

CS/SB 402 by **HR, Negron (CO-INTRODUCERS) Fasano**; (Similar to H 0227) Prescription Drug Abuse

SPB 7044 by **BJA**; Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**BUDGET SUBCOMMITTEE ON CRIMINAL AND CIVIL
JUSTICE APPROPRIATIONS**

**Senator Fasano, Chair
Senator Joyner, Vice Chair**

MEETING DATE: Thursday, January 12, 2012

TIME: 1:00 —3:00 p.m.

PLACE: *Mallory Horne Committee Room, 37 Senate Office Building*

MEMBERS: Senator Fasano, Chair; Senator Joyner, Vice Chair; Senators Bennett, Evers, Smith, Storms, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 402 Health Regulation / Negron (Similar H 227)	Prescription Drug Abuse; Creating the Statewide Task Force on Prescription Drug Abuse and Newborns; requiring that the Department of Legal Affairs provide the task force with necessary staff, etc. HR 12/07/2011 Fav/CS BJA 01/12/2012 BC	
Consideration of proposed committee bill:			
2	SPB 7044	Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission; Re-creating the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission without modification; abrogating provisions relating to the termination of the trust fund, to conform, etc.	
3	Update on foreclosure filings by the Office of the State Courts Administrator		
4	Presentation of Recommendations on Resolving Civil Disputes report by the Office of the State Courts Administrator		
5	Update on the elimination of residential care for misdemeanor youth by the Department of Juvenile Justice		
6	Update on the Civil Citation Program in the Department of Juvenile Justice		
Budget Work Session			
7	Other Related Meeting Documents		

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 Budget Subcommittee on Criminal and Civil Justice Appropriations

BILL: CS/SB 402

INTRODUCER: Health Regulation Committee and Senators Negrón and Fasano

SUBJECT: Prescription Drug Abuse

DATE: December 13, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wilson	Stovall	HR	Fav/CS
2.	Sneed	Sadberry	BJA	Pre-meeting
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|--------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The bill creates the Statewide Task Force on Prescription Drug Abuse and Newborns within the Department of Legal Affairs. The purpose of the task force is to examine and analyze the emerging problem of neonatal withdrawal syndrome as it pertains to prescription drugs. The task force will research the impact of prescription drug use and neonatal withdrawal syndrome, evaluate effective strategies for treatment and prevention, and provide policy recommendations to the Legislature.

This bill creates one undesignated section of law.

II. Present Situation:

Abuse of Prescription Drugs

Prescription drug abuse is the intentional use of a medication without a prescription of one's own; in a way other than as prescribed; or for the experience or feeling it causes. According to several national surveys, prescription medications, such as those used to treat pain, attention deficit disorders, and anxiety, are being abused at a rate second only to marijuana among illicit

drug users.¹ The consequences of this abuse are reflected in increased treatment admissions, emergency room visits, and overdose deaths.

Although many types of prescription drugs are abused, there is currently a growing, deadly epidemic of prescription painkiller abuse. In 2008, drug overdoses in the United States caused 36,450 deaths. Opioid pain relievers were involved in 14,800 deaths (73.8 percent) of the 20,044 prescription drug overdose deaths. Opioid pain relievers now account for more overdose deaths than heroin and cocaine combined.² In 2009, 1.2 million hospital emergency department visits (an increase of 98.4 percent since 2004) were related to misuse or abuse of pharmaceuticals, compared with 1.0 million emergency department visits related to use of illicit drugs such as heroin and cocaine.³

Reports from the National Survey on Drug Use and Health combine four prescription-type drug groups into a category referred to as “psychotherapeutics.” The four categories of prescription-type drugs (pain relievers, tranquilizers, stimulants, and sedatives) cover numerous medications that currently are or have been available by prescription. They also include drugs within these groupings that originally were prescription medications but currently may be manufactured and distributed illegally, such as methamphetamine, which is included under stimulants. Use of over-the-counter drugs and legitimate use of prescription drugs are not included.

The national findings from the 2010 National Survey on Drug Use and Health indicate that 7.0 million persons aged 12 or older (2.7 percent of the population) were *nonmedical* users of psychotherapeutic drugs, including 5.1 million users of pain relievers, 2.2 million users of tranquilizers, 1.1 million users of stimulants, and 374,000 users of sedatives.⁴ According to the findings from the survey, the number and percentage of persons aged 12 or older who were current *nonmedical* users of psychotherapeutic drugs have remained about the same since 2002.⁵

Drug Use by Pregnant Women

According to the national findings from the 2010 National Survey on Drug Use and Health, 4.4 percent of pregnant women aged 15 to 44 were current illicit drug users based on data averaged across 2009 and 2010.⁶ This was lower than the rate among women in this age group who were not pregnant (10.9 percent). The rate of current illicit drug use was 16.2 percent among pregnant women aged 15 to 17, 7.4 percent among pregnant women aged 18 to 25, and 1.9 percent among pregnant women aged 26 to 44. Illicit drugs include marijuana/hashish,

¹ National Institute on Drug Abuse, *Prescription Drugs: Abuse and Addiction*. Found at:

<<http://drugabuse.gov/ResearchReports/Prescription/prescription2.html#whatis>> (Last visited on November 29, 2011).

² CDC, *Vital Signs: Overdoses of Prescription Opioid Pain Relievers – United States, 1999 – 2008*, Morbidity and Mortality Weekly Report (MMWR), November 4, 2011 / 60(43); 1487-1492. Found at:

<http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6043a4.htm?s_cid=mm6043a4_w> (Last visited on November 29, 2011).

³ *Id.*

⁴ U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, *Results from the 2010 National Survey on Drug Use and Health: Summary of National Findings*, page 12. Found at:

<<http://oas.samhsa.gov/NSDUH/2k10NSDUH/2k10Results.pdf>> (Last visited on November 29, 2011).

⁵ *Id.*, p. 12 and 13.

⁶ *Id.*, p. 20.

cocaine (including crack), heroin, hallucinogens, inhalants, and prescription-type psychotherapeutics used nonmedically.

Neonatal Withdrawal Syndrome

Neonatal Withdrawal Syndrome (NWS), also commonly referred to as Neonatal Abstinence Syndrome is a group of problems that occur in a newborn who was exposed to addictive illegal or prescription drugs while in the mother's womb. Drugs taken during pregnancy pass through the placenta – the organ that connects the baby to its mother in the womb – and reach the baby. The baby becomes addicted along with the mother. At birth, the baby is still dependent on the drug. Because the baby is no longer getting the drug after birth, symptoms of withdrawal occur.⁷

The symptoms of NWS depend on the type of drug the mother used, how much of the drug she was taking, for how long she used the drug, and whether the baby was born full-term or early. Symptoms can begin within 1-3 days after birth, or they may take 5-10 days to appear. The symptoms may include: blotchy skin coloring, diarrhea, excessive crying or high-pitched crying, excessive sucking, fever, hyperactive reflexes, increased muscle tone, irritability, poor feeding, rapid breathing, seizures, sleep problems, slow weight gain, stuffy nose, sneezing, sweating, trembling, and vomiting. NWS can last from 1 week to 6 months.⁸

According to the Florida Center for Health Information and Policy Analysis in the Agency for Health Care Administration, the number of cases of drug withdrawal syndrome in newborns jumped from 354 in 2006 to 1,374 in 2010.⁹ These numbers include all drugs, not just prescription drugs. However, recent media reports indicate that hospitals are experiencing a rise in the number of infants born withdrawing from opiate-based pills such as oxycodone and hydrocodone.¹⁰

Task Forces

Chapter 20, F.S., establishes provisions for the organizational structure of state government. Subsection 20.03(8), F.S., defines “committee” or “task force” to mean “an advisory body created without specific statutory enactment for a time not to exceed 1 year or created by specific statutory enactment for a time not to exceed 3 years and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its assignment.”

⁷ U.S. National Library of Medicine, PubMed Health, A.D.A.M. Medical Encyclopedia, *Neonatal abstinence syndrome*. Found at: <<http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0004566/>> (Last visited on November 29, 2011).

⁸ *Id.*

⁹ The Florida Center for Health Information and Policy Analysis queried the Center's hospital inpatient discharge data for the years 2006 through 2010 for the principal and secondary diagnosis fields for Drug Withdrawal Syndrome in Newborns with a diagnosis code of 779.5.

¹⁰ Ray Reyes, *Number of babies born addicted to pain pills rising in Tampa Bay*, The Tampa Tribune, July 25, 2011. Found at: <<http://www2.tbo.com/news/breaking-news/2011/jul/25/number-of-babies-born-addicted-to-pain-pills-risin-ar-246186/>> (Last visited on November 29, 2011).

Donna Leinwand Leger, *Doctors see surge in newborns hooked on mothers' pain pills*, USA Today. Found at: <<http://yourlife.usatoday.com/parenting-family/babies/story/2011-11-13/Doctors-see-surge-in-newborns-hooked-on-mothers-pain-pills/51186076/1>> (Last visited on November 29, 2011).

III. Effect of Proposed Changes:

The bill creates the Statewide Task Force on Prescription Drug Abuse and Newborns within the Department of Legal Affairs. The purpose of the task force is to research the impact of prescription drug use and neonatal withdrawal syndrome, evaluate effective strategies for treatment and prevention, and provide policy recommendations to the Legislature. The task force is charged with:

- Collecting and organizing data concerning the nature and extent of neonatal withdrawal syndrome from prescription drugs in this state;
- Collecting and organizing data concerning the costs associated with treating expectant mothers and newborns suffering from withdrawal from prescription drugs;
- Identifying available federal, state, and local programs that provide services to mothers who abuse prescription drugs and newborns who have neonatal withdrawal syndrome; and
- Evaluating methods to increase public awareness of the dangers associated with prescription drug abuse, particularly to women, expectant mothers, and newborns.

The bill specifies the membership of the 14-member task force and provides for reimbursement for per diem and travel expenses of the members. The organizational meeting of the task force is to be held by May 1, 2012, and the task force must subsequently meet at least four times per year. The task force must submit an interim report of its recommendations to the President of the Senate and the Speaker of the House of Representatives by January 15, 2013, and a final report of its recommendations by January 15, 2015.

The Department of Legal Affairs is directed to provide staff support to the task force.

The effective date of the bill is upon the act becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of the bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The estimated fiscal impact to the Office of the Attorney General (OAG) will be minimal. The OAG has indicated that it will use existing employees to staff the task force, organize the meetings, and write the report. The four required task force meetings will cost the OAG approximately \$14,500, or \$3,600 per meeting. The OAG has identified a legal settlement that could cover all task force costs.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Regulation on December 7, 2011:

The Committee Substitute specifies four additional members of the task force and requires an interim and a final report to the President of the Senate and the Speaker of the House of Representatives.

B. Amendments:

None.

By the Committee on Health Regulation; and Senators Negron and Fasano

588-01576-12

2012402c1

A bill to be entitled

An act relating to prescription drug abuse; creating the Statewide Task Force on Prescription Drug Abuse and Newborns; providing a purpose; providing membership of the task force; providing for reimbursement of per diem and travel expenses for members of the task force; requiring that the Department of Legal Affairs provide the task force with necessary staff; specifying a date for the task force's organizational session; providing meeting times; providing the duties of the task force; requiring that the task force submit reports to the Legislature; providing an effective date.

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

Section 1. Statewide Task Force on Prescription Drug Abuse and Newborns.—

(1) The Legislature declares that the purpose of this act is to create a task force to examine and analyze the emerging problem of neonatal withdrawal syndrome as it pertains to prescription drugs.

(2)(a) There is created within the Department of Legal Affairs the Statewide Task Force on Prescription Drug Abuse and Newborns, a task force as defined in s. 20.03, Florida Statutes. The task force is created for the express purpose of researching the impact of prescription drug use and neonatal withdrawal syndrome, evaluating effective strategies for treatment and prevention, and providing policy recommendations to the

588-01576-12

2012402c1

Legislature.

(b) The task force shall consist of the following members, or his or her designee:

1. The Attorney General who shall serve as chair.

2. The Surgeon General who shall serve as vice chair.

3. The Secretary of Children and Family Services.

4. The Secretary of Health Care Administration.

5. The executive director of the Department of Law Enforcement.

6. A legislator appointed by the President of the Senate.

7. A legislator appointed by the Speaker of the House of Representatives.

8. A representative from the Florida Medical Association.

9. A representative from the Florida Hospital Association.

10. A representative, appointed by the Attorney General, from an addiction and recovery association.

11. A representative from the Florida Osteopathic Medical Association.

12. A representative from the March of Dimes.

13. A representative of Healthy Start.

14. A resident of this state appointed by the Attorney General.

(c) Members of the task force are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061, Florida Statutes.

(d) The Department of Legal Affairs shall provide the task force with staff necessary to assist the task force in the performance of its duties.

(3) The task force shall hold its organizational session by

588-01576-12

2012402c1

59 May 1, 2012. Thereafter, the task force shall meet at least four
60 times per year. Additional meetings may be held if the chair
61 determines that extraordinary circumstances require an
62 additional meeting. A majority of the members of the task force
63 constitutes a quorum.

64 (4) The task force shall:

65 (a) Collect and organize data concerning the nature and
66 extent of neonatal withdrawal syndrome from prescription drugs
67 in this state;

68 (b) Collect and organize data concerning the costs
69 associated with treating expectant mothers and newborns
70 suffering from withdrawal from prescription drugs;

71 (c) Identify available federal, state, and local programs
72 that provide services to mothers who abuse prescription drugs
73 and newborns who have neonatal withdrawal syndrome; and

74 (d) Evaluate methods to increase public awareness of the
75 dangers associated with prescription drug abuse, particularly to
76 women, expectant mothers, and newborns.

77 (5) The task force shall submit an interim report of its
78 recommendations to the President of the Senate and the Speaker
79 of the House of Representatives by January 15, 2013, and a final
80 report of its recommendations by January 15, 2015.

81 Section 2. This act shall take effect upon becoming a law.

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 Budget Subcommittee on Criminal and Civil Justice Appropriations

BILL: SPB 7044

INTRODUCER: For consideration by the Budget Subcommittee on Criminal and Civil Justice
Appropriations

SUBJECT: Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission

DATE: January 10, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkness	Sadberry		Pre-meeting
2.				
3.				
4.				
5.				
6.				

I. Summary:

This bill re-creates the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission without modification, and repeals the provisions that would have terminated the trust fund. This bill repeals s. 27.715(2), Florida Statutes. The bill would become effective July 1, 2013.

II. Present Situation:

Currently, the Capital Collateral Regional Trust Fund within the Justice Administrative Commission is scheduled to be terminated on July 1, 2013. Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law. Funds credited to this trust fund consist of compensation and reimbursements received from the federal government pursuant to 18 U.S.C. s. 3006A for legal representation in both state and federal capital post-conviction proceedings to any person convicted and sentenced to death in Florida who is without counsel due to indigency. For the current year, the legislature has appropriated \$400,000 from this trust fund.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

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:

None.

C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

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.

FOR CONSIDERATION By the Committee on Budget Subcommittee on
Criminal and Civil Justice Appropriations

604-01598-12

20127044__

A bill to be entitled

An act relating to trust funds; re-creating the
Capital Collateral Regional Counsel Trust Fund within
the Justice Administrative Commission without
modification; repealing s. 27.715(2), F.S.; abrogating
provisions relating to the termination of the trust
fund, to conform; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of the
Capital Collateral Regional Counsel Trust Fund within the
Justice Administrative Commission, which is otherwise scheduled
to be terminated pursuant to constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund before
its scheduled termination date and has found that it continues
to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public
policy concerning the trust fund sets adequate parameters for
its use, NOW, THEREFORE,

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

Section 1. The Capital Collateral Regional Counsel Trust
Fund within the Justice Administrative Commission, FLAIR number
21-2-073, which is to be terminated pursuant to Section 19(f),
Article III of the State Constitution on July 1, 2013, is re-
created.

Section 2. Subsection (2) of section 27.715, Florida
Statutes, is repealed.

Section 3. This act shall take effect July 1, 2013.

