

1 A bill to be entitled

2 An act relating to human trafficking; creating s.
3 409.1754, F.S.; requiring the Department of Children
4 and Families, in consultation with other agencies,
5 organizations, and individuals, to employ screening
6 and assessment instruments to determine appropriate
7 services for sexually exploited children; providing
8 criteria for placement of such children in safe houses
9 or safe foster homes; permitting certain agencies to
10 use additional assessment instruments; requiring
11 certain employees of the department, community-based
12 care lead agencies, and staff administering the
13 detention risk assessment instrument to receive
14 specialized training; requiring the department and
15 lead agencies to hold multidisciplinary staffings
16 under certain conditions; requiring the department and
17 lead agencies to develop specific plans and protocols;
18 directing the department, the Department of Juvenile
19 Justice, and lead agencies to participate in
20 coalitions, task forces, or similar organizations to
21 coordinate local responses to human trafficking;
22 requiring the department to initiate a local task
23 force under certain circumstances; amending s.
24 409.1678, F.S.; providing definitions; requiring the
25 department to certify safe houses and safe foster
26 homes and certain residential facilities; providing

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27 requirements for certification as a safe house or safe
28 foster home; requiring the department to inspect safe
29 houses and safe foster homes; requiring training for
30 persons providing services in safe houses and safe
31 foster homes; providing rulemaking authority to the
32 department; authorizing the department to develop a
33 secure safe house pilot program; providing
34 requirements for the pilot program; requiring the
35 department to submit a report to the Governor and
36 Legislature; providing for service providers to obtain
37 federal or local funding under certain conditions;
38 providing for scope of availability of services;
39 amending s. 39.524, F.S.; providing for review of safe
40 harbor placement of a child in a safe house or safe
41 foster home; revising criteria for placement;
42 authorizing placement in settings other than safe
43 houses and safe foster homes under certain conditions;
44 creating s. 39.4072, F.S.; providing legislative
45 findings; specifying persons authorized to transport a
46 child to a secure safe house for evaluation; providing
47 criteria for determination that a child shall be
48 placed in a secure safe house; specifying persons
49 authorized to conduct evaluations for placement;
50 requiring the department to provide a copy of
51 evaluations to specified persons; creating s. 39.4074,
52 F.S.; authorizing the department to file a petition

53 for placement in a secure safe house if the child
 54 meets certain criteria; providing for court
 55 determination and judicial review; requiring a secure
 56 safe house to submit periodic reports regarding a
 57 child's progress in treatment to the department;
 58 amending ss. 39.401, 796.07, and 985.115, F.S.;
 59 conforming references; requiring the Office of Program
 60 Policy Analysis and Government Accountability to
 61 conduct a study and submit a report to the Governor
 62 and Legislature; providing for a transfer of general
 63 revenue funds and establishing positions; providing an
 64 effective date.

65
 66 Be It Enacted by the Legislature of the State of Florida:

67
 68 Section 1. Section 409.1754, Florida Statutes, is created
 69 to read:

70 409.1754 Sexually exploited children; screening and
 71 assessment; training; case management; task forces.-

72 (1) SCREENING AND ASSESSMENT.-

73 (a) The department shall develop or adopt one or more
 74 initial screening and assessment instruments to identify,
 75 determine the needs of, plan services for, and determine the
 76 appropriate placement for sexually exploited children. The
 77 department shall consult state and local agencies,
 78 organizations, and individuals involved in the identification

79 and care of sexually exploited children when developing or
80 adopting initial screening and assessment instruments. Initial
81 screening and assessment instruments shall assess the
82 appropriate placement of a sexually exploited child, including
83 whether placement in a safe house or safe foster home is
84 appropriate, and shall consider, at a minimum, the following
85 factors:

86 1. Risk of the child running away.

87 2. Risk of the child recruiting other children into the
88 commercial sex trade.

89 3. Level of the child's attachment to his or her
90 exploiter.

91 4. Level and type of trauma that the child has endured.

92 5. Nature of the child's interactions with law
93 enforcement.

94 6. Length of time that the child was sexually exploited.

95 7. Extent of any substance abuse by the child.

