


POLICY 507.0	JUVENILE PROCEDURES	
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TABLE OF CONTENTS

A.	PURPOSE:	2
B.	EMANCIPATION/ADJUDICATION EXEMPTION	2
C.	LAW ENFORCEMENT CONTACTS WITH JUVENILES	3
	1. Ill or Injured Juveniles	3
	2. Delinquent Behavior	3
	3. Traffic Citations/Juvenile	3
D.	CRIMES/INCIDENTS LEADING TO CUSTODY	3
	1. Endangered Children	3
	2. Under Age "Status" Offenses	3
	3. Court Orders/Pick Up Orders/Juvenile	7
	4. Warrants/Capias-Juvenile	8
	5. Juvenile Criminal Custodial Procedure	8
	6. Reporting/Investigating Crimes Involving Juveniles	9
E.	TAKING JUVENILES INTO CUSTODY	10
	1. Responsibility of Officers	10
	2. Arrest of Juveniles under the age of seven	10
	3. MOU with SAO	10
	4. Arrest of Juveniles under the age of twelve	10
	5. Transport	11
	6. Confinement	11

7.	Fingerprinting of Juveniles	11
8.	Photographing Juveniles	11
9.	Parent/Guardian Notification	12
10.	Parental/Guardian/Attorney-Custodial Contact	12
F.	CUSTODIAL INTERVIEWS OF JUVENILES	12
1.	Rights Of Juveniles Under Investigation	12
2.	Custodial Interviews And Interrogations Of Juveniles	13
G.	JUVENILE CIVIL CITATION PROGRAM	
1.	Eligibility	13
2.	Officer Responsibilities	14
3.	Supervisor Responsibility	15
Appendix:	MOU with State Attorney - Transportation of Youth 12 years And Younger	16

A. PURPOSE:

1. This policy describes the circumstances under which juveniles will become the subject of a contact with police, establishes procedures and provides guidelines for officers to follow with regard to juveniles. Florida State Statutes, shall be referred to for additional guidance in juvenile matters.
2. During juvenile related encounters, officers shall keep in mind that the purpose of the juvenile justice system is to divert as many delinquents as practical from the formal aspects of the criminal justice system by using counseling, warnings, mentoring, or other alternatives.

B. EMANCIPATION/ADJUDICATION EXEMPTION

1. No person under 18 years of age shall be treated or regarded as an adult by officers unless documentation of "emancipation" to adulthood or "adjudication" to adulthood is readily available, such as a teletype confirmation or court order.
2. Juveniles who are legally emancipated are not subject to "status" offenses, (truancy, running away from home, violating curfew, underage use of alcohol, etc.) and shall be treated in the same manner as adults in all police matters.
3. Juveniles who have been officially adjudicated as adults will be treated as adults only in relation to custody, processing, and intake procedures.
4. Arrests of juveniles suspected of being adjudicated or emancipated require

the arresting officer to submit a Probable Cause Affidavit as well as a Juvenile Probable Cause Affidavit during the prisoner intake process. Prisoner intake processing personnel will then attach the Adult Probable Cause Affidavit to the copy of the Juvenile Probable Cause Affidavit without assigning it a FL number. A copy of the Adult Probable Cause Affidavit will be sent to Records. A copy of the Juvenile Probable Cause Affidavit and the Adult Probable Cause Affidavit will be sent with the juvenile to the Juvenile Assessment Center.

C. LAW ENFORCEMENT CONTACTS WITH JUVENILES

1. Ill or Injured Juveniles

- a. Regardless of the purpose of contact, the summoning of medical attention for an ill or injured juvenile, or the application of first aid, will be done without unnecessary delay.
- b. The procedure described as AFFIDAVIT/T.O.T. TO GUARDIAN may be followed to release an ill or injured arrested juvenile to a guardian who is willing to arrange for medical attention, if the offense constitutes a misdemeanor, and the release does not appear to create a public danger.
- c. Also, refer to FLPD policy 502.2, Injured Prisoners.

2. Delinquent Behavior

Officers are encouraged to warn and disperse juveniles that they find engaged in inappropriate activities, disturbances, or other non-criminal misbehavior. Whenever practical, officers should advise the appropriate parent/guardian of the incident.

3. Traffic Citations/Juvenile

- a. "Criminal" traffic infractions require the officer to process the juvenile offender through FLPD prisoner intake processing and then release the juvenile to an adult.
- b. All other traffic citations will be issued to juveniles in the same manner as adults.

D. CRIMES/INCIDENTS LEADING TO CUSTODY

1. Endangered Children

Officers taking juveniles into protective custody should also see Policy 204.5, Child Abuse Neglect and Abandonment.

2. Under Age "Status" Offenses

For incidents of Truancy, Runaway, and Curfew violations, officers will be guided by the following:

- a. Truants - (§ 984.13 (1) (b) Fla. Stat.)

- (1). An officer has the authority to take a truant juvenile under the age of 16 into custody in order to transport him or her, without unreasonable delay, to the appropriate school.
- (2). A report (an incident report or curfew form) shall be completed detailing any such action.
- (3). Truants shall not be placed in secure detention, or otherwise mixed or associated with juveniles being held for criminal or non-status violations.
- (4). All truants shall be searched for weapons prior to being transported.
- (5). Officers have the following options and responsibility regarding truants, runaways, or when a child is beyond the control of the parent, guardian, or legal custodian:
 - (a). Release to Juvenile Assessment Center /Truancy Site.
 - (b). Release to School.
 - (c). Release to parent, guardian, legal custodian or responsible relative.
 - (d). Release to an approved family in need of services or child in need of services provider.
 - 1). Pursuant to an order of the circuit court based upon sworn testimony before or after a petition is filed under § 984.15, Fla. Stat.
 - 2). By a law enforcement officer when the child voluntarily agrees to or requests services or placement in a shelter.
 - (e). Abandoned, abused, or neglected children will be assisted in the manner described under "Child Abuse and Neglect".

Following such release as described above, the officer taking the child into custody shall make an incident report to the intake officer at the Department of Juvenile Justice at the intake center.

b. Runaways - (§ 984.13 (1) (a) Fla. Stat.)

- (1). After verification that the child is missing, law enforcement officers have the authority to pick-up a runaway (Teletype is valid verification). However, officers should remember that running away is not a criminal offense.

- (a). All juveniles shall be searched for weapons prior to being transported.
- (b). Runaways shall not be placed in secure detention, or otherwise mixed or associated with juveniles being held for criminal or non-status offenses.
- (c). If there is no pick-up order for the child or other extenuating circumstances, the child may be released to parents or adults described in JUVENILE/ DISPOSITION.
- (d). If extenuating circumstances such as alleged abuse or neglect make immediate return to the home or parent inadvisable, the Department of Children and Families Services should be contacted for intake referral and shelter information.
 - 1). If placement with juvenile authorities occurs, notify the parents as soon as possible.
 - 2). A report of the incident will be made and forwarded to the Special Victims Unit.
- (e). If no arrangement for the return of a runaway to an adult can be made, and no official cause for custody can be established, then the runaway should be informed about available social assistance sites and shelters in the area.

c. Curfew Violations

(1). Curfews:

- (a). Fort Lauderdale Police Officers are authorized to enforce a nighttime juvenile curfew. Fort Lauderdale Police Officers are also authorized to enforce a student curfew, which prohibits suspended or expelled students from being within 1000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day. See City Ordinance #16-81 in addition to the following:
- (b). Children under sixteen years of age are not allowed to be in public places Sunday through Thursday, 11:00 PM to 5:00 AM, and Saturday, Sunday, and legal holidays 12:00 AM to 6:00 AM., except:
 - 1). When accompanied by a parent/guardian, or their designee.

- 2). During an emergency, or a parent/guardian authorized emergency errand.
- 3). When going directly to or from or engaged in lawful employment.
- 4). When en route to or attending a school, civic, religious function, or organized events such as those sponsored by a theme park or entertainment complex. NOTE: "Theme Park" or "Entertainment Complex" is defined in §509.013(9) Fla. Stat.
- 5). When engaged in interstate travel with parental/guardian consent.
- 6). When on their own property, or on other private property, or the sidewalk thereof, with owner permission.
- 7). Attending or travelling directly to or from an activity that involves the exercise of rights under the First Amendment of the United States Constitution.

(2). Curfew Enforcement:

The purpose of curfew enforcement is to generally enhance parental control and to combat juvenile delinquency. Because the violation itself is a minor civil infraction, an "arrest" cannot be made. An encounter with a curfew violator should be regarded as a "stop", designed specifically to cause offending juveniles to safely return home or to another location as described in "Curfew Violations-Exceptions" (See City Ordinance 16-81(d) (1-8)).

- (a). Only those persons who definitely appear by age and location to be in violation of the curfew shall be stopped for curfew enforcement, and the purpose of the stop will be clearly announced to juvenile prior to the interview.
- (b). If a definite violation is discovered, the officer will take measures to inform the parent/guardian of the violation and arrange for the violator to return home or to another non-violation location.
 - 1). If necessary, officers may transport offenders home, or to Police Headquarters or other place of safety, to arrange for parent/guardian contact or transportation.

- 2). In any case, a curfew violator will be detained

for no longer than a total of two hours. If this time constraint compels the release of the juvenile before parent/guardian contact is accomplished, the juvenile will be released at a location that provides reasonable safety, with features such as access to telephones that ensure the likelihood that the juvenile will easily be able to return home.

(3). Curfew Enforcement/Response to Resistance

- (a). Juveniles being detained for curfew violations will not be subjected to secure detention or handcuffing. They will not be mixed or associated with adults in any case, or with juveniles who are being held for criminal offenses, unless the curfew violator is also being criminally charged.
- (b). Documented juvenile curfew violators who physically resist an announced curfew enforcement effort by refusing to remain or to be transported to a point of parent/guardian contact shall be subjected to whatever reasonable response described under "Curfew Enforcement". Any detention measures taken shall be eliminated as soon practical and will be documented in the officer's curfew report. The mere use of detention type force does not require the officer to charge a curfew violator with misdemeanor "Obstructing/Resisting". Additional charges shall be made at the discretion of the officer, in consideration of the original civil infraction and the amount or type of resistance.

(4). Curfew Enforcement Documentation

- (a). Officers are authorized to remedy curfew violations with verbal warnings to juveniles and parent/guardians when this can be done spontaneously, and the parties involved clearly intend to amend the delinquent behavior. Documentation in the form of an offense report must be prepared.
- (b). In all other cases, curfew violations will be reported on an FLPD "Juvenile Curfew Violation Form" and will be submitted in the same manner as Offense/Incident reports. No other form is required. However, a Curfew Violation Form must be completed in addition to an Offense/Incident Report whenever a curfew violation has occurred in relation to a reported offense/incident.

3. Court Orders/Pick Up Orders/Juvenile

Officers will be guided by the instructions contained in the order, and shall take

reasonable measures to ensure the safety of the juvenile and professionals involved. "Frisk" searches are appropriate for every Juvenile Court Order situation.

a. Non-Criminal Related Orders

If the order clearly stems only from a concern for the welfare or dependency of the juvenile, handcuffing shall be done only under extreme circumstances, and no Juvenile Probable Cause Affidavit will be executed, unless the order specifies otherwise.

b. Criminal Related Orders

If the order stems from a criminal offense, officers will proceed according to "ARREST/JUVENILE DETENTION", unless the order specifies otherwise.

c. Civil Related Orders

d. Officer shall check with issuing agency as instructions vary from county to county and state to state.

4. Warrants/Capias-Juvenile

Juvenile related warrants and capiases will be executed in the same manner as with adults; officers will also comply with procedures described in "ARREST/JUVENILE DETENTION".

5. Juvenile Criminal Custodial Procedure

Juveniles taken into custody for misdemeanor and felony violations will be subjected to one of the following procedures by officers and will require the completion of an offense incident report.

a. Juvenile Disposition/Release From Custody

(1). Juveniles who are to be released from custody will be turned over to an adult who is categorized as one of the following:

(a). Parent or legal guardian

(b). Responsible adult with a relationship to the juvenile that provides for substantial control or influence over the juvenile's behavior.

(c). An official representative of Law Enforcement, Juvenile Justice, or the educational or social services community.

(2). Notices to Appear/Juvenile

In lieu of release to an adult, Notices to Appear may only be issued to juveniles who have legal adult status:

(a). Legally married.

