

**2000**

**FLORIDA JUVENILE  
HANDBOOK**

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

FLORIDA DEPARTMENT OF CHILDREN AND  
FAMILIES

Revised 8/99



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## INTRODUCTION

The Florida Juvenile Handbook includes suggested procedures, guidelines, and statutes related to selected juvenile topics. It consolidates many statutes and procedures involving juveniles and can be used as a ready reference guide. The primary purpose of this handbook is to increase law enforcement's knowledge of juvenile laws and procedures.

This handbook addresses issues dealing with different aspects of juveniles, which are of special interest to law enforcement personnel.

It should be emphasized that this handbook contains only selected guidelines and statutes. It is not a complete compilation of all juvenile laws. Florida State Statutes have been included where applicable. Local procedures and the Florida State Statutes should be reviewed for complete information.

### **FRONT COVER:**

**The image on the front cover was drawn by artist Vincent Sinclair and was approved for reprint by the Victims of Violence Society, B-150 151 Slater Street, Ottawa, Canada, 613-233-0052**



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The Florida Juvenile Handbook was developed in response to the need for a common understanding of general procedures governing the handling of juveniles among law enforcement officers and others who regularly come in contact with juveniles. The handbook has been updated to include changes in the Florida Statutes, as well as to reflect revised procedures regarding the handling of juvenile matters.

The updated Juvenile Handbook 2000 can be attributed to the efforts of the Juvenile Handbook Update Task Force members below.

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# I. MISSING CHILDREN

Missing Children - 2

## A. INITIAL RESPONSE

### 1. INTRODUCTION

- a. A missing child is any (unemancipated) person under the age of 18, missing from Florida or believed to be in Florida, whose location has not been determined or verified by law enforcement and who has been reported as missing to a law enforcement agency. The location at which the child was last seen determines the jurisdiction of the case. For example, cases in which children are missing from school, from a juvenile facility, or while on vacation, are the responsibility of the agency which has jurisdiction over the child's last known location.
- b. Pursuant to Florida Statute 937.021, upon the parent or guardian filing a report that a child is missing, the law enforcement agency receiving written notification "*shall immediately inform all on-duty law enforcement officers of the existence of the missing child report, communicate the report to every other law enforcement agency having jurisdiction in the county, and transmit the report for inclusion within the Florida Crime Information Center (FCIC) computer.*" The National Child Search Assistance Act of 1990 mandates that there be no waiting period for taking a missing child report. The information is required to be entered immediately into the National Crime Information Center (NCIC) Missing Person File according to 42 USC §5779 and 5780.
- c. A missing person report filed with an agency which has jurisdiction is sufficient documentation for entering a juvenile in the FCIC/NCIC Missing Persons File. Specific actions taken by your agency may depend on available resources and the guidelines established by your agency for different types of missing children (e.g., lost in shopping mall, wooded area, rural area, etc.), or runaway. Regardless of these circumstances, **the FCIC entry and NCIC entry should be made immediately.**

## 2. THE FCIC/NCIC ENTRY

The record of a missing child should be entered into FCIC/NCIC using one of the following appropriate incident codes (INC):

ENDANGERED (Inc code "E") - a juvenile who is missing under circumstances indicating that the juvenile's physical safety is in danger, such as a predatory abduction or kidnapping. (See also Immediate Notification to FBI/CASKU and NCMEC section in this chapter.)

INVOLUNTARY (Inc code "I") - a juvenile who is missing under circumstances indicating that the disappearance was not voluntary, such as a child in the company of a family member other than a parent or a non-family member such as a friend, and where the child does not appear endangered.

RUNAWAY (Inc code "R") - a juvenile who is missing and unemancipated (non-adult) and who ran away voluntarily.

PARENTAL ABDUCTION (Inc code "P") - a juvenile who is missing and unemancipated (non-adult) and who is in the company of a non-custodial parent. Before making an entry, the investigating agency should obtain copies of the custodial documents and make them a part of the case file.

DISASTER VICTIM (Inc code "V") - a juvenile who is missing after a catastrophe, e.g., boating incident, plane crash, hotel fire, or natural disaster such as a hurricane or flood.

DISABLED (Inc code "D") - a juvenile who is missing and under proven physical/mental disability, thereby subjecting self or others to personal and immediate danger.

## 3. NOTIFICATION TO FBI/CASKU AND NCMEC

The FBI has recently added a flagging mechanism to be used by law enforcement agencies in missing children incidents in which the victim's age is less than 18 and **there is reasonable indication or suspicion that a child has been abducted and/or is missing under circumstances suggesting foul play or a threat to life.** This mechanism will alert the FBI's Child Abduction and Serial Killer Unit (CASKU), which may provide immediate operational assistance to law enforcement agencies involved in the

investigation of child abduction and serial homicide cases. The National Center for Missing and Exploited Children (NCMEC), and the FDLE Missing Children Information Clearinghouse (MCIC), will also receive automatic notification. The following FCIC incident codes must be used to activate the notification which complies with the NCIC criminal abduction (CA) designation:

**INC/3** - Missing Juvenile - Endangered, Notify CASKU and NCMEC immediately

**INC/4** - Missing Juvenile - Involuntary, Notify CASKU and NCMEC immediately

#### **4. INITIAL RESPONSE TO A MISSING CHILD REPORT**

- a. The initial response to a missing child report is the most crucial aspect of the entire investigation.

Immediate actions taken at first response may determine whether the child is quickly and safely returned. It is imperative that appropriate actions be taken in a timely and efficient manner. An officer should be dispatched to the location of **all** reports of missing juveniles, and the following initial response tasks conducted:

- Verify jurisdiction based on where the child was last seen. Interview person who made initial missing child report.
- Obtain detailed description and photographs of the child's clothes, abductor, vehicle, companion, bicycle, etc.
- Identify circumstances of the child's disappearance.
- Have classification entered in NCIC/FCIC
- Relay BOLO information for broadcast on all channels to law enforcement agencies statewide. Include description of child, vehicles, companions/suspects.
- Thoroughly search residence, yard, vehicles at home to determine whether child is in fact missing.
- Verify child's custody status.

- Have responding units search surrounding areas as they arrive.
- Request K-9 assistance (preferably bloodhound).
- Request as needed supervisory assistance, additional personnel, helicopter, boat, divers.
- Interview separately, persons last seeing child and persons at scene.
- Evaluate contents and appearance of child's room and home.
- Obtain names, addresses, telephone numbers of child's friends, relatives, school, doctors, and employers.
- Look with caretaker to see if personal items are missing.
- Decide if evidence best supports treatment as runaway, custodial abduction, predatory abduction.
- Secure as crime scene, if not clearly runaway or custodial taking.
- If abduction is predatory, activate CASKU and NCMEC flagging notification through NCIC.
- Notify FDLE Missing Children Information Clearinghouse: 1-888-356-4774.
- Notify the National Center for Missing and Exploited Children: 1-800-843-5678.
- Utilize media resources to publicize child's information (TV, radio, newspaper) locally and nationally, if necessary.

## **B. NON-FAMILY ABDUCTIONS (Criminal Abductions, Lost Children and Infant Abductions)**

### **1. INTRODUCTION**

- a. The abduction of a child by a stranger or predator is the most crucial type of missing child case. The first 24-48 hours of the abduction are the most critical, as it is believed that the child faces the highest level of danger during this time. Consequently, the first responder plays a key role in assessing the situation and must initiate the necessary resources as soon as possible.
- b. In assessing the child's potential danger level, the following unusual circumstances should be considered:
  - The missing youth is 13 years of age or younger.
  - The missing youth is believed to be out of the zone of safety for his or her age and developmental stage.
  - The missing youth is mentally incapacitated.
  - The missing youth is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  - The missing youth has been absent from home for more than 24 hours before being reported to the police.
  - Based on available information it is believed that the missing child is in the company of adults who could endanger his or her welfare.
  - The absence is inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained.
  - Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk."

"Unusual Circumstances" is excerpted from *Missing and Abducted Children: A Law Enforcement Guide to Case Investigation and*

## 2. INVESTIGATIVE RESPONSE

**Follow the initial response tasks listed in the first section of the missing children chapter,** and consider the following investigative steps in cases of predatory abduction or when unusual circumstances exist:

- a. Ensure that a current, complete missing child entry is immediately made into FCIC and NCIC. Include such descriptors as height, weight, hair color, eye color, scars, birthmarks, and tattoos. Remember to note such things as accents, speech impediments, glasses/contacts, braces, visible teeth missing, any physical anomalies such as a limp, pigeon toes, etc. Also include any known vehicle descriptions or abductor information.
- b. Notify the FBI's Child Abduction and Serial Killer Unit (CASKU), the FDLE Missing Children Information Clearinghouse (MCIC), and the National Center for Missing and Exploited Children (NCMEC). If necessary, request on-site investigative support. Determine if a ransom has been demanded, if any contact has been made by the abductor, or if the incident report appears to be a kidnapping.
- c. Obtain a detailed map of the area and conduct a thorough, coordinated search. Bring in a K-9 unit (preferably bloodhound). If your department does not have an appropriate dog, contact FDLE MCIC to be referred to the nearest Department of Corrections tracking dogs. Canvass the neighborhood and vehicles departing. Go door-to-door in the search. Be sure to recheck the immediate area including basements, attics, crawl space, trunks of vehicles, closets, sheds, dumpsters, etc. Secure the necessary terrain vehicles needed to conduct a complete search (helicopter, Forward Looking Infrared Radar (FLIR), 4 wheel drive truck, boat, air boat, etc.).
- d. Immediately established a command post to coordinate all search activities and gather information. Establish a phone line and a 24 hour number where lead and



sighting information may be received. Ensure that the family of the missing child keeps their phone line free in the event the child or the abductor attempts to call. Set up a "trap and trace" on the victim's residence. Suggest that the family establish a second line in their home for friends and relatives.

- e. Secure the child's room and treat as a crime scene. Secure the child's computer/disks if he/she had access. Obtain permission to search the child's room and be alert to clues that may indicate foul play or other reasons for the missing child's disappearance. Determine if the missing child may have been subject to abuse or neglect by interviewing brothers and sisters.
- f. Preserve the child's bedding, used clothes, shoes, etc. for use as evidence and for K-9 assistance. Protect hairbrush, diary, items with child's fingerprints, teeth impressions, footprints. Obtain dental and medical records of child.
- g. Obtain the names of all sexual predators and sexual offenders in the area. Interview those individuals. Issue an FCIC/NCIC message to determine if similar abductions have occurred in nearby jurisdictions.
- h. Interview separately persons, siblings and children who saw the missing child last. Ask each one "What do you think happened to the child?" Interview family members for information about persons who have expressed unusual interest in child during the last year (neighbors, coaches, baby-sitters, etc.). Consider performing a polygraph on parents and those specific individuals.
- i. Obtain clear, recent photographs of the missing child at various angles and have them enlarged and multiple copies made. Coordinate with FDLE MCIC and local missing children non-profit organizations for flyer production and distribution. Request that MCIC burst fax the flyer to all law enforcement agencies in Florida. Use volunteers to distribute flyers locally.
- j. Designate someone to coordinate activities with the media. Work with the family in scheduling press conferences and determining what information is suitable for release. Attempt to obtain as much local and national media attention as possible. Radio, newspapers, the

internet, and private cable can also be used. Require that the missing child's photograph be shown on every media segment.

- k. In the event that volunteer help is used, maintain a log of all individuals participating. If possible, videotape or photograph the search activities and the participants. It is not uncommon for those involved in the child's abduction to offer assistance locating the child.
- l. Determine if unusual groups or individuals were in the area at the time of the child's disappearance. Ascertain whether any special events such as fairs, trade shows, or sporting events were going on at the time of the abduction. Obtain a list of individuals/ticket holders/vendors participating in such events. Ascertain if any videotaping occurred at the event. Also consider construction workers or manual laborers who may have been in the proximity.
- m. The parent of the missing child may be one of the best resources. Share lead information with them as much as possible - certain people, events, or vehicles may trigger important memories. Bring in a victim-witness advocate or counselor to help the parents deal with the situation. Request a copy of the "Parental Survival Guide" from MCIC or NCMEC.
- n. Utilize local and state level intelligence networks to compare methods of operation and files on known sex offenders.

### **3. LOST CHILDREN**

The response to a child lost in a mall, woods, or any rural area should be considered and reacted to with the same level of urgency as an abducted child. In cases where the child may be lost, the same enhanced level of response is imperative. The longer the child remains missing, the more susceptible he/she will be to danger and possible exploitation. When a child is lost, follow the initial response tasks listed in the first section of the missing child chapter. Consider the following investigative suggestions:

- a. In a wooded or rural area:

- The immediate area and surrounding vicinity should be searched thoroughly and repeatedly. The necessary search equipment should be promptly brought to the scene (K-9, helicopters, Forward Looking Infrared Radar, boats, divers, terrain vehicles).
  - The child should be entered into FCIC and NCIC and a BOLO should be sent to all law enforcement statewide.
  - Notify the Division of Parks/Forestry personnel and request their assistance. Also request the assistance of off-duty or reserve personnel who may assist in the search.
  - Establish a command post for coordinating the search effort.
  - Obtain maps of the area (if available) and assign teams to conduct grid searches. Document the results of the search.
  - Interview anyone in the area and obtain all available information. Take note of anyone unusual in the area or people who seem out of place. Document all civilians involved in the search.
  - Contact area hospitals/clinics and inquire about recent intakes. Notify all close relatives and friends who the child may contact.
- b. In a mall or shopping center:
- In instances in which the child is lost in a mall or shopping center, security should be notified and their assistance requested. Mall security will be highly familiar with the layout of the facility, including the exits, entrances, and stairwells.
  - All points of entry and departure should be monitored and a complete description of the child be provided to all personnel involved. Notify store personnel (especially those located near the entrances). Request their assistance in watching for the lost child.

- Enter the child into FCIC and NCIC.
- Utilize the available PA systems both in the central mall area, and in the various department stores and specialty shops. Establish a command post and coordinate all personnel through a designated supervisor. If a photograph of the child is available, photocopy it and distribute it to personnel.
- Use mall floor plans to breakdown the area and search for the child. Search in an organized manner, noting each area as it is searched. Divide searching personnel into two groups:
  - Group 1 - Assign to the exterior areas of the mall, including trash receptacles, bushes, boxes, loading areas, etc.
  - Group 2 - Assign to the interior of the mall, including stairwell, dressing rooms, restrooms, janitorial closets, elevator shafts, storage areas, etc.
- Determine if it is possible that the child may have left the mall area, and if the search should be expanded (if this has not already been done). Notify immediate relatives and friends.

#### 4. INFANT ABDUCTIONS

Within the past decade, the abduction of infants from healthcare facilities has become a growing issue of concern. An infant abduction is defined as “the unauthorized taking of an infant, birth to six months of age, by a non-family member.” When a newborn or infant is abducted, **follow the initial response tasks listed in the first section of the missing children chapter**, and consider the following investigative suggestions:

- a. Enter the child into FCIC and NCIC as ENDANGERED. Notify the FBI's Child Abduction and Serial Killer Unit (CASKU), the FDLE Missing Children Information Clearinghouse (MCIC), and the National Center for Missing and Exploited Children (NCMEC).
- b. Interview hospital personnel for information. Inquire about any suspicious persons in the facility. Determine if

anyone had been visiting the nursery frequently or asking detailed questions about the facility. Ask about the presence of unfamiliar uniformed personnel; frequently, women impersonate nurses or other healthcare personnel to obtain access to the area.

- c. Interview the victim's parents. Consider polygraphing the baby's parents. (Be aware that it is not advisable to polygraph the mother within 24 hours of the birth, or if she is on medication).
- d. Review both hospital security records and the medical records of the birth mother.
- e. Examine law enforcement records for similar incidents or other attempted abductions.
- f. Coordinate an area canvass.
- g. If possible, prepare a composite of the abductor. Alert the media and request their assistance. Concentrate the efforts locally and focus the story on the grieving parents. Address the offender in a non-threatening manner, and request that the public assist in locating the infant. The abductor is typically compelled to show the infant off to others, and the media may be a valuable source in locating the child.

## **5. RECOVERY OF THE ABDUCTED CHILD**

For a child abducted by a stranger or predator, the experience will undoubtedly be highly traumatic and can have potential long-lasting effects. Care should be taken during the recovery stage of the investigation to minimize the stress to the child, while at the same time gathering important information from the child about the abduction. While the investigator will be anxious to return the child back to the family, every effort must be made to provide an effective reunification.

- a. At the initial recovery, minimize the number of individuals coming into immediate contact with the child to ensure preservation of important evidence. Arrange for the child to have a thorough physical examination immediately.

- b. Bring in a child psychologist or individual specialized in child interviewing to conduct the interview with investigator. Find a comfortable, non-threatening setting to interview the child. Document the interview accordingly.
- c. Before the parents meet with the child, brief them on the child's condition and allow them to meet with a child psychologist or mental health professional. The parents should be aware of any physical or personality changes the child has experienced during the abduction.
- d. Permit only the child's parents and immediate family members at the reunification. No media should be present. Designate a secure, private place for the reunification. Ask the parents to bring a fresh set of clothes and a special toy or possession of the child's.
- e. Advise the family what information can or cannot be released to the media. Suggest that they minimize well-wishers and visitors for the first few days to enable the child to attempt to get back to normal.
- f. Arrange for a victim-witness advocate or mental health professional to be assigned to the family to assist with both immediate and long-term complications.

## 6. RECOVERY PROGRAMS

Several programs are available which provide assistance to families recovering their missing children. All questions and requests for assistance regarding these programs should be directed to the National Center for Missing and Exploited Children (NCMEC) Communications Director at 1-800-843-5678.

- a. **American Airlines Program** - American Airlines, in conjunction with NCMEC, has established a program which will provide free transportation for a parent or legal guardian to recover his/her child in extreme emergency situations. American Airlines will also provide free transportation home for the parent or legal guardian and the child.
- b. **Choice Hotels International** - Choice Hotels International, in conjunction with the NCMEC, has

established a program which will provide a free room for a parent or legal guardian of a missing child anytime it is necessary in accomplishing the recovery of the missing child. This does not include incidentals. Choice Hotels will also provide a free room for the parent or legal guardian and the child on their return trip home. The local originating agency must verify that the child is a missing child, and that the person requesting free room is the legal custodian of the child.

- c. **Let's Find Them** - The Greyhound Bus Corporation, in conjunction with the NCMEC, will provide free transportation for a parent or legal guardian to recover his/her missing child that has been the victim of an abduction. The service also provides complimentary transportation home for the child and parent. The local originating agency must verify that the child is a missing child, and that the person requesting transportation is the legal custodian of the child.

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## C. RUNAWAYS

### 1. INVESTIGATIVE RESPONSE

**Follow the initial response tasks listed in the first part of the missing children chapter.** In cases in which it appears the child has runaway, it is important to verify, with the reporting parent or guardian, if in fact the juvenile is actually a runaway, or if the juvenile is missing due to unusual circumstances. Even in cases in which the child left on his/her own free will, the child may be in jeopardy due to mental capacity, drug dependency, or medical problems. Any missing youth aged thirteen or younger faces an increased level of threat as they usually do not possess the necessary survival skills to protect themselves from exploitation on the street.

- a. Determine if the child is believed to be with adults who could endanger the welfare of the minor, or if the child's absence is a significant deviation from established patterns of behavior. Be sure to evaluate the scene for signs of possible abduction, indications of child abuse, or evidence of violence at the scene. Failure of the parent to report the child missing immediately may also be a sign of abuse or neglect to the juvenile.
- b. Once the child is confirmed to be a runaway, obtain a physical description and a recent photograph. Immediately enter the child's information into FCIC and NCIC. Include all physical descriptors and identifiers as well as any vehicles or companions. Issue a statewide BOLO containing this information.
- c. If a child runs from a juvenile facility and a pick-up order cannot be immediately obtained, he or she should be entered into the FCIC/NCIC Missing Persons File immediately. **When a pick-up order is obtained, put warrant information into the remarks field of the missing entry. The reason for this is the unidentified files do not cross-match with the wanted files, whereas the unidentified and missing files do.**
- d. Conduct a thorough search of the home - closets, bedrooms, garage, family car, attics, basements, utility sheds, trunks, etc. Younger children often give the

impression that they have run away and actually may be hiding in or around the house.

- e. Request that the parents make a list of the missing child's friends, relatives, or any other individuals who are close to the child. Contact these people to determine if they have knowledge of the child's whereabouts or his/her intended destination. Request that they contact law enforcement or the family should they obtain any information.
- f. Determine if there are problems within the home.
  - Is there child abuse (sexual or physical) or alcoholism present in the home?
  - Have there been any domestic violence calls to the home?
  - Does the child want to live with another family member?
  - Is there a divorced/separated/biological parent that the juvenile might seek out?
  - Has the child been fighting with siblings?
  - Have there been any recent arguments?
  - Are there financial difficulties facing the family?
  - Has the child or anyone in the family been affected by mental illness or a serious disease?
  - Was the child contemplating suicide?
- g. Interview the family to determine where the child may go.
  - Did the family just move from another city?
  - Is there a particular place he/she has always wanted to visit?
  - Did the child leave with anyone else?

- Does the child have a boyfriend or girlfriend out of state?
  - Could the child be pregnant or planning on getting married?
  - Has the child been communicating with anyone via the internet?
  - Is there someone they are forbidden to see?
  - Has the child runaway before? If so, where did he/she go? How long was he/she gone for?
- h. Consult with the School Resource Officer or other school officials to determine if the child has been experiencing any problems at school.
- Has the child been having problems academically?
  - Has the child expressed a change in attitude or temperament?
  - Is the child associating with a new or different group of friends?
  - Is the child involved in gang, ritualistic, or other inappropriate activities?
- i. Ask to search the child's bedroom. Look for a journal, letters, personal notes, or a "good-bye letter" which may provide information about the child's disappearance. Look in the child's school notebooks for personal information. Assess the possessions the child has taken.
- Was there money taken? How much?
  - Were clothes taken? Summer or winter? A swimsuit?
  - Did the child take camping or hiking gear?
- j. Ascertain the resources available to the runaway; i.e., bank accounts, credit cards, cash, driver's licenses, identifications, vehicles, etc. Discuss placing stops on credit cards or ATM cards the child may have in their

possession. Vehicles taken without permission may be entered into FCIC/NCIC as stolen.

- k. Determine the runaway's hobbies and interests and the places that the juvenile frequents (beach, parks, recreation areas, schools, convenience stores). Distribute flyers in these locations.
- l. Obtain dental and fingerprint information on the child.
- m. Suggest that the parent work with law enforcement in checking train stations, bus terminals, airport, hospitals/clinics, etc. Give parents the investigator's name and telephone number, and the case number.

## **2. RECOVERY OF THE RUNAWAY CHILD**

- a. Upon verification that the child is missing, law enforcement officers have the authority to pick up a runaway. If there is no pickup order for the child or other extenuating circumstances such as delinquency, abandonment, allegations of abuse or violence, the child may be released to the parents.
- b. If there are extenuating circumstances, or if the officer is unable to locate a parent, guardian or responsible adult relative, the child may be released to a Department of Juvenile Justice approved runaway shelter or Department of Children and Families intake office. Attempt to notify the parents as soon as possible.
- c. If abuse or neglect is alleged, notify the Florida Protective Services Abuse Hotline, 1-800-96-ABUSE. A joint investigation should be conducted concerning any abuse, neglect, or delinquency allegations. (See Dependency chapter.)
- d. Children who runaway from a secured facility may be reported as missing until a custody order/pick up order can be obtained from the appropriate court. Children should be apprehended and taken into custody, in accordance with procedures followed to arrest suspected delinquents, when they are:
  - an escapee from a halfway house

- an escapee from a training school or secure detention facility
  - an escapee from a commitment facility or detention center in another state
  - violating in a material way a condition or term of a community control program imposed by the court or otherwise required by law
- e. Children who run from non-secure placements such as shelters or crisis care centers are not escapees, and should be handled as runaway children unless they violate the law in some way. It is the responsibility of the shelter or care unit to report the child as missing.
- f. Running away from home is not a delinquent act. Unless a child commits a violation of the law, continue to take the child into custody, then either release him or her to an approved adult relative, Department of Juvenile Justice approved runaway shelter, or Department of Children and Families Intake.
- g. Keep in mind that the majority of children are exploited while they are runaways. While returning habitual runaways may be frustrating, law enforcement plays a crucial role in protecting the child from endangering himself or herself. Refer youth who repeatedly runaway to the local CINS/FINS units at the Department of Juvenile Justice.
- h. After a runaway juvenile has been located and taken into custody, conduct an interview. In some cases, these juveniles may have information about criminal activities that have occurred, or that they were involved in.

The Hillsborough County Sheriff's Office in Tampa, Florida has had much success in utilizing a **"Runaway/Missing Juvenile Debriefing Report."** This report was established by the Sheriff's Office to gather data to identify underlying or hidden events involving missing and/or runaway juveniles who have committed, are at risk, have been victims of crimes, or who have been exploited. This confidential report is completed when any deputy, detective, or community service officer comes in contact with a missing and/or runaway juvenile.

If information received from the juvenile indicates any criminal activity, the following is suggested:

- advise Miranda;
- if the incident has not been reported, an incident report should be initiated;
- if the incident occurred within another jurisdiction, and an officer **can** respond and document at that time, this may be done;
- if the incident occurred within another jurisdiction and an officer **can not** respond, an "Assist Other Agency" Incident Report (courtesy report) should be taken which should include a complete interview with the juvenile. The report should then be forwarded to the appropriate agency.

The debriefing report is routed to the Sheriff's Office's Children's Crime Analysis Unit for review.

If you need further information or a copy of this Debriefing Report, you may contact the Children's Crime Analysis Unit of the Hillsborough County Sheriff's Office at 813-247-8688.

### 3. RECOVERY PROGRAMS

The following programs may be of assistance if the runaway is located out of town or out of state:

- a. **Operation "Home Free"** is a program which will provide free transportation home to indigent runaway juveniles who voluntarily request such passage. The program is offered by Greyhound, Inc., in conjunction with the International Association of Chiefs of Police. A representative from local law enforcement must escort the child to the bus terminal and provide written verification from the originating agency that the child is a runaway, as well as a signed release from the child's parent or guardian. If the child has been staying in a Department of Juvenile Justice approved runaway shelter, a representative from the shelter may also accompany the child to the bus station. Questions concerning this program should be directed to the National Runaway Switchboard at 1-800-621-4000.

- b. **The Interstate Compact on Juveniles** mandates the cooperation of this state with other states: (a) in returning juveniles to such other states whenever their return is sought; and (b) in accepting the return of juveniles whenever a juvenile residing in this state is found or apprehended in another state and in taking all measures to initiate proceedings for the return of such juveniles. (See Florida Statutes 39.51 through 39.516.) For additional information on the Interstate Compact, contact (850) 488-3795.
- c. **Choice Hotels International-** Choice Hotels International, in conjunction with the NCMEC, has established a program which will provide a free room for a parent or legal guardian of a missing child anytime it is necessary in accomplishing the recovery of the missing child. This does not include incidentals. Choice Hotels will also provide a free room for the parent or legal guardian and the child on their return trip home. The local originating agency must verify that the child is a missing child, and that the person requesting free room is the legal custodian of the child. Questions concerning this program should be directed to the Communications Director at the National Center for Missing and Exploited Children at 1-800-843-5678.





## **D. FAMILY ABDUCTION (Parental Abductions)**

### **1. INVESTIGATIVE RESPONSE**

#### **a. In all parental abduction cases:**

- **Follow the initial response tasks listed in the first section of the missing children chapter.** A child who is in the company of his/her parent is not necessarily safe. The first consideration in a parental abduction situation should be an assessment of the suitability of the parent the child is with. The child may be in danger if the abducting parent:
  - is suicidal or has threatened to kill the child
  - is involved with drugs or alcohol
  - has a history of violence
  - is believed to have abused or neglected the child

**In the event any of these factors are present, the child should be entered into FCIC and NCIC immediately, regardless of whatever custody orders exist.** The entry may be regarded as a welfare check, and as a safety precaution for the child.

- Make an attempt to contact the abductor parent by telephone or by sending a patrol unit to his or her house to determine what has happened to the child.
- Complete a missing child report and enter the child into FCIC and NCIC. Issue a BOLO containing the child and abductor's information as well as any vehicle description. Be sure to enter the abductor information in the remarks field of the missing child entry. If a warrant is issued for the abducting parent, the child's name should be entered into the remarks field. Obtain photographs of both the child and the abductor.

**b. If the abducting parent is the named custodial parent:**

- Review the documents pertaining to child custody and determine what boundaries or limitations have been established. Establish if the abducting parent is in violation of the order.
- The child may be entered into FCIC and NCIC pursuant to the Missing Children Act of 1982 (28 USC §534) and the National Child Search Assistance Act of 1990 (42 USC §5779 and 5780).
- Enter the child into FCIC and NCIC as PARENTAL ABDUCTION.
- The “left behind” parent should immediately notify the court in which the order was issued of the abducting parent’s non-compliance. Advise the parent to petition the court for an emergency modification to the order. The remaining parent should attempt to obtain an emergency temporary custody order for the child. Request that a “pick up order” or “take into custody order” be included for the child. Make sure the order specifies whether the child should be turned over to the parent or to the Department of Children and Families when located.
- Many law enforcement agencies are concerned about liability issues which may arise when a child is abducted by the custodial parent. If the child and parent are located before the remaining parent is able to secure an amended or temporary custody order, law enforcement will not be able to pickup the child. However, the officer may intervene by informing the abducting parent that the child is listed as missing, and requesting that the abducting parent provide a current address and phone number at which they may be reached. The remaining parent should be provided with this information in order to file the appropriate civil remedies.
- Non-custodial parents have legal rights and remedies when their visitation rights are denied, limited, or otherwise interfered with by the custodial parents. Visitation rights are enforceable by a court order. If the custodial parent refuses to allow the non-custodial

parent to visit the child, the non-custodial parent can petition the court for enforcement of the decree, and also for change of custody. The custodial or non-custodial parent can request a provision in the custody order requiring both parents to keep each other informed of the current addresses and telephone numbers where the child can be reached. If the custodial parent has fled with the child and cannot be located, the Federal Parent Locator Service (see Investigative Guidelines Section for further information on FPLS) can be used by non-custodial parents to have their visitation rights enforced.

- The abduction may be in violation of Florida Statutes 787.03 and/or 787.04 (Interference with Child Custody and/or Removing or Concealing Child Contrary to Court Order). If so, this abduction should be investigated as a felony and a warrant issued for the absconding parent. (see statutes in “Legislation regarding Parental Kidnapping” section.)
- Where there is a history of interference with visitation rights by the custodial parent, a non-custodial parent can request the court to order the custodial parent to post bond (buy a special insurance policy) to ensure that the visit occurs. The custodial parent has the same right; i.e., to ensure that the non-custodial parent returns the child when the visitation is over.

**c. If the abducting parent is the non-custodial parent:**

- Verify that the custody order is original and current. This can be done by contacting the Clerk of the County Court or the issuing judge. Make copies of custody papers for your records. Try to determine the type of custody awarded (sole or joint), the legal custodian and the jurisdiction or state that granted custody. If a custody order has been issued by another state, ensure the order is registered or “domesticated” within the State of Florida.
- If custody papers are in order, take statements (sworn, if required in your area) from the searching parent to include that permission was not given to the abductor parent to take the abducted child for more than the agreed time, and that the searching parent’s wishes are to prosecute. Civil action can be taken if

criminal prosecution is not requested. Sworn statements should be taken from individuals who have knowledge that the child was abducted from the searching parent (witnesses, neighbors, friends or family).

- The child may be entered into FCIC and NCIC pursuant to the Missing Children Act of 1982 (28 USC §534) and the National Child Search Assistance Act of 1990 (42 USC §5779 and 5780).
  - Enter the child into FCIC and NCIC as PARENTAL ABDUCTION.
  - Request that the parent notify the court in which the original custody adjudication was made. The abducting parent is in contempt of the visitation specifications.
  - The abduction may be in violation of Florida Statutes 787.03 and/or 787.04 (Interference with Child Custody and/or Removing or Concealing Child Contrary to Court Order). If so, this abduction should be investigated as a felony and a warrant issued for the absconding parent. (See statutes in "Legislation regarding Parental Kidnapping" section).
- d. **If there is no custody established when the child is abducted (i.e., the parents are still married, have never been married, or are separated):**
- The child may be entered into FCIC and NCIC pursuant to the Missing Children Act of 1982 (28 USC §534) and the National Child Search Assistance Act of 1990 (42 USC §5779 and 5780).
  - Enter the child into FCIC and NCIC as PARENTAL ABDUCTION.
  - If the reporting parent does not have the necessary legal documents, direct the parent to an attorney or legal services so appropriate interim custody can be obtained from a court of competent jurisdiction. The parent should petition the court for an emergency temporary custody order. The order should include a "pickup order" or a "take into custody order" for the child. Make sure the order specifies whether the child

should be turned over to the parent or to the Department of Children and Families when located.

- The abduction may be in violation of Florida Statutes 787.03 and/or 787.04 (Interference with Child Custody and/or Removing or Concealing Child Contrary to Court Order). If so, this abduction should be investigated as a felony and a warrant issued for the absconding parent. (See statutes in "Legislation regarding Parental Kidnapping" section.)

**e. If the child has been abducted by BOTH parents because the child is either a ward of the state, is in the custody of another family member, or if an order to remove the child from the parents' custody has already been issued by a judge at the time of the abduction:**

- The child may be entered into FCIC and NCIC pursuant to the Missing Children Act of 1982 (28 USC §534) and the National Child Search Assistance Act of 1990 (42 USC §5779 and 5780).
- If the child was removed from the care of the parents due to allegations of abuse or neglect, enter the child into FCIC and NCIC as ENDANGERED.
- The abduction may be in violation of Florida Statutes 787.03 and/or 787.04 (Interference with Child Custody). If so, this abduction should be investigated as a felony and a warrant issued for the absconding parents.
- Be certain that a "pickup order" or "take into custody order" has been issued for the child. Determine who will be responsible for retrieving the child when he/she is located.

**NOTE: Florida certified court orders issued outside of your county are considered valid Florida orders. Be familiar with your local procedures for taking a child into custody, and for recognizing court orders issued outside of your county and out of state. Most out of state court orders require "domestication," but are valid and enforceable in the state of Florida. (See**

**Florida Statute 61.1302, the “Uniform Child Custody Jurisdiction Act”.)**

**2. PROSECUTING PARENTAL ABDUCTION CASES**

- a. If prosecution is requested, file the felony case with the area State Attorney’s Office, pursuant to Florida Statutes 787.03 and 787.04. (See “Legislation regarding Parental Kidnapping” section.) The following documents will be needed for filing:
- Copy of Missing Persons report.
  - All sworn statements.
  - Copy of the most recent custody order (plus all preceding orders).
  - Any documentation/evidence that the child is being hidden by the abductor parent or has been taken out of state by the abductor parent (school records, utility bills, statements, etc.).
- A felony warrant will enable the prosecutor to issue a nationwide warrant for the arrest of the abductor parent through the NCIC computer. A BOLO for the abducting parent can be issued across state lines if a felony warrant has been entered into NCIC. The prosecutor may also obtain an Unlawful Flight to Avoid Prosecution (UFAP) warrant and FBI assistance if the abductor parent has left the state (see FBI policies regarding Missing Children at the end of this section).
  - Advise the searching parent that he or she may file a civil action (i.e., contempt of court) regardless of whether a felony warrant has been obtained.
  - If you are unable to obtain a nationwide warrant, consider entering the abducting parent as a missing person in NCIC in order for out of state “hits” to occur. REMEMBER: Use the remarks section to explain circumstances.

### 3. INVESTIGATIVE RESOURCES

The following are some sources of assistance which may aid in locating the abducted child:

- a. **School records** - Notify the abducted child's school officials and advise them to contact the searching parent or law enforcement agency if a transfer of school records is requested. The FDLE MCIC places flags on school records of all missing children reported to them. The Florida Department of Education has also implemented a system to compare public school enrollments to the FCIC missing juvenile file (Florida Statute 937.023). This comparison is automatically performed once a month. No request from law enforcement is needed. The Family Educational Rights and Privacy Act (FERPA - 20 USC §1232g) permits a parent to find out from school officials whether the child's school records have been transferred to a new school or if copies have been sent to the abducting parent.
- b. **Birth Certificates** - The FDLE MCIC flags the birth certificates of children reported missing to them. Upon receiving a request for a birth certificate which is flagged, the Office of Vital Statistics immediately contacts the FDLE MCIC and notifies them of the request.
- c. **FCIC flags** - The FDLE MCIC flags the child, abductor, and vehicle information in the FCIC system for children reported missing to them. This can be done regardless if there is a warrant issued for the parent. The FCIC flag will send immediate notification to MCIC in the event the abductor or child's name is run through FCIC.
- d. **Friends/Relatives** - Request that the remaining parent to make a list or family tree of the abductor's relatives and close friends. Attempt to narrow down the scope of places the abductor may go.
- e. **Financial Institutions** - Check the abductor parent's bank to see if the account has been closed or funds transferred to another bank. Information can be obtained by a subpoena, if necessary.
- f. **Loans** - If the abductor parent has an outstanding loan, ask the lender to save the envelopes in which the payments were mailed so that you can check the

postmark. If payments are made by check, contact the bank that has the account for address information.

- g. **Credit Checks** - Check with local credit bureaus for information on social security number activity.
- h. **Credit Cards** - Contact the abductor parent's credit card companies in an attempt to trace any purchases that were made recently. Gasoline credit slips can give a good indication as to where the abductor parent has traveled.
- i. **Insurance Information** - Ask the abductor parent's insurance companies (auto and others) if they have heard from the abductor parent. A transfer of insurance coverage might have taken place.
- j. **Employment** - If the abductor parent's employer is known, check to see if he or she is still employed. If not, determine if arrangements were made for his or her paycheck to be forwarded.
- k. **Postal Services** - Check with the post office to see if a forwarding address has been given. If law enforcement authorities have reason to believe that friends or relatives of the abductor parent are maintaining contact through the mail, the United States Postal Service, through the postal inspectors, may request that a "cover" be placed on the mail being sent to the friends' or relatives' addresses. This means that the Postal Service will record the return address on mail being received by those individuals before the mail is delivered. The person receiving the mail would be unaware of the interception for a specified period of time. Postal inspectors may be able to provide information from change-of-address forms as well.
- l. **Rental cars** are sometimes used by the abductor parent. Check to see if an address was given or to what area the vehicle was returned.
- m. **Public transportation** companies should be contacted (airports, buses, taxis, trains, etc.). Sometimes the abductor parent will leave the area immediately by means of public transportation.



- n. **Utilities and telephone companies** may be able to provide a forwarding address for the abductor parent. If you think the abductor parent has relocated in another area, check to see if he or she has opened a new account.
- o. **Attorneys** - If the abductor parent had a local lawyer, check with him or her concerning any information he or she might have concerning the abductor parent.
- p. **Florida Department of Highway Safety and Motor Vehicles (DHSMV)** - Check on recent car registration, title transfers, new licenses, and license renewals for the abductor. In the case of a new car registration, it may be possible to find out the name of the dealership that sold him or her the car.
- q. **College Records** - If the abductor parent attended college and would need transcripts to apply for jobs or higher education, contact the school registrar and find out where the transcripts were mailed.
- r. **Magazine Subscriptions** - If the abductor parent has magazine subscriptions, contact the magazine to find out whether the abductor parent has submitted a change of address.
- s. **Professional Licenses and Unions** - If the abductor parent practices a profession or trade that requires a state license or union membership, contact the state licensing board or union where you think the abductor may be. Ask if a license or union card has been issued to the abductor parent and where in the state the abductor parent is working.
- t. **Medical Records** - Contact doctors, dentists, and hospitals that provided health care to the child or abductor parent. Ask if they have received a request to transfer records to another doctor or hospital. Request that they contact the parent or law enforcement agency in the event the child's records are requested.
- u. **Tracing Calls** - The parent may want to consider having the local telephone company security office place a "trap" on his or her phone or the phone of the abductors parent's, friends or relatives if they agree. A trap is a

mechanical device that allows the phone company to trace calls. Have the person whose telephone line is “trapped” keep a note pad next to the phone and record the date and time any phone calls are received from the abductor parent.

- v. **Telephone records** of the abductor parent may be subpoenaed to determine what areas of the state or country he/she communicated with prior to departing.
- w. **A private investigator**, although costly, is often effective. (Credentials/license can be verified through the Department of State, Division of Licensing (850) 488-5381.)
- x. **Federal Parent Locator Service** - The federal office of Child Support Enforcement maintains the Federal Parent Locator Service (FPLS), which can search for address information about the abductor parent in federal records maintained by various federal agencies including the Social Security Administration, Internal Revenue Service, National Personnel Records Center, Department of Defense, Veterans Administration, and Selective Service System (Public Law 96-611; 42 USC §454,455, and 463). The Florida Department of Law Enforcement’s Missing Children Information Clearinghouse (MCIC), in conjunction with the Florida Child Support Enforcement Office, established Department of Children and Families procedure for accessing the FPLS by local law enforcement officials. For access to this service and fee information, contact the MCIC at 1-888-356-4774.
- z. **Military World Wide Locator Services** - If the abductor parent was or is employed by a branch of the military services, contact World Wide Locator Service and request the most recent duty assignment and location of the abductor parent.
- aa. **Interpol** - Seek information from INTERPOL concerning criminal proceedings against the suspect-parent if he/she is believed to be out of the country.
- bb. **Offline Searches** - Consider requesting an offline search for activity on a particular subject. An FCIC or NCIC search may be requested through the FDLE CJIS Help

Desk at (850) 488-1624. See the "Additional Information" section in this chapter for further details.

#### **4. RECOVERY OF THE PARENTALLY ABDUCTED CHILD**

The effects on a parentally abducted child can be psychologically damaging and have long-term emotional and developmental complications. In locating and recovering a victim of a parental abduction, it is important to consider why the child was taken, what has happened to the child during the abduction, and what the child believes about both parents.

- a. Before picking up the child, attempt to assess both present and potential conditions for the child. Conduct background checks on both the searching parent and the abducting parent.
- b. When picking up the child, avoid removing the child directly from the home. Pick up the child from school at the end of the day. If the abducting parent is to be arrested, do not do so in the presence of the child. If possible, send someone to retrieve some of the child's clothes, toys, or favorite possessions from the home.
- c. Arrange for the child to have a comprehensive physical and psychological examination.
- d. Have a child psychologist or other trained professional conduct the interview of the child with law enforcement. Ascertain what the child has been told by the abducting parent about the searching parent. The child may be afraid of the other parent, or may believe that the other parent did not want them, or even that the parent is dead. The reunification may be a terrifying experience for the child, and he/she may actually perceive it as being reabducted.
- e. Recommend that the psychologist speak with the remaining parent about what the child has been told, and discuss with the child in developmentally appropriate terms what is taking place. The child may think that he/she is responsible, and may feel protective toward the abducting parent.

- f. Hold the reunification of the parent and child in a warm, secure place. Suggest that the parent bring photographs or special toys that may help the child remember his past life.
- g. Refer the child and recovering parent for local individual and family therapy.

## 5. RECOVERY PROGRAMS

- a. **Quality Inn Program** - The Quality Inn Corporation, in conjunction with the National Center for Missing and Exploited Children (NCMEC) has established a program which will provide a free room for a parent or legal guardian of a missing child anytime it is necessary in accomplishing the recovery of the missing child. This does not include incidentals. Quality Inn will also provide a free room for the parent or legal guardian and the child on their return trip home. The local originating agency must verify that the child is a missing child, and that the person requesting free room is the legal custodian of the child.
- b. **Let's Find Them** - The Greyhound Bus Corporation, in conjunction with the National Center for Missing and Exploited Children (NCMEC) will provide free transportation for a parent or legal guardian to recover his/her missing child that has been the victim of an abduction. The service also provides complimentary transportation home for the child and parent. The local originating agency must verify that the child is a missing child, and that the person requesting transportation is the legal custodian of the child.

## 6. INTERNATIONAL ABDUCTION

- a. The FDLE Missing Children Information Clearinghouse (MCIC) is the contact agency when cases arise which involve locating and returning children who have been abducted from abroad to Florida or from Florida to a foreign country.
- b. Complete a missing child report and enter the child into FCIC and NCIC. Issue a BOLO containing the child's

and abductor's information as well as any vehicle description. Be sure to enter the abductor information in the remarks field of the missing child entry. If a warrant is issued for the abducting parent, the child's name should be entered into the remarks field.

- c. To prevent issuance of a passport to a minor child, the searching parent should call and then write the Director, Office of Citizenship Appeals and Legal Assistance, Passport Services, Room 5813, Department of State, Washington, DC 20520, (202) 955-0232. If there are federal felony warrants for the abductor parent, the law enforcement agency can have his or her passport revoked.
- d. The Office of Citizen Consular Services of the Department of State can conduct a "welfare and whereabouts" search to locate the child and to determine the child's physical condition, and also can provide a list of foreign attorneys and basic information about child custody disputes resolutions in the foreign country. All such requests should be made to the Office of Citizen Consular Services, Room 4817, Department of State, Washington, DC 20520, (202) 647-2688.
- e. The Hague Convention of the Civil Aspects of International Child Abduction is a treaty governing the prompt return of internationally abducted children, subject to very limited exceptions. Custody decisions are to be made by the courts of the country of the child's habitual residence. The Convention establishes administrative and legal remedies to secure the return of an abducted child and to facilitate the exercise of visitation rights across international borders.
- f. The Hague Convention will govern the return of the child(ren) only if both countries have ratified the Convention. As of the printing of this Handbook, the following countries are party to the Hague: Argentina, Australia, Austria, Bahamas, Belize, Bosnia, Herzegovina, Burkina Faso, Canada, Chile, Colombia, Croatia, Cyprus, Denmark, Ecuador, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Luxembourg, Former Yugoslavia - Republic of Macedonia, Mauritius, Mexico, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal,

Romania, Slovenia, Spain, St. Kitts/ Nevis, Sweden, Switzerland, United Kingdom, Venezuela, and Zimbabwe.

## **7. LEGISLATION REGARDING PARENTAL ABDUCTIONS**

### **a. Uniform Child Custody Jurisdiction Act (Federal)**

In 1968, the Uniform Child Custody Jurisdiction Act (UCCJA) was drafted and approved by the National Conference of Commissioners of State Laws. This act was created to solve the problem of competing jurisdiction in child custody cases. In general, the UCCJA states that when the proper jurisdiction state court (usually the home state) has issued a custody decree, all other states in which this act is in effect, must recognize and enforce, rather than modify, the decree. It has been adopted by all of the states at this time including Florida (Florida Statutes 61.1302 - 61.1348.)

The UCCJA does the following:

- Establishes rules governing which states have power (jurisdiction) to make or change a custody determination.
- Applies to proceedings for custody, visitation, and joint custody but not to actions for child support.
- Makes it possible for a parent to obtain a custody determination even after a child has been abducted.
- Enables a parent with a valid custody decree to have the decree honored and enforced in whatever state the child is located, without having to retry the whole custody case.
- Limits the right of a court to conduct a hearing when a valid custody decree has already been made by another state and when a court in another state that has jurisdiction under the UCCJA is considering a petition for custody.

- Punishes child abductors by permitting judges to order them to pay all reasonable costs, including attorney's fees, incurred by the victim parent in locating the child and getting the child back. Provides that custody decrees made by courts in foreign countries are entitled to enforcement in the United States if reasonable notice and an opportunity to be heard were given to all persons.

**b. Parental Kidnapping Prevention Act of 1980 (PKPA) (FEDERAL)**

This federal law (Public Law 96-611) has three major sections:

- The first part (28 USC §1738A) requires states to enforce and not modify custody determinations made by other states.
- The second part of the PKPA authorizes the Federal Parent Locator Service to use its computer to find address information on abductor parents. This section of the law is found in 42 USC §454, 455 and 463. Regulations implementing this law can be found in the Federal Register Volume 48, Number 166, August 25, 1983, page 38542.
- The third part of the PKPA directs the U.S. Department of Justice to apply the federal Fugitive Felon Act to major criminal interstate parental kidnapping cases and is found as a note to 18 USC §1073.