96 (b) The initial screening and assessment instruments shall
97 be validated, if possible, and must be used by the department,
98 juvenile assessment centers as provided in s. 985.135, and
99 community-based care lead agencies.

100 (c) The department shall adopt rules that specify the
101 initial screening and assessment instruments to be used and
102 provide requirements for their use and for the reporting of data
103 collected through their use.

104 (d) The department, the Department of Juvenile Justice,

105 and community-based care lead agencies may use additional
106 assessment instruments in the course of serving sexually
107 exploited children.

108 (2) TRAINING; CASE MANAGEMENT; TASK FORCES.-

109 (a)1. The department and community-based care lead
110 agencies shall ensure that cases in which a child is alleged,
111 suspected, or known to have been sexually exploited are assigned
112 to child protective investigators and case managers who have
113 specialized intensive training in handling cases involving a
114 sexually exploited child. The department and lead agencies shall
115 ensure that child protective investigators and case managers
116 receive this training before accepting a case involving a
117 sexually exploited child.

118 2. The Department of Juvenile Justice shall ensure that
119 juvenile probation staff or contractors administering the
120 detention risk assessment instrument pursuant to s. 985.14
121 receive specialized intensive training in identifying and
122 serving sexually exploited children.

123 (b) The department and community-based care lead agencies
124 shall conduct regular multidisciplinary staffings relating to
125 services provided for sexually exploited children to ensure that
126 all parties possess relevant information and services are
127 coordinated across systems. The department or community-based
128 care lead agency, as appropriate, shall coordinate these
129 staffings and invite individuals involved in the child's care,
130 including, but not limited to, the child's guardian ad litem,

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131 juvenile justice system staff, school district staff, service
132 providers, and victim advocates.

133 (c)1. Each region of the department and each community-
134 based care lead agency shall jointly assess local service
135 capacity to meet the specialized service needs of sexually
136 exploited children and establish a plan to develop the necessary
137 capacity. Each plan shall be developed in consultation with
138 local law enforcement officials, local school officials, runaway
139 and homeless youth program providers, local probation
140 departments, children's advocacy centers, guardians ad litem,
141 public defenders, state attorneys' offices, safe houses, and
142 child advocates and service providers who work directly with
143 sexually exploited children.

144 2. Each region of the department and each community-based
145 care lead agency shall establish local protocols and procedures
146 for working with sexually exploited children which are
147 responsive to the individual circumstances of each child. The
148 protocols and procedures shall take into account the varying
149 types and levels of trauma endured; whether the sexual
150 exploitation is actively occurring, occurred in the past, or is
151 inactive but likely to recur; and the differing community
152 resources and degrees of familial support that are available.
153 Child protective investigators and case managers must use these
154 protocols and procedures when working with a sexually exploited
155 child.

156 (3) (a) To the extent that funds are available, the local

157 regional director may provide training to local law enforcement
158 officials who are likely to encounter sexually exploited
159 children in the course of their law enforcement duties. Training
160 shall address the provisions of this section and how to identify
161 and obtain appropriate services for sexually exploited children.
162 The local circuit administrator may contract with a not-for-
163 profit agency with experience working with sexually exploited
164 children to provide the training. Circuits may work
165 cooperatively to provide training, which may be provided on a
166 regional basis. The department shall assist circuits to obtain
167 available funds for the purpose of conducting law enforcement
168 training from the Office of Juvenile Justice and Delinquency
169 Prevention of the United States Department of Justice.

170 (b) Circuit administrators or their designees, chief
171 probation officers of the Department of Juvenile Justice or
172 their designees, and the chief operating officers of community-
173 based care lead agencies or their designees shall participate in
174 any task force, committee, council, advisory group, coalition,
175 or other entity in their service area that is involved in
176 coordinating responses to address human trafficking or sexual
177 exploitation of children. If such entity does not exist, the
178 circuit administrator for the department shall initiate one.

179 Section 2. Section 409.1678, Florida Statutes, is amended
180 to read:

181 (Substantial rewording of section. See
182 s. 409.1678, F.S., for present text.)

