and
587 the Speaker of the House of Representatives by June 30, 2010,
588 concerning the implementation of similar cost-saving strategies
589 and practices in this state and any specific recommendations for
590 legislative action.

591 Section 24. This act shall take effect July 1, 2009.



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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to juvenile justice; amending s.
20.316, F.S.; requiring the Department of Juvenile
Justice to establish the Juvenile Justice Policy
Research Institute within the department for specified
purposes; providing purposes of the institute;
amending s. 27.51, F.S.; providing that public
defenders are available to juveniles at all stages of
delinquency court proceedings; amending s. 394.492,
F.S.; providing that a child referred for a delinquent
act when he or she was under age 11 may be considered
at risk of emotional disturbance and therefore subject
to referral for mental health services; amending ss.
984.03 and 985.03, F.S.; correcting terminology in the
definition of "child in need of services"; amending s.
409.9025, F.S.; providing for Medicaid eligibility for
juveniles committed to certain residential juvenile
programs; amending s. 985.125, F.S.; encouraging law
enforcement agencies, school districts, counties,
municipalities and the Department of Juvenile Justice
to establish prearrest or postarrest diversion
programs for first-time misdemeanor offenders who are
9 years of age or younger; creating s. 985.165, F.S.;



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621 providing legislative findings; requiring state
622 funding of community-based substance abuse
623 intervention, evaluation, and treatment services
624 programs in each judicial circuit; providing for
625 diversion of certain first-time drug offenders into
626 such programs; amending s. 985.245, F.S.; modifying
627 the size and composition of the risk assessment
628 committee; requiring that the risk assessment
629 instrument be independently validated; amending s.
630 985.441, F.S.; providing that a court may commit a
631 female child adjudicated as delinquent to the
632 department for placement in a mother-infant program
633 designed to serve the needs of the juvenile mothers or
634 expectant juvenile mothers who are committed as
635 delinquents; requiring the department to adopt rules
636 to govern the operation of the mother-infant program;
637 creating s. 985.461, F.S.; requiring that all youth
638 exiting juvenile justice commitment programs have made
639 available to them the services of an identified
640 community-based, interagency transition planning team;
641 creating s. 985.495, F.S.; requiring the Department of
642 Juvenile Justice to provide access to community-based,
643 gender-specific aftercare services to all girls
644 transitioning from department programs; requiring that
645 the department place such girls under female probation
646 or conditional release case managers; providing for
647 creation of a female caseload supervision team in
648 certain circumstances; amending s. 985.622, F.S.;

649 requiring that certain juvenile justice programs offer



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650 vocational training; requiring the Department of
651 Juvenile Justice to work with the Agency for Workforce
652 Innovation and Workforce Florida, Inc., to ensure that
653 all job skills training is in areas directly tied to
654 careers listed on Florida's targeted occupation list;
655 deleting obsolete provisions; amending s. 985.644,
656 F.S.; requiring the Department of Juvenile Justice to
657 conduct demonstration projects that emphasize the
658 benefits of outcome-based contracting with certain
659 performance standard requirements; authorizing use of
660 interim and long-term outcome performance measures;
661 requiring projects to be completed by a specified
662 date; amending s. 435.04, F.S.; authorizing the
663 Department of Juvenile Justice to hire persons for
664 employment in youth facilities who were formerly in
665 the juvenile justice system and exited successfully in
666 certain circumstances; amending s. 985.644, F.S.;
667 authorizing the Department of Juvenile Justice to
668 conditionally hire juvenile justice employees upon
669 successful completion of a preliminary background
670 screening, but prior to full background screening,
671 under specified conditions; amending s. 985.664, F.S.;
672 providing that juvenile justice circuit boards and
673 juvenile justice county councils may receive local
674 discretionary grant prevention funds for specified
675 purposes; amending s. 1011.62, F.S., relating to
676 allocations from the Florida Education Finance Program
677 to school districts for the operation of schools;
678 providing for the establishment of a cost factor for



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679 students in juvenile justice education programs;
680 requiring the Department of Juvenile Justice, in
681 conjunction with representatives of specified
682 entities, to conduct a review of the detention risk
683 assessment instrument; requiring the agreement of all
684 such representatives for revisions to the detention
685 risk assessment instrument; providing for creation of
686 a Disproportionate Minority Contact Task Force;
687 providing for membership, goals, and duties; requiring
688 a report; providing for dissolution of the task force;
689 providing for pilot projects for reduction of
690 disproportionate minority contact; providing for goals
691 of the pilot projects; requiring reports; providing
692 for termination of the pilot projects; providing
693 legislative findings; requiring the Department of
694 Juvenile Justice to identify service areas that
695 promote the concept of community-based programs;
696 requiring a report; requiring the Governor to
697 establish a task force to review and make
698 recommendations to modify current statutes or
699 practices associated with restoration of competency;
700 providing for membership; requiring a report;
701 providing for termination of the task force; requiring
702 the Governor to establish a task force to perform a
703 role delineation study and review and make
704 recommendations concerning specified issues; requiring
705 a report; providing for termination of the task force;
706 requiring the Department of Corrections, the
707 Department of Juvenile Justice, and the Department of



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708 Children and Family Services to work with a university
709 in the State University System to calculate the return
710 on investment and cost savings of crime reduction
711 through effective prevention and intervention
712 programming; requiring a report; providing an
713 effective date.