**c. Interference with Child Custody (Florida Statutes 787.03)**

“(1)Whoever, without lawful authority, knowingly or recklessly takes or entices, or aids, abets, hires, or otherwise procures another to take or entice, any child 17 years of age or under or any incompetent person, from the custody of his parent, his guardian, a public agency having the lawful charge of the child or incompetent person, or any other lawful custodian commits the offense of interference with custody and shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775,0823, or s. 775.084.

(2) In the absence of a court order determining rights to custody or visitation with any child 17 years of age or under or with any incompetent person, any parent of the child or incompetent person, whether natural or adoptive, stepparent, legal guardian, or relative of such child or incompetent person who has custody thereof and who takes, detains, conceals, or entices away that child or incompetent person within or without the state, with malicious intent to deprive another person of his right to custody of the child or incompetent person, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A subsequently obtained court order for custody or visitation shall not affect application of this section.

(4) It is a defense that:

- a. The defendant reasonably believes that his action was necessary to preserve the child or the incompetent person from danger to his welfare.
- b. The child or incompetent person was taken away at his own instigation without enticement and without purpose to commit a criminal offense with or against the child or incompetent person.

(5) Proof that a child was 17 years of age or under creates the presumption that the defendant knew the child's age or acted in reckless disregard thereof.

(6) This section shall not apply in cases where a spouse who is the victim of any act of domestic violence, or who has reasonable cause to believe he or she is about to become the victim of any act of domestic violence, as defined in s. 741.28, or believes that his or her action was necessary to preserve the child or the incompetent person from danger to his welfare, seeks shelter from such acts or possible acts and takes with him or her any child 17 years of age or younger.”

d. **Removing minors from state or concealing minors contrary to state agency order or court order (Florida Statute**

“(1) It is unlawful for any person, in violation of a court order, to lead, take, entice, or remove a minor beyond the limits of this state, or to conceal the location of a minor, with personal knowledge of the order.

(2) It is unlawful for any person, with criminal intent, to lead, take, entice, or remove a minor beyond the limits of this state, or to conceal the location of a minor, during the



pendency of any action or proceeding affecting custody of the minor, after having received notice as required by law of the pendency of the action or proceeding, without the permission of the court in which the action or proceeding is pending.

**(3)** It is unlawful for any person, with criminal intent, to lead, take, entice, or remove a minor beyond the limits of this state, or to conceal the location of a minor, during the pendency of a dependency proceeding affecting such minor or during the pendency of any investigation, action, or proceeding concerning the alleged abuse or neglect of such minor, after having received notice of the pendency of such investigation, action, or proceeding and without the permission of the state agency or court in which the investigation, action, or proceeding is pending.

**(4)** It is unlawful for any person, who has carried beyond the limits of this state any minor whose custody is involved in any action or proceeding pending in this state pursuant to the order of the court in which the action or proceeding is pending or pursuant to the permission of the court, therefore, to fail to produce the minor in the court or deliver the minor to the person designated by the court.

**(5)** It is a defense under this section that a person who leads, takes, entices, or removes a minor beyond the limits of the state reasonably believed that his action was necessary to protect the minor from child abuse as defined in s.827.04.

**(6)** Any person who violates this section is guilty of a felony of the third degree, punishable as provided in s.775.082, s.775.083, or s.775.084.”



## **E. SPECIALIZED ASSISTANCE**

### **1. FLORIDA DEPARTMENT OF LAW ENFORCEMENT MISSING CHILDREN INFORMATION CLEARINGHOUSE**

In 1983, the Florida Legislature passed Florida Statute 937.022, which mandated the Florida Department of Law Enforcement (FDLE) to establish the first state Missing Children Information Clearinghouse (MCIC) in the nation. The program is designed to collect, store and disseminate information to assist in the location of missing children. The MCIC provides intelligence and analytical assistance to local law enforcement agencies, and serves as a liaison among citizens, private organizations, and law enforcement officials with regard to missing children information.

#### **Analytical Support**

- National toll-free hotline (1-888-356-4774). Available 24 hours a day, seven days a week to immediately report a child missing, receive sighting information, and respond to requests for assistance or information
- Capability to receive, analyze, process and track leads
- Maintenance of an intelligence database containing information regarding suspicious persons, attempted abductions, missing child sightings, and offenses against children
- Access to Sexual Predator and Sexual Offender Database
- Access to specialized database searches such as Interpol, Financial Crimes Enforcement Network (FINCEN), Autotrack, and Credit Services
- Flags school records through the Department of Education for a child who is reported missing to the MCIC
- Flags birth records through the Office of Vital Statistics for a child who is reported missing to the MCIC
- Flags the missing child's name, abductor/companion name, and/or vehicle information in FCIC

- Assists in distribution of child's information:
  - Produces and mails flyers
  - Develops Public Service Announcements (PSAs) featuring child
  - Provides inserts featuring photo and information of missing children in title transfer mailouts in conjunction with the Department of Highway Safety and Motor Vehicles
  - Publishes photos of missing children on billboards across the state
  - Features missing children and information on internet home page: <http://www.fdle.state.fl.us>
  - Places flyers of children in all state office buildings and rest areas
  - Burst fax available to local law enforcement agencies in Florida for endangered cases
  - Coordinates with National Center for Missing and Exploited Children to burst fax to 6,500 law enforcement agencies nationwide
  
- FCIC off-line searches
  - Retrieval of any transaction sent to or from an agency over an FCIC terminal for a period of 5 years.
  - Searches conducted on time frames and literals (for example any name, FBI#, DLE#, message type, tags, VINS, specific terminals)
  
- NCIC off-line searches
  - Capability to provide inquiry search or activity search for a particular subject up to ten years
  
- Maintains list of Department of Corrections' bloodhounds available for use in search
  
- Provides background screening of volunteers assisting in missing children searches
  
- Publishes and distributes the Missing Children Monthly Bulletin, Directory of Resources, Child Safety Guide, Guidelines for Schools, Runaway Guide for Parents, Parental Abduction Guide, Reunification Guide, Parental Survival Guide and the Florida Juvenile Handbook

- Serves as the liaison to the Hague Treaty for the state of Florida
- Serves as a liaison to other state clearinghouses and to the National Center for Missing and Exploited Children
- Distributes personal identification fingerprint cards to criminal justice agencies
- Provides reward money

### **Investigative Assistance**

FDLE, in conjunction with local law enforcement agencies, has developed a fully staffed and equipped law enforcement response team. This team will react immediately to reports of abducted children in which bodily harm is feared. This response would include the development of investigative, analytical, and technical personnel (including computer assets) necessary to establish a local command post. At the command post, local law enforcement officials, assisted by FDLE would fully assess the situation and expedite time-critical decisions regarding enforcement actions. The operation would focus on regional responses and notifications and serve as a focal point for the coordination of all agencies involved in the investigation and search operation. Services provided by this team include, at a minimum:

- Investigative coordination and assistance - Crimes Against Children agents are available statewide
- Rapid Response Team Mobile Command Post/Interview Room - The Rapid Response Team Trailer is available for use as a command post or mobile interview facility
- Analytical Support
- Logistical planning and support
- Local and statewide public information consultant for media contact
- Polygraph Services

- Criminal Profiling Services
- Expedited Laboratory Services
- Forensic Artists
- Search & Rescue manpower and tracking dogs
- Victim Services/Advocates
- Helicopter with million candle power spotlight for night searching

For additional information about the Missing Children Information Clearinghouse, please contact, 1-888-356-4774.

## 2. **FEDERAL BUREAU OF INVESTIGATION (FBI)**

### **Child Abduction and Serial Killer Unit (CASKU) -**

Housed within the FBI's Critical Incident Response Group (CIRG), the primary responsibility of the CASKU is to provide immediate investigative support through violent crime analysis, technical and forensic resource coordination, and application of the most current expertise available in matters involving the abduction or mysterious disappearance of children and cases of serial or mass murder. The following services may be provided:

- Crime analysis
- Investigative strategies
- Interview and interrogation strategies
- Behavioral characteristics of unknown offenders
- Trial preparation and prosecutive strategy
- Expert testimony
- Coordination of other resources, including the use of the FBI Evidence Response Teams, FBI Laboratory services, and Rapid Start (a computerized major case management support system)

**Missing Children Entries in the National Crime Information Center (NCIC)** - The Missing Children Act authorizes the FBI to respond to requests from parents, guardians, or next of kin to enter a missing child into NCIC in those instances when local authorities refuse to make such entries. After confirming the local agency's refusal to enter the record, the FBI makes the necessary NCIC entry and removes the entry when the local agency enters the missing child report.