183 409.1678 Specialized residential options for children who
 184 are victims of sexual exploitation.-

185 (1) DEFINITIONS.-As used in this section, the term:

186 (a) "Safe foster home" means a foster home certified by
 187 the department under this section to care for sexually exploited
 188 children.

189 (b) "Safe house" means a group residential placement
 190 certified by the department under this section to care for
 191 sexually exploited children.

192 (c) "Sexually exploited child" means a child who has
 193 suffered sexual exploitation as defined in s. 39.01(67)(g) and
 194 is ineligible for relief and benefits under the federal
 195 Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.

196 (2) CERTIFICATION OF SAFE HOUSES AND SAFE FOSTER HOMES.-

197 (a) A safe house and a safe foster home shall provide a
 198 safe, separate, and therapeutic environment tailored to the
 199 needs of sexually exploited children who have endured
 200 significant trauma. Safe houses and safe foster homes shall use
 201 a model of treatment that includes strength-based and trauma-
 202 informed approaches.

203 (b) A safe house or a safe foster home must be certified
 204 by the department. A residential facility accepting state funds
 205 appropriated to provide services to sexually exploited children
 206 or child victims of sex trafficking must be certified by the
 207 department as a safe house or a safe foster home. An entity may
 208 not use the designation "safe house" or "safe foster home" and

209 hold itself out as serving sexually exploited children unless
 210 the entity is certified under this section.

211 (c) To be certified, a safe house must hold a license as a
 212 residential child-caring agency, as defined in s. 409.175, and a
 213 safe foster home must hold a license as a family foster home, as
 214 defined in s. 409.175. A safe house or safe foster home must
 215 also:

216 1. Use strength-based and trauma-informed approaches to
 217 care, to the extent possible and appropriate.

218 2. Serve exclusively one sex.

219 3. Group sexually exploited children by age or maturity
 220 level.

221 4. Care for sexually exploited children in a manner that
 222 separates those children from children with other needs. Safe
 223 houses and safe foster homes may care for other populations if
 224 the children who have not experienced sexual exploitation do not
 225 interact with children who have experienced sexual exploitation.

226 5. Have awake staff members on duty 24 hours a day, if a
 227 safe house.

228 6. Provide appropriate security through facility design,
 229 hardware, technology, staffing, and siting, including, but not
 230 limited to, external video monitoring or door exit alarms, a
 231 high staff-to-client ratio, or being situated in a remote
 232 location that is isolated from major transportation centers and
 233 common trafficking areas. However, such security must allow
 234 sexually exploited children to exit the safe house if they

235 choose.

236 7. Meet other criteria established by department rule,
237 which may include, but are not limited to, personnel
238 qualifications, staffing ratios, and types of services offered.

239 (d) Safe houses and safe foster homes shall provide
240 services tailored to the needs of sexually exploited children
241 and shall conduct a comprehensive assessment of the service
242 needs of each resident. In addition to the services required to
243 be provided by residential child caring agencies and family
244 foster homes, safe houses and safe foster homes must provide,
245 arrange for, or coordinate, at a minimum, the following
246 services:

247 1. Victim-witness counseling.

248 2. Family counseling.

249 3. Behavioral health care.

250 4. Treatment and intervention for sexual assault.

251 5. Education tailored to the child's individual needs,
252 including remedial education if necessary.

253 6. Life skills training.

254 7. Mentoring by a survivor of sexual exploitation, if
255 available and appropriate for the child.

256 8. Substance abuse screening and, when necessary, access
257 to treatment.

258 9. Planning services for the successful transition of each
259 child back to the community.

260 10. Activities structured in a manner that provides

261 sexually exploited children with a full schedule.

262 (e) The community-based care lead agencies shall ensure
263 that foster parents of safe foster homes and staff of safe
264 houses complete intensive training regarding, at a minimum, the
265 needs of sexually exploited children, the effects of trauma and
266 sexual exploitation, and how to address those needs using
267 strength-based and trauma-informed approaches. The department
268 shall specify the contents of this training by rule and may
269 develop or contract for a standard curriculum. The department
270 may establish by rule additional criteria for the certification
271 of safe houses and safe foster homes that shall address the
272 security, therapeutic, social, health, and educational needs of
273 sexually exploited children.

