



**Legislative Agenda**  
**Presented By**  
**Florida Juvenile Justice Association (FJJA)**  
**FY 2019 - 2020**

**Support Staff Retention Plan for Contracted Direct Care Juvenile Justice Professionals.**

The Governor & Legislature in the FY 2018-2019 provided a 10% increase in the salaries of 'direct care' state workers at DJJ. This was for the recruitment and retention of those staff due to high turnover. Over 80% of DJJ's services are provided by private providers who are experiencing a 50% turnover rate costing the state and its taxpayers millions of dollars. This is a request for a 10% increase in the salaries of the 'direct care' staff for the providers to be administered by DJJ through individual contracts. These are programs that are the statutory responsibilities of the agency. For example, all residential programs that a judge sends a child to are operated by providers. Appropriation Request: \$8,254,996.82

**Support Property Theft Threshold Increases**

From FY 2011 – FY 2016 over 13,000 youth have been arrested for grand theft (excluding auto theft). Since 2005, at least 26 states have increased the threshold dollar amount for felony theft crimes to ensure that the amounts keep pace with inflation and the increase in price of consumer goods. 30 states have set a \$1000-or-greater value threshold for felony grand theft and Florida is 1 of 5 states with thresholds below \$500. Raising the threshold from \$300 to \$1500 would help deter our youth from being charged with damaging felonies that follow them the rest of their lives.

**Support Data Collection on Youth transferred to Adult Court for Criminal Prosecution (Direct File)**

Most children in Florida charged with having committed an offense are tried in the juvenile court system, however Florida also has statutory procedures which allow children to be transferred from the juvenile court system to the adult criminal court system. While recent data from FY 2015 – 2016 has shown that the number of children direct filed is decreasing in Florida, it has also indicated the average age of children direct filed was "16.4 years and the most common offense was 'burglary'". The FJJA supports OPPAGA recommendations regarding "consideration of options the Legislature could implement to better improve data quality on adult outcomes of direct filed children".

**Support Expunction of Juvenile Record of Arrest for those completing Diversion Programming**

There are currently 4 options available to expunge (eliminate all public record) a juvenile arrest record in Florida.

1. Automatic - On the child's 21<sup>st</sup> birthday (or 26 if *committed* as a juvenile) all delinquency records are supposed to be destroyed by the Florida Department of Law Enforcement (FDLE), if the child is not charged with certain crimes as an adult before their 21<sup>st</sup> birthday
2. Early - Submit a request to FDLE when they are between the ages of 18 and 21 for an *early expungement* only if 5 years has passed since the conclusion of their last case
3. Petition - File a *petition* with the circuit court to have their record expunged at any time (complicated and usually requires an attorney)

4. *Juvenile Diversion Expungement* – Submit an application to FDLE at no cost only if the child completes a post arrest diversion program for a misdemeanor offense – not including domestic violence.

The legislature created this exception (#4) and eliminated any processing fee, so it is intended to provide children that complete diversion an opportunity to start with a clean slate; however, this provision only applies to children who complete a diversion program for a misdemeanor offense. It should also apply to children who complete a diversion program for a felony offense as well. Take the case of a child who steals an Apple iPod (\$299 value / misdemeanor petit theft) from school versus a child who steals an Apple iPhone (over \$300 value felony grand theft) from school. If both children complete post-arrest / pre-file diversion program, only the child that was arrested for stealing the iPod is eligible to take advantage of the *juvenile diversion expunction* provision. This creates a disappointing disadvantage to a large population of the children that complete diversion. Juvenile arrests can often affect a child's ability to get into college, the military, or obtain employment and housing. We would like this process to apply to any child that completes a diversion program not just those arrested for misdemeanor offenses.

### **Increase Residential Capacity**

A significant piece of the DJJ system reform that has taken place over the last 8 years is the reduction of residential capacity. Residential DJJ services are 24 hour a day programs that house children committed to the Florida DJJ by the court. Children stay in these facilities receiving treatment and therapeutic services for an average ranging from 6 months to a year. The children housed in these facilities often suffer from severe trauma and pose the greatest risk to public safety. Residential programming is also the costliest part of the DJJ continuum, averaging over \$200 per day per child. In 2010 DJJ's residential capacity was nearly 8,000 individual beds, today it is closer to a total of 2,000 beds. The severe reduction was deliberate and part of DJJ's reform effort, as a result more children are being served in less restrictive community-based environments and the state is saving millions of dollars each year. Over the last several years the legislature has passed more restrictive juvenile delinquency measures (directly increasing the need for additional residential capacity) without providing funding to meet the additional residential needs caused by the legislation. New legislative provisions such as the designation of "Prolific Juvenile Offenders" (PJO) require certain children to be held in secure detention awaiting placement and the current number of children awaiting placement is estimated at 500 children statewide. The system needs additional residential capacity to accommodate the waiting list and the legislature should continue to work with DJJ to address this issue. The legislature has funded a total of 86 new beds over the last 2 years and should continue to strategically address this need in partnership with the Florida DJJ.

### **Provide Recurring Funding to Continue the Stop Now and Plan (SNAP) Program**

We are requesting \$3,671,291 in recurring funding to continue the Stop Now and Plan (SNAP) program. DJJ is also requesting that this program that received nonrecurring funds in FY 2018-19 be appropriated recurring funding in FY 2019-20. The SNAP program is an evidence-based, family-focused intervention that targets those youth who are engaging in problematic, aggressive, antisocial behavior and/or have come into contact with authority figures. The program aims to prevent antisocial behavior and reduce the chance of future conflict with authorities through timely and effective early intervention.

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