



TALLAHASSEE POLICE DEPARTMENT GENERAL ORDERS

 Proudly Policing Since 1841	SUBJECT Juvenile Civil Citation Program		 Nationally Accredited 1986
	CHIEF OF POLICE <i>Signature on File</i>		
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AUTHORITY/RELATED REFERENCES

Florida State Statute 985.12, Civil Citation
 General Order 6, Arrests and Alternatives to Arrest
 General Order 32, Juvenile Procedures and Programs

ACCREDITATION REFERENCES

CALEA Chapters 1, 44

KEY WORD INDEX

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POLICY

Florida Statute authorizes the Department to establish a Juvenile Civil Citation Program to provide alternatives to arresting misdemeanor juvenile offenders while ensuring the juvenile is held accountable for their action without creating a criminal record. Members are responsible for adhering to established protocols concerning the issuance of a juvenile civil citation.

DEFINITIONS

Civil Citation Case Manager: An employee of DISC Village who coordinates the administration of the Juvenile Civil Citation Program and reports on each juvenile's progress in the program.

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Juvenile Civil Citation: The PD Form (PD 405B) utilized to document a juvenile's participation in the Juvenile Civil Citation Program.

Juvenile Civil Citation Program: A formal process established through the Chief Judge of the 2nd Judicial Circuit, the State Attorney, and the Public Defender which permits an arresting officer to offer a juvenile in custody up to fifty (50) hours of community service in lieu of being charged with a criminal offense.

Sexting: Producing and distributing sexually explicit images or messages, as outline in FSS 847.0141.

PROCEDURES

I. CRITERIA FOR JUVENILE CIVIL CITATION ISSUANCE

An officer shall issue a Juvenile Civil Citation (JCC) upon making contact with a juvenile offender who is subject to arrest when **all** of the following criteria are met:

- A. The juvenile must be under (18) years of age,
- B. The juvenile admits to committing a misdemeanor offense,
- C. The juvenile is not a validated gang member per FSS 874,
- D. Any restitution owed to the victim must be resolved (between the juvenile, parent/guardian, and victim- not the officer) prior to the referral being submitted,
- E. The juvenile and a parent/guardian agree to the issuance of the JCC,
- F. The offense committed is not traffic-related,
- G. If the offense is domestic-related, the officer shall use their discretion on whether to make an arrest or issue a citation (and should consider age of the involved, likelihood of future violence, severity of injuries, consult with their Sergeant, etc.),
- H. Sexting offenses are not eligible due to defined sanctions that are not compatible with JCC's,
- I. The juvenile does not have more than one failure to complete a juvenile civil citation,

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- J. There is no limit to the number of civil citations for a juvenile; however, the juvenile shall not be enrolled in any diversionary program at the time of the offense,
- K. The juvenile resides within the 2nd Judicial Circuit (Leon, Franklin, Wakulla, Liberty, Jefferson, or Gadsden County),
- L. Has committed a misdemeanor offense within the 2nd Judicial Circuit, and
- M. Reasonable attempts must be made to contact any victim(s) with an advisement of their rights per Marsy's Law.

II. PROCEDURES FOR ISSUING A JUVENILE CIVIL CITATION

- A. Upon determining probable cause exists for the arrest of a juvenile, officers are responsible for determining the eligibility of the juvenile for issuance of a JCC as described in section I above:

Officers can determine if a juvenile is currently participating in a JCC Program or has more than one failure to comply with sanctions by contacting the Juvenile Assessment Center (JAC) or by accessing the Juvenile Justice Information System (JJIS).

- B. Officers shall advise the juvenile of the option to refuse the JCC.
- C. If the juvenile offender refuses the JCC and is arrested, the officer shall transport the juvenile to the JAC without delay (unless the juvenile requires emergency medical treatment).
- D. The signature of the juvenile on the JCC attests to their agreement.
- E. Officers shall ensure the right thumbprint of the juvenile is placed in the bottom right corner on the JCC.
- F. Officers shall explain the JCC program to the parent/guardian and should request the parent respond to pick up the juvenile.
- G. Officers shall not assess more than fifty (50) community service hours to a juvenile receiving a JCC.
- H. The Civil Citation Case Manager may require participation in intervention services appropriate to the identified needs of the juvenile, including:

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1. Family counseling
 2. Urinalysis
 3. Monitoring
 4. Substance abuse counseling/treatment
 5. Mental health services
- I. Officers shall issue Miranda warnings prior to any questioning (or prior to obtaining the juvenile's signature on the JCC if the juvenile is not questioned).
- J. Officers shall explain to the juvenile the difference between an arrest and a JCC.
- K. If a camera is readily available, officers issuing a JCC should take a photo of the juvenile and upload it into the appropriate Department database.
- L. Juveniles issued JCCs shall not be transported to the JAC.

III. DOCUMENTATION REQUIREMENTS

- A. Officers who interact with a juvenile offender who is subject to arrest shall document in the offense report or arrest paperwork the following information:
1. The reason(s) the JCC was or was not issued,
 2. The date of the juvenile's last arrest or last JCC (if applicable), and
 3. The name of the JAC employee who completed the criminal history/JCC inquiries.
- B. Officers shall document all JCC refusals in the offense and arrest paperwork.
- C. Officers shall document the results of their contact or attempted contact with the juvenile's parent/guardian in the offense and arrest reports.
- D. In situations where the parent declines to respond to take custody of a juvenile who has been issued a JCC, the officer shall document the refusal in the offense report.

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E. Officers shall include the elements of the crime and all pertinent information on the PD 405B and the offense report including:

1. Height and weight,
2. Race and gender, and
3. Social Security Number (if known).

IV. SUPERVISOR RESPONSIBILITIES

In their review of juvenile arrest/JCC documents, supervisors are responsible for ensuring:

- A. Juvenile(s) issued JCCs meet the criteria for JCC issuance, or
- B. Officer clearly stated in a Probable Cause the reason the juvenile did not qualify for a Juvenile Civil Citation. And
- C. Officer followed the documentation requirements as outlined in section III above.

V. JCC LIAISON RESPONSIBILITIES

- A. The JCC Liaison shall review all completed JCCs to ensure correctness and compliance with Department policy and take appropriate steps as directed to remedy any protocol or policy issues.
- B. When notified by the Civil Citation Case Manager a juvenile has successfully completed the program, the JCC Liaison shall complete a supplemental report with an “exceptionally cleared” disposition.
- C. The JCC Liaison shall follow up and issue the appropriate offense/supplemental/arrest reports documenting the juvenile has committed a delinquent act if the juvenile:
 1. Fails to report for a work assignment in a timely manner,
 2. Fails to complete a work assignment,
 3. Fails to comply with the assigned intervention services within the prescribed time period,
 4. Commits a new offense prior to completion of the program, or

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5. Does not successfully complete the JCC program.
- D. In the event a juvenile commits a new offense prior to completing the program requirements, the JCC Liaison will charge the juvenile with the original offense.
 - E. The JCC Liaison is responsible for the completion of an annual written review and evaluation of the effectiveness of the JCC program.

History: previous title (*missing juveniles*) – issued 10/01/1993, retired 05/05/1995. current title – issued 08/01/1997, revised 12/15/2000, 10/29/2001, 04/08/2004, 04/24/2009, 04/28/2014, and 02/23/2018.