Update on Mortgage Foreclosure Filings



Lisa Goodner

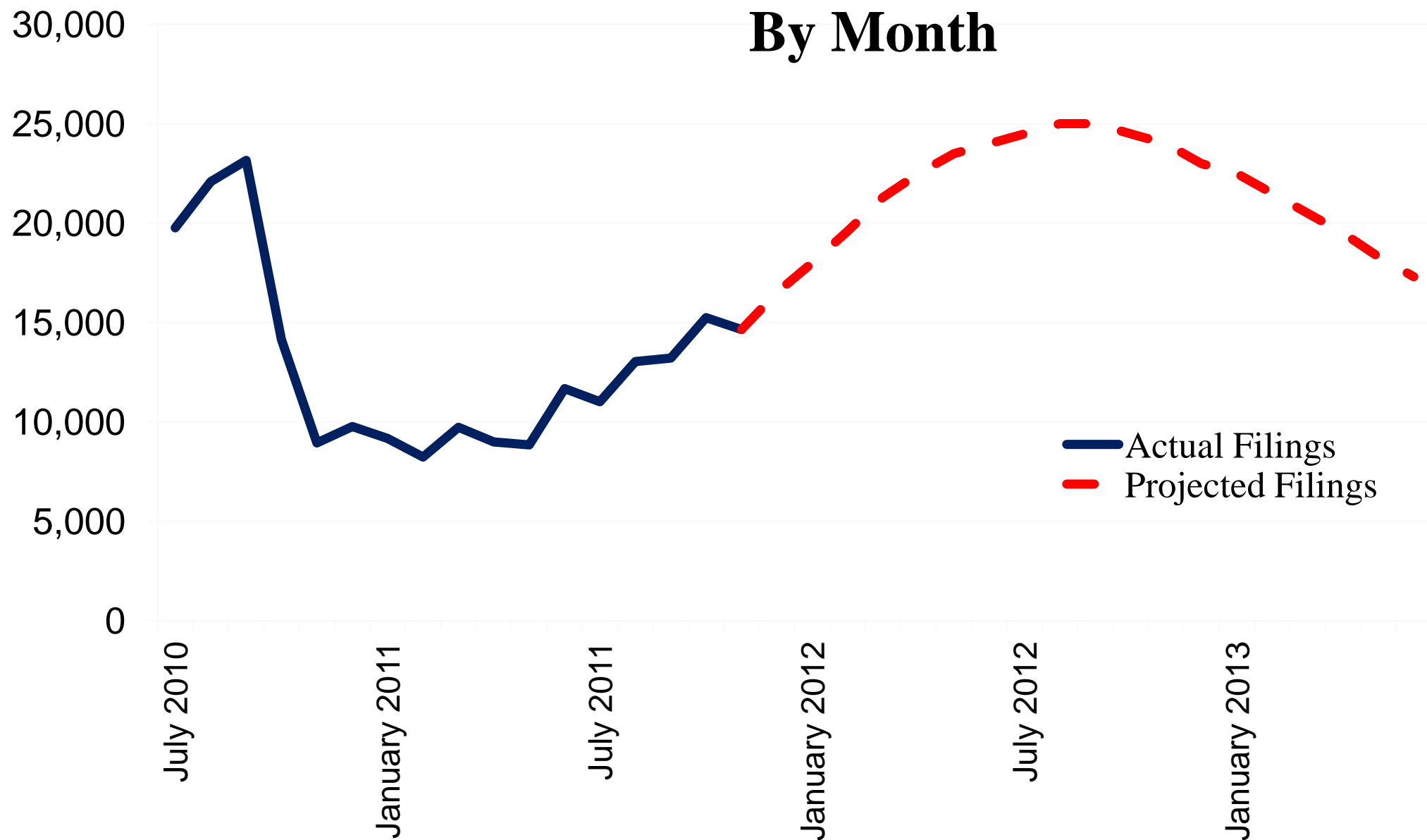
State Courts Administrator

January 12, 2012

Real Property/Mortgage Foreclosure Filings

July 2010 - Projected June 2013

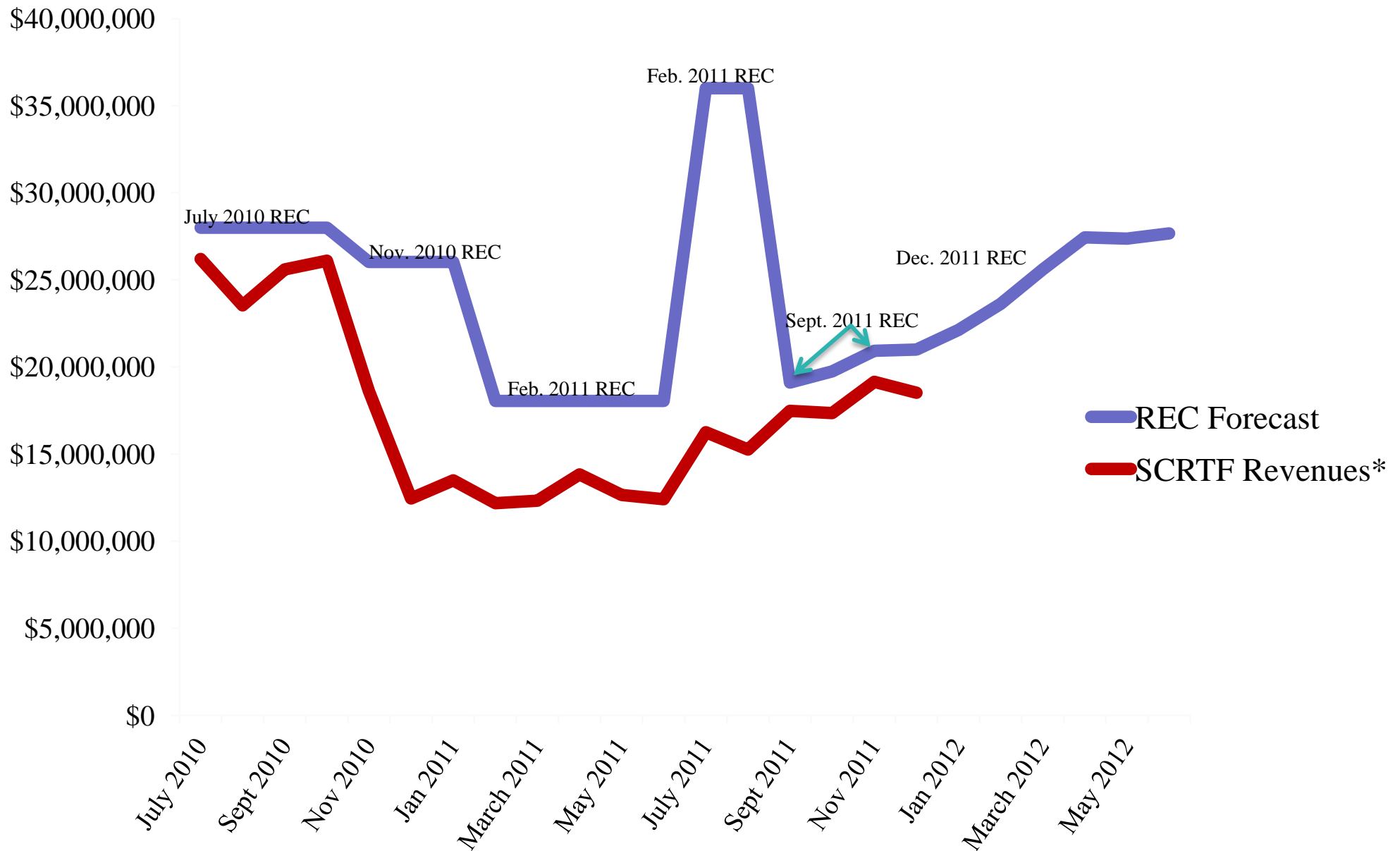
By Month



Note: Projected Filings are based on official estimates from the Article V Revenue Estimating Conference, December 5, 2011.

