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1 A bill to be entitled

2 An act relating to human trafficking; creating s.
3 409.1754, F.S.; requiring the Department of Children
4 and Families, in consultation with other agencies,
5 organizations, and individuals, to employ screening
6 and assessment instruments to determine appropriate
7 services for sexually exploited children; providing
8 criteria for placement of such children in safe houses
9 or safe foster homes; permitting certain agencies to
10 use additional assessment instruments; requiring
11 certain employees of the department, community-based
12 care lead agencies, and staff administering the
13 detention risk assessment instrument to receive
14 specialized training; requiring the department and
15 lead agencies to hold multidisciplinary staffings
16 under certain conditions; requiring the department and
17 lead agencies to develop specific plans and protocols;
18 directing the department, the Department of Juvenile
19 Justice, and lead agencies to participate in
20 coalitions, task forces, or similar organizations to
21 coordinate local responses to human trafficking;
22 requiring the department to initiate a local task
23 force under certain circumstances; amending s.
24 409.1678, F.S.; providing definitions; requiring the
25 department to certify safe houses and safe foster
26 homes and certain residential facilities; providing

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27 requirements for certification as a safe house or safe
28 foster home; requiring the department to inspect safe
29 houses and safe foster homes; requiring training for
30 persons providing services in safe houses and safe
31 foster homes; providing rulemaking authority to the
32 department; authorizing the department to develop a
33 secure safe house pilot program; providing
34 requirements for the pilot program; requiring the
35 department to submit a report to the Governor and
36 Legislature; providing for service providers to obtain
37 federal or local funding under certain conditions;
38 providing for scope of availability of services;
39 amending s. 39.524, F.S.; providing for review of safe
40 harbor placement of a child in a safe house or safe
41 foster home; revising criteria for placement;
42 authorizing placement in settings other than safe
43 houses and safe foster homes under certain conditions;
44 creating s. 39.4072, F.S.; providing legislative
45 findings; specifying persons authorized to transport a
46 child to a secure safe house for evaluation; providing
47 criteria for determination that a child shall be
48 placed in a secure safe house; specifying persons
49 authorized to conduct evaluations for placement;
50 requiring the department to provide a copy of
51 evaluations to specified persons; creating s. 39.4074,
52 F.S.; authorizing the department to file a petition

53 for placement in a secure safe house if the child
 54 meets certain criteria; providing for court
 55 determination and judicial review; requiring a secure
 56 safe house to submit periodic reports regarding a
 57 child's progress in treatment to the department;
 58 amending ss. 39.401, 796.07, and 985.115, F.S.;
 59 conforming references; requiring the Office of Program
 60 Policy Analysis and Government Accountability to
 61 conduct a study and submit a report to the Governor
 62 and Legislature; providing an effective date.

63

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

65

66 Section 1. Section 409.1754, Florida Statutes, is created
 67 to read:

68 409.1754 Sexually exploited children; screening and
 69 assessment; training; case management; task forces.-

70 (1) SCREENING AND ASSESSMENT.-

71 (a) The department shall develop or adopt one or more
 72 initial screening and assessment instruments to identify,
 73 determine the needs of, plan services for, and determine the
 74 appropriate placement for sexually exploited children. The
 75 department shall consult state and local agencies,
 76 organizations, and individuals involved in the identification
 77 and care of sexually exploited children when developing or
 78 adopting initial screening and assessment instruments. Initial

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79 screening and assessment instruments shall assess the
80 appropriate placement of a sexually exploited child, including
81 whether placement in a safe house or safe foster home is
82 appropriate, and shall consider, at a minimum, the following
83 factors:

84 1. Risk of the child running away.

85 2. Risk of the child recruiting other children into the
86 commercial sex trade.

87 3. Level of the child's attachment to his or her
88 exploiter.

89 4. Level and type of trauma that the child has endured.

90 5. Nature of the child's interactions with law
91 enforcement.

92 6. Length of time that the child was sexually exploited.

93 7. Extent of any substance abuse by the child.

94 (b) The initial screening and assessment instruments shall
95 be validated, if possible, and must be used by the department,
96 juvenile assessment centers as provided in s. 985.135, and
97 community-based care lead agencies.

98 (c) The department shall adopt rules that specify the
99 initial screening and assessment instruments to be used and
100 provide requirements for their use and for the reporting of data
101 collected through their use.

102 (d) The department, the Department of Juvenile Justice,
103 and community-based care lead agencies may use additional
104 assessment instruments in the course of serving sexually

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105 exploited children.

106 (2) TRAINING; CASE MANAGEMENT; TASK FORCES.-

107 (a)1. The department and community-based care lead
108 agencies shall ensure that cases in which a child is alleged,
109 suspected, or known to have been sexually exploited are assigned
110 to child protective investigators and case managers who have
111 specialized intensive training in handling cases involving a
112 sexually exploited child. The department and lead agencies shall
113 ensure that child protective investigators and case managers
114 receive this training before accepting a case involving a
115 sexually exploited child.

116 2. The Department of Juvenile Justice shall ensure that
117 juvenile probation staff or contractors administering the
118 detention risk assessment instrument pursuant to s. 985.14
119 receive specialized intensive training in identifying and
120 serving sexually exploited children.

121 (b) The department and community-based care lead agencies
122 shall conduct regular multidisciplinary staffings relating to
123 services provided for sexually exploited children to ensure that
124 all parties possess relevant information and services are
125 coordinated across systems. The department or community-based
126 care lead agency, as appropriate, shall coordinate these
127 staffings and invite individuals involved in the child's care,
128 including, but not limited to, the child's guardian ad litem,
129 juvenile justice system staff, school district staff, service
130 providers, and victim advocates.

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131 (c)1. Each region of the department and each community-
132 based care lead agency shall jointly assess local service
133 capacity to meet the specialized service needs of sexually
134 exploited children and establish a plan to develop the necessary
135 capacity. Each plan shall be developed in consultation with
136 local law enforcement officials, local school officials, runaway
137 and homeless youth program providers, local probation
138 departments, children's advocacy centers, guardians ad litem,
139 public defenders, state attorneys' offices, safe houses, and
140 child advocates and service providers who work directly with
141 sexually exploited children.

142 2. Each region of the department and each community-based
143 care lead agency shall establish local protocols and procedures
144 for working with sexually exploited children which are
145 responsive to the individual circumstances of each child. The
146 protocols and procedures shall take into account the varying
147 types and levels of trauma endured; whether the sexual
148 exploitation is actively occurring, occurred in the past, or is
149 inactive but likely to recur; and the differing community
150 resources and degrees of familial support that are available.
151 Child protective investigators and case managers must use these
152 protocols and procedures when working with a sexually exploited
153 child.

154 (3) (a) To the extent that funds are available, the local
155 regional director may provide training to local law enforcement
156 officials who are likely to encounter sexually exploited

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157 children in the course of their law enforcement duties. Training
158 shall address the provisions of this section and how to identify
159 and obtain appropriate services for sexually exploited children.
160 The local circuit administrator may contract with a not-for-
161 profit agency with experience working with sexually exploited
162 children to provide the training. Circuits may work
163 cooperatively to provide training, which may be provided on a
164 regional basis. The department shall assist circuits to obtain
165 available funds for the purpose of conducting law enforcement
166 training from the Office of Juvenile Justice and Delinquency
167 Prevention of the United States Department of Justice.

168 (b) Circuit administrators or their designees, chief
169 probation officers of the Department of Juvenile Justice or
170 their designees, and the chief operating officers of community-
171 based care lead agencies or their designees shall participate in
172 any task force, committee, council, advisory group, coalition,
173 or other entity in their service area that is involved in
174 coordinating responses to address human trafficking or sexual
175 exploitation of children. If such entity does not exist, the
176 circuit administrator for the department shall initiate one.

177 Section 2. Section 409.1678, Florida Statutes, is amended
178 to read:

179 (Substantial rewording of section. See
180 s. 409.1678, F.S., for present text.)

181 409.1678 Specialized residential options for children who
182 are victims of sexual exploitation.—

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183 (1) DEFINITIONS.—As used in this section, the term:

184 (a) "Safe foster home" means a foster home certified by
185 the department under this section to care for sexually exploited
186 children.

187 (b) "Safe house" means a group residential placement
188 certified by the department under this section to care for
189 sexually exploited children.

190 (c) "Sexually exploited child" means a child who has
191 suffered sexual exploitation as defined in s. 39.01(67)(g) and
192 is ineligible for relief and benefits under the federal
193 Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.

194 (2) CERTIFICATION OF SAFE HOUSES AND SAFE FOSTER HOMES.—

195 (a) A safe house and a safe foster home shall provide a
196 safe, separate, and therapeutic environment tailored to the
197 needs of sexually exploited children who have endured
198 significant trauma. Safe houses and safe foster homes shall use
199 a model of treatment that includes strength-based and trauma-
200 informed approaches.

201 (b) A safe house or a safe foster home must be certified
202 by the department. A residential facility accepting state funds
203 appropriated to provide services to sexually exploited children
204 or child victims of sex trafficking must be certified by the
205 department as a safe house or a safe foster home. An entity may
206 not use the designation "safe house" or "safe foster home" and
207 hold itself out as serving sexually exploited children unless
208 the entity is certified under this section.

209 (c) To be certified, a safe house must hold a license as a
 210 residential child-caring agency, as defined in s. 409.175, and a
 211 safe foster home must hold a license as a family foster home, as
 212 defined in s. 409.175. A safe house or safe foster home must
 213 also:

214 1. Use strength-based and trauma-informed approaches to
 215 care, to the extent possible and appropriate.

216 2. Serve exclusively one sex.

217 3. Group sexually exploited children by age or maturity
 218 level.

219 4. Care for sexually exploited children in a manner that
 220 separates those children from children with other needs. Safe
 221 houses and safe foster homes may care for other populations if
 222 the children who have not experienced sexual exploitation do not
 223 interact with children who have experienced sexual exploitation.

224 5. Have awake staff members on duty 24 hours a day, if a
 225 safe house.

226 6. Provide appropriate security through facility design,
 227 hardware, technology, staffing, and siting, including, but not
 228 limited to, external video monitoring or door exit alarms, a
 229 high staff-to-client ratio, or being situated in a remote
 230 location that is isolated from major transportation centers and
 231 common trafficking areas. However, such security must allow
 232 sexually exploited children to exit the safe house if they
 233 choose.

234 7. Meet other criteria established by department rule,

235 which may include, but are not limited to, personnel
 236 qualifications, staffing ratios, and types of services offered.

237 (d) Safe houses and safe foster homes shall provide
 238 services tailored to the needs of sexually exploited children
 239 and shall conduct a comprehensive assessment of the service
 240 needs of each resident. In addition to the services required to
 241 be provided by residential child caring agencies and family
 242 foster homes, safe houses and safe foster homes must provide,
 243 arrange for, or coordinate, at a minimum, the following
 244 services:

- 245 1. Victim-witness counseling.
- 246 2. Family counseling.
- 247 3. Behavioral health care.
- 248 4. Treatment and intervention for sexual assault.
- 249 5. Education tailored to the child's individual needs,
 250 including remedial education if necessary.
- 251 6. Life skills training.
- 252 7. Mentoring by a survivor of sexual exploitation, if
 253 available and appropriate for the child.
- 254 8. Substance abuse screening and, when necessary, access
 255 to treatment.
- 256 9. Planning services for the successful transition of each
 257 child back to the community.
- 258 10. Activities structured in a manner that provides
 259 sexually exploited children with a full schedule.

260 (e) The community-based care lead agencies shall ensure

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261 that foster parents of safe foster homes and staff of safe
262 houses complete intensive training regarding, at a minimum, the
263 needs of sexually exploited children, the effects of trauma and
264 sexual exploitation, and how to address those needs using
265 strength-based and trauma-informed approaches. The department
266 shall specify the contents of this training by rule and may
267 develop or contract for a standard curriculum. The department
268 may establish by rule additional criteria for the certification
269 of safe houses and safe foster homes that shall address the
270 security, therapeutic, social, health, and educational needs of
271 sexually exploited children.

272 (f) The department shall inspect safe houses and safe
273 foster homes before certification and annually thereafter to
274 ensure compliance with the requirements of this section. The
275 department may place a moratorium on referrals and may revoke
276 the certification of a safe house or safe foster home that fails
277 at any time to meet the requirements of, or rules adopted under,
278 this section.

279 (g) The certification period for safe houses and safe
280 foster homes shall run concurrently with the terms of their
281 licenses.

282 (3) SECURE SAFE HOUSE PILOT PROGRAM.—

283 (a) The department may facilitate the development of one
284 secure safe house on a pilot basis to evaluate the therapeutic
285 benefits of a secure residential setting within the broader
286 array of residential and community-based services available to

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287 meet the needs of sexually exploited children. The secure safe
288 house is intended for those sexually exploited children with the
289 greatest needs, for whom no less restrictive placement has been
290 or will be effective in addressing the effects of severe abuse,
291 violence, trauma, or exploiter control that the child endured.

292 The setting is only available to a sexually exploited child:

293 1. Who is the subject of an open investigation due to an
294 allegation of abuse, neglect, or exploitation or has been
295 adjudicated dependent.

296 2. Who has been placed in accordance with ss. 39.4072 and
297 39.4074.

298 3. Whose needs cannot be met in less restrictive
299 placements.

300 (b) The secure safe house must be a certified safe house
301 and may have no more than 15 beds. The department shall select
302 the region where the secure safe house shall be sited. The
303 department shall collaborate with the local community-based care
304 lead agency to design the pilot program, including, but not
305 limited to, selection of the location, selection of the
306 provider, the facility's security features, referral processes,
307 and services provided within the secure safe house.

308 (c) A child from any region of the state may be placed in
309 the secure safe house pursuant to ss. 39.4072 and 39.4074. The
310 department, in consultation with the community-based care lead
311 agencies serving the children, shall approve all placements of
312 children in the facility. In addition to the criteria in s.

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313 409.1754(1) and any other criteria determined by the department
314 pursuant to that subsection, the following criteria, at a
315 minimum, shall also be used to determine whether a child
316 qualifies for placement in the secure safe house:

317 1. Lack of willingness to participate in less intensive
318 programs.

319 2. Lack of treatment progress in less restrictive
320 placements if the child has been placed elsewhere.

321 (d) The secure safe house shall include features that
322 prevent entry into or exit from the facility or its grounds
323 without the involvement of staff, including, but not limited to,
324 walls, fencing, gates, and locking doors.

325 (e) A child may be placed in the secure safe house for a
326 minimum of 5 days and a maximum of 10 months. Pursuant to s.
327 39.4074(2), the secure safe house shall regularly review and
328 report on the child's progress, and during judicial reviews, the
329 court shall determine whether continued placement in the secure
330 safe house is appropriate. The department shall place the child
331 in another setting when continued placement in the secure safe
332 house is no longer appropriate.

333 (f) The department shall contract for an evaluation of the
334 effectiveness of the secure safe house pilot program in
335 facilitating the rehabilitation of sexually exploited children.
336 The evaluation report shall be submitted to the Governor, the
337 President of the Senate, and the Speaker of the House of
338 Representatives by February 1, 2018. The evaluation report

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339 shall, at a minimum, describe the program model and facility
340 design, assess the effectiveness of the facility in meeting the
341 treatment and security needs of sexually exploited children,
342 analyze the cost-effectiveness of the pilot program, and provide
343 recommendations regarding the continued operation of the pilot
344 program and any changes or enhancements.

345 (4) (a) This section does not prohibit any provider of
346 services for sexually exploited children from appropriately
347 billing Medicaid for services rendered, from contracting with a
348 local school district for educational services, or from
349 obtaining federal or local funding for services provided, as
350 long as two or more funding sources do not pay for the same
351 specific service that has been provided to a child.

352 (b) The lead agency shall ensure that all children
353 residing in safe houses or safe foster homes have a case manager
354 and a case plan, whether or not the child is a dependent child.

355 (5) The services specified in this section may, to the
356 extent possible provided by law and with authorized funding, be
357 available to all sexually exploited children whether they are
358 accessed voluntarily, as a condition of probation, through a
359 diversion program, through a proceeding under chapter 39, or
360 through a referral from a local community-based care or social
361 service agency.

362 Section 3. Section 39.524, Florida Statutes, is amended to
363 read:

364 39.524 Safe-harbor placement.—

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365 (1) Except as provided in s. 39.407 or s. 985.801, a
366 dependent child 6 years of age or older who has been found to be
367 a victim of sexual exploitation as defined in s. 39.01(67)(g)
368 must be assessed for placement in a safe house or safe foster
369 home as provided in s. 409.1678 using the initial screening and
370 assessment instruments provided in s. 409.1754(1). ~~The~~
371 ~~assessment shall be conducted by the department or its agent and~~
372 ~~shall incorporate and address current and historical information~~
373 ~~from any law enforcement reports; psychological testing or~~
374 ~~evaluation that has occurred; current and historical information~~
375 ~~from the guardian ad litem, if one has been assigned; current~~
376 ~~and historical information from any current therapist, teacher,~~
377 ~~or other professional who has knowledge of the child and has~~
378 ~~worked with the child; and any other information concerning the~~
379 ~~availability and suitability of safe-house placement.~~ If such
380 placement is determined to be appropriate for the child as a
381 result of this assessment, the child may be placed in a safe
382 house or safe foster home, if one is available. However, the
383 child may be placed in another setting, if the other setting is
384 more appropriate to the child's needs and the child's behaviors
385 can be managed so as not to endanger other children served in
386 that setting, or if a safe house or safe foster home in
387 unavailable. ~~As used in this section, the term "available" as it~~
388 ~~relates to a placement means a placement that is located within~~
389 ~~the circuit or otherwise reasonably accessible.~~

390 (2) The results of the assessment described in s.

391 409.1754(1) ~~subsection (1)~~ and the actions taken as a result of
 392 the assessment must be included in the next judicial review of
 393 the child. At each subsequent judicial review, the court must be
 394 advised in writing of the status of the child's placement, with
 395 special reference regarding the stability of the placement and
 396 the permanency planning for the child.

397 (3) (a) By December 1 of each year, the department shall
 398 report to the Legislature on the placement of children in safe
 399 houses and safe foster homes during the year, including the
 400 criteria used to determine the placement of children, the number
 401 of children who were evaluated for placement, the number of
 402 children who were placed based upon the evaluation, and the
 403 number of children who were not placed.

404 (b) The department shall maintain data specifying the
 405 number of children who were referred to a safe house or safe
 406 foster home for whom placement was unavailable and the counties
 407 in which such placement was unavailable. The department shall
 408 include this data in its report under this subsection so that
 409 the Legislature may consider this information in developing the
 410 General Appropriations Act.

411 Section 4. Section 39.4072, Florida Statutes, is created
 412 to read:

413 39.4072 Evaluation for secure safe house placement.-

414 (1) LEGISLATIVE FINDINGS.-The Legislature finds that
 415 victims of child sexual exploitation as defined in s.

416 39.01(67)(g) often exhibit behaviors that place them and others

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417 in danger. The Legislature finds that when sexually exploited
418 children repeatedly run away from their homes or residential
419 placements to unsafe placements, engage in commercial sexual
420 activity as defined in s. 787.06(2) (b), or seek to maintain a
421 relationship with their exploiters, these children and other
422 children are in danger of being sexually exploited and
423 physically abused, which can lead to grave emotional and
424 physical harm.

425 (2) CRITERIA.—A child may be taken to a secure safe house
426 for evaluation of the appropriateness of placement for treatment
427 in a secure safe house as provided in this section if there is
428 probable cause that the child has been sexually exploited as
429 defined in s. 39.01(67) (g), and:

430 (a) The child meets the criteria in s. 409.1678(3) for
431 safe house placement.