**Parental Kidnapping** - The federal kidnapping statutes specifically preclude from investigation the kidnapping of a minor child by a parent (18 USC §1201). However, fugitive investigations may be instituted under the unlawful flight statutes (18 USC §1073), if the following criteria are met:

- A local or state felony warrant has been issued. Local authorities have requested FBI assistance.
- The local agency agrees to extradite when the fugitive is located.
- Along with the above-mentioned requirements, the local United States Attorney must authorize the filing of the federal complaint for issuance of a warrant before the FBI can institute a fugitive investigation in the matter.

For additional information, please contact the CASKU Unit at (540)720-4700.

### **3. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC)**

The National Center for Missing and Exploited Children was established under the Missing Children's Assistance Act of 1984. Housed in the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the NCMEC was established as a national resource center and clearinghouse for missing and exploited children issues.

Services available include:

- Nationwide, 24 hour, toll-free hotline - 1-800-843-5678

- Photograph and Poster Preparation and Distribution - Burst fax capability to 6,500 law enforcement agencies nationwide
- Missing Child Alert - instant exposure through Public Service Announcements prepared by Fox Television's "America's Most Wanted" in breaking cases
- Age-Enhancement, Facial Reconstruction, and Image/Identification Services
- Technical Case Assistance
- Queries/Database Searches - a database of active missing child cases can be searched based upon any of a series of identifiers
- Project ALERT (America's Law Enforcement Retiree Team) - ALERT members can provide on-site assistance to local law enforcement agencies in complex missing and exploited children cases.
- Hague Convention Liaison - NCMEC assists in locating children illegally removed from other countries to the United States and serves as a national liaison for children abducted from the United States to another country.

For additional information, please contact the NCMEC at 1-800-843-5678 or (703)235-3900.



## **F. ADDITIONAL INFORMATION**

### **1. UNIDENTIFIED PERSONS FILE**

The National Crime Information Center (NCIC) established the Unidentified Persons File to assist investigators in the identification of those unidentified bodies found across the United States each year. In addition to the entry of a record for an unidentified body, a record for any body parts found may be entered into this file. This is an excellent investigative tool when body parts are recovered in two different locations. An unidentified person found alive can also be included in this file.

Florida Statute 406.145, states that if a body is not immediately identified, the law enforcement agency responsible for investigating the death shall enter the description data into the Unidentified Persons File of the NCIC. For entry format in NCIC, please see the FCIC Operating Manual.

The types of descriptive data included in an unidentified record include blood type, estimated year of birth, approximate height and weight, jewelry worn by the deceased, and dental characteristics. Most of the same non-unique identifiers can and should be included in a missing person record and will increase the chances of identification. The more information that is entered, the better the chances are to identify an unidentified person. Regardless of the number of characteristics known, this file should be utilized.

The NCIC Unidentified Persons File operates in conjunction with the Missing Persons File. Upon the entry of a record for an unidentified body, the NCIC computer automatically searches the Missing Persons File for any possible match. When a possible match is made, NCIC will send a \$M message to the entering agency's FCIC terminal. Any modification to the record automatically initiates another search of the missing persons file.

When an unidentified person inquiry is made, the NCIC computer searches all records for any possible match. A score is assigned to each possible record found. The two highest scoring records are returned on-line followed by the NCIC numbers of up to 18 additional records. The NCIC number is a computer-assigned number to identify a specific

NCIC record entry. All records should be reviewed closely and entering agency(s) contacted to confirm a possible match.

The format for an unidentified person inquiry is as follows:

QU.AGE/\_.SEX/\_.RAC/\_.EYE/\_.HAI/\_.HGT/\_.WGT/\_.

Law enforcement officials may use this inquiry to determine if a missing person has been entered as an unidentified person by another agency.

## **2. NON-UNIQUE MISSING PERSONS INQUIRY**

The National Crime Information Center (NCIC) has a format that allows law enforcement agencies to make inquiries into the Missing Persons File using non-unique descriptors. This inquiry can be used for a person without a name and/or date of birth. Law enforcement officials may use this inquiry to attempt to identify an individual who cannot or will not give his or her name. The search will identify matching data which falls within the range assigned to an input data field and can be accomplished on persons both alive and dead.

The inquiry must be done in the following order:

QN.AGE/\_.SEX/\_.RAC/\_.EYE/\_.HAI/\_.HGT/\_.WGT/\_.

The inquiry will search the age entered (plus or minus one year), the exact sex, race, eye color and hair color, the height entered (plus or minus three inches) and the weight entered (plus or minus ten pounds). For exact data field information, contact FCIC at (850) 488-1624.

## **3. OFF-LINE SEARCHES**

An off-line search is a possible alternative when insufficient data is available to effect a terminal inquiry of NCIC. An off-line search can be made against two sources of NCIC records:

- the NCIC database of active records

- historical data, such as records which have been removed from the active data and transaction log which includes entries, inquiries, etc.

An off-line search may be made with a minimum of one piece of information but searches including all available information will be more effective. Searches can be made on non-unique personal descriptors such as sex, height, and estimated age to identify a missing or deceased person, or on a partial vehicle identification number. The off-line search is a procedure designed to assist the criminal justice community by providing lead information. An off-line search of the state criminal justice files may be requested by contacting FCIC at (850) 488-1624.

#### **4. ENTRY OF DENTAL RECORDS**

When a person has been reported missing and has not been located within 30 days after such report, the law enforcement agency conducting the investigation of the missing person must make an attempt to obtain that person's dental records. The law enforcement agency shall then enter the dental records into the criminal justice information system for the purpose of comparing such records to those of unidentified living and/or deceased person. (See Florida Statute 937.031.) The dental record format is available in the FCIC Manual. If dental records are not available, the attempt to obtain the records must be documented in the case file for auditing purposes. Additionally, the missing person entry must be amended to indicate that no records were available.



**II. SEXUAL EXPLOITATION  
OF CHILDREN  
Child Obscenity/Pornography  
and  
Child Prostitution**

Sexual Exploitation - 2

## **OVERVIEW**

Sexual exploitation is a term used to describe the sexual victimization of children, including child pornography, child prostitution and incest. Sexual exploitation of children has only recently emerged from obscurity to become a crime of major proportions. What is even more amazing than our recent "discovery" of child sexual abuse is the fact that it has remained hidden so long.

In order to identify and prevent these criminal activities successful investigative techniques and communication procedures must be identified and implemented by state and local law enforcement personnel who are operationally responsible for preventing and investigating crimes against children.

Sexual Exploitation - 4



## A. INITIAL CONTACT

### 1. DEFINITIONS

- a. **Sexual Exploitation** - Any unethical or sexual gratification, monetary profit, advantage or other benefit of an adult.
- b. **Pedophilia** - A psychiatric definition (Diagnostic and Statistical Manual of Mental Disorders - DSM IV). The act or fantasy of engaging in sexual activity with pre-pubertal children as a repeatedly preferred or exclusive method of achieving sexual excitement - a psychological disorder.
- c. **Pedophile** (ped-a-file) - a person who has a sexual preference for children.
- d. **Child Molester** - A person who is sexually attracted to and/or engaged in any type of sexual activity with individuals legally defined as children.
- e. **Incest** - Whoever knowingly marries or has sexual intercourse with a person to whom he is related by lineal consanguinity, or a brother, sister, uncle, aunt, nephew, or niece, commits incest, which constitutes a felony of the third degree. "Sexual intercourse" is the penetration of the female sex organ by the male sex organ, however slight; emission of semen is not required. (Section 826.04, Florida Statutes.)

**NOTE:** A person may have a sexual preference for children and might fantasize about having sexual contact with them. This person is a pedophile; if he does not act it out, then he is not a child molester.

### 