

ST. PETERSBURG POLICE DEPARTMENT

DATE OF
ISSUE

EFFECTIVE DATE

NUMBER

GENERAL ORDER

April 2016

Immediately

III-06

Distribution: All Employees

Subject: **JUVENILE PROCEDURES**

Index as:	Abandoned Child	Forcible Felony
	Baker Act	Interviewing Children
	Child	JAC
	Child in Need of Services	JARF
	Child Protection Investigations	Juvenile
	Children	Juvenile Addition Receiving Facility (JARF)
	Civil Citation, Juvenile	Juvenile Assessment Center (JAC)
	Delinquency	Juvenile Interrogation
	Department of Juvenile Justice (DJJ)	Juvenile Second Chance Program
	Dependent Child	Juvenile Second Chance Program Specialist
	Detention-Risk Assessment Instrument (DRAI)	Runaways
	Diversion	Second Chance Program, Juvenile
	DJJ	Truants
	DRAI	Unidentified Child
	Family in Need of Services (FINS)	VIPAR
	FINS	Virtual Inmate Processing and Reporting System (VIPAR)

Accreditation Standards: 1.1.3, 1.2.3, 1.2.6, 1.2.7, 44.1.1, 44.1.2; 44.1.3, 44.2.1, 44.2.2, 44.2.3, 70.2.1 and CFA 21.01

Cross Reference: I.O. V3:02, Child Abuse and Neglect Investigations
 I.O. V.5:24, Missing Persons, Runaways, and Blue Alert
 §§ 776.08, 790.22(8), 985.101[3], 985.115[1] & [2], Florida Statutes
 Allen v. State, 636 So.2d 494
 Dowst v. State 336 So.2d 375

Replaces: G.O. III-06, Juvenile Procedures (October 25, 2023)

The purpose of this Order is to assure proper processing of all juveniles who come to the attention of the Police Department. It consists of the following sections:

- I. Policy
- II. Definitions
- III. Officer Responsibilities with Juvenile Offenders
- IV. Taking a Juvenile into Custody
- V. Release of Juveniles
- VI. Fingerprinting and Photographing
- VII. Ungovernable Child
- VIII. Interviewing Children
- IX. Juvenile Second Chance Program
- X. Countywide Juvenile Diversion Program
- XI. Resources

I. POLICY

- A. The St. Petersburg Police Department recognizes the detrimental effect juvenile crime has on the community and the future of young offenders. The Department is committed to ensuring the safety of the citizens of St. Petersburg by apprehending juveniles who commit offenses, assisting young people and families in need of services, and participating in delinquency prevention programs. Each employee and every component of the Department is responsible for supporting and participating in this agency's juvenile operations and programs.
- B. The Department encourages review and comment by other elements of the juvenile justice system in the development of policies and procedures relating to juveniles.
- C. When dealing with a juvenile, employees of this Department will use the least coercive process while considering alternatives to address both the immediate situation, as well as the long-term effects of their decision, so as to preserve public safety and protect the health, welfare and constitutional rights of the young person.
- D. Annual Review
 - 1. The Department will conduct a documented annual review and evaluation of all juvenile enforcement and prevention programs.
 - 2. The review will be submitted to the Chief of Police for their review and approval.

II. DEFINITIONS

- A. Abandoned Child – A child whose parent(s), legal guardian(s), custodian(s) or caregiver(s) make no effort to recover the child who has run away or been deserted. The child will be considered a Dependent Child if encountered.
- B. Child in Need of Services (CINS) – A child who has been ruled to be habitually truant from school, has persistently disobeyed the lawful demands of the child's parent(s), legal guardian(s) or custodian(s) or caregiver(s) and is beyond their control despite efforts by the child's parent(s), legal guardian(s), or custodian(s) and appropriate agencies to remedy the conditions contributing to the behavior.
- C. Child/Juvenile – Any unmarried or married person under the age of 18 (eighteen) years unless they have been emancipated by the court.
- D. Child Protective Investigator (CPI) – An employee of the Florida Department of Children and Families (DCF) or an employee of an agency contracted by the DCF to conduct the investigation of child abuse, abandonment or neglect.
- E. Delinquent Child – A juvenile who commits a violation of the law.
- F. Department of Juvenile Justice (DJJ) – Florida state agency responsible for all matters dealing with children who are delinquent or adjudicated as CINS.
- G. Dependent Child – A juvenile who:
 - 1. Has been abandoned, abused or neglected by their parent(s), legal guardian(s), custodian(s) or caregiver(s);
 - 2. Has no parent(s), legal guardian(s), custodian(s) or caregiver(s) to provide supervision and care; or
 - 3. Is at substantial risk of imminent abuse, abandonment or neglect by the parent(s), legal guardian(s), custodian(s) or caregiver(s).