432 (b) The child recently engaged in behaviors that subject
433 the child to victimization, violence, emotional harm, serious
434 bodily harm, or health risks that endanger the child, posing a
435 real and present threat of substantial harm to the child's well-
436 being. Such behaviors include, but are not limited to,
437 repeatedly running away from home or residential placement to an
438 unsafe situation, engaging in commercial sexual activity as
439 defined in s. 787.06(2) (b), and seeking to maintain a
440 relationship with the child's trafficker despite attempts to
441 separate the child from the trafficker.

442 (c) There is a substantial likelihood that without care or

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443 treatment, the child will endanger or cause serious bodily harm
444 to others, as evidenced by previous behavior, including
445 recruiting other children into the commercial sex trade or using
446 coercion such as violence, illegal substances, or other means to
447 compel their participation in such trade.

448 (d) Less restrictive placement alternatives are unlikely
449 to be effective in keeping the child from engaging in behaviors
450 described in paragraphs (b) and (c), as determined by the
451 department or community-based care lead agency.

452 (3) EVALUATION.—

453 (a) An official of the department may initiate an
454 evaluation of a child who is the subject of an open
455 investigation or under the supervision of the court if the
456 criteria in subsection (2) are met. A child protective
457 investigator, law enforcement officer, case manager, or other
458 qualified individual may transport the child to the secure safe
459 house, which may admit the child for assessment and
460 stabilization pending the filing and adjudication of a petition
461 by the department, as provided in s. 39.522(1), alleging a need
462 for a change in placement. The secure safe house shall provide
463 notice regarding the child's admittance for assessment for
464 secure safe house placement to the child's parent or guardian,
465 case manager, and guardian ad litem. If the child does not have
466 a guardian ad litem and an attorney, the court shall appoint
467 them.

468 (b) A psychiatrist, clinical psychologist, licensed mental

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469 health counselor, or licensed clinical social worker at the
470 secure safe house who has training in working with sexually
471 exploited children shall conduct an initial evaluation of the
472 child as soon as appropriate to do so given the child's
473 emotional, mental, and physical condition. The child may be
474 provided with medical screening and treatment pursuant to s.
475 39.407. The secure safe house may initiate appropriate
476 therapeutic services to stabilize and treat the child.

477 (c) Facility staff shall continue to evaluate the child
478 throughout his or her placement for evaluation in the secure
479 safe house and may access the child's case file and other
480 relevant records and request information from other individuals
481 involved in the child's life. The child's parent or guardian,
482 case manager, and guardian ad litem may provide any information
483 they believe is relevant to the evaluation. The evaluation of
484 the child shall be based on whether the child meets the criteria
485 established under s. 409.1678(3) for admission to the secure
486 safe house, and the criteria in paragraphs (2)(a) and (b).

487 (d) Within 5 days after the child is admitted to the
488 secure safe house for evaluation, the psychiatrist, clinical
489 psychologist, licensed mental health counselor, or licensed
490 clinical social worker shall determine, based on the evaluation,
491 whether the secure safe house would best meet the child's needs
492 or additional evaluation is required before a conclusion can be
493 reached.

494 1. If the secure safe house would not best meet the

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495 child's needs, the department shall place the child in the least
496 restrictive setting that is appropriate for the child's needs.

497 2. If placement in the secure safe house for treatment
498 would best meet the child's needs, the department shall petition
499 the court for placement under s. 39.4074 within 24 hours after
500 the determination is made, and the secure safe house shall admit
501 the child pending a judicial determination.

502 3. If additional evaluation is required before a
503 determination may be made regarding the child's need for secure
504 safe house placement for treatment, the department shall
505 petition the court within 24 hours after the initial evaluation
506 is conducted to extend the placement of the child for evaluation
507 purposes for up to 30 days or until a determination is made
508 regarding the need for secure safe house placement for
509 treatment, whichever comes first. The child shall remain in the
510 secure safe house pending the court order.

511 (f) The department shall provide all evaluations to the
512 child's parent or guardian, case manager, and guardian ad litem.