State Courts Revenue Trust Fund

Actual Revenues July 2010 - December 2011 and REC Estimates



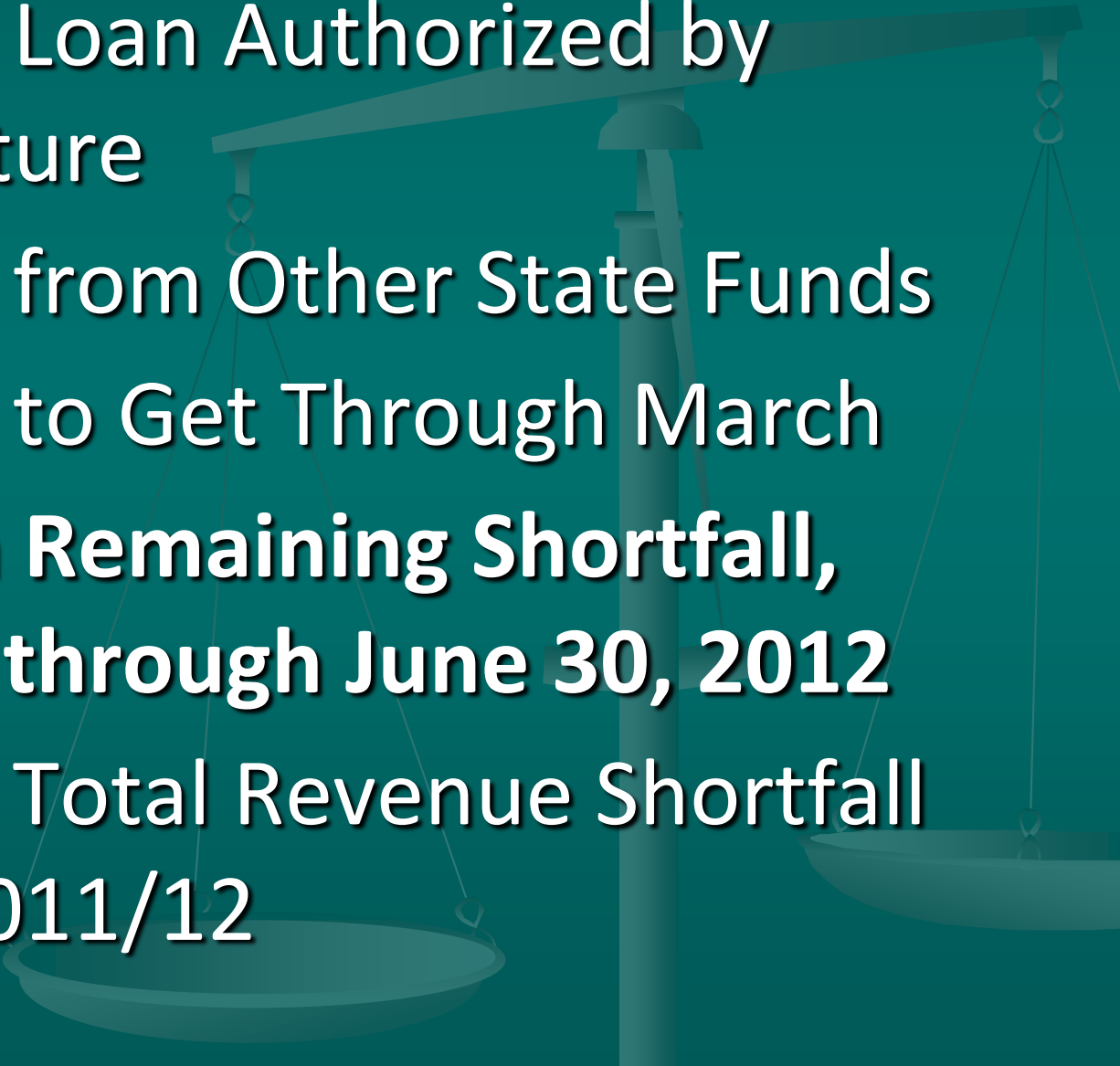
*SCRTF Revenues as reported in the Department of Revenue Consolidation Report and OSCA, Finance and Accounting. REC Forecast from the Article V Revenue Estimating Conference.

July 2010 – October 2010 monthly estimated revenues are 1/12 of the annual FY 2010-11 estimate as determined at the July 21, 2011, REC ($335.9 / 12 = 27.99$ monthly). November 2010 – January 2011 monthly estimated revenues are 1/12 of the annual FY 2010-11 estimate as determined at the November 15, 2011, REC ($312.4 / 12 = 26.03$ monthly). February 2011– June 2011 monthly estimated revenues are 1/12 of the annual FY 2010-11 estimate as determined at the February 14, 2011, REC ($216.7 / 12 = 18.085$ monthly). July 2011 – August 2011 monthly estimated revenues are 1/12 of the annual FY 2011-12 estimate as determined at the February 14, 2011, REC ($432.0 / 12 = 36.0$ monthly); this estimate includes the MATF estimate, which merged with SCRTF on July 1, 2011. September 2011 – November 2011 monthly estimated revenues are the monthly estimates for FY 2011-12 as determined during the September 12, 2011 REC. December 2011 – June 2012 monthly estimated revenues are the monthly estimates for FY 2011-12 as determined during the December 5, 2011 REC.

Prepared by OSCA, Resource Planning

FY 2011/12

Court System Revenue Shortfall



\$ 54.0	Million Loan Authorized by Legislature
<u>\$ 45.6</u>	Million from Other State Funds
\$ 99.6	Million to Get Through March
<u>\$ 12.5</u>	Million Remaining Shortfall, April 1 through June 30, 2012
<u><u>\$112.1</u></u>	Million Total Revenue Shortfall in FY 2011/12

Foreclosure Case Backlog

Estimated Backlogged Cases as of July 1, 2011	368,000
Estimated Additional Backlogged Cases from July 1, 2011, through June 30, 2016	<u>380,000</u>
Estimated Total of Foreclosure Cases that Are or May Become Backlogged	<u>748,000</u>

Foreclosure Backlog Reduction Proposal

- Provides resources for elimination and prevention of backlogged mortgage foreclosure cases
- Provides recurring lump-sum dollars for senior judge days or general magistrates, case managers, and associated operating funds
- Recommends Legislature release funds to coincide with a determination that lenders are ready to proceed with these cases

Foreclosure Backlog Reduction Proposal

Resources Needed	
FY 2012-13	\$5,756,351
FY 2013-14	\$4,551,477
FY 2014-15	\$4,368,384
FY 2015-16	\$2,439,128

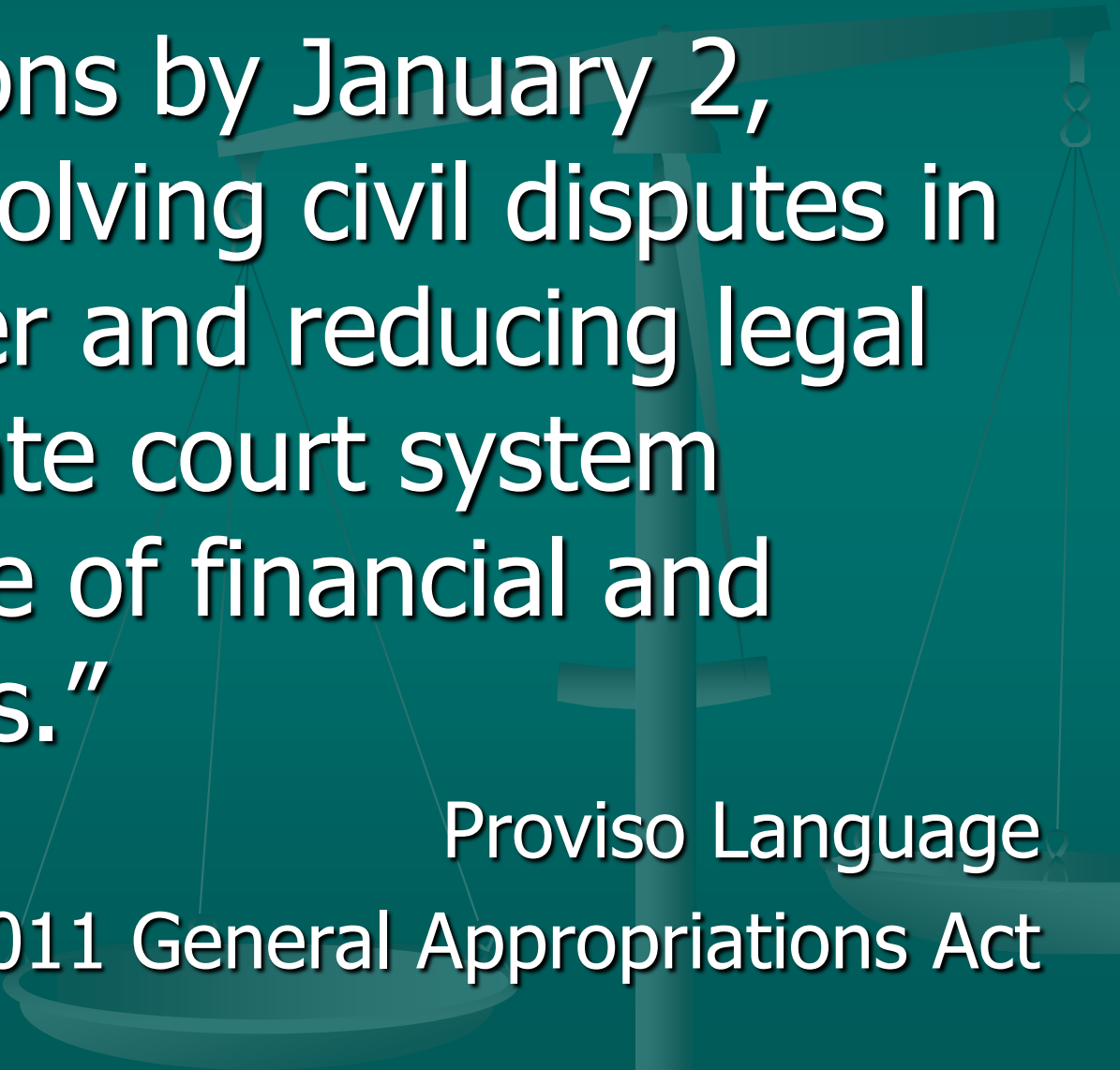
QUESTIONS?