- H. Family in Need of Services (FINS) – A family that has a child for whom there is no pending investigation into an allegation of abuse, neglect or abandonment, or no current supervision by the DJJ or the Department of Children and Families for an adjudication of dependency or delinquency. The referral must be for:
1. Running away from parent(s) or legal guardian(s) or custodian(s) or caregiver(s);
 2. Persistently disobeying reasonable and lawful demands of parent(s) or legal guardian(s) or custodian(s) or caregiver(s) and is beyond their control; or
 3. Habitual truancy from school.
- I. Forcible Felony (§ 776.08, Florida Statutes) – “...means treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony which involves the use or threat of physical force or violence against any individual.”
- J. Juvenile Addiction Receiving Facility (JARF) – Operated by Personal Enrichment through Mental Health Services (PEMHS), the facility receives children under the influence of alcohol or drugs.
- K. Juvenile Assessment Center (JAC) – A facility operated under contract for the DJJ to receive, assess and temporarily hold, pending disposition, children who are in custody as delinquents or runaways.
- L. Juvenile Second Chance Program – A program available to minors ages nine (9) to seventeen (17) years of age, with no prior criminal history, who are charged with any non-firearm-related misdemeanor or other criminal charges enumerated under program criteria. The primary objective is to redirect youths away from formal processing, within the Juvenile Justice System while still holding them accountable for their actions and teaching them how to make better choices.
- M. Unidentified Child – A child who has come to the attention of the Department and who may be lost, abandoned or deserted and due to age, ability or injury is unable to assist in their own identification. The child will be considered a Dependent Child if encountered.
- N. Virtual Inmate Processing and Reporting System (VIPAR) – the official complaint/arrest instrument within Pinellas County.

III. OFFICER RESPONSIBILITIES WITH JUVENILE OFFENDERS

- A. Children generally enjoy the same civil rights as adults and, therefore, their individual freedoms must not be restricted.
1. Taking children into custody must comply with the statutory requirements as detailed in this Order.
 - a. If a child under the age of twelve (12) years is going to be taken into custody for a criminal offense or a Baker Act, a sergeant will be made aware of the circumstances and assist in determining the proper disposition of the child prior to taking the child into custody.
 - b. If no parent, legal guardian, custodian or caregiver is immediately available, and the child is displaying behavior in the officer's presence that would likely result in bodily injury to the child or another person, the child may be taken into custody as a Dependent Child, using the minimal force necessary. A sergeant will be notified as soon as practical and assist with the disposition of the child if the child is under the age of twelve (12).
 2. The laws of arrest will be followed when taking a juvenile into custody.
- B. Parental Notification – Officers will notify or cause the parent(s) or legal guardian(s) or custodian(s) or caregiver(s) to be notified without undue delay. Section 985.101[3], Florida Statutes provides that a person taking a child into custody “...will attempt to notify the parent, legal guardian or legal custodian and will continue to attempt to notify them until notification takes place or the child is delivered to receiving facility.”

- C. In all circumstances, the juvenile and their parent(s), legal guardian(s) or custodian(s), or caregiver(s) will be advised of the procedures normally followed by the Department and the Juvenile Justice System, unless doing so would endanger the Officer, the juvenile or the public;
- D. Juveniles taken into custody will be transported without delay to their destination. Those who are violent, or become violent, must be taken directly to the JAC for assessment based upon the Detention-Risk Assessment Instrument (DRAI). The Police Department does not have the physical facilities to detain violent juveniles.
- E. In all cases, the arresting officer is responsible for:
 - 1. The search of the juvenile;
 - 2. All sworn statements from the victim(s) and/or witness(es) on misdemeanor charges;
 - 3. Setting the State Attorney investigation on felony charges;
 - 4. Electronically, or by hand, completing a *Juvenile Complaint/Referral* form for all criminal charges, including criminal traffic violations and, if applicable, completing the *Juvenile Second Chance Program Application*.
- F. When juveniles are transported to the JAC or left at the JARF with a pending delinquent charge, the arresting officer must ensure an electronic copy of the juvenile VIPAR affidavit, or a **legible** copy of the *Juvenile Referral* is attached to the police report and submitted to the Records Division. The Records Division will send a **legible** copy of the referral electronically, or via interagency courier, to the Pinellas County Schools Police within seventy-two (72) hours.
- G. In misdemeanor cases (arrest and non-arrest), the control officer is responsible for electronically, or by hand, completing and submitting the police report, the *Juvenile Referral* and all other pertinent documents to the Records Division (e.g., written waiver and/or victim-witness sheets and an oath form).
 - 1. The Records Division will forward a copy of the report and all attachments including a **legible** copy of the *Juvenile Referral* to the Juvenile Division of the State Attorney's Office within seventy-two (72) hours.
 - 2. The Records Division will also forward a legible copy of the *Juvenile Referral* via interagency courier to the Pinellas County Schools Police within seventy-two (72) hours.
- H. In non-arrest felony cases, a *Juvenile Referral* (VIPAR affidavit) will be necessary and is the responsibility of the primary officer or, if assigned, the case detective. The *Referral* should be completed prior to the State Attorney's investigation, or after the investigation if consultation with a State Attorney is necessary to determine which, if any, charges will be filed. In any event, a *Juvenile Referral* is required by the State Attorney's Office to prosecute a juvenile in the Juvenile Justice System.
- I. Juvenile prisoners are not to be transported in the same vehicle as adult offenders unless they are involved in the same offense.

IV. TAKING A JUVENILE INTO CUSTODY

- A. A juvenile may be taken into custody:
 - 1. Pursuant to an order of the Circuit Court or on a warrant or court-ordered pickup;
 - 2. For a delinquent act or violation of law pursuant to the laws of arrest;
 - 3. When there are reasonable grounds to believe that the juvenile has been abandoned, abused or neglected, or the juvenile has been brought to the attention of the Department as a lost/unidentified child;
 - 4. Is suffering from, or is in imminent danger of, illness or injury as a result of abuse, neglect or abandonment;

5. When an officer has reasonable grounds to believe the juvenile has run away from their parent(s), legal guardian(s) or custodian(s), or caregiver(s);
6. When an officer has reasonable grounds to believe the juvenile is absent from school without authorization; or
7. When an officer has probable cause to believe that the juvenile is in violation of the conditions of the juvenile's juvenile probation, furlough or aftercare program.

B. Juveniles Who Reside in Pinellas County – Serving Probation from Another County Seat/Jurisdiction

1. Once a juvenile's probation status has been verified with the Juvenile Assessment Center (JAC) and a violation has occurred, an officer can complete a Violation of Probation (VOP) affidavit for the juvenile and physically place them in custody.
2. The jurisdiction for the probation is attached to the juvenile and not to the county of the probation.
3. Note: A juvenile's probation cannot be confirmed when run through NCIC/FCIC nor when checked by ECHO channel. Officers must directly contact JAC (727-464-7426) to correctly verify a juvenile's status.
4. Questions regarding this procedure should be directed to the H.O.M.E. Unit (727-453-7002).