274 (f) The department shall inspect safe houses and safe
275 foster homes before certification and annually thereafter to
276 ensure compliance with the requirements of this section. The
277 department may place a moratorium on referrals and may revoke
278 the certification of a safe house or safe foster home that fails
279 at any time to meet the requirements of, or rules adopted under,
280 this section.

281 (g) The certification period for safe houses and safe
282 foster homes shall run concurrently with the terms of their
283 licenses.

284 (3) SECURE SAFE HOUSE PILOT PROGRAM.—

285 (a) The department may facilitate the development of one
286 secure safe house on a pilot basis to evaluate the therapeutic

287 benefits of a secure residential setting within the broader
288 array of residential and community-based services available to
289 meet the needs of sexually exploited children. The secure safe
290 house is intended for those sexually exploited children with the
291 greatest needs, for whom no less restrictive placement has been
292 or will be effective in addressing the effects of severe abuse,
293 violence, trauma, or exploiter control that the child endured.
294 The setting is only available to a sexually exploited child:
295 1. Who is the subject of an open investigation due to an
296 allegation of abuse, neglect, or exploitation or has been
297 adjudicated dependent.
298 2. Who has been placed in accordance with ss. 39.4072 and
299 39.4074.
300 3. Whose needs cannot be met in less restrictive
301 placements.
302 (b) The secure safe house must be a certified safe house
303 and may have no more than 15 beds. The department shall select
304 the region where the secure safe house shall be sited. The
305 department shall collaborate with the local community-based care
306 lead agency to design the pilot program, including, but not
307 limited to, selection of the location, selection of the
308 provider, the facility's security features, referral processes,
309 and services provided within the secure safe house.
310 (c) A child from any region of the state may be placed in
311 the secure safe house pursuant to ss. 39.4072 and 39.4074. The
312 department, in consultation with the community-based care lead

313 agencies serving the children, shall approve all placements of
314 children in the facility. In addition to the criteria in s.
315 409.1754(1) and any other criteria determined by the department
316 pursuant to that subsection, the following criteria, at a
317 minimum, shall also be used to determine whether a child
318 qualifies for placement in the secure safe house:

319 1. Lack of willingness to participate in less intensive
320 programs.

321 2. Lack of treatment progress in less restrictive
322 placements if the child has been placed elsewhere.

323 (d) The secure safe house shall include features that
324 prevent entry into or exit from the facility or its grounds
325 without the involvement of staff, including, but not limited to,
326 walls, fencing, gates, and locking doors.

327 (e) A child may be placed in the secure safe house for a
328 minimum of 5 days and a maximum of 10 months. Pursuant to s.
329 39.4074(2), the secure safe house shall regularly review and
330 report on the child's progress, and during judicial reviews, the
331 court shall determine whether continued placement in the secure
332 safe house is appropriate. The department shall place the child
333 in another setting when continued placement in the secure safe
334 house is no longer appropriate.

335 (f) The department shall contract for an evaluation of the
336 effectiveness of the secure safe house pilot program in
337 facilitating the rehabilitation of sexually exploited children.
338 The evaluation report shall be submitted to the Governor, the

339 President of the Senate, and the Speaker of the House of
340 Representatives by February 1, 2018. The evaluation report
341 shall, at a minimum, describe the program model and facility
342 design, assess the effectiveness of the facility in meeting the
343 treatment and security needs of sexually exploited children,
344 analyze the cost-effectiveness of the pilot program, and provide
345 recommendations regarding the continued operation of the pilot
346 program and any changes or enhancements.

347 (4) (a) This section does not prohibit any provider of
348 services for sexually exploited children from appropriately
349 billing Medicaid for services rendered, from contracting with a
350 local school district for educational services, or from
351 obtaining federal or local funding for services provided, as
352 long as two or more funding sources do not pay for the same
353 specific service that has been provided to a child.

354 (b) The lead agency shall ensure that all children
355 residing in safe houses or safe foster homes have a case manager
356 and a case plan, whether or not the child is a dependent child.