Recommendations on Resolving Civil Disputes



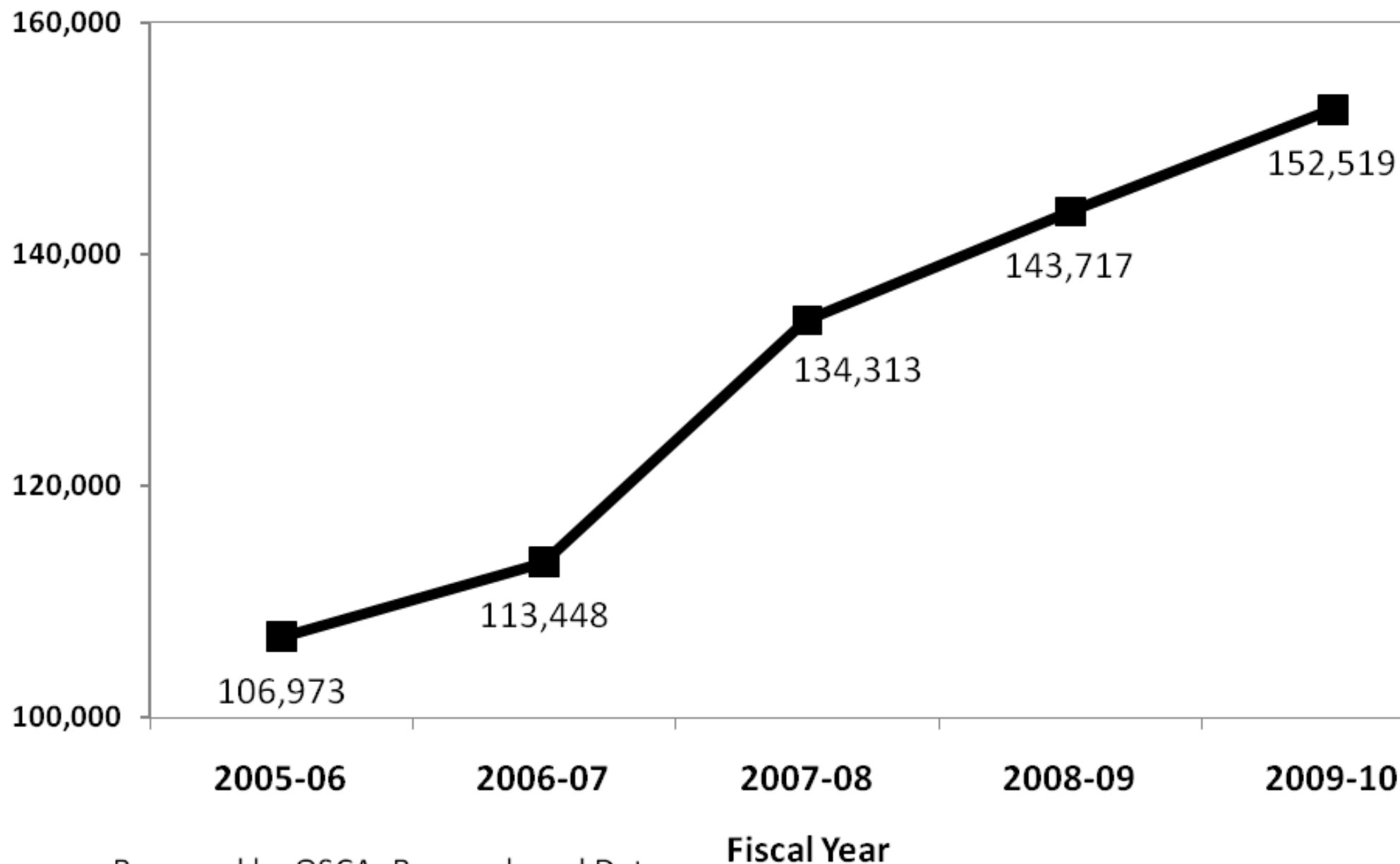
Judge Margaret Steinbeck
Vice Chair,
Trial Court Budget Commission
January 12, 2012



“...[T]he Office of State Courts Administrator will make recommendations by January 2, 2012, ... on resolving civil disputes in a timely manner and reducing legal costs to the state court system through the use of financial and other incentives.”

Proviso Language
2011 General Appropriations Act

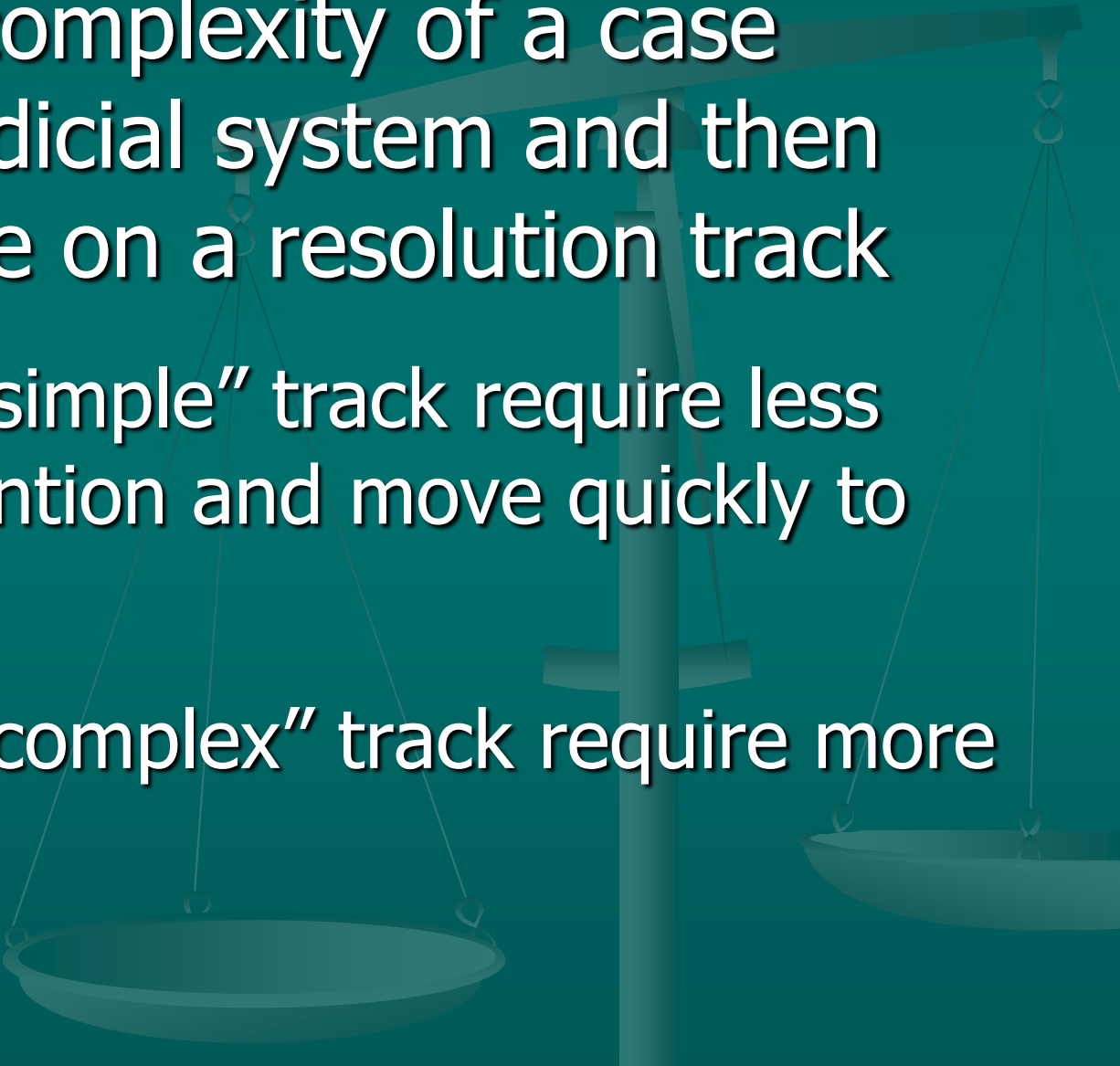
**Circuit Civil Filings, Excluding Real Property/Mortgage
Foreclosure Filings
FY2005-06 to FY 2009-10**