C. Procedures for taking a juvenile into custody:

1. Court Ordered Pickup
 - a. Pickup must be verified through FCIC/NCIC and/or through the JAC, prior to transporting the juvenile.
 - b. If valid, the juvenile will be transported directly to the JAC.
2. Felonies
 - a. Transport the juvenile to Police Headquarters if an interview is necessary; if not, refer the charge as a non-arrest case or, if necessary, transport the juvenile directly to the JAC.
 - b. Juveniles charged under section 790.22(8), Florida Statutes, involving a firearm (with the exception of § 790.22[3]), Florida Statutes, will be detained in secure detention; therefore, this is a mandatory transport.
 - c. Contact the Investigative Services Bureau (ISB) on-call Sergeant if applicable.
 - 1) If ISB is called, the Detective may request to have the juvenile transported to the JAC. The arresting Officer is responsible for ensuring that the electronic or legible goldenrod copy of the *Juvenile Referral* is attached to the police report and submitted to the Records Division.
 - 2) Juveniles in custody will not be taken through the lobby. They must be escorted to the Investigative Services Bureau or taken to the juvenile intake area via another route.
3. Misdemeanors
 - a. Juveniles who qualify for the Juvenile Second Chance Program will be processed according to the procedures outlined in this Directive.
 - b. Juveniles may be released to a parent, legal guardian or custodian, or caregiver, if they are unavailable or unwilling to provide supervision for the juvenile, to any responsible adult (following a criminal background check of the adult to whom the juvenile is being released. (See § 985.115[2], Florida Statutes)
 - c. If the juvenile is to be released from headquarters, they may be processed before release. If a need exists for identification processing, the juvenile must be taken to the JAC.
4. Traffic Warrant
 - a. Served in the same manner as all other warrants. Bond, if any, is only payable at the County.
 - b. Once in custody, as long as the warrant was issued for a juvenile, regardless of current age, the person will be transported to the JAC, which will utilize a courtesy hold on the individual. (Traffic Warrants are issued in the County Court while only the Circuit Court has jurisdiction over juvenile delinquency.)

5. Dependent Child

- a. If there is evidence or suspicion of abuse, DCF **must** be contacted.
 - 1) Children may be released to a parent, legal guardian, custodian, or caregiver, or another responsible adult approved by DCF or an agent of the DCF
 - 2) Care must be exercised when releasing a juvenile, particularly a victim of abuse, to ensure that the juvenile will not be placed in jeopardy by the placement.
- b. Unidentified juveniles will be taken into custody for their safety and well-being.
 - 1) An investigation will be initiated to ascertain their identity and return them promptly to their parent or legal guardian or custodian, or caregiver.
 - 2) In the event the identity of the juvenile cannot be determined, nor a parent, legal guardian or custodian, or caregiver, can be located, arrangements will be made to turn the juvenile over to the DCF.

6. Runaways

- a. Florida law provides that a missing juvenile, whether considered a runaway or not, will be reported missing by the agency having jurisdiction where the person was last seen (§ 937.021[3], Florida Statutes). The investigation of a runaway juvenile will be handled in accordance with I.O. V.5:24, Missing Persons, Runaways, and Blue Alert.
- b. The runaway will be transported to the JAC if:
 - 1) There is an active warrant/pickup order, or
 - 2) The juvenile was reported as a runaway outside of Florida.
- c. To determine if a runaway is delinquent, under DJJ supervision, or in foster care, the officer will call the JAC (See Attachment B). The JAC screener will be provided with the following information for the runaway:
 - 1) Name,
 - 2) Date of Birth,
 - 3) Parent/guardian's name, and
 - 4) Parent/guardian's contact number.
- d. If the runaway cannot be returned to the custody of their parent(s), legal guardian(s), or custodian(s), and the JAC screener determines they meet criteria:
 - 1) The JAC screener will contact SafePlace2B, and
 - 2) The officer will transport the juvenile to the approved SafePlace2B shelter (See Attachment B).
- e. Officers will conduct a limited frisk or pat-down for weapons of a runaway prior to transporting a runaway in a Department vehicle.
- f. Officers will take a separate case number for each runaway case, even if they are siblings from the same home. This ensures proper follow-up for each investigation.
- g. Chronic running away usually indicates serious problems. Chronic runaways can be referred as a CINS.