357 (5) The services specified in this section may, to the
358 extent possible provided by law and with authorized funding, be
359 available to all sexually exploited children whether they are
360 accessed voluntarily, as a condition of probation, through a
361 diversion program, through a proceeding under chapter 39, or
362 through a referral from a local community-based care or social
363 service agency.

364 Section 3. Section 39.524, Florida Statutes, is amended to

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365 read:

366 39.524 Safe-harbor placement.—

367 (1) Except as provided in s. 39.407 or s. 985.801, a
368 dependent child 6 years of age or older who has been found to be
369 a victim of sexual exploitation as defined in s. 39.01(67)(g)
370 must be assessed for placement in a safe house or safe foster
371 home as provided in s. 409.1678 using the initial screening and
372 assessment instruments provided in s. 409.1754(1). ~~The~~
373 ~~assessment shall be conducted by the department or its agent and~~
374 ~~shall incorporate and address current and historical information~~
375 ~~from any law enforcement reports; psychological testing or~~
376 ~~evaluation that has occurred; current and historical information~~
377 ~~from the guardian ad litem, if one has been assigned; current~~
378 ~~and historical information from any current therapist, teacher,~~
379 ~~or other professional who has knowledge of the child and has~~
380 ~~worked with the child; and any other information concerning the~~
381 ~~availability and suitability of safe-house placement.~~ If such
382 placement is determined to be appropriate for the child as a
383 result of this assessment, the child may be placed in a safe
384 house or safe foster home, if one is available. However, the
385 child may be placed in another setting, if the other setting is
386 more appropriate to the child's needs and the child's behaviors
387 can be managed so as not to endanger other children served in
388 that setting, or if a safe house or safe foster home in
389 unavailable. ~~As used in this section, the term "available" as it~~
390 ~~relates to a placement means a placement that is located within~~

391 ~~the circuit or otherwise reasonably accessible.~~

392 (2) The results of the assessment described in s.
393 409.1754(1) ~~subsection (1)~~ and the actions taken as a result of
394 the assessment must be included in the next judicial review of
395 the child. At each subsequent judicial review, the court must be
396 advised in writing of the status of the child's placement, with
397 special reference regarding the stability of the placement and
398 the permanency planning for the child.

399 (3) (a) By December 1 of each year, the department shall
400 report to the Legislature on the placement of children in safe
401 houses and safe foster homes during the year, including the
402 criteria used to determine the placement of children, the number
403 of children who were evaluated for placement, the number of
404 children who were placed based upon the evaluation, and the
405 number of children who were not placed.

406 (b) The department shall maintain data specifying the
407 number of children who were referred to a safe house or safe
408 foster home for whom placement was unavailable and the counties
409 in which such placement was unavailable. The department shall
410 include this data in its report under this subsection so that
411 the Legislature may consider this information in developing the
412 General Appropriations Act.

413 Section 4. Section 39.4072, Florida Statutes, is created
414 to read:

415 39.4072 Evaluation for secure safe house placement.-

416 (1) LEGISLATIVE FINDINGS.-The Legislature finds that

417 victims of child sexual exploitation as defined in s.
418 39.01(67)(g) often exhibit behaviors that place them and others
419 in danger. The Legislature finds that when sexually exploited
420 children repeatedly run away from their homes or residential
421 placements to unsafe placements, engage in commercial sexual
422 activity as defined in s. 787.06(2)(b), or seek to maintain a
423 relationship with their exploiters, these children and other
424 children are in danger of being sexually exploited and
425 physically abused, which can lead to grave emotional and
426 physical harm.

427 (2) CRITERIA.—A child may be taken to a secure safe house
428 for evaluation of the appropriateness of placement for treatment
429 in a secure safe house as provided in this section if there is
430 probable cause that the child has been sexually exploited as
431 defined in s. 39.01(67)(g), and:

432 (a) The child meets the criteria in s. 409.1678(3) for
433 safe house placement.

