Agenda Item #: **5E-1**

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	02/05/19	[] Consent [] Ordinance	[X] Regular [] Public Hearing
Department:	Administration		
	I. E	XECUTIVE BRIEF	
preference and wi treated as juveniles adopt legislation the juveniles under the	ll of Palm Beach s when they break nat would create e age of 18 who	County to have juv certain Florida Laws additional statewide	rove: a resolution stating the reniles of this community be and urging the legislature to standards for prosecution of ses and require that childrenals in mates.
back a resolution re the County's State been prosecuted a one of the highes County's State Atto "direct file". In 2017 previous year due	elated to direct file Legislative Agenes s adults in Florida t rates in the nate orney Office has be in the office annous in part to reform	e of juveniles for appr da. Since 2009, more a. There is concerna- tion of charging child een a leader in Florid nced a 45 percent red ns such as requiring	sioners directed staff to bring roval and include it as part of e than 14,000 children have that the state of Florida has dren as adults. Palm Beach da in reforming the system of duction in direct files over the two separate, experienced juvenile. Countywide (AH)
a movement to e developmentally diresearch on the accourts, as well as simajor adult responsibility of the courts and the courts and the courts are courted in felony than a child adults may received future education and	nd the prosecution of the prosecution of the prosecution of the prosecution of the adult criminal who remains in the an adult criminal of the amployment opposers.	on of youth in the ults and these differ a dacknowledged by two that prohibit youth ontracting, voting, jury justice system is morne juvenile justice system convitortunities and strip the	ath Justice Awareness Month, adult system. Children are rences are documented by the U.S. and State supreme under age 18 from taking on duty, and military service. Are likely to be rearrested for a stem. Children prosecuted as acted that can diminish their tem of the right to vote, enlisted see youth even turn 18.
Attachments: 1. Res	olution		
Recommended by		A	
	Departme	ent Director	Date
Approved By:		County Administrat	2/4/19

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Canital						
Capital Expenditures						
Operating Costs						
External						
Revenues						
Program						
Income(County)						
In-Kind						
Match(County						
NET FISCAL						
IMPACT #ADDITIONAL						
FTE						
POSITIONS					***************************************	
(CUMULATIVE						
Section	<u> </u>	1			***************************************	
s Item Included in	Current Budget	t?	Yes	No		
Does this item incl	ade the use of fe	ederal funds?	Yes	No		
Budget Account N Fund		TT:	1			
runa	Dept	Uni	ί			
B. Recommended	Sources of Fu	nds/Summary	y of Fiscal	Impact:		
		nds/Summary	y of Fiscal	Impact:		
	Fiscal Review:	nds/Summary				
B. Recommended C. Departmental A. OFMB Fis	Fiscal Review:	I. REVIEW (COMMEN	NTS:	:	a
C. Departmental A. OFMB Fise Fig. OFI	Fiscal Review: II cal and/or Cont	I. REVIEW (COMMEN	NTS: Comments	: Control	Den (211)
C. Departmental A. OFMB Fise Fig. OFF	Fiscal Review: II cal and/or Cont	I. REVIEW (COMMEN d Control	NTS: Comments	Jaw	don (2/1)
C. Departmental A. OFMB Fise Fig. OFF 21) 3. Legal Suffi	Fiscal Review: II cal and/or Cont	I. REVIEW of tract Dev. and	 COMMEN d Control	NTS: Comments	Jaw	den (2/1)

Department Director

Resolution No. 2019-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (BOCC) OF PALM BEACH COUNTY, FLORIDA, APPROVING THE PREFERENCE OF PALM BEACH COUNTY TO HAVE JUVENILES OF THE COMMUNITY TREATED AS JUVENILES WHEN THEY BREAK CERTAIN FLORIDA LAWS; URGING THE LEGISLATURE TO CREATE A UNIFORM STANDARD FOR PROSECUTION OF JUVENILES UNDER THE AGE OF 18 WHEN THEY COMMIT CERTAIN OFFENSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, children are developmentally different from adults and these differences are documented by research on the adolescent brain and acknowledged by the U.S. and state supreme courts, as well as state and federal laws that prohibit youth under age 18 from taking on major adult responsibilities such as contracting, voting, jury duty, and military service;

WHEREAS, the juvenile justice system is designed for rehabilitating, punishing and treating children who fall into the delinquency system, with an emphasis on prevention, intervention and treatment services, compared with the adult corrections system, which focuses more on punishment rather than rehabilitation; and

WHEREAS, according to the Southern Poverty Law Center, a child prosecuted in the adult criminal justice system is more likely to be rearrested for a felony than a child who remains in the juvenile justice system; and

WHEREAS, some of Florida's adult jails are not designed to house children separately from adults, as required by law, and thus often hold children in solitary confinement and deprive them of adequate educational services, which, in turn, makes them less likely to succeed in school; and

WHEREAS, Florida's current juvenile prosecutorial standards can lead to disparate sentencing under similar circumstances creating a system of "justice by geography," which disproportionally harms children of color and children with disabilities and mental health conditions; and

WHEREAS, children prosecuted as adults may receive an adult criminal record when convicted that can diminish their future education and employment opportunities and strip them of the right to vote, enlist in the military, or receive financial aid for college before these youth even turn 18; and

WHEREAS, since 2009, more than 14,000 children have been prosecuted as adults in Florida; and

WHEREAS, October is National Youth Justice Awareness Month, a movement to end the prosecution of youth in the adult system.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Palm Beach County affirms its support of treating juveniles of this community as juveniles when they break certain laws with preference given to

prosecution through the juvenile justice system where services are provided to the child and his/her family.

AND BE IT FURTHER RESOLVED that Palm Beach County urges our Legislative Delegation and the entire Florida Legislature to adopt comprehensive reform legislation that would create additional statewide standards for prosecution of juveniles under the age of 18 who commit certain offenses and require that children prosecuted as adults be held separate and apart from adult inmates.

This Resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered be moved its adoption. The motion, and upon being	
MACK BERNARD, Mayor	-
DAVID KERNER, Vice May	or -
COMMISSIONER HAL R. V	/ALECHE -
COMMISSIONER GREGG	K. WEISS -
COMMISSIONER ROBERT	S. WEINROTH -
COMMISSIONER MARY LO	OU BERGER -
COMMISSIONER MELISSA	A MCKINLAY -
The Mayor thereupon declared the re, 2019	esolution duly passed and adopted on this
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS SHARON R. BOCK, CLERK
Anne Helfant Assistant County Attorney	BY: Deputy Clerk