Prepared by OSCA, Research and Data

Recommendation 1

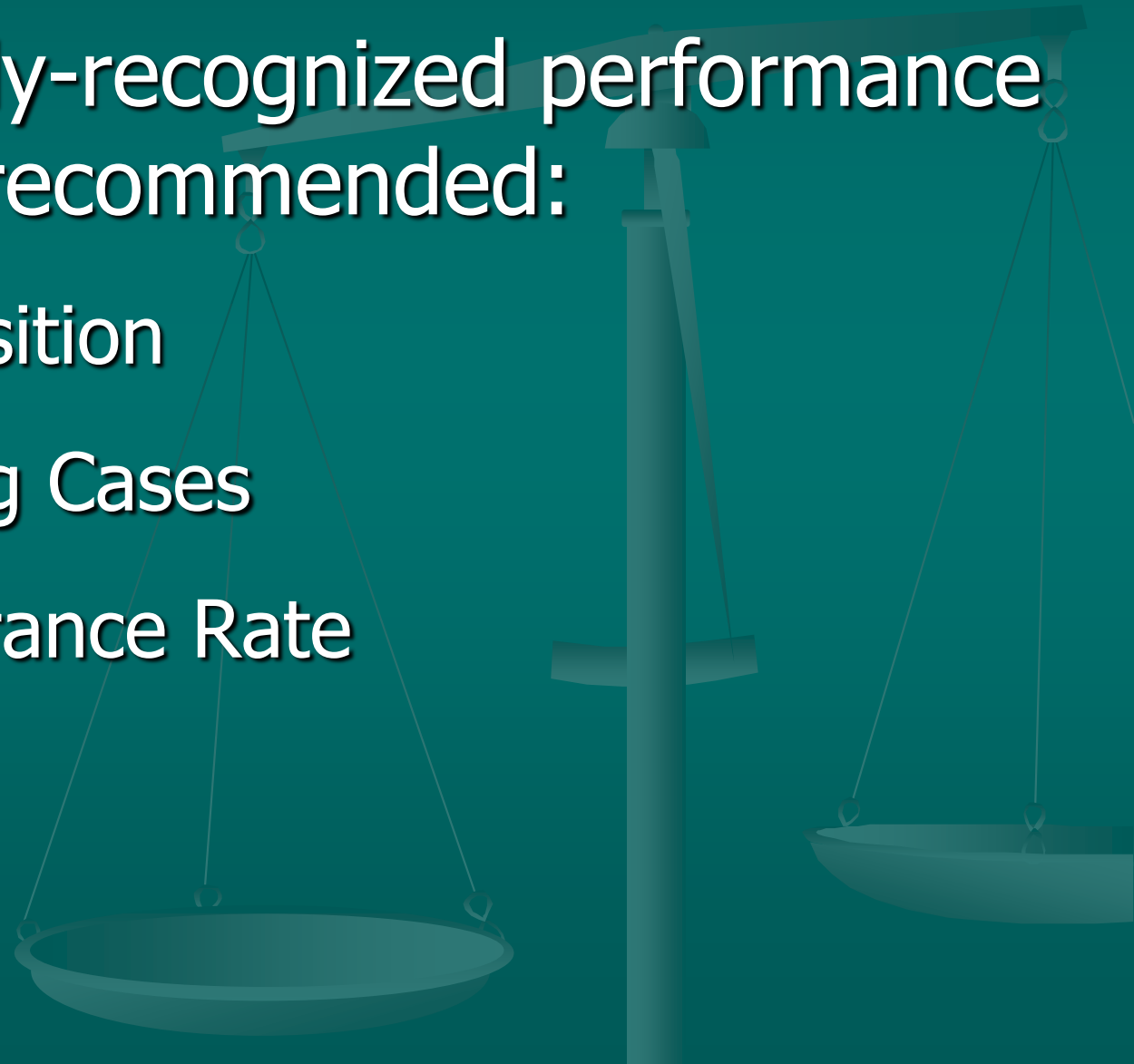
Differentiated Case Management

- Evaluates the complexity of a case entering the judicial system and then places that case on a resolution track
 - Cases on the “simple” track require less judicial intervention and move quickly to disposition
 - Cases on the “complex” track require more judicial focus
- 

Recommendation 2

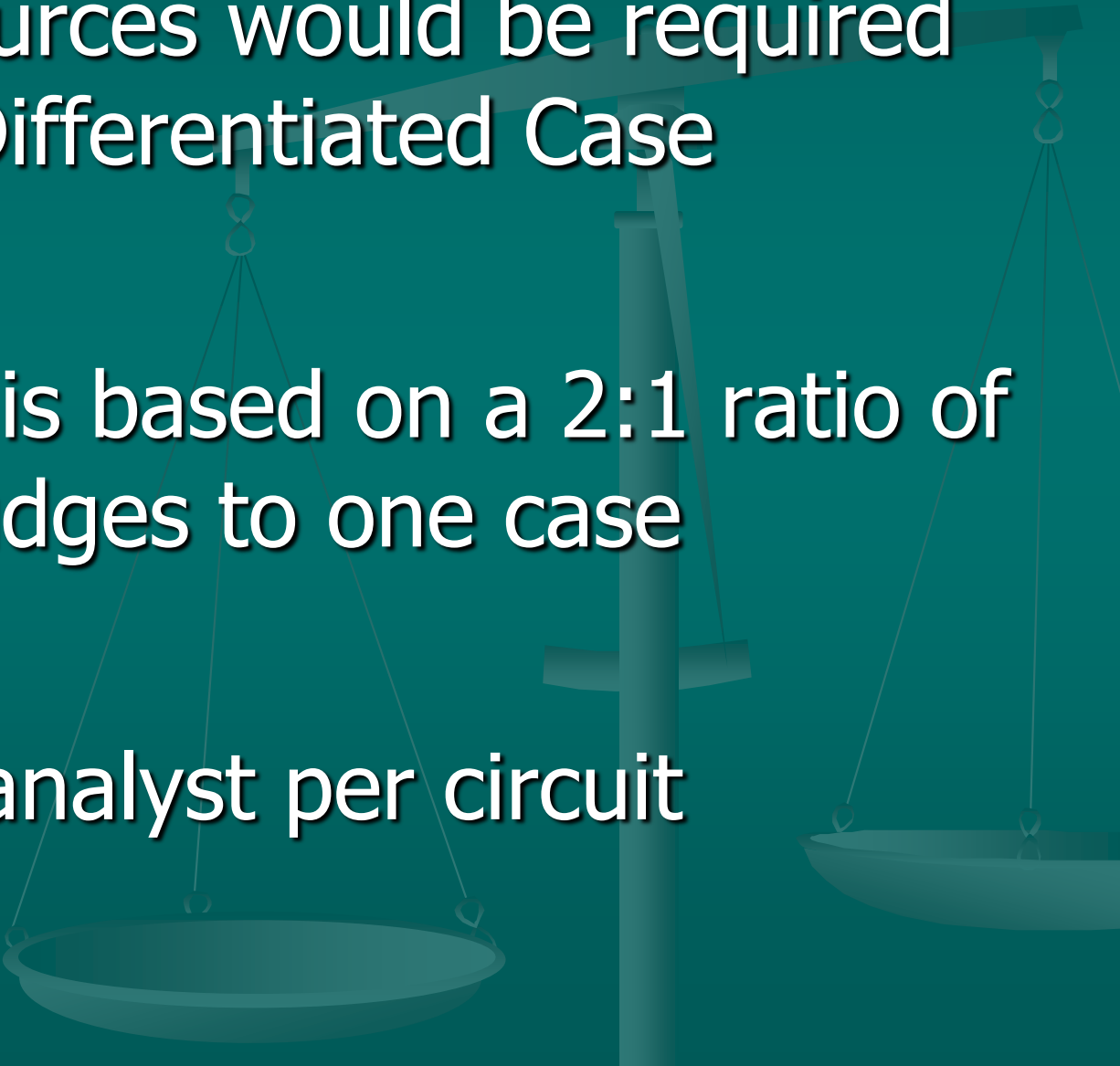
Performance Indicators

- Three nationally-recognized performance indicators are recommended:
 - Time to Disposition
 - Age of Pending Cases
 - Calendar Clearance Rate



