

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Criminal and Civil Justice Appropriations Committee

BILL: SB 2820

INTRODUCER: Senator Crist

SUBJECT: Residential facilities for juvenile offenders

DATE: March 12, 2008                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Garner	Sadberry	JA	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill places limitations on residential facilities that house juvenile offenders by redefining the “restrictiveness level” so that low-risk, moderate-risk, high-risk, and maximum-risk residential facilities must have no more than 165 beds each. This does not apply if the facility has a specified campus-style program that includes more than one level of restrictiveness, provides multilevel education and treatment programs using different treatment protocols, and has facilities that co-exist separately in distinct locations on the same property. This exemption applies to the DeSoto Juvenile Correctional Facility and the Dozier Campus, which facility houses both the Dozier School for Boys and the Jackson Juvenile Offender Correctional Center. The Department of Juvenile Justice will have to rearrange two facilities, Hastings Moderate-risk facility and Avon Park Youth Academy, and transfer juveniles in order to accommodate the restriction.

**II. Present Situation:**

There are currently no restrictions on bed count for residential facilities that house juvenile offenders. All but four facilities have available occupancy below the 165 standard, yet two would be exempted. The exempted facilities are the DeSoto Juvenile Correctional Facility and the Dozier Campus, which facility houses both the Dozier School for Boys and the Jackson Juvenile Offender Correctional Center. The impacted facilities are Hastings Moderate-risk facility and Avon Park Youth Academy which both exceed this limitation. Hastings Moderate-risk facility has 184 beds available and the Avon Park Youth Academy has 200 beds available for juvenile offenders. The Jackson Juvenile Offender Corrections Center is located on the Dozier Campus thus making the facility’s total operating capacity 231 beds. The DeSoto Dual Diagnosed Correctional Facility Specialized Substance Abuse and Mental Health Program and the DeSoto

Juvenile Correctional Facility Specialized in Intensive Mental Health Program are two programs that are located in one facility totaling the operating capacity to 254 beds.

### **III. Effect of Proposed Changes:**

The major effect of this legislation is that the Department of Juvenile Justice must transfer juveniles from Hastings Moderate-risk facility and Avon Park Youth Academy to other facilities that do not reach 165 occupancy. DJJ must also have to eliminate the extra beds from these two facilities and increase bed capacity at other facilities in order to accommodate this modification. The Desoto Juvenile Facility and the Dozier campus are both exempted from this provision since they have a specified campus-style program that includes more than one level of restrictiveness, provide multilevel education and treatment programs using different treatment protocols, and have facilities that co-exist separately in distinct locations on the same property.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

This bill prohibits private vendors who provide juvenile residential facilities or services from being able to create additional occupancy opportunities if needed. Both the Hastings Moderate-risk facility and Avon Park Youth Academy are provided by contracted vendors. Subsequently, negotiations have been ongoing in order to compensate private providers for this modification.

#### **C. Government Sector Impact:**

The Department of Juvenile Justice must restrict its efforts to house juvenile offenders and must undergo restructuring in order to facilitate the 165 bed limitation. None of the facilities that are run by the department will be affected by this legislation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The current contractual agreements between the department and service providers' ability will be limited to alter the bed count in specific facilities or inhibit growth. Negotiations have been ongoing since Special Session C in an attempt to facilitate the limitation.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.