513 Section 5. Section 39.4074, Florida Statutes, is created
514 to read:

515 39.4074 Placement in a secure safe house.-

516 (1) PETITION FOR PLACEMENT.-If an evaluation pursuant to
517 s. 39.4072(3) results in a determination that placement for
518 treatment in a secure safe house would best meet the child's
519 needs, the department may file a petition for placement in
520 dependency court. The department shall provide notice to the

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521 child's parents as required under s. 39.502(1). If the child's
522 parents consent to such placement, the court shall enter an
523 order placing the child in the secure safe house for up to 45
524 days, pending review by the court as provided in this section.
525 If the child's parents refuse or are unable to consent, the
526 court shall hear all parties in person or by counsel, or both,
527 within 24 hours after the filing of the petition. If the court
528 concludes that the child meets the criteria for placement in the
529 secure safe house as provided in s. 39.4072(2), the court shall
530 order the child to be placed in the secure safe house for up to
531 45 days, pending review by the court.

532 (2) TREATMENT PLAN AND JUDICIAL REVIEW.—

533 (a) Within 10 days after placement of a child for
534 treatment in a secure safe house, the secure safe house must
535 prepare an individualized treatment plan that addresses both
536 preliminary residential treatment and comprehensive discharge
537 and identifies care appropriate for the child upon completion of
538 residential treatment. The plan must be approved by the
539 department. The child must be involved in the preparation of the
540 plan to the maximum extent feasible, consistent with the child's
541 ability to do so. The child's parent or guardian, guardian ad
542 litem, and staff from the child's home school district must be
543 involved with planning the child's treatment and discharge.
544 Other individuals may also participate in development of the
545 plan, as appropriate. A secure safe house shall provide a copy
546 and an explanation of the plan to the child, the child's parent

547 or guardian, the guardian ad litem, and the case manager. The
548 department shall also provide the plan to the court.

549 (b) At 20-day intervals, commencing when treatment begins
550 according to the treatment plan, the secure safe house must
551 review the child's progress toward treatment goals and assess
552 whether the child's needs could be met in a less restrictive
553 treatment program. The secure safe house must submit a report of
554 its findings to the child's parent or guardian, guardian ad
555 litem, case manager, the department, and the court. The
556 department may not reimburse a secure safe house until the
557 secure safe house has submitted every written report that is
558 due.

559 (c) The court shall conduct an initial review of the
560 status of the child's treatment plan no later than 35 days after
561 the child's placement for treatment in the secure safe house.
562 For any child in a secure safe house at the time a judicial
563 review is held pursuant to s. 39.701, the child's continued
564 placement in a secure safe house must be a subject of the
565 judicial review. If, at any time, the court determines that the
566 child has not been sexually exploited or that the child has been
567 sexually exploited but is not appropriate for placement in a
568 secure safe house, the court shall order the department to place
569 the child in the least restrictive setting that is best suited
570 to meet the child's needs.

571 (d) After the initial review, the court must review the
572 child's treatment plan every 60 days until the child no longer

573 requires placement in the secure safe house or until the child
 574 has resided in the secure safe house for 10 months. When the
 575 child has resided in the secure safe house for 9 months, a court
 576 hearing shall be held to determine an appropriate setting and
 577 appropriate services for the child.

578 Section 6. Paragraph (b) of subsection (2) and paragraph
 579 (b) of subsection (3) of section 39.401, Florida Statutes, are
 580 amended to read:

581 39.401 Taking a child alleged to be dependent into
 582 custody; law enforcement officers and authorized agents of the
 583 department.—

584 (2) If the law enforcement officer takes the child into
 585 custody, that officer shall:

586 (b) Deliver the child to an authorized agent of the
 587 department, stating the facts by reason of which the child was
 588 taken into custody and sufficient information to establish
 589 probable cause that the child is abandoned, abused, or
 590 neglected, or otherwise dependent. For such a child for whom
 591 there is also probable cause to believe he or she has been
 592 sexually exploited, the law enforcement officer shall deliver
 593 the child to the department. ~~The department may place the child~~
 594 ~~in an appropriate short-term safe house as provided for in s.~~
 595 ~~409.1678 if a short-term safe house is available.~~

596
 597 For cases involving allegations of abandonment, abuse, or
 598 neglect, or other dependency cases, within 3 days after such

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599 release or within 3 days after delivering the child to an
600 authorized agent of the department, the law enforcement officer
601 who took the child into custody shall make a full written report
602 to the department.