(b). Emancipated to adulthood by court order.

(c). Previously adjudicated as an adult.

b. Warn/Turn Over To Guardian -

May be used as a remedy for a juvenile offense when:

The offense is of a minor, non-violent nature, at a statutory level not above a misdemeanor of the second degree, and:

- (1). No prosecution is desired or likely, and
- (2). Circumstances indicate that the delinquent behavior will be amended by the guardian involved warning and,
- (3). The juvenile is positively identified.

c. Affidavit/Turn Over To Guardian (T.O.T.)

This may be used under circumstances described in WARN/T.O.T. TO GUARDIAN. Except when prosecution of the offender is desired or likely, officers will complete a Juvenile Probable Cause Affidavit and forward it to the SAO Juvenile Crimes Unit, in addition to their warning and dismissal. Guardians shall be told they will receive further instruction via mail from the Juvenile Court.

d. Affidavit/Arrest/ Processing/Turn Over To Guardian

In instances of misdemeanors, which do not meet the criteria of "Warn and Dismiss", Officers may release the juvenile offender, after processing, to persons described in Juvenile Criminal Custodial Procedure if the officer believes that the release does not create a public danger.

e. Arrest/Juvenile Detention

After considering alternatives, juvenile arrest situations that appear to the officer to warrant juvenile detention shall require the execution of a Juvenile Probable Cause Affidavit, and transport to the Juvenile Intervention Facility without undue delay unless the juvenile is in need of emergency medical treatment. A supervisor must be notified and approve the detention of a juvenile for more than one hour.

6. Reporting/Investigating Crimes Involving Juveniles

a. Felony crimes involving juvenile suspects will be reported and investigated in the same manner as those that involve adult suspects. Misdemeanor crimes involving juvenile suspects will be reported and investigated in the same manner as those, which involve adult suspects, with one exception: misdemeanor situations involving a known juvenile suspect who is "not in custody".

- b. If the juvenile is going to be charged with a qualifying misdemeanor crime, the juvenile shall be offered a juvenile citation if they meet the criteria. If the juvenile is not eligible for the civil citation, an arrest should be completed if the victim wants to prosecute.

E. TAKING JUVENILES INTO CUSTODY

1. Responsibility of Officers

The officer who initiates custody of a juvenile will be responsible for the completion of all required procedures and duties associated with the custodial situation, although he/she may arrange for assistance with related tasks. Transfer of this responsibility to another officer is a supervisory decision, to be made in consideration of personnel, overtime, and related issues.

2. Arrest of Juveniles Under the Age of Seven [§985.031(2)]

A child younger than 7 years of age may not be arrested, charged, or adjudicated delinquent for a delinquent act or violation of law based on an act occurring before he or she reaches 7 years of age, unless the violation of law is a forcible felony.

3. In accordance with a Memorandum of Understanding (“MOU”) entered into between the Department and the State Attorney, no juvenile 12 years or younger may be arrested for the misdemeanor offenses of assault, battery, resisting arrest without violence, disorderly conduct, disruption of school function, petit theft/retail theft, trespass, drug possession and/or paraphernalia, loitering and prowling, criminal mischief, possession of alcohol, or traffic offenses unless the arresting officer has attempted to contact the assistant state attorneys designated in the MOU attached to this policy as Appendix A for the purpose of consulting on whether the juvenile should be transported to the Juvenile Assessment Center (“JAC”)

- a. If contact cannot be made with one of the designated assistant state attorneys, the officer shall call JAC (954-467-4600) for a preliminary scoring decision. Upon consultation with JAC personnel, the officer shall then follow the guidelines described in Section E.4. of this Policy to determine if an arrest and transport to JAC is appropriate.

4. For arrests not listed in Section E.3. of this Policy, no juvenile under the age of twelve (12) shall be arrested without the approval of a lieutenant or higher.

- a. Factors for consideration shall include but are not limited to:

- (1). The severity of the crime.
- (2). The offense history of the juvenile.
- (3). The likelihood of the juvenile reoffending.
- (4). Protection of and consideration for the victim.

