



## GENERAL ORDER

### **JUVENILE CIVIL CITATION PROGRAM** **Implementation Date: October 9, 1992** **Revokes: None**

### **GENERAL ORDER - 11A**

#### **11A.1 INTRODUCTION**

The Juvenile Civil Citation Program (JCCP) (FSS 985.12) is developed to defer juvenile misdemeanor offenders from the court system. The program is also designed to educate the offender on their specific violation(s) and other criminal behavior in an attempt to deter further involvement in the criminal justice system.

The Juvenile Civil Citation Program is designed to provide juvenile offenders committing misdemeanor offenses an opportunity to stay out of the judicial system and not receive a criminal record.

Use of this civil citation program is not limited to first-time misdemeanors and may be used in up to two (2) subsequent misdemeanors. Refer to JAC for assistance in final determination.

JCCP will be used at the arresting officer's discretion. The juvenile and parent or legal guardian should demonstrate a willingness to participate in the program. The juvenile should be remorseful and cooperate with law enforcement.

If an officer chooses not to enter the juvenile in the program, an explanation is required on the probable cause affidavit.

A Juvenile will not be accepted into JCCP if they engaged in violent behavior during the incident. If an officer has to use force for the juvenile's compliance, the juvenile will not be eligible.

#### **11A.2 DEFINITIONS**

JCCP Administrative Assistant – Non-sworn position that is responsible for assisting the JCCP Coordinator by performing the following tasks:

- Receives, organizes, and verifies documentation.
- Develops and maintains confidential reports, records and monthly/quarterly reports as needed.
- Case files criminal cases as needed.

JCCP Coordinator – An additional responsibility for a sworn officer currently assigned to the Youth Liaison Unit. This officer will oversee the operations of the JCCP Administrative Assistant. They are required to be knowledgeable of the JCCP Administrative Assistant's duties and be able to fill in or complete any, or all, portions of those duties. This officer will serve as the liaison between

the county and the city by maintaining frequent contact with the Broward County Civil Citation Department. Any individualized case questions shall be filtered through this officer.

Juvenile Civil Citation and Agreement Form (JCCP Form) – This 2 page form is a contract for program participation, signed by the parent/guardian and juvenile, which indicates their desire to participate. Note: the second page is only required if the family declines the program, or all diligent efforts have failed for a juvenile release and a JAC transport is necessary.

Juvenile Offender - A person under the age of 18 who has committed a violation of criminal law.

### **11A.3 POLICY/PROCEDURE**

#### **11A.3.1 Eligibility for JCCP**

- A.** Must be under 18 years of age and reside in the State of Florida.
- B.** All misdemeanors are eligible with the exception of:
  - domestic/dating violence
  - all traffic offenses
  - gang related offenses
  - any misdemeanor crime involving possession or use of a firearm
  - any misdemeanor crime involving exposure of sexual organs or other sexual related behavior.
  - any misdemeanor crime involving violent behavior
- C.** Officer must not have had to use force to overcome active or passive resistance during the police investigation.
- D.** The juvenile may have a limited number of prior arrests or diversion history for misdemeanor crimes. Verification of eligibility will be made by a JAC intake officer when the officer makes the mandatory phone call to JAC intake center.
- E.** Juvenile and parent/guardian should sign a JCCP Form, expressing willingness to enter into the program. If either party refuses, officer will write "refused to sign" on JCCP Form. Refusal to sign the form may not necessarily disqualify a youth from participation in the program.
- F.** If an officer is unable to reach a parent or responsible adult and has exhausted all options, the officer may transport the juvenile to JAC and still use JCCP, following the procedure described in 11A.3.2.H.
- G.** The Florida State Statute that defines JCCP (985.12) does not require the victim to agree with entering the juvenile in the JCCP.

#### **11A.3.2 Initial Arresting Officer's Responsibility – In Custody Arrests**

- A.** Juvenile must be positively identified using a Florida or government issued ID card/driver's license, school photo id, parent, guardian, other responsible adult, or rapid ID system.
- B.** After reviewing elements of the crime, the officer will determine if the juvenile meets the criteria for JCCP.

- C. The officer must contact Juvenile Assessment Center at 954-467-4616 to determine eligibility.** A local check, along with an FCIC/NCIC check will also be conducted by the officer.
- D.** Officers can choose to release the juvenile from the scene to a parent, guardian, family member, or responsible adult; once it is determined a civil citation will be issued in lieu of arrest and with supervisor approval.
- E.** The following are requirements of the officer if they release the juvenile from scene:
1. The officer must obtain juvenile's right thumbprint on the JCCP form.
  2. When a parent, guardian, family member or responsible adult, arrives on scene to take custody of juvenile, the officer will explain the JCCP program, and obtain both the parent and juvenile's signature on the form. When releasing a juvenile to anyone other than a parent, the officer must notify the juvenile's parent and document the contact in the narrative of the incident report. A juvenile release form is not required if a JCCP form is being used.
  3. The officer will instruct the parent to contact (954) 357- 6551 within seven business days of the issuance of the civil citation.
  4. The officer will complete a JCCP checklist and any pertinent paperwork. All paperwork related to the case will be placed in a secured envelope and placed in the JCCP mail tray.
  5. The officer will scan a copy of the civil citation form and the offense incident report to the "JCCP" group on the patrol or patrol admin copier. This scan is preprogrammed to go directly to Broward County Civil Citation Division, the JCCP Administrative Assistant, and the JCCP coordinator.
  6. The arresting officer or sergeant approving the report will select "exceptionally cleared-JCCP" from the case status drop down menu when completing the offense incident report.
  7. The arresting officer will include the statement "This juvenile is eligible for the civil citation program according to (name of JAC intake officer) at the Juvenile Assessment Center and was referred to the JCCP program" as the last line in the offense incident report.
  8. If a juvenile is eligible for civil citation according to JAC, but has prior arrests, the dates, reason for arrest, and dispositions will be documented on the offense incident report by the arresting officer.
  9. All evidence shall be forwarded to the Crime Scene Investigations Unit utilizing the guidelines in General Order 27. All audio statements and digital images will be acquired into the digital asset management system.
- F.** JCCP can be used in lieu of a "not in custody" juvenile transcript for qualifying misdemeanor offenses. The officer must be able to make contact with the juvenile and the parent/guardian in order to issue the JCCP form.
- G.** If the officer transports the juvenile to JAC because a parent or responsible adult cannot be reached, the following procedures apply:

1. The officer does not need to complete a juvenile transcript.
2. Bring the JCCP form to JAC with the juvenile.
3. Inform the JAC intake officer that the juvenile qualifies for JCCP, however attempts to contact a parent/responsible adult have been exhausted.
4. Explain that you are still recommending JCCP.
5. The juvenile will be placed in a separate holding area by JAC personnel and they will continue to attempt to contact a parent or responsible adult.
6. Document this information in the incident report.

**11A.3.3 JCCP Administrative Assistant/JCCP Coordinator**

- A. Review all copies of the electronic files received by the "JCCP" group email ensuring that they contain the required information.
- B. Upon notification from Broward County Civil Citation Division of successful or non-successful program completion, the JCCP Coordinator will forward the completion letter to the CSPD records unit or complete a supplement denoting the need to case file (non-successful completion) the arrest package.
- C. When the JCCP coordinator is notified that a juvenile has failed the program, the JCCP Coordinator will notify the original arresting officer and instruct the officer to complete a juvenile transcript. The arresting officer will have 7 days from the date of the notification to complete the juvenile transcript and forward it to the JCCP coordinator.
- D. The JCCP Coordinator will provide training to Police Department personnel and community agencies on the JCCP.
- E. Maintain liaisons with the following agencies and facilitate their use:
  1. City Attorney's Office
  2. State Attorney's Office
  3. Harmony Developmental Center
  4. Department of Juvenile Justice
  5. Juvenile Assessment Center (JAC)
  6. Broward County Civil Citation Division.
- F. Monthly/Quarterly reports can be obtained upon request to the JCCP Coordinator. The JCCP Coordinator can obtain the requested information from the Broward County Civil Citation Division.

**11A.3.4 Juvenile Civil Citation Program**

**A. Program Procedures**

1. JCCP paperwork shall be completed and signed by all parties.
2. Case is sent to the Broward County Civil Citation Division, who assigns the juvenile to a program that fits their individual needs.
3. Broward County Civil Citation Division will provide documentation of completion/non-completion of the program to the JCCP coordinator.

**B. Program Outline**

1. JCCP sends juveniles to various providers throughout the county depending on the individual's circumstances. Most of the programs run for 90 days, and during this time frame candidates are required to complete the following:
  - One-on-one counseling
  - Group counseling
  - Two parent sessions
  - A minimum of 30 hours of community service.
  - Restitution, if required
  - School performance checks.
2. When Broward county civil citation staff meets with the juvenile and family, an assessment is completed. The youth is then referred to one of the service providers to include, but not limited to: BSO Community Justice Program, Harmony Development Center, Henderson Behavioral Health, Memorial (Community Youth Services), PACE Center for Girls, Saving Our Youth, SunServe, Urban League of Broward County, Teen Court, and Out of County options.

**C. Program Results**

1. Failure to complete program results in expulsion from the program and referral to the State Attorney's Office. Reasons for failure to complete the program may be, but not limited to:
  - Commission of another offense while in the program.
  - Failure to comply with JCCP rules.
  - Failure to complete any part of the individualized program.
2. Program completed successfully results in non-prosecution for the offense. Records release and/or destruction will follow State of Florida's General Records Retention and release procedures.

**APPROVED**

  
Clyde H. Parry  
Chief of Police