603 (3) If the child is taken into custody by, or is delivered
604 to, an authorized agent of the department, the agent shall
605 review the facts supporting the removal with an attorney
606 representing the department. The purpose of the review is to
607 determine whether there is probable cause for the filing of a
608 shelter petition.

609 (b) If the facts are sufficient and the child has not been
610 returned to the custody of the parent or legal custodian, the
611 department shall file the petition and schedule a hearing, and
612 the attorney representing the department shall request that a
613 shelter hearing be held within 24 hours after the removal of the
614 child. While awaiting the shelter hearing, the authorized agent
615 of the department may place the child in licensed shelter care,
616 ~~or in a short-term safe house if the child is a sexually~~
617 ~~exploited child,~~ or may release the child to a parent or legal
618 custodian or responsible adult relative or the adoptive parent
619 of the child's sibling who shall be given priority consideration
620 over a licensed placement, or a responsible adult approved by
621 the department if this is in the best interests of the child.
622 Placement of a child which is not in a licensed shelter must be
623 preceded by a criminal history records check as required under
624 s. 39.0138. In addition, the department may authorize placement

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625 of a housekeeper/homemaker in the home of a child alleged to be
626 dependent until the parent or legal custodian assumes care of
627 the child.

628 Section 7. Subsection (6) of section 796.07, Florida
629 Statutes, is amended to read:

630 796.07 Prohibiting prostitution and related acts.—

631 (6) A person who violates paragraph (2)(f) shall be
632 assessed a civil penalty of \$5,000 if the violation results in
633 any judicial disposition other than acquittal or dismissal. Of
634 the proceeds from each penalty assessed under this subsection,
635 the first \$500 shall be paid to the circuit court administrator
636 for the sole purpose of paying the administrative costs of
637 treatment-based drug court programs provided under s. 397.334.
638 The remainder of the penalty assessed shall be deposited in the
639 Operations and Maintenance Trust Fund of the Department of
640 Children and Family Services for the sole purpose of funding
641 safe houses and safe foster homes ~~short-term safe houses~~ as
642 provided in s. 409.1678.

643 Section 8. Paragraph (b) of subsection (2) of section
644 985.115, Florida Statutes, is amended to read:

645 985.115 Release or delivery from custody.—

646 (2) Unless otherwise ordered by the court under s. 985.255
647 or s. 985.26, and unless there is a need to hold the child, a
648 person taking a child into custody shall attempt to release the
649 child as follows:

650 (b) Contingent upon specific appropriation, to a shelter

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651 approved by the department or to an authorized agent ~~or short-~~
652 ~~term safe house under s. 39.401(2)(b).~~

653 Section 9. The Office of Program Policy Analysis and
654 Government Accountability shall conduct a study on commercial
655 sexual exploitation of children in Florida. The study shall
656 assess the extent of commercial sexual exploitation of children,
657 including, but not limited to, its prevalence in various regions
658 of the state. The study shall also identify specialized services
659 needed by sexually exploited children and any gaps in the
660 availability of such services by region, including, but not
661 limited to, residential services and specialized therapies. The
662 study shall analyze the effectiveness of safe houses, safe
663 foster homes, and other residential options for serving sexually
664 exploited children in addressing their safety, therapeutic,
665 health, educational, and emotional needs, including, but not
666 limited to, the nature and appropriateness of subsequent
667 placements, extent of sexual exploitation postplacement, and
668 educational attainment. By July 1, 2017, the Office of Program
669 Policy Analysis and Government Accountability shall report its
670 findings to the Governor, the President of the Senate, and the
671 Speaker of the House of Representatives.

672 Section 10. This act shall take effect July 1, 2014.