

Cocoa Beach Police Department

Standard Operating Procedure



Effective Date: June 8, 2022	Replaces: Amends: December 19, 2018	Number: 106.00
Subject: Juvenile Operations	Re-evaluation Date: 2024	
Distribution: ALL PERSONNEL	Related Standards: 16.01M, 16.02M, 16.03M, 16.04M	

This order consists of the following numbered sections:

1. Purpose
2. Scope
3. Definitions
4. Procedures
5. Appendices
6. References

1. PURPOSE

The purpose of this Standard Operating Procedure is to establish guidelines to provide an orderly and uniform response to juvenile oriented contacts and arrest.

2. SCOPE

This policy applies to all employees of the Cocoa Beach Police Department.

3. DEFINITIONS

- A. Arrest affidavit- also known as a 923.01, a form used to document the charging of an individual for whom an officer has developed probable cause for arrest
- B. “Child,” Juvenile” or “Youth” means any person under the age of 18 or any person who is alleged to have committed a violation of law occurring prior to the time that person reached the age of 18 years.

4. PROCEDURES

A. Custody and Referral

1. Criteria governing the referral of juvenile offenders to intake (in-custody arrest) – a law enforcement officer has the authority to take a child into custody under the same violations of law as they would in taking an adult into custody. 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 as defined in F.S.S. 776.08. The arresting officer shall contact the Juvenile Detention Center (JDC) on any juvenile arrest and speak to a representative of the Department of Juvenile Justice (DJJ) who will conduct an assessment to determine if release is authorized or if the child will be detained in JDC. Juveniles may be taken into custody via the following: **(CFA 16.01MA)**
 - a. Juvenile Referral (923.01) – misdemeanor and/or felony documenting a violation(s) of criminal law. The officer must provide written documentation as to why an arrest was warranted.
 - b. The following will apply to arrested youth who are charged with a misdemeanor(s) and are not issued a civil citation: When an officer presents a youth to the Juvenile Detention Center for processing who is eligible for a civil citation but not referred, they will provide one of the following nine (9) reasons on the arrest affidavit or notice to appear, pursuant to Florida Statute 985.126 (3)(d):
 - 1) LEO suspects gang association
 - 2) Offense involved cruelty to animals
 - 3) Offense involved weapons or firearms
 - 4) Parent declined/refused to participate
 - 5) Youth declined/ refused to participate
 - 6) Civil citation or alternative diversion program not available
 - 7) Youth not eligible based on local policy:
 - a) Ineligible offense type
 - b) Offense involved drugs/narcotics

