

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 833
SPONSOR(S): Thurston
TIED BILLS:

Reports and Functions of the Department of Juvenile Justice

IDEN./SIM. BILLS: SB 1006

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	<u>Public Safety & Domestic Security Policy Committee</u>	<u>13 Y, 0 N</u>	<u>Cunningham</u>	<u>Cunningham</u>
2)	<u>Criminal & Civil Justice Policy Council</u>	<u></u>	<u></u>	<u></u>
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5)	<u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

Currently, the Department of Juvenile Justice (DJJ) is required to submit annual reports on:

- The performance of assessment and treatment services for serious or habitual juvenile offenders.
- The performance of assessment and treatment services for offenders less than 13 years of age receiving intensive residential treatment.
- The implementation and progress of literacy programs within residential commitment programs.

DJJ states that the above reports are duplicative in that the information in these reports is also contained in the annual report required by s. 985.632, F.S., and the annual report required by s. 1003.52, F.S.

Section 985.636, F.S., authorizes the Secretary of DJJ to designate as law enforcement officers within the Office of the Inspector General, persons holding a law enforcement certification. According to DJJ, this statute is obsolete because the department does not employ sworn law enforcement officers.

The bill removes the requirements that DJJ submit the above-described reports and repeals s. 985.636, F.S., relating to the Office of the Inspector General.

The bill does not appear to have a fiscal impact and is effective July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Annual Reports

Section 985.47(8)(a)4., F.S., requires the Department of Juvenile Justice (DJJ) to submit an annual report on the performance of assessment and treatment services for serious or habitual juvenile offenders. Similarly, s. 985.483, F.S., requires DJJ to submit an annual report on the performance of assessment and treatment services for offenders less than 13 years of age receiving intensive residential treatment. Both reports are required to be submitted annually to the Governor, the Attorney General, the President of the Senate, the Speaker of the House of Representatives, and the Auditor General (the report relating to offenders less than 13 years of age must also be submitted to the Office of Program Policy Analysis and Government Accountability). DJJ reports that the information in these reports is also contained in the annual report required by s. 985.632, F.S., which DJJ refers to as the Comprehensive Accountability Report.

Section 985.625(5), F.S., requires DJJ, in consultation with the Department of Education, to submit an annual report to the President of the Senate and the Speaker of the House of Representatives on the implementation and progress of literacy programs within residential commitment programs. DJJ reports that the information in this report is also contained in the annual report required by s. 1003.52, F.S., which DJJ refers to as the Quality Assurance Report and is produced by the Juvenile Justice Education Enhancement Program¹ (JJEPP).

The bill removes the requirements that DJJ submit the above-described reports.

Office of the Inspector General

Section 985.636, F.S., authorizes the Secretary of DJJ to designate as law enforcement officers within the Office of the Inspector General, persons holding a law enforcement certification. This designation is for the purpose of enforcing any criminal law and conducting any investigation involving a state-operated program that falls under DJJ's jurisdiction. However, according to DJJ, this statute is obsolete because the department does not employ sworn law enforcement officers.

The bill repeals this section of statute.

¹ JJEPP is a discretionary project funded by the Department of Education (DOE) and managed by the School of Criminology at Florida State University. Major functions are to assist DOE in ensuring high-quality education for youth in juvenile justice education programs. <http://www.fldoe.org/ese/dr-jjeep.asp>

B. SECTION DIRECTORY:

Section 1. Amends s. 985.47, F.S., relating to serious or habitual juvenile offender.

Section 2. Amends s. 985.483, F.S., relating to intensive residential treatment program for offenders less than 13 years of age.

Section 3. Repeals s. 985.625(5), F.S., relating to literacy programs for juvenile offenders.

Section 4. Repeals s. 985.636, F.S., relating to inspector general; inspectors.

Section 5. Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES