June 26, 2014

Mr. Steve Casey
Executive Director
Florida Sheriffs Association
2617 Mahan Drive
Tallahassee, FL 32308

Dear Mr. Casey:

This was a great legislative session for the children of Florida. We were pleased to see that the Sheriffs who are responsible for handling child protective investigations received an $8 million increase. These new dollars will help the local Sheriffs further improve their handling of child protective investigations. A number of bills were also passed by the Legislature this session and will help the Department and our partners improve the services we provide.

Senate Bill 1666 (2014-224, Laws of Florida) is the most far reaching of the bills and was signed into law by the Governor on June 23, 2014. While most provisions of the bill impact only the Sheriffs who handle child protective investigations, we believe two sections will have an impact on all Sheriffs across the state. Sections 39.01 and 39.201, Florida Statutes, have been amended to increase the potential for reporting to the Florida Department of Children and Families’ Central Abuse Hotline children alleged to have exhibited inappropriate sexual behavior.

Subsections 39.01(7) and 39.01(14), Florida Statutes, formerly applied to children 12 years of age or younger; the revised statute now omits reference to age when defining a child who has exhibited inappropriate sexual behavior. Subsection 39.01(7), Florida Statutes was further amended to remove the definition of “alleged juvenile sexual offender” and to broaden the definition of “juvenile sexual abuse” to include the child who is an alleged victim of sexual behavior, as well as the child who is the alleged abuser.

For reference, the language contained in the bill has been included below.

(7) “Alleged juvenile sexual offender” means:
(a) A child 12 years of age or younger who is alleged to have committed a violation of chapter 794, chapter 796, chapter 800, s. 827.071, or s. 847.0133; or

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Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency
(b) A child who is alleged to have committed any violation of law or delinquent act involving juvenile sexual abuse. “Juvenile sexual abuse” means any sexual behavior by a child which occurs without consent, without equality, or as a result of coercion.

(14) “Child who has exhibited inappropriate sexual behavior” means a child who is 12 years of age or younger and who has been found by the department or the court to have committed an inappropriate sexual act.

Changes in the definitions above also extend the reporting obligation under section 39.201, Florida Statutes, to children alleged to have exhibited inappropriate sexual behavior to include children ages 13 through 17. Subsection 39.201(2), Florida Statutes, now provides that an alleged incident of juvenile sexual abuse involving a child who is in the custody of or under the protective supervision of the Department must be reported to the Department’s Central Abuse Hotline. Such reports shall be made whether the dependent child is the alleged abuser or victim.

We are working with all of our partners to share the changes that are resulting from the passage of this bill and would encourage you to also share this information with your members.

Thank you for all that you and your Association do to help protect the children of Florida. Please contact me if you have any questions or need additional information at: joshonda_guerrier@dcf.state.fl.us or (850) 717-4382.

Sincerely,

JoShonda R. Guerrier, MSW
Office of Child Welfare
Director of Planning and Strategic Projects

cc: Deputy Secretary
Assistant Secretary for Child Welfare
Director of Child Welfare Practice
Director of Child Welfare Operations
Children’s Legal Services Statewide Director
Regional Managing Directors
Regional Family and Community Services Directors
Center for Child Welfare, University of South Florida
DCF Sheriffs Grants Contract Managers