- (5). The juvenile's potential threat to public safety.
 - (6). The juvenile's mental / emotional condition.
 - b. Alternatives to arrest
 - (1). Juvenile Civil Citation
 - (2). Release to a responsible family member
 - (3). Referral to other official diversion programs
5. Transport
 - a. Juveniles who are taken into custody cannot be transported with adults.
 - b. Juveniles taken into custody for crimes cannot be transported with juveniles taken into custody for non-criminal matters, such as "Status" offenses or dependency issues.
 - c. Juveniles shall be transported directly to the Juvenile Assessment Center (JAC) for processing, unless being released to a parent or guardian.
 - d. Prisoner Intake Processing Area personnel shall not transport juveniles to JAC.
6. Confinement
 - a. Juveniles cannot be confined with adults and must be kept out of sight and sound of adults who are in police custody.
 - b. Juveniles who are in police custody for "Status" offenses or other non-criminal matters cannot be confined and must remain separated from the sight and sound of adults and juveniles who are in police custody for criminal matters.
7. Fingerprinting of Juveniles

Juveniles transported to the Juvenile Assessment Center (JAC) will be fingerprinted at that facility.

Exception: For investigative, identification or record keeping purposes, officers may fingerprint juveniles after securing parent/guardian consent, and the cooperation of the juvenile. These fingerprints will be marked "Juvenile/Confidential", and will be kept separate from adult and criminal juvenile files. Fingerprints will be kept in accordance with the Florida Records Retention Schedule. Juveniles eligible to be released to a parent or guardian will be allowed in the Intake Processing Area only for the purpose of fingerprinting.
8. Photographing Juveniles

Juveniles transported to the Juvenile Assessment Center (JAC) will be

photographed at that facility.

9. Parent/Guardian Notification

An active effort to notify the parent/guardian of a juvenile who is in police custody must be made, and must continue until notification occurs, or custody is transferred as described in Juvenile Criminal Custodial Procedure. Notification results must be included in the related police report; unsuccessful notification attempts must be detailed in the related police report, including whatever contact information was used in the effort to notify. Prior to transferring custody to JAC officers shall notify a supervisor of what attempts were made to contact the parent, guardian, etc.

10. Parental/Guardian/Attorney-Custodial Contact

Contact between parent/guardians or attorneys, and juveniles who are in police custody are allowable, but will be made at the discretion of police; no civil right to this type of contact exists. Officers should consult Rights of Juveniles under Investigation, in this policy.

F. CUSTODIAL INTERVIEWS OF JUVENILES

1. Rights of Juveniles Under Investigation

- a. Miranda - Juveniles under investigation have exactly the same rights as adults. However, officers must be able to demonstrate that any rights waived were part of an intelligent and informed decision by the juvenile. It is vital to the integrity of the obtained statement that officers explain Miranda in a manner that is clearly understandable, based on the intellect and experience of the juvenile being questioned.
- b. Parent/Guardian and attorneys - Regardless of age, juveniles who are in police custody do not have the right to have their parent/guardian or attorney present, merely because they are in custody. Likewise, parent/guardians and attorneys do not have the right to have access to a juvenile merely because the juvenile is in police custody. However, officers shall attempt to notify the juvenile's parent/guardian about the juvenile's status, whereabouts and release information.
- c. If a Miranda warning is issued, and the juvenile expresses or implies that an "intelligent and informed decision" to make a statement can only be made in conjunction with parental/guardian or attorney contact, then the officer must decide whether to arrange the parental/guardian or attorney contact without undue delay, or to accept the juvenile's position as a refusal to make a statement. Otherwise, the juvenile's statement may be deemed inadmissible by the court. Parent/guardians or attorneys legally cannot decide for the juvenile whether or not to speak to police; juveniles must ultimately arrive at the decision themselves, however counseled.