7. Truants

- a. The goal of truancy interdiction is to alert and involve the parent(s), legal guardian(s) or custodian(s) or caregiver(s) in dealing with their juvenile's lack of attendance at school.
- b. When an officer stops a truant, the officer will:
 - 1) Transport the juvenile to the South County Truancy Interdiction Center, or
 - 2) Transport the juvenile to their school.
 - 3) Officers will conduct a limited frisk or pat-down for weapons of a truant prior to transporting a truant in a Department vehicle.
- c. The officer will attempt to notify a parent(s) or legal guardian(s) or custodian(s) or caregiver(s) whenever a truant is taken into custody. Notification efforts will be documented in the report.
- d. Whenever a truant is transported to the South County Truancy Interdiction Center, a legible copy of the *Truancy Intake Form* will be prepared electronically, or by hand, and attached to the *Incident Report* and submitted to the Records Division.

V. RELEASE OF JUVENILES

- A. Section 985.115[1], Florida Statutes requires that a child taken into custody will be released as soon as is reasonably possible. The investigating officer will record in the police report to whom the child was released. Children in custody may be released to:

1. A parent, legal guardian, custodian or caregiver, or if they are unavailable or unwilling to provide supervision for the child, to any responsible adult. Prior to releasing a child to a responsible adult, other than the parent, guardian, or legal custodian, the person releasing the child should conduct a criminal history background check of the person to whom the child is being released (§ 985.115[2], Florida Statutes);
 - a. A person that has a prior felony conviction, or a conviction for child abuse, drug trafficking, or prostitution, is not considered a responsible adult for the purposes of this policy.
 - b. The person to whom the child is released must agree to inform the Department of the child's subsequent change of address and to produce the child in court at such time as the court may direct, and the child will join in the agreement.
 2. An agent of the DJJ or the DCF;
 3. A designated receiving facility if the child is suffering from mental illness;
 4. The JARF, if the juvenile is intoxicated or incapacitated by substance abuse;
 5. The JAC;
 6. The South County Truancy Interdiction Center.
- B. Whenever a child in custody is sick or injured, they will be transported to the nearest medical facility for treatment. If contact with the parent, legal guardian, custodian or caregiver is impossible, the DCF will be contacted to obtain an order from a judge, authorizing treatment for the child.

VI. FINGERPRINTING AND PHOTOGRAPHING

- A. Juveniles participating in the Juvenile Second Chance Program can be fingerprinted in the Records Division Fingerprint Room.
- B. Juveniles arrested and ultimately transported for delinquent acts (crimes) must be fingerprinted and photographed at the JAC.
- C. Juveniles in custody for a status offense, such as runaway or truancy, may not be fingerprinted or photographed unless they are also being charged with a delinquent act.
- D. The voluntary fingerprinting of a juvenile, not charged with a delinquent act, requires permission of a parent(s), legal guardian(s) or custodian(s) or caregiver(s). A permission slip for voluntary fingerprinting is available from the Equipment Room. Voluntary fingerprinting can be requested from the Records Division.

VII. UNGOVERNABLE CHILD

- A. Police officers do not have the authority to take children into custody simply because they are ungovernable. Officers will:
 1. Attempt to calm the situation to meet the immediate crisis and restore order in the home;
 2. Identify the cause of the problem;
 3. Provide crisis counseling and/or refer the family to a family counseling agency and, if necessary, assist the family in making an appointment. Immediate assistance may be available through the general County HELPLINE at "211", or through Family Resources.
 4. If order can be restored and the family has tried every resource available to them, including a community counseling agency, but still needs help; or if the child refuses counseling and the parent(s), legal guardian(s) or custodian(s) or caregiver(s) are unable to force them to participate, the family should be referred to Family Resources and assistance requested through the Child/Family in Need of Services (CINS/FINS) program, or to the Juvenile Second Chance Program Specialist.

B. If order cannot be restored, the officer should:

1. Suggest the parent(s), legal guardian(s) or custodian(s) or caregiver(s) make temporary arrangements for the child to stay with a friend or relative. The officer will not make a temporary placement.
2. Determine if the juvenile meets the criteria for a Baker Act evaluation; or
3. Arrange for professional crisis counseling or a "time-out" referral for children over ten (10) years of age through Family Resources.

VIII. INTERVIEWING CHILDREN

- A. Juvenile suspects may be interviewed without the presence of a parent(s), legal guardian(s) or custodian(s) or caregiver(s), subsequent to taking them into custody.
 1. However, when interviewed, the State has the burden of proof in establishing that the juvenile completely understood and freely waived their rights.
 2. Florida Statutes do not require consent by a parent(s), legal guardian(s) or custodian(s) or caregiver(s) for general interviews, even though the youth may at some point become a suspect.
- B. A written waiver will be employed whenever possible. It is recommended the juvenile explain each of the Miranda Rights in their own words. The juvenile's exact response should be documented in the officer's report.
- C. The Florida Supreme Court has held (*Allen v. State*, 636 So.2d 494) that when a parent requests to see their child who is in police custody, all police interrogation must cease. If a child requests to see a parent in lieu of an attorney, this constitutes "...a continuous assertion of [the] privilege against self-incrimination" and any confession given after that is inadmissible as evidence (*Dowst v. State* 336 So.2d 375).
- D. The juvenile's parent(s) or legal guardian(s) or custodian(s) or caregiver(s) cannot waive the juvenile's rights. Officers should also recognize that some of the parents' efforts to get their child to be truthful could, depending on the totality of the circumstances, be interpreted as coercion. Officers should be prepared to document the circumstances under which the parent(s), legal guardian(s) or custodian(s) or caregiver(s) attempted to elicit cooperation by the child.
- E. The length of time a juvenile is interviewed should be limited, based upon the child's age and developmental level. Two (2) hours should be considered the maximum. However, if challenged, the court will review the record based upon the totality of the circumstances, to include the child's age, their level of maturity, and previous involvement with the justice system.
- F. The interview should be conducted by no more than two detectives/officers at any one time, and children should be given frequent and reasonable restroom breaks.
- G. Juveniles may be interviewed in any interview room in headquarters as long as adult suspects are not in the same immediate area.

IX. JUVENILE SECOND CHANCE PROGRAM

- A. It is the policy of this Department that not every violation by a juvenile warrants a physical arrest or a criminal charge.
- B. In addition to the option of warning and releasing a child, and depending on the child's age, the nature of the offense, the circumstances surrounding the incident and the child's record, Officers will handle disposition of the child according to the Juvenile Second Chance Program.

C. Program Goals:

1. Provide eligible offenders with an alternative to adjudication.
2. Reduce costs and caseload burden on juvenile courts, the juvenile justice system, and the Police Department.
3. Minimize recidivism among diverted offenders.

D. Ineligibility:

1. The Juvenile Second Chance Program will not be considered for juveniles who, at the time, have a prior criminal history, or who commit any of the following offenses:
 - a. Felony
 - b. Firearm violation
 - c. Domestic violence, where future violence is feared, or alternative safe living arrangements cannot be found
 - d. Any offense involving restitution to the victim. However, should the juvenile and/or their parent(s), legal guardian(s) or custodian(s) or caregiver(s) makes restitution to the victim's satisfaction while the investigation is still ongoing, and the Officer is able to document that arrangement at the time, referral of the juvenile to the Juvenile Second Chance Program will be the preferred option.
2. If, depending on the circumstances and at the discretion of a supervisor, it is determined that the Program should not be afforded to a juvenile who commits any other delinquent act, the juvenile may be charged and, if necessary, physically taken into custody.

E. Juvenile Second Chance Program Procedures:

1. Upon establishing probable cause that a juvenile has committed a qualifying offense and is not otherwise ineligible for the Juvenile Second Chance Program, the officer will determine the juvenile's prior arrest/charge history by:
 - a. Asking the juvenile if they have ever been arrested.
 - b. Checking RMS for any previous arrests by our agency.
 - c. Requesting that Foxtrot Channel check JJIS for prior criminal charges.
2. If the juvenile's prior arrest/charge history does not preclude them from participation in the Program, the officer will make contact with the juvenile's parent/legal guardian and arrange to meet with them.
3. If a parent/legal guardian cannot be contacted, the officer will:
 - a. Release the juvenile to a responsible adult family member.
 - b. Refer the charge as a non-arrest to the State Attorney's Office.
 - c. Link the report to the Juvenile Second Chance Program Specialist.
4. If a parent(s), legal guardian(s) or custodian(s) or caregiver(s) can be contacted, the officer will confirm cooperation between the parent(s) legal guardian(s) or custodian(s) or caregiver(s) and the juvenile and proceed with the Program:
 - a. The officer will complete the Juvenile Second Chance Program Application form. (See Attachment A)
 - b. The juvenile and their parent(s), legal guardian(s) or custodian(s) or caregiver(s) will sign the form.
 - c. The officer will add the juvenile's thumbprint to the bottom of the form.
 - d. If it is suspected that the juvenile is involved in other offenses where solvability is high with the use of forensics (i.e., pattern of burglaries), the officer will obtain a complete set of fingerprints from the juvenile.
 - 1) Records Division personnel will fingerprint the juvenile in the Records Division Fingerprint Room when available.
 - 2) If Records Division personnel are not available, a Forensics Technician will fingerprint the juvenile in the Records Division Fingerprint Room.
 - e. Juveniles eligible for the Program will be subject to eight (8) program hours with the City Parks and Recreation Department.
 - f. The officer will release the juvenile to their parent(s), legal guardian(s) or custodian(s) or caregiver(s).

5. The officer will document in their police report that the juvenile was given the opportunity to complete the Juvenile Second Chance Program, and the report will be linked to the "Second Chance Program" mailbox in RMS.
6. Before the end of their shift, the officer will hand-deliver the signed Juvenile Second Chance Application form to the Juvenile Program Specialist. The drop-off location is the Second Chance mailbox on the first floor.
7. The officer will complete a VIPAR Confidential Affidavit, where it will be stored pending email notification to the officer of the juvenile's compliance or non-compliance with the Program:
 - a. If notification is received by the officer that the juvenile successfully completed the Program, the officer will delete the VIPAR Confidential Affidavit, and no further action is required.
 - b. If notification is received by the officer that the juvenile did not complete the Program, the officer will:
 - 1) Remove the Confidential status from the VIPAR Affidavit and forward the charge to the Clerk of the Court as a non-arrest case.
 - 2) Complete a supplemental report indicating the juvenile did not complete the Program.

X. COUNTYWIDE JUVENILE DIVERSION PROGRAM

- A. As a result of the formation of the Juvenile Arrest Avoidance Project (JAAP) in 2008, all juveniles arrested or referred to the Juvenile Justice System for any misdemeanor offense will be considered for diversion.
- B. Juvenile VIPAR affidavits require the officer to indicate the reason a juvenile was transported to the Pinellas Juvenile Assessment Center (PJAC) when they qualify for Diversion/Civil Citation.
 1. At the top of the Juvenile VIPAR Affidavit, the officer must indicate whether the juvenile should be screened for diversion.
 2. If the juvenile is not eligible for diversion, the officer must select from one of the available choices on the Juvenile VIPAR Affidavit.
- C. When a juvenile is charged with a misdemeanor offense, a VIPAR Juvenile Affidavit should be completed and routed to JAC, who will intercept the affidavit before it is processed and becomes a record in CJIS.
- D. If VIPAR is unavailable, a carbon copy Juvenile Affidavit will be completed and placed in the SAO outgoing box at the Records front counter.
- E. The officer/detective should advise the juvenile and parent about the philosophy of diversion and the procedure for contacting the Juvenile Arbitration Program.
- F. Follow-up by an officer/detective for juveniles who fail to complete a diversion program will no longer be necessary. This is handled through the normal procedural case processing in the Clerk of the Court's Office.
- G. The Juvenile Arbitration Program serves as the clearinghouse for the diversion process.
 1. PAR (substance abuse)
 2. Family Resources
 3. SAFE House (substance/anger management)
 4. Juvenile Arbitration Program
 5. Juvenile Arbitration Drug Court
 6. Dial 2-1-1 Pinellas Cares

XI. RESOURCES

- A. A list of all available resources may be found in Attachment B.
- B. General HELPLINE: Referral agency for all other service providers, telephone “211.”

Anthony Holloway
Chief of Police