434 (b) The child recently engaged in behaviors that subject
435 the child to victimization, violence, emotional harm, serious
436 bodily harm, or health risks that endanger the child, posing a
437 real and present threat of substantial harm to the child's well-
438 being. Such behaviors include, but are not limited to,
439 repeatedly running away from home or residential placement to an
440 unsafe situation, engaging in commercial sexual activity as
441 defined in s. 787.06(2)(b), and seeking to maintain a
442 relationship with the child's trafficker despite attempts to

443 separate the child from the trafficker.

444 (c) There is a substantial likelihood that without care or
445 treatment, the child will endanger or cause serious bodily harm
446 to others, as evidenced by previous behavior, including
447 recruiting other children into the commercial sex trade or using
448 coercion such as violence, illegal substances, or other means to
449 compel their participation in such trade.

450 (d) Less restrictive placement alternatives are unlikely
451 to be effective in keeping the child from engaging in behaviors
452 described in paragraphs (b) and (c), as determined by the
453 department or community-based care lead agency.

454 (3) EVALUATION.—

455 (a) An official of the department may initiate an
456 evaluation of a child who is the subject of an open
457 investigation or under the supervision of the court if the
458 criteria in subsection (2) are met. A child protective
459 investigator, law enforcement officer, case manager, or other
460 qualified individual may transport the child to the secure safe
461 house, which may admit the child for assessment and
462 stabilization pending the filing and adjudication of a petition
463 by the department, as provided in s. 39.522(1), alleging a need
464 for a change in placement. The secure safe house shall provide
465 notice regarding the child's admittance for assessment for
466 secure safe house placement to the child's parent or guardian,
467 case manager, and guardian ad litem. If the child does not have
468 a guardian ad litem and an attorney, the court shall appoint

469 them.

470 (b) A psychiatrist, clinical psychologist, licensed mental
471 health counselor, or licensed clinical social worker at the
472 secure safe house who has training in working with sexually
473 exploited children shall conduct an initial evaluation of the
474 child as soon as appropriate to do so given the child's
475 emotional, mental, and physical condition. The child may be
476 provided with medical screening and treatment pursuant to s.
477 39.407. The secure safe house may initiate appropriate
478 therapeutic services to stabilize and treat the child.

479 (c) Facility staff shall continue to evaluate the child
480 throughout his or her placement for evaluation in the secure
481 safe house and may access the child's case file and other
482 relevant records and request information from other individuals
483 involved in the child's life. The child's parent or guardian,
484 case manager, and guardian ad litem may provide any information
485 they believe is relevant to the evaluation. The evaluation of
486 the child shall be based on whether the child meets the criteria
487 established under s. 409.1678(3) for admission to the secure
488 safe house, and the criteria in paragraphs (2)(a) and (b).

489 (d) Within 5 days after the child is admitted to the
490 secure safe house for evaluation, the psychiatrist, clinical
491 psychologist, licensed mental health counselor, or licensed
492 clinical social worker shall determine, based on the evaluation,
493 whether the secure safe house would best meet the child's needs
494 or additional evaluation is required before a conclusion can be

495 reached.

496 1. If the secure safe house would not best meet the
497 child's needs, the department shall place the child in the least
498 restrictive setting that is appropriate for the child's needs.

499 2. If placement in the secure safe house for treatment
500 would best meet the child's needs, the department shall petition
501 the court for placement under s. 39.4074 within 24 hours after
502 the determination is made, and the secure safe house shall admit
503 the child pending a judicial determination.

504 3. If additional evaluation is required before a
505 determination may be made regarding the child's need for secure
506 safe house placement for treatment, the department shall
507 petition the court within 24 hours after the initial evaluation
508 is conducted to extend the placement of the child for evaluation
509 purposes for up to 30 days or until a determination is made
510 regarding the need for secure safe house placement for
511 treatment, whichever comes first. The child shall remain in the
512 secure safe house pending the court order.

513 (f) The department shall provide all evaluations to the
514 child's parent or guardian, case manager, and guardian ad litem.