2. Custodial Interviews and Interrogations of Juveniles

- a. All custodial interviews and interrogations of juveniles will be done reasonably and in a manner that safeguards the health, welfare, and psychological wellbeing of the interviewee. Officers will be considerate of the following factors during the interview or interrogation and will guide themselves accordingly:
 - (1). The juvenile's age, apparent level of intellect, health and physical condition, and the juvenile's mental and emotional state.
 - (2). The time of day.
 - (3). The need for food, drink, and lavatory.
 - (4). Any other obvious circumstances likely to cause unreasonable discomfort or stress to the juvenile being questioned.
- b. No more than two officers will be involved in a formal interview or interrogation of a juvenile in custody at any time. The presence of other officers is authorized only as necessary for control, security, or to remedy unusual circumstances.
- c. Interrogations and formal interviews will continue only as long as necessary to obtain adequate information about the matter of concern. No formal interview or interrogation of a juvenile will continue for longer than three hours without the approval of a supervisor. Juveniles will be allowed breaks for personal necessities.

G. JUVENILE CIVIL CITATION PROGRAM

The Fort Lauderdale Police Department works in collaboration with the Broward County Juvenile Civil Citation (JCC) program. The program complies with Florida State Statute 985.12 which establishes the guidelines for juvenile civil citation programs. The JCC, in accordance with the Department of Juvenile Justice, provides an efficient and innovative alternative to the arrests of children who have committed a non-serious misdemeanor offense. The program ensures swift and appropriate consequences for qualifying juvenile offenders. Juveniles who have committed a felony offense are not eligible to utilize the JCC.

1. Eligibility

- a. To be eligible to participate in the Juvenile Civil Citation Program, the juvenile must meet the following criteria.
 - (1). Must be age 17 or younger on the date of the misdemeanor offense.
 - (2). Must not have had a prior felony conviction or pending felony charge.

- (3). Must not have used the JCC for three prior misdemeanors.
- (4). Must not have committed an “ineligible” misdemeanor, which includes, but is not limited to:
 - (a). Domestic Violence related offense
 - (b). Sex Offense
 - (c). Offenses involving firearms.
- (5). The juvenile, parent/guardian or responsible adult with a relationship to the juvenile that provides for reasonable control or influence that constitutes custody, must agree to the issuance of a Juvenile Civil Citation and Agreement form and agree to cooperate with any program requirements.

2. Officer Responsibilities

- a. An officer shall use the JCC, if the juvenile qualifies, unless the officer believes the release of the juvenile constitutes a clear and present public danger, then a Juvenile Civil Citation and Agreement form shall not be issued and a physical arrest will be made with the approval of a Lieutenant (or acting Lieutenant) or above.
- b. The officer will determine the juvenile’s identity via a state issued identification card, school issued picture identification card, or have a parent/guardian or responsible adult verify the juvenile’s identity. The officer will also verify the identity of the parent, guardian, or responsible adult via a state issued identification card.
- c. The officer shall contact the Juvenile Assessment Center (JAC) via telephone (954-467-4616) and confirm the youth’s eligibility to utilize the JCC.
- d. The officer shall explain the Broward County Juvenile Civil Citation Program to the juvenile and parent/guardian/responsible adult, and issue a program’s brochure.
- e. The officer shall respect the juvenile’s, parent’s, guardians or responsible adult’s right to refuse to utilize the JCC. If the juvenile is arrested after such refusal, the officer shall note the refusal in the arrest affidavit narrative and transport the juvenile to the JAC.
- f. The juvenile and parent, guardian or responsible adult must sign the Broward County Juvenile Civil Citation and Agreement form indicating their agreement to participate in the program and to waive the right to

speedy trial. The officer shall place the right thumbprint of the juvenile in the space provided on the form.

- g. The juvenile shall be issued a signed copy of the Broward County Juvenile Civil Citation and Agreement form and shall be released to the parent/guardian or responsible adult.
- h. To ensure citations are received in a timely manner, Officers will fax and/or email the completed juvenile civil citation to the Broward County Human Services Department - Civil Citation Office prior to the end of their shift and prior to submitting to their supervisor. The completed form will be emailed to civilcitation@broward.org or faxed to (954) 357-9009. On the bottom of the civil citation in a grey box labeled, "For Law Enforcement Officers / Records Unit Only" (line number 3), the officer will notate the date and time they faxed/emailed the civil citation.
- i. If the officer is unable to contact the juvenile's parent/guardian or responsible adult, a Broward County Juvenile Civil Citation and Agreement form shall be completed and the juvenile shall be transported to the JAC. Further parental contact efforts will be conducted by the JAC staff.
- j. The officer will complete an incident report and submit the original Broward County Juvenile Civil Citation and Agreement form to their supervisor for review prior to the end of their shift.