Recommendation 3

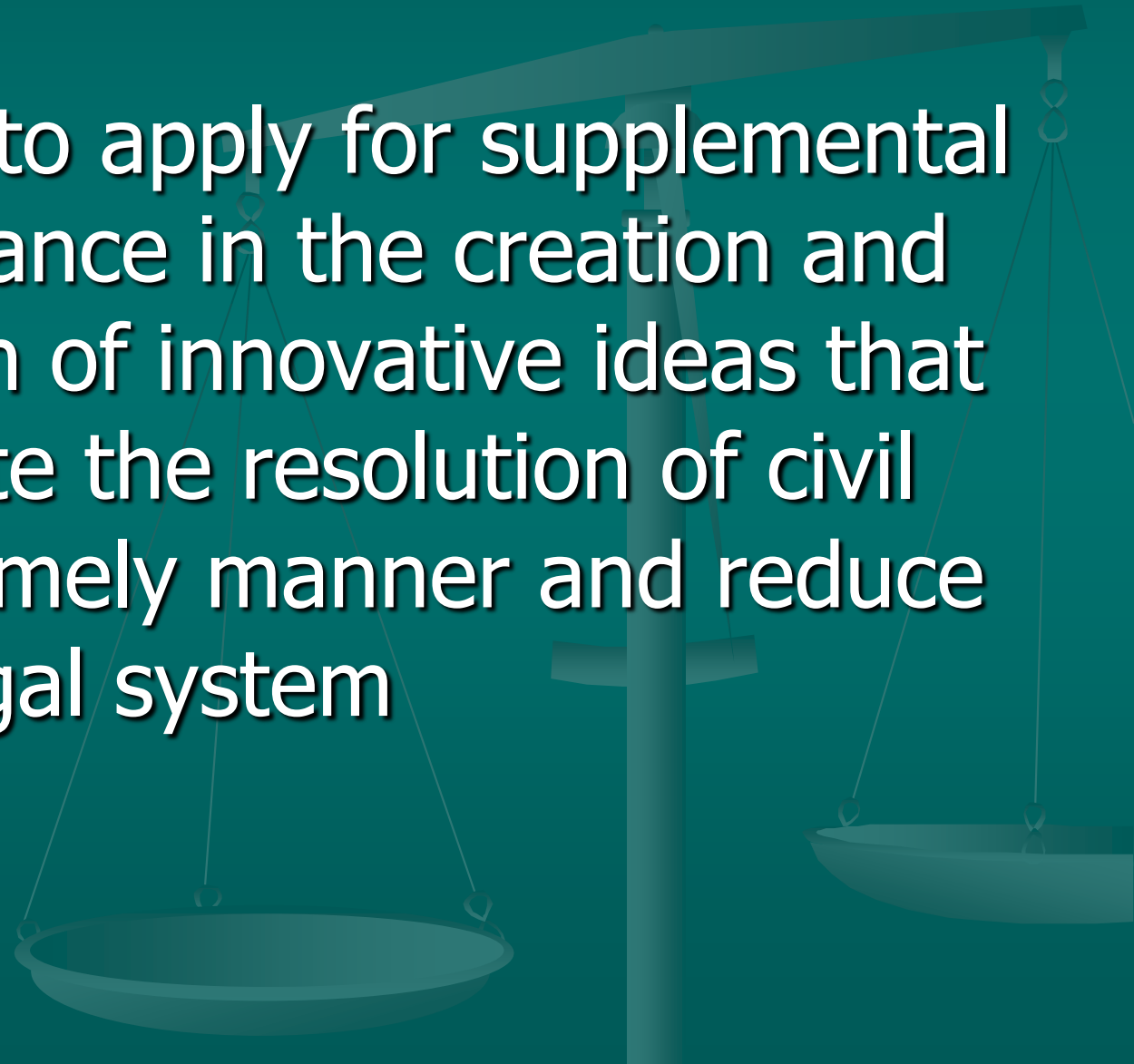
Additional Case Management Resources

- Additional resources would be required to implement Differentiated Case Management
 - Staffing model is based on a 2:1 ratio of two civil trial judges to one case manager
 - One database analyst per circuit
 - Training
- 

Recommendation 4

Reserve Fund to Promote Flexibility and Creativity

- Allows circuits to apply for supplemental financial assistance in the creation and implementation of innovative ideas that directly promote the resolution of civil disputes in a timely manner and reduce costs to the legal system



FY 2012-13 Funding Estimate

Case Managers	\$4,464,614
Database Analysts	\$1,583,060
Training Expenses	\$200,000
Reserve Fund	<u>\$100,000</u>
Total	*\$6,347,674

\$428,823 is non-recurring and \$5,918,851 is recurring.

QUESTIONS?





FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

DJJ Implementation Update on Legislative Initiatives

Senate
Budget Subcommittee on
Criminal and Civil Justice Appropriations
Chairman Mike Fasano

January 12, 2012

Governor Rick Scott



Secretary Wansley Walters

Implementation of HB 997

Civil Citations

This law requires juvenile civil citation programs or similar diversion programs to be established at the local level. Only first time juvenile misdemeanants are eligible. Intervention services are required if a needs assessment determines such services are necessary.

Since becoming law on July 1, 2011:

- 60 unique civil citation or alternative to arrest programs have been registered with DJJ.
- 2,828 youth have been issued a Civil Citation in lieu of arrest .
- The most common offenses receiving civil citation are petty theft (43%), simple battery (19%) and misdemeanor drug violations (16%)

Misdemeanants in Residential Care

SB 2114 changed the commitment criteria in 985 F.S. The court can no longer commit a delinquent child to any restrictiveness level other than minimum risk, non-residential unless:

- It is for a probation violation that is a new felony violation
- The child has a previous felony adjudication
- The child has 3 or more misdemeanor offenses (adjudicated or non-adjudicated)
- The court finds that the protection of the public requires such placement; or
- The particular needs of the child would be best served by the placement

49.5% reduction in commitments for misdemeanor offenses
compared to last year

\$5.4 Million Reinvestment to Serve Misdemeanant Youth

The legislature provided \$5.4 million as a reinvestment to serve misdemeanor youth in the community.

Thus far, DJJ has:

- Signed rate agreements with Community Mental Health Centers and substance abuse treatment providers
- Designated funding to the PACE Center for Girls to address the current waiting list.
- Designated funding for the expansion of the Young Parents Project in three areas of the state (60 additional slots)
- Expanded Multi-systemic and Family Functional Therapies in three Circuits in the state
- Designated funds for enhancing assessments capabilities for our intake screening statewide
- Implemented the Electronic Monitoring program statewide

Residential Facility Closures

The 2011-12 GAA reduced funding for juvenile residential beds by \$40 million. Proviso language stipulated that the reductions were to come from state operated facilities and were to specifically include the Desoto facility. In addition to the closure of Desoto, the DJJ closed the North Florida Youth Development Center (NFYDC).

NFYDC was closed June 30, 2011

83 youth were successfully discharged or transferred to other programs designed to meet their needs

Desoto was closed August 31, 2011

258 youth were successfully discharged or transferred to other programs designed to meet their needs

Release of State Lands process initiated thru DEP

SB 2112 Detention Centers

SB 2112 revised ss.985.686 and 985.688. It authorizes counties to fund and operate juvenile detention centers for pre-adjudicated youth. If the entity operating the center is accredited by the Florida Corrections Accreditation Commission or American Correctional Association, is inspected annually and meets the Florida Model Jail Standards, there will be no oversight on the part of DJJ.

- Florida Model Jail Standards were approved August 30th
- Polk County was operational October 1st
- Seminole County expected to be operational March 1st



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

DJJ Implementation Update on Legislative Initiatives

Senate
Budget Subcommittee on
Criminal and Civil Justice Appropriations
Chairman Mike Fasano

January 12, 2012

Governor Rick Scott



Secretary Wansley Walters



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

DJJ Implementation Update on Legislative Initiatives

Senate
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Implementation of HB 997

Civil Citations

This law requires juvenile civil citation programs or similar diversion programs to be established at the local level. Only first time juvenile misdemeanants are eligible. Intervention services are required if a needs assessment determines such services are necessary.

Since becoming law on July 1, 2011:

- 60 unique civil citation or alternative to arrest programs have been registered with DJJ.
- 2,828 youth have been issued a Civil Citation in lieu of arrest .
- The most common offenses receiving civil citation are petty theft (43%), simple battery (19%) and misdemeanor drug violations (16%)

Misdemeanants in Residential Care

SB 2114 changed the commitment criteria in 985 F.S. The court can no longer commit a delinquent child to any restrictiveness level other than minimum risk, non-residential unless:

- It is for a probation violation that is a new felony violation
- The child has a previous felony adjudication
- The child has 3 or more misdemeanor offenses (adjudicated or non-adjudicated)
- The court finds that the protection of the public requires such placement; or
- The particular needs of the child would be best served by the placement

49.5% reduction in commitments for misdemeanor offenses
compared to last year

\$5.4 Million Reinvestment to Serve Misdemeanant Youth

The legislature provided \$5.4 million as a reinvestment to serve misdemeanor youth in the community.