515 Section 5. Section 39.4074, Florida Statutes, is created
516 to read:

517 39.4074 Placement in a secure safe house.—

518 (1) PETITION FOR PLACEMENT.—If an evaluation pursuant to
519 s. 39.4072(3) results in a determination that placement for
520 treatment in a secure safe house would best meet the child's

521 needs, the department may file a petition for placement in
522 dependency court. The department shall provide notice to the
523 child's parents as required under s. 39.502(1). If the child's
524 parents consent to such placement, the court shall enter an
525 order placing the child in the secure safe house for up to 45
526 days, pending review by the court as provided in this section.
527 If the child's parents refuse or are unable to consent, the
528 court shall hear all parties in person or by counsel, or both,
529 within 24 hours after the filing of the petition. If the court
530 concludes that the child meets the criteria for placement in the
531 secure safe house as provided in s. 39.4072(2), the court shall
532 order the child to be placed in the secure safe house for up to
533 45 days, pending review by the court.

534 (2) TREATMENT PLAN AND JUDICIAL REVIEW.—

535 (a) Within 10 days after placement of a child for
536 treatment in a secure safe house, the secure safe house must
537 prepare an individualized treatment plan that addresses both
538 preliminary residential treatment and comprehensive discharge
539 and identifies care appropriate for the child upon completion of
540 residential treatment. The plan must be approved by the
541 department. The child must be involved in the preparation of the
542 plan to the maximum extent feasible, consistent with the child's
543 ability to do so. The child's parent or guardian, guardian ad
544 litem, and staff from the child's home school district must be
545 involved with planning the child's treatment and discharge.
546 Other individuals may also participate in development of the

547 plan, as appropriate. A secure safe house shall provide a copy
548 and an explanation of the plan to the child, the child's parent
549 or guardian, the guardian ad litem, and the case manager. The
550 department shall also provide the plan to the court.

551 (b) At 20-day intervals, commencing when treatment begins
552 according to the treatment plan, the secure safe house must
553 review the child's progress toward treatment goals and assess
554 whether the child's needs could be met in a less restrictive
555 treatment program. The secure safe house must submit a report of
556 its findings to the child's parent or guardian, guardian ad
557 litem, case manager, the department, and the court. The
558 department may not reimburse a secure safe house until the
559 secure safe house has submitted every written report that is
560 due.

561 (c) The court shall conduct an initial review of the
562 status of the child's treatment plan no later than 35 days after
563 the child's placement for treatment in the secure safe house.
564 For any child in a secure safe house at the time a judicial
565 review is held pursuant to s. 39.701, the child's continued
566 placement in a secure safe house must be a subject of the
567 judicial review. If, at any time, the court determines that the
568 child has not been sexually exploited or that the child has been
569 sexually exploited but is not appropriate for placement in a
570 secure safe house, the court shall order the department to place
571 the child in the least restrictive setting that is best suited
572 to meet the child's needs.

573 (d) After the initial review, the court must review the
 574 child's treatment plan every 60 days until the child no longer
 575 requires placement in the secure safe house or until the child
 576 has resided in the secure safe house for 10 months. When the
 577 child has resided in the secure safe house for 9 months, a court
 578 hearing shall be held to determine an appropriate setting and
 579 appropriate services for the child.

580 Section 6. Paragraph (b) of subsection (2) and paragraph
 581 (b) of subsection (3) of section 39.401, Florida Statutes, are
 582 amended to read:

583 39.401 Taking a child alleged to be dependent into
 584 custody; law enforcement officers and authorized agents of the
 585 department.—

586 (2) If the law enforcement officer takes the child into
 587 custody, that officer shall:

588 (b) Deliver the child to an authorized agent of the
 589 department, stating the facts by reason of which the child was
 590 taken into custody and sufficient information to establish
 591 probable cause that the child is abandoned, abused, or
 592 neglected, or otherwise dependent. For such a child for whom
 593 there is also probable cause to believe he or she has been
 594 sexually exploited, the law enforcement officer shall deliver
 595 the child to the department. ~~The department may place the child~~
 596 ~~in an appropriate short-term safe house as provided for in s.~~
 597 ~~409.1678 if a short-term safe house is available.~~

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599 For cases involving allegations of abandonment, abuse, or
600 neglect, or other dependency cases, within 3 days after such
601 release or within 3 days after delivering the child to an
602 authorized agent of the department, the law enforcement officer
603 who took the child into custody shall make a full written report
604 to the department.