3. Supervisor Responsibilities

As enrollment in the Broward County Juvenile Civil Citation program is time sensitive, supervisors shall review the original civil citation form and incident report as soon as possible. After approval of the civil citation, supervisors will submit the form to FLPD Records.

Appendix A

Memorandum of Understanding Regarding the Transportation of Youth Twelve Years of Age or Younger to the Juvenile Assessment Center for a Designated Criminal Violation and Handling of Youth Ten Years of Age or Younger

MEMORANDUM OF UNDERSTANDING REGARDING THE TRANSPORTATION OF YOUTH TWELVE YEARS OF AGE OR YOUNGER TO THE JUVENILE ASSESSMENT CENTER FOR A DESIGNATED CRIMINAL VIOLATION AND HANDLING OF YOUTH TEN YEARS OF AGE OR YOUNGER

THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MOU") is made and entered this 8th day of October, 2021, by and between Harold Pryor, State Attorney, 17th Judicial Circuit (hereinafter "State Attorney"), the Florida Department of Juvenile Justice (hereinafter "DJJ"), and the undersigned law enforcement agencies (hereinafter "Law Enforcement Agency" or "Law Enforcement Agencies").

WHEREAS, this MOU is intended to formalize a process between the undersigned Law Enforcement Agencies in Broward County, DJJ, and the State Attorney regarding the transportation of children twelve (12) years of age and younger to the Juvenile Assessment Center (hereinafter "JAC") for the misdemeanor offenses of assault, battery, resisting arrest without violence, disorderly conduct, disruption of school function, petit theft/retail theft, trespass, drug possession, possession of drug paraphernalia, loitering and prowling, criminal mischief, possession of alcohol, and traffic offenses (hereinafter collectively referred to as "Designated Criminal Violation"); and

WHEREAS, this MOU is intended to formalize a process between the undersigned Law Enforcement Agencies in Broward County, DJJ, and the State Attorney regarding the appropriate handling of youth 10 years or younger and those 7 years or younger (Kaia Rolle Act 2021); and

WHEREAS, this MOU is essential in order to establish a clear process to address Law Enforcement Agency interactions with children twelve (12) years of age and younger whose detention, arrest and transport to the JAC for a Designated Criminal Violation is not appropriate, and when the community's safety is not at risk.

NOW THEREFORE, the parties agree as follows:

1. Whenever a Law Enforcement Agency intends on transporting a child twelve (12) years of age or younger to the JAC for a Designated Criminal Violation, the arresting officer shall attempt to contact the State Attorney's below listed designee PRIOR to transporting the child to the JAC for the purpose of consultation on whether the child should be transported to JAC for processing. If no Assistant State Attorney is available for consultation, the Law Enforcement Agency shall call the JAC (954- 467-4600) for a preliminary scoring decision before the child is transported to JAC.

Following a preliminary scoring decision, Law Enforcement Agencies may proceed in transporting the child to JAC in their sole discretion, and if so transported will advise DJJ that they were unable to make contact with the State prior to transport and the results of JAC's preliminary scoring decision. Law Enforcement Agencies, within their sole discretion, may consult with a below listed Assistant State Attorney on other matters or criminal violations not addressed in this MOU as determined by that Law Enforcement Agency's policies.

2. In the event that a Law Enforcement Agency transports a child twelve (12) years of age or younger to JAC for a Designated Criminal Violation, DJJ shall immediately contact the State Attorney's below listed designee PRIOR to processing the child into JAC for the purpose of consultation on whether the child should be processed. If the Law Enforcement Agency represents to DJJ that it attempted to contact the State Attorney and no Assistant State Attorney was available for consultation and provides the results of the preliminary scoring decision, DJJ shall immediately contact an Assistant State Attorney PRIOR to processing the child into JAC for the purpose of consultation on whether the child should be processed. If an Assistant State Attorney is not available for consultation, DJJ may proceed in processing the child into the JAC at their sole discretion.

