

SUPREME COURT OF FLORIDA

Tanguay v. State

880 So. 2d 533 (Fla. 2004) · No. SC01-613 · Decided June 24, 2004

SUMMARY

The Supreme Court of Florida held that the circuit court had jurisdiction to adjudicate a Jimmy Ryce Act civil commitment petition even though the petitioner was unlawfully detained beyond the expiration of his juvenile commitment when the petition was filed. The court declined to dismiss the petition, but held that the petitioner could not be prejudiced by the unlawful detention and that evidence obtained during the extra sixteen days could not be used in the commitment proceedings. The court approved the Second District Court of Appeal's decision and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Wells, J.; Lewis, J.; Cantero, J.; Quince, J.; Anstead, C.J.; Pariente, J.
JURISDICTION	Florida
DECIDED	June 24, 2004
DOCKET	SC01-613
DISPOSITION	remanded
PROCEDURAL POSTURE	Review of a decision of the Florida Second District Court of Appeal addressing a certified question of great public importance concerning whether an involuntary civil-commitment petition under the Jimmy Ryce Act had to be dismissed when the State unlawfully detained the petitioner beyond the expiration of his sentence. The district court denied dismissal and ordered the petitioner's release from custody pending the commitment hearing; the Florida Supreme Court accepted review.
STANDARD OF REVIEW	De novo review of the statutory jurisdictional question and certified question of law.
PRECEDENTIAL VALUE	Published Florida Supreme Court opinion; binding precedent in Florida.
PARTIES	Travis Tanguay v. State of Florida

TOPICS

statutory interpretation

procedural due process

due process

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PRACTICE AREAS

constitutional law

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QUESTIONS PRESENTED

1. Whether the circuit court had jurisdiction to adjudicate a Jimmy Ryce Act civil-commitment petition filed while the petitioner was being unlawfully detained beyond the expiration of his sentence.
2. Whether unlawful detention beyond the expiration of the petitioner's sentence required dismissal of the commitment petition.
3. What remedy was required to prevent prejudice resulting from the unlawful detention.

HOLDINGS

1. The fact that Tanguay was not in lawful custody when the commitment petition was filed did not divest the circuit court of jurisdiction to adjudicate the petition because the Jimmy Ryce Act did not condition circuit-court jurisdiction on the person being in custody on the filing date.
2. The commitment petition was not subject to dismissal for lack of jurisdiction solely because Tanguay had been unlawfully detained beyond the expiration of his sentence.
3. Tanguay could not be prejudiced in the commitment proceedings by the unlawful sixteen-day detention, and no evidence obtained from him during that period could be used in the commitment proceedings.
4. Section 916.45's limitation concerning persons currently in custody addressed the retroactive applicability of the Jimmy Ryce Act and did not bar proceedings against Tanguay because he was lawfully in custody on January 1, 1999, the Act's effective date.

KEY QUOTATIONS

“Accordingly, we conclude that the fact that the petitioner was not in lawful custody when the commitment petition was filed does not divest the circuit court of jurisdiction to adjudicate the petition.” (at 537)

“We expressly hold, however, that although the commitment petition is not dismissed for lack of jurisdiction, the petitioner is not to be prejudiced in proceeding under the Act by reason of the unlawful detention beyond the expiration of his sentence.” (at 537)

“Therefore, no evidence obtained from the petitioner during the sixteen days that he was detained beyond the expiration of his sentence is to be used during the commitment proceedings.” (at 537)

FACTUAL BACKGROUND

In 1996, Tanguay was committed to the Department of Juvenile Justice for an indeterminate period ending no later than his nineteenth birthday or the applicable maximum adult sentence. He turned nineteen on February 24, 1999, but the State detained him for sixteen days beyond the expiration of his commitment so that it could

pursue civil commitment under the Jimmy Ryce Act. During that detention, a multidisciplinary team evaluated him and recommended commitment, after which the state attorney filed a petition and the circuit court found probable cause. Tanguay challenged the proceedings on the ground that he was unlawfully detained when the petition was filed.

PROCEDURAL HISTORY

Tanguay's juvenile commitment expired when he turned nineteen on February 24, 1999, but the State detained him for sixteen additional days while pursuing commitment under the Jimmy Ryce Act. After the State filed a commitment petition and the circuit court found probable cause, Tanguay moved to dismiss for lack of jurisdiction based on the unlawful detention. The circuit court denied the motion. The Second District held that the unlawful detention violated due process but did not require dismissal absent prejudice, treated Tanguay's prohibition petition as one for mandamus, and ordered his release pending the commitment hearing. The Florida Supreme Court answered the rephrased certified question affirmatively, approved the district court's decision, and remanded for further proceedings.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Proceed with the Jimmy Ryce Act commitment proceedings in accordance with the opinion, without using evidence obtained from Tanguay during the sixteen days of unlawful detention beyond the expiration of his sentence.

CASES CITED

- Tanguay v. State, 782 So. 2d 419, 421 (Fla. 2d DCA 2001)
- State v. Atkinson, 831 So. 2d 172 (Fla. 2002)
- Gordon v. Regier, 839 So. 2d 715 (Fla. 2d DCA 2003)
- Sirmons v. Regier, 846 So. 2d 1151, 1152-53 (Fla. 2d DCA 2003)
- Washington v. State, 866 So. 2d 725, 725, 727 (Fla. 3d DCA 2004)