



Sheriffs Oppose HB 959 and SB 812 – Maintain Safety for Incarcerated Juveniles

Current law requires Sheriffs to meet state standards in order to house juveniles charged as adults, as well as pre-adjudicated juvenile offenders. These standards are developed by the Florida Model Jail Standards Committee (FMJS). The FMJS provide more protection to juveniles than this bill would require. An example is when a juvenile who enters a detention facility with an infectious disease may need to be quarantined to reduce the risk of spreading the infection to the general population. Yet, medical confinement is prohibited in this legislation.

The bill does not consider safety implications of the criteria for confinement of juveniles or in the general population by removing discretion from the detention staff. For instance, a juvenile placed in emergency cell confinement for a suicide attempt is required by these bills to have one hour of out-of-cell large muscle exercise, although it may not be safe for that juvenile to be around recreational equipment or outside near razor wire fences. Additionally, youth on suicide watch would be required to be moved to a treatment facility even though the youth is undergoing treatment at a correctional facility. This potential change does not meet Baker Act criteria of involuntary examination, and would violate the law, per Florida Statute 394.463.

There will be an immediate fiscal impact for every jail in the state, locally operated juvenile detention facility and the Department of Corrections. In order to meet the requirements of this bill, jails would be required to hire additional staff, which would not create a safer environment. Three to four mental health professionals per jail and juvenile detention facility would have to be hired in order to implement the requirement of the bills related to the mental health examinations of juveniles in emergency confinement. Supervision related to the out of cell time requirements would also require jails and juvenile detention facilities to hire additional deputies.

The bill creates inequities in law requiring certain standards be met by Sheriffs and Department of Corrections that house juveniles, but not DJJ. **DJJ residential and detention facilities house the majority of juveniles detained in the state.** This bifurcated application of the law fails to extend the requirements to the greatest number of juveniles it could reach—those housed by the Department of Juvenile Justice.

Vote NO on HB 959 and SB 812

