



Doing Things!

HB 509 Juvenile Justice





Overview

- Current Process
- Proposed Changes
- Committees
- Board Discussion



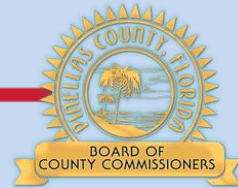
Current Process

- 3 ways to transfer a child to adult court
- Judicial Waiver
- Indictment by grand jury
- Direct File



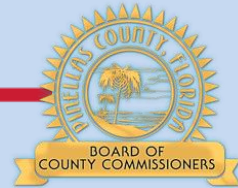
Proposed Changes

- Eliminates involuntary mandatory waiver.
- Eliminates mandatory direct file and modifies discretionary direct file.
- Adds factors to consider a child's mental development in determining whether child is transferred to adult court.
- Only a child 14 or older can be subject to an indictment by a grand jury.
- Prohibits a child who is eligible for indictment or discretionary prosecution from being transferred to adult court until their competency is restored.



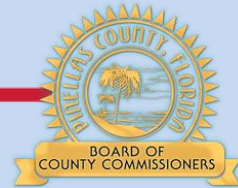
Proposed Changes

- Changes age in which child can be prosecuted as adult from 14 or 15 to 16 or 17.
- 16 or 17 year olds may only be prosecuted as an adult when they commit one of the qualifying offenses listed in 985.557(1)(a)
- Removes grand theft in violation of 812.014(2)(a) from qualifying offenses.
- Requires DOC to make every reasonable effort to ensure children between 14 and 18 are separated from adult offenders.



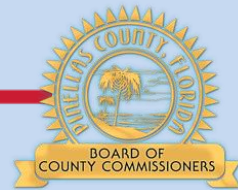
Proposed Changes

- Adds additional criteria court must consider when determining whether to impose adult or juvenile sanctions.
- Requires DJJ to collect data on children who qualify to be prosecuted as adults.
- Court is authorized, but not required to order child be delivered to a jail or facility intended for the detention of adults in certain circumstances.



Committees

- HB 509 Rep. Shaw
 - Criminal Justice Subcommittee, Oversight, Transparency and Administration Subcommittee, Judiciary Committee
 - Has not been placed on calendar of first committee
- SB 936 Sen. Powell
 - Criminal Justice, Appropriations Subcommittee on Criminal and Civil Justice, Appropriations
 - Passed first committee yesterday 5-1



Discussion