- c) Youth charged with multiple misdemeanor offenses
 - d) Offense involved resisting arrest
 - e) Victim requested formal arrest processing
 - f) Youth refused to admit guilt
 - 8) Reason not available or provided by LEO
 - 9) Officer has knowledge that youth was previously served by Prearrest Diversion
- c. Pick-up Orders – an officer will pick-up a juvenile when there is a court order directing the child to be taken into custody.
- 2. Criteria and procedures for issuing written citations and summonses to juvenile offenders to appear in court in lieu of taking them into custody include: (CFA 16.01MB)
 - a. Written Citations – juveniles stopped for traffic infractions may be issued a Florida Uniform Traffic Citation, assigned a court date when appropriate and released from the scene.
 - b. Juvenile Referrals (923.01) – juvenile referrals can be completed and submitted to the State Attorney’s Office for review in the same manner as adult probable cause affidavits. When completing a Juvenile Referral, the officer shall complete and issue a *Notice to Report, Juvenile Assessment Center Appointment* (Appendix A).
 - c. Cocoa Beach Civil Citation- juveniles may be issued a *City of Cocoa Beach Code Enforcement Civil Citation* (Appendix B) for violation of city ordinance.
 - d. Juvenile Civil Citation- pursuant to Florida Statute 985.12, juveniles charged with certain offenses may be issued a Juvenile Civil Citation in lieu of arrest if agreed upon with the victim of the offense and at the officer’s discretion. The officer completes the 923.01 as usual (this serves as the civil citation) and provides the parent or guardian with the *Juvenile Civil Citation Program* pamphlet (Appendix C). It is the parent and juvenile’s responsibility to contact the local Juvenile Assessment Center within seven (7) days to enroll in the program.
 - e. Animal Violation Citation- juveniles in violation of Brevard County ordinance pertaining to animals may be issued a *Brevard County Animal Violation Citation* (Appendix D).
- B. Non-criminal juvenile behavior (CFA16.02MA)
 - 1. Truancy – pursuant to Florida Statute 984.13(1) (b), when an officer believes that a child is absent from school without authorization, he/she may take the child into custody for the purpose of delivering the child without unreasonable delay to the appropriate school system. If the student is suspended or expelled from school without assignment to an alternative school placement, the officer shall deliver the child to the parent or legal guardian, to a location determined by the parent or guardian or to a designated truancy interdiction site until the parent or guardian can be located.
 - 2. Runaways – law enforcement officers have the authority to take a juvenile into custody when there are reasonable grounds to believe that the child has run away from his/her parents, guardian, or other legal guardian. The child is to be released to a parent, guardian, legal custodian, responsible adult relative or a case worker for placement in a shelter when located.
 - 3. Officers are encouraged to warn and disperse juveniles they find engaged in, or alleged to have engaged in, inappropriate activities, disturbances, or other non-criminal misbehavior. Whenever practical, officers should advise the juvenile’s parent/guardian of the misbehavior.
 - 4. Minor violations of law may also be more appropriately handled through parent/guardian notification in lieu of enforcement.
- C. Alleged to have been harmed or in danger of harm (CFA 16.02MB)
 - 1. Juveniles alleged to have been harmed: When encountering ill or injured juveniles the following procedures apply:
 - a. Non-Criminal
 - 1) Medical Attention – regardless of the purpose of contact, the summoning of medical attention or the application of first-aid for an ill or injured juvenile will be accomplished without unnecessary delay. Regardless of whether or not first-aid or medical attention was provided, an officer coming in contact with an injured child shall attempt to contact the injured child’s parent or guardian through Communications so that record of the attempt(s) is documented.
 - 2) Shelter Admission – if a juvenile is sick or intoxicated to the degree that the juvenile is unable to care for him/herself and a parent/guardian cannot be contacted, once medically cleared by the hospital, the Department of Children and Family Services will be contacted for shelter admission.
 - b. Criminal/Suspicious
 - 1) Medical Attention – regardless of the purpose of contact, the summoning of medical attention or the application of first-aid for an ill or injured juvenile will be conducted without unnecessary delay.

- 2) Conducting Preliminary Investigations – when making contact with a juvenile alleged to have been harmed, the officer will investigate the incident pursuant to SOP 100.60 *Preliminary and Follow-up Investigations*.
2. Juveniles in danger of harm: a juvenile may be taken into protective custody whenever an officer has reasonable grounds to believe that the juvenile has been abandoned, abused, neglected, is suffering from illness, injury, or is in immediate danger from their surroundings and that removal is necessary to protect the juvenile. The officer will:
 - a. Provide medical attention, if necessary
 - b. Notify the Shift Supervisor
 - c. Notify the Department of Children and Family Services
 - 1) If necessary the child will be transported to the Cocoa Beach Police Department to await the Department of Children and Family Services.
 - 2) When transporting children a seatbelt or child safety seat is required
- D. Custodial Processing
 1. Florida Statute 985.101 governs those instances when a juvenile can be taken into custody. The laws of arrest that apply to an adult also apply to a juvenile. Officers who take juveniles into custody will take every precaution to ensure that the constitutional rights of the juvenile are protected. (CFA 16.03MA)
 2. An active effort to notify the parent or guardian of a juvenile who is in police custody will be made, and will continue until notification occurs or custody is transferred. (CFA 16.03MB)
 - a. Notification results will be included in the related incident report
 - b. Unsuccessful notification attempts must be detailed in the incident report, including any contact information that was used in the effort to make notification.
 3. Prior to transporting a juvenile detainee, the officer will notify the Communications Center of their starting mileage and report the ending mileage upon arrival.
 4. Juveniles who are arrested for a violation of law or juveniles who are issued a Notice to Appear and released will be fingerprinted and may be photographed as part of the booking process in accordance with Florida Law. When a juvenile commits a criminal traffic offense, fingerprinting and photographing of the juvenile is not necessary unless the juvenile is taken into custody. The fingerprint record will be maintained and submitted pursuant to SOP 250.00 *Records Management*. (CFA 16.03MC)
 5. When juveniles are taken into custody for a violation of law, the officer will process the juvenile without any undue delay, unless the juvenile is in need of medical attention, which will be provided expeditiously (CFA 16.03MD)
 6. Officers shall take precautions to ensure no regular contact occurs between adult and juvenile detainees. (CFA 16.03ME)
 7. Juveniles arrested by the Cocoa Beach Police Department may be held on station for a period of time not to exceed six (6) hours to complete processing or attempt to contact the juvenile's parent/guardian.
- E. Custodial Interview
 1. Any time an officer wishes to conduct a custodial interview with a juvenile or when an interview focuses upon a juvenile as a suspect in a criminal matter, the officer shall provide the juvenile with a Miranda warning and document such in the case report. (CFA 16.04M)
 2. While parents are not required to be present with a juvenile when conducting a custodial interview, a parent or guardian will be contacted if a juvenile requests their presence. A juvenile will also, upon request, be afforded the opportunity to confer with a parent or guardian prior to or during a custodial interview. Refer to current case law or contact the State Attorney's Office if clarification is needed. (CFA 16.04MA)
 3. Juvenile interviews will be a reasonable length of time and conducted by no more than two officers at a time. (CFA 16.04MBC) Consideration should be given to, and notation made of:
 - a. Periodic breaks and rest periods, allowing time for drinks, food, and restroom visits
 - b. The juvenile's age, apparent level of intellect, health, physical condition, and mental and emotional state will be considered.
- F. Release from custody
 1. If it is determined that the juvenile taken into custody will not be placed into detention care, the juvenile may be released to:
 - a. A parent, guardian, or legal custodian
 - b. Any responsible adult as authorized by a parent, guardian, or legal custodian. An officer may conduct a criminal history check on such an individual. If the person has a prior felony, drug trafficking, child abuse, or prostitution conviction that person is not considered a "responsible adult."

- c. The person accepting custody from the officer must agree to bring the juvenile to court upon direction of the court.
- G. Notification to school board authorities
 - 1. When a juvenile student is taken into custody the following will occur:
 - a. When a juvenile student is taken into custody during normal school hours, the officer will notify the appropriate Dean of Students at the school in which the juvenile is enrolled.
 - b. The officer will document the notification in his/her incident report
 - c. If outside of normal school hours, the Cocoa Beach Police Records Division will notify the appropriate School Board representative and provide them with a copy of the arrest affidavit.
- H. Investigations at school
 - 1. When conducting interviews in a school the following will be adhered to:
 - a. When conducting an investigation within a school if it becomes necessary to interview or arrest a student at school, the investigating officer will always notify the school Principal, Dean, or other appropriate person in charge.
 - b. The investigating officer will make every effort to contact the S.R.O. and coordinate the investigation with the S.R.O.
 - c. Notification will be documented in the officer's incident report.
- 5. **APPENDICES**
 - A. Notice to Report, Juvenile Assessment Center Appointment
 - B. City of Cocoa Beach Code Enforcement Civil Citation
 - C. Juvenile Civil Citation Program
 - D. Brevard County Animal Violation Citation
- 6. **REFERENCES**
 - [Florida Senate. Florida Statute 776.08, Forcible Felony.](#)
 - [Florida Senate. Florida Statute 985.101, Taking a child into custody.](#)
 - [Florida Senate. Florida Statute 985.12, Civil Citation.](#)
 - [Florida Senate. Florida Statue 985.126, Diversion programs.](#)



