



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

May 28, 2004

Ms. Glenda E. Hood
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Hood:

I hereby transmit to you, with my signature, Committee Substitute for Senate Bill 2564, entitled:

An act relating to shared county and state responsibility for juvenile detention . . .

This bill provides that funding for juveniles will now more closely align with the funding responsibilities in the adult criminal justice system, in which counties pay the entire cost of detaining criminal defendants awaiting trial and final sentencing in county jails. This cost-sharing model promotes clarity and fairness and may also promote community involvement in the juvenile detention process, with more prompt delinquency adjudications. This bill provides that counties fund pre-adjudication detention services for youth. The state will continue to fund the detention of juveniles after adjudication by the courts, unlike in county jails where local governments pay the cost of detaining defendants until transported to state prison.

The concept of local-government responsibility for detention services is not new to Florida. Prior to Congress passing the Juvenile Justice and Delinquency Act in 1974, counties in Florida were responsible for juvenile detention centers and costs. This federal act required upgraded new facilities where needed. The Act's burden proved too great for some counties to bear. To alleviate this cost, the state took responsibility for all Florida juvenile facilities. The state has provided one-hundred percent funding since. During the current fiscal year, the state will expend \$107 million for this program.

I first proposed the concept of shared funding responsibility with the counties in my budget recommendations for fiscal year 2001-2002 and again in fiscal year 2003-2004. The 2004 Florida Legislature saw fit to pass this important legislation in part because this year the counties will be relieved of much of their current funding burdens for the cost of the courts, under Revision 7 to Article V of the state constitution passed in 1998. Local governments strongly supported Revision 7 on the basis that the state should assume millions more in costs for state-court funding.

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I believe there is a clear nexus between realignment of criminal justice responsibilities and Revision 7, which realigns judicial-funding responsibilities. This revision to Article V will be fully implemented beginning July 1, 2004 and obligations of the counties to fund the courts are significantly reduced. I noted in an article published in *Florida Counties* magazine in March /April 2003, entitled *Revision 7 Requires Realignment of Public Safety Responsibilities*, that “we must review comprehensively all funding partnerships between the state and the counties to ensure a balance of funding responsibility based on traditional state and county functions.” I am still committed to this principle.

The state and county governments should share the responsibilities for providing juvenile-detention services, just as we share the responsibility in other areas of our criminal justice system. For this reason, and as noted above, I hereby sign Committee Substitute for Senate Bill 2564.

Sincerely,

Jeb Bush