605 (3) If the child is taken into custody by, or is delivered
606 to, an authorized agent of the department, the agent shall
607 review the facts supporting the removal with an attorney
608 representing the department. The purpose of the review is to
609 determine whether there is probable cause for the filing of a
610 shelter petition.

611 (b) If the facts are sufficient and the child has not been
612 returned to the custody of the parent or legal custodian, the
613 department shall file the petition and schedule a hearing, and
614 the attorney representing the department shall request that a
615 shelter hearing be held within 24 hours after the removal of the
616 child. While awaiting the shelter hearing, the authorized agent
617 of the department may place the child in licensed shelter care,
618 ~~or in a short-term safe house if the child is a sexually~~
619 ~~exploited child,~~ or may release the child to a parent or legal
620 custodian or responsible adult relative or the adoptive parent
621 of the child's sibling who shall be given priority consideration
622 over a licensed placement, or a responsible adult approved by
623 the department if this is in the best interests of the child.
624 Placement of a child which is not in a licensed shelter must be

625 preceded by a criminal history records check as required under
626 s. 39.0138. In addition, the department may authorize placement
627 of a housekeeper/homemaker in the home of a child alleged to be
628 dependent until the parent or legal custodian assumes care of
629 the child.

630 Section 7. Subsection (6) of section 796.07, Florida
631 Statutes, is amended to read:

632 796.07 Prohibiting prostitution and related acts.—

633 (6) A person who violates paragraph (2)(f) shall be
634 assessed a civil penalty of \$5,000 if the violation results in
635 any judicial disposition other than acquittal or dismissal. Of
636 the proceeds from each penalty assessed under this subsection,
637 the first \$500 shall be paid to the circuit court administrator
638 for the sole purpose of paying the administrative costs of
639 treatment-based drug court programs provided under s. 397.334.
640 The remainder of the penalty assessed shall be deposited in the
641 Operations and Maintenance Trust Fund of the Department of
642 Children and Family Services for the sole purpose of funding
643 safe houses and safe foster homes ~~short-term safe houses~~ as
644 provided in s. 409.1678.

645 Section 8. Paragraph (b) of subsection (2) of section
646 985.115, Florida Statutes, is amended to read:

647 985.115 Release or delivery from custody.—

648 (2) Unless otherwise ordered by the court under s. 985.255
649 or s. 985.26, and unless there is a need to hold the child, a
650 person taking a child into custody shall attempt to release the

651 child as follows:

652 (b) Contingent upon specific appropriation, to a shelter
653 approved by the department or to an authorized agent ~~or short-~~
654 ~~term safe house under s. 39.401(2)(b).~~

655 Section 9. The Office of Program Policy Analysis and
656 Government Accountability shall conduct a study on commercial
657 sexual exploitation of children in Florida. The study shall
658 assess the extent of commercial sexual exploitation of children,
659 including, but not limited to, its prevalence in various regions
660 of the state. The study shall also identify specialized services
661 needed by sexually exploited children and any gaps in the
662 availability of such services by region, including, but not
663 limited to, residential services and specialized therapies. The
664 study shall analyze the effectiveness of safe houses, safe
665 foster homes, and other residential options for serving sexually
666 exploited children in addressing their safety, therapeutic,
667 health, educational, and emotional needs, including, but not
668 limited to, the nature and appropriateness of subsequent
669 placements, extent of sexual exploitation postplacement, and
670 educational attainment. By July 1, 2017, the Office of Program
671 Policy Analysis and Government Accountability shall report its
672 findings to the Governor, the President of the Senate, and the
673 Speaker of the House of Representatives.

674 Section 10. For the 2014-2015 fiscal year, the Department
675 of Children and Families may request a budget amendment pursuant
676 to chapter 216, Florida Statutes, to transfer no more than \$3

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677 million in general revenue funds between Specific Appropriations
678 323 through 342 of the 2014-2015 General Appropriations Act, HB
679 5001, in order to implement the provisions of this act. Three
680 full-time equivalent positions with associated salary rate of
681 116,427 are established to implement the provisions of this act.

682 Section 11. This act shall take effect July 1, 2014.