Thus far, DJJ has:

- Signed rate agreements with Community Mental Health Centers and substance abuse treatment providers
- Designated funding to the PACE Center for Girls to address the current waiting list.
- Designated funding for the expansion of the Young Parents Project in three areas of the state (60 additional slots)
- Expanded Multi-systemic and Family Functional Therapies in three Circuits in the state
- Designated funds for enhancing assessments capabilities for our intake screening statewide
- Implemented the Electronic Monitoring program statewide

Residential Facility Closures

The 2011-12 GAA reduced funding for juvenile residential beds by \$40 million. Proviso language stipulated that the reductions were to come from state operated facilities and were to specifically include the Desoto facility. In addition to the closure of Desoto, the DJJ closed the North Florida Youth Development Center (NFYDC).

NFYDC was closed June 30, 2011

83 youth were successfully discharged or transferred to other programs designed to meet their needs

Desoto was closed August 31, 2011

258 youth were successfully discharged or transferred to other programs designed to meet their needs

Release of State Lands process initiated thru DEP

SB 2112 Detention Centers

SB 2112 revised ss.985.686 and 985.688. It authorizes counties to fund and operate juvenile detention centers for pre-adjudicated youth. If the entity operating the center is accredited by the Florida Corrections Accreditation Commission or American Correctional Association, is inspected annually and meets the Florida Model Jail Standards, there will be no oversight on the part of DJJ.

- Florida Model Jail Standards were approved August 30th
- Polk County was operational October 1st
- Seminole County expected to be operational March 1st



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CourtSmart Tag Report

Room: LL 37

Case:

Caption: Budget SubCommittee on Criminal and Civil Justice Appropriations

Type:

Judge:

Started: 1/12/2012 1:04:53 PM

Ends: 1/12/2012 2:04:32 PM

Length: 00:59:40

1:04:56 PM Roll Call
1:05:25 PM CS/SB 402 by Health Reg/Negron - Prescription Drug Abuse
1:07:41 PM Vote
1:07:47 PM CS/SB 402 reported favorable
1:08:26 PM Introduction of SPB 7044 - Capital Collateral Regional Counsel Trust Fund/Justice Administrative Commission
1:08:34 PM Sen. Joyner presents SPB 7044
1:09:32 PM Brian Pitts - Justice to Jesus
1:11:28 PM Sen. Joyner motions to introduce as committee bill
1:12:08 PM Update on the Civil Citation Program in the Dept. of Juvenile Justice by Wansley Walters, Secretary DJJ
1:14:29 PM Update on elimination of residential care for misdemeanor youth by the Dept. of Juvenile justice by Wansley Walter
1:15:04 PM Question - Sen. Bennett
1:16:41 PM Question - Sen. Bennett
1:17:24 PM Comments - Sen. Fasano
1:18:46 PM SB 2112 Detention Centers update by Wansley Walters, DJJ
1:20:10 PM Question - Sen. Joyner
1:21:52 PM Question - Sen. Storms
1:23:43 PM Update on foreclosure filings by Lisa Goodner, Office of the State Courts Administrator
1:25:35 PM Question - Sen. Fasano
1:27:39 PM Question - Sen. Fasano
1:29:44 PM Question - Sen. Fasano
1:31:53 PM Question - Sen. Fasano
1:33:02 PM Question - Sen. Storms
1:35:28 PM Question - Sen. Storms
1:37:53 PM Fred Baggett, Florida Association of Court Clerks, speaks to issue
1:40:07 PM Question - Sen. Storms
1:41:35 PM Fred Baggett
1:42:49 PM Question - Sen. Storms
1:44:28 PM Comments - Sen. Fasano
1:44:48 PM Presentation of Recommendations on Resolving Civil Disputes report by Judge Margaret Steinback
1:45:10 PM Vice Chair Trial Court Budget Comm., Office of the State Courts Administration
1:49:39 PM Question - Sen. Fasano
1:53:03 PM Question - Sen. Fasano
1:53:30 PM Question - Sen. Bennett
1:56:15 PM Question - Sen. Bennett
1:58:43 PM Question - Sen. Fasano
1:59:41 PM Question - Sen. Bennett
2:03:15 PM Comments - Sen. Fasano
2:04:22 PM Meeting Adjourned

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1 / 12 / 2012

Meeting Date

Topic _____

Bill Number 7044
(if applicable)

Name BRIAN PITTS

Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

Phone 727/897-9291

Street

SAINT PETERSBURG

FLORIDA

33705

City

State

Zip

E-mail JUSTICE2JESUS@YAHOO.COM

Speaking: ☐ For ☒ Against ☒ Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/12/2012
Meeting Date

Topic _____ Bill Number _____ (if applicable)

Name Secretary Wansky Walters Amendment Barcode _____ (if applicable)

Job Title Secretary

Address 2737 Conterview Dr. Phone 850-413-8713
Street
Tallahassee FL 32319 E-mail _____
City State Zip

Speaking: ☐ For ☐ Against ☒ Information

Representing DJS

Appearing at request of Chair: ☒ Yes ☐ No Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-12-12

Meeting Date

Topic _____ Bill Number 402
(if applicable)

Name MARK FONTAINE Amendment Barcode _____
(if applicable)

Job Title EXECUTIVE DIRECTOR

Address 2868 MAHAN DRIVE Phone 878-2196
Street

TALLAHASSEE FL 32308 E-mail _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Alcohol + Drug Abuse Association

Appearing at request of Chair: ☐ Yes ☐ No Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

THE FLORIDA SENATE

APPEARANCE RECORD

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1/12/2012

Meeting Date

Topic _____ Bill Number 402
(if applicable)

Name BRIAN PITTS Amendment Barcode _____
(if applicable)

Job Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH Phone 727/897-9291
Street

SAINT PETERSBURG FLORIDA 33705 E-mail JUSTICE2JESUS@YAHOO.COM
City State Zip

Speaking: ☒ For ☐ Against ☒ Information

Representing JUSTICE-2-JESUS

Appearing at request of Chair: ☐ Yes ☒ No Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/20/11)

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

1-12-2012
Date

WAIVE TIME IN SUPPORT

SB 402
Bill Number

Barcode

Name STEPHEN R. WINN

Phone 878-7364

Address 2007 APALACHEE PARKWAY

E-mail _____

TALLAHASSEE, FL 32301
Street City State Zip

Job Title EX. DIR.

Speaking: ☒ For ☐ Against ☐ Information

Appearing at request of Chair ☐

Subject PRESCRIPTION DRUG ABUSE

Representing FLORIDA OSTEOPATHIC MEDICAL ASSOCIATION

Lobbyist registered with Legislature: ☒ Yes ☐ No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

S-001 (04/14/10)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Topic Rx Abuse

Bill Number 402
(if applicable)

Name Kimberly Case

Amendment Barcode _____
(if applicable)

Job Title Legislative Affairs Director

Address PL-01

Phone (850) 245-0155

Tallahassee, FL
Street City State Zip

E-mail kimberly.case@myfloridalegal.com

Speaking: ☐ For ☐ Against ☐ Information

Representing Attorney General

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/12/12
Meeting Date

Topic Mortgage Foreclosure Filings Bill Number _____ (if applicable)
Name Lisa Goodner Amendment Barcode _____ (if applicable)
Job Title State Courts Administrator
Address 500 S Duval St Phone 922-5381
Street Tallahassee City FL State 32399 Zip
E-mail goodnerl@flcourts.org
Speaking: ☐ For ☐ Against ☒ Information
Representing _____

Appearing at request of Chair: ☒ Yes ☐ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic Recommendations for Resolving Civil Disputes Bill Number _____ (if applicable)
Name Margaret Steinbeck Amendment Barcode _____ (if applicable)
Job Title Circuit Judge, 20th Circuit
Address 1700 Monroe St. Phone (239) 533-9162
Fort Myers FL 33901 E-mail msteinbeck@ca.cjis20.org
City State Zip
Speaking: ☒ For ☐ Against ☐ Information
Representing State Courts System
Appearing at request of Chair: ☒ Yes ☐ No Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/12/12
Meeting Date

Topic _____ Bill Number Response to Sen. Storms (if applicable)
Name Fred Baggett Amendment Barcode _____ (if applicable)
Job Title _____
Address 101 E. College Ave. Phone 425-8512
Tallah. _____ E-mail _____
City State Zip
Speaking: ☐ For ☐ Against ☒ Information
Representing Fl. Assoc. of Court Clerks
Appearing at request of Chair: ☐ Yes ☒ No Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/20/11)