3. The State Attorney shall have an Assistant State Attorney assigned to the Juvenile Division available on a 24 hours /7 days a week basis for the purpose providing consultation to the Law Enforcement Agencies and DJJ, as follows:

ASAIC Gloria Moschella:	954-870-0969
Sr. Supervisor Lisa Lewis:	954-790-5231
Supervisor Elizabeth Rigaud:	954-232-6261
Supervisor Michael Speer	561-414-0933

4. In the event that the State Attorney recommends that a child not be transported to JAC for a Designated Criminal Violation and the Law Enforcement Agency decides not to transport the child to JAC, the law enforcement agency shall contact the child's parent or guardian and surrender custody of the child to their parent or guardian in accordance with that Law Enforcement Agency's policies. However, if after a reasonable period of time the child's parent or guardian cannot be contacted by the Law Enforcement Agency or the parent or guardian refuses to accept custody of the child within a reasonable length of time, the Law Enforcement Agency shall transport the child to the JAC and the JAC shall accept custody of the child. When transporting a child to JAC whose

parent/guardian has not accepted custody of the child within a reasonable amount of time, the transporting officer shall, upon arrival at JAC, notify JAC personnel of the State Attorney's recommendation and the attempts made to turn over custody of the child to a parent/guardian.

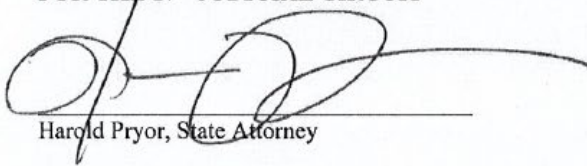
5. In the event a child 10 years old or younger is charged with a felony and meets secure detention criteria, DJJ must contact the State Attorney's office for approval for admission into secure detention.

6. DJJ and/or the State Attorney's office shall maintain data on youth who are impacted by this MOU.

7. This MOU shall remain in full force and effect unless modified by written agreement of the parties or terminated by the parties. If a party seeks to terminate their responsibilities under this Agreement, the terminating party shall provide sixty (60) days written notice to the remaining parties of their intent to terminate.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Memorandum of Understanding on the date first written above.

**FOR HAROLD PRYOR, STATE ATTORNEY
FOR THE 17th JUDICIAL CIRCUIT**



Harold Pryor, State Attorney

**MEMORANDUM OF UNDERSTANDING
REGARDING THE TRANSPORTATION OF YOUTH
TWELVE YEARS OF AGE OR YOUNGER TO THE JUVENILE ASSESSMENT
CENTER FOR A DESIGNATED CRIMINAL VIOLATION AND HANDLING OF
YOUTH TEN YEARS OF AGE OR YOUNGER**

**FOR DEPARTMENT OF JUVENILE JUSTICE
FOR THE OFFICE OF PROBATION & COMMUNITY INTERVENTION**



Cassandra Evans, Chief Probation Officer, 17th Judicial Circuit

**MEMORANDUM OF UNDERSTANDING
REGARDING THE TRANSPORTATION OF YOUTH
TWELVE YEARS OF AGE OR YOUNGER TO THE JUVENILE ASSESSMENT
CENTER FOR A DESIGNATED CRIMINAL VIOLATION AND HANDLING OF
YOUTH TEN YEARS OF AGE OR YOUNGER**

FOR LAW ENFORCEMENT AGENCY


SEE ATTACHED SIGNATURE PAGE

Name: _____
Title: _____
Agency: _____

MEMORANDUM OF UNDERSTANDING
REGARDING THE TRANSPORTATION OF YOUTH
TWELVE YEARS OF AGE OR YOUNGER TO THE JUVENILE ASSESSMENT
CENTER FOR A DESIGNATED CRIMINAL VIOLATION AND HANDLING OF
YOUTH TEN YEARS OF AGE OR YOUNGER

IN WITNESS WHEREOF, the parties hereby execute this Agreement on the date(s) set forth below:

FORT LAUDERDALE POLICE DEPARTMENT



Larry R. Sciroto
Chief of Police

9/30/21
Date


THE CITY OF FORT LAUDERDALE



Christopher J. Lagerbloom
City Manager

10 08 21
Date

Approved as to form:

By: 

Bradley H. Weissman
Assistant City Attorney/ Police Legal Advisor

9/30/21
Date