Scott Rosenfeld
Chief of Police
City of Cocoa Beach

Date: 05/25/2022

NOTICE TO REPORT

Juvenile Assessment Center Appointment

Agency Name _____ Agency Case # _____
Defendant's Name _____ Age _____ DOB _____
Defendant's Race: White Black Hispanic Other Defendant's Gender: Male Female
Defendant's Address _____ City _____ Zip Code _____
Defendant's Telephone Number _____ Area Code _____
Defendant's Date of Court Appearance _____
Statute Violation Number(s) _____

ACKNOWLEDGEMENT OF RECEIPT

On _____, I _____ received a copy of the Notice to Report to contact
(Date) (Parent/Guardian Name)
Brevard Juvenile Assessment Center at Crosswinds Youth Services from _____
(Officer's/JAC Staff's Name)

As a result of this arrest, my child and I agree to contact the Brevard County Juvenile Assessment Center at (321) 452-0800 Ext. 153 within **three (3) days** of receipt of this Notice To Report and participate in an assessment per Florida Statute 985.209. **FAILURE TO DO SO WILL RESULT IN A REPORT TO THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE AND THE STATE ATTORNEY'S OFFICE, WHICH MAY INITIATE COURT ACTION.**

Signature of Parent/Guardian Signature of Law Enforcement Officer/JAC Staff

Appointments must be made by contacting Crosswinds Youth Services at (321) 452-0800 Ext. 153.

****PLEASE BRING THIS NOTICE WITH YOU ON YOUR APPOINTMENT DATE****

Crosswinds Youth Services will assist any person with a disability who needs special accommodations to participate in this appointment. Please make your needs known when the appointment is scheduled.

ORIGINAL (WHITE) PARENT/GUARDIAN OF DEFENDANT

Rev. 09/08

Appendix A

12751

CIVIL CITATION

City of Cocoa Beach Code Enforcement
2 S. Orlando Ave. Cocoa Beach FL 32031

☐ Police Dept ☐ Bldg/Code Dept ☐ Fire Dept

Day of Week Month Day Year Time of Day

Name: First Middle Last

Company Name (if applicable)

Street Address

State Zip Code Telephone # DOB

Identification # Type of ID Issuing State

Address of Violation

IN VIOLATION OF THE FOLLOWING CITY ORDINANCE(S):

Chapter/Section

Description of Violation

Corrective Action Required

☐ FINE IN THE AMOUNT OF \$ IS DUE AND
PAYABLE TO THE CITY OF COCOA BEACH

☐ FAILURE TO CORRECT THE VIOLATION(S) BY
WILL RESULT IN A FINE OF \$ PAYABLE TO THE
CITY OF COCOA BEACH

Case Report # Reporting Area

Officer Comments

Signature of Officer Printed Name & ID #

Signature of Individual

SEE BACK OF FORM FOR ADDITIONAL INFORMATION



Juvenile Civil Citation Program

**An Initiative of the
Brevard County
Juvenile Assessment
Center (JAC)**

www.brevardcivilcitation.org

JAC Program Coordinator
321-452-0800 ext. 110

Law Enforcement Liaison
321-452-0800 ext. 179



ANIMAL VIOLATION CITATION

AE 68611

COUNTY OF BREVARD ☐ AEO ☐ PD AGENCY ☐ BCSD ☐ OTHER
IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES THAT HE/SHE
HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT
ON:

DAY OF WEEK MONTH DAY YEAR TIME AM
INFRACTION OCCURRED: NAME FIRST MIDDLE LAST PM

STREET

CITY STATE ZIP

TELEPHONE DATE OF BIRTH RACE SEX HT

ID # DL SSN

UPON A PUBLIC STREET OR OTHER LOCATION NAMELY:

ANIMAL DESCRIPTION/BREED, COLOR

PERTINENT FACTS/PROBABLE CAUSE:

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

CHECK ONLY ONE OFFENSE FOR EACH TICKET TOTAL \$

☐ 1ST OFFENSE ☐ 2ND OFFENSE ☐ 3RD OFFENSE ☐ 4TH OFFENSE

- ☐ 14-43 INTERFERENCE WITH AEO OR SUPERVISOR (\$300, \$400, \$500, \$500)
- ☐ 14-48 VIOLATION OF QUARANTINE (FL ADM CODE 64D-3.001 - 64D-3.014) (\$215, \$315, \$415, \$500)
- ☐ 14-49 VIOLATION OF DANGEROUS DOG RESTRICTIONS (\$500, \$500, \$500, \$500)
- ☐ 14-50 VIOLATION OF DANGEROUS DOG PROVISION (\$500, \$500, \$500, \$500)
- ☐ 14-50 ATTACK CAUSING SEVERE INJURY (\$500, \$500, \$500, \$500)
- ☐ 14-51 FAILURE TO SURRENDER ANIMAL OR CARCASS OF DEAD ANIMAL (\$300, \$300, \$300, \$300)
- ☐ 14-52(b) FAILURE TO VACCINATE DOG, CAT OR FERRET (\$120, \$215, \$315, \$415)
- ☐ 14-53(a) CRUELTY TO ANIMALS (F.S. § 828 VIOLATION) (\$300, \$300, \$400, \$500)
- ☐ 14-53(c) INHUMANE TREATMENT OF ANIMALS (\$200, \$300, \$400, \$500)
- ☐ 14-54(b) FAILURE TO OBTAIN RABIES CERTIFICATE OR ANIMAL LICENSE TAG (\$120, \$215, \$315, \$415)
- ☐ 14-54(k) DOG OR CAT WITHOUT ATTACHED ANIMAL LICENSE TAG (\$40, \$45, \$45, \$45)
- ☐ 14-55 FAILURE TO PROPERLY SECURE ANIMAL. (\$55, \$165, \$265, \$415)
- ☐ 14-56 ANIMAL AT LARGE (\$55, \$165, \$265, \$415)
- ☐ 14-57(a) CREATION OF A NUISANCE (\$100, \$200, \$300, \$415)
- ☐ 14-58 ANIMAL CAUSING PROPERTY DAMAGE (\$100, \$200, \$300, \$400)
- ☐ 14-58 ATTACK CAUSING INJURY (\$220, \$315, \$415, \$465)
- ☐ 14-59 ANIMAL DEFECATING/URINATING ON PROPERTY (\$50, \$45, \$45, \$45)
- ☐ 14-60(b) ANIMAL ON PARK OR BEACH (\$55, \$115, \$215, \$415)
- ☐ 14-62 FAILURE TO CONFINE/RESTRAIN ANIMAL IN PICK-UP TRUCK (\$100, \$200, \$300, \$400)
- ☐ 14-63 CONFINEMENT OF FEMALE IN ESTRUS (HEAT) (\$200, \$300, \$400, \$500)
- ☐ 14-66 FAILURE TO COMPLY WITH MANDATORY ADOPTION NEUTERING (\$75, \$125, \$250, \$500)

☐ OTHER

SIGNATURE OF ENFORCEMENT OFFICER

DATE OF ISSUANCE

PRINT ENFORCEMENT OFFICER'S NAME & ID #

TIME OF ISSUANCE ☐ AM ☐ PM

THIS CITATION IS FOR AN INFRACTION WHICH DOES/DOES NOT REQUIRE APPEARANCE IN COURT. AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES SPECIFIED IN THIS CITATION PURSUANT TO F.S. § 828.27 (5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION ISSUED BY AN OFFICER IS GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE, PUNISHABLE / PROVIDED IN F.S. § 775.082 OR 775.083. Failure to respond to this citation within TEN (10) BUSINESS DAYS will result a waiver of your right to contest the citation. Failure to comply may result in further action against one by Brevard County.

SIGNATURE OF DEFENDANT
BASE-5 (Rev. 11/04)

WHITE/CLERK

YELLOW/BASE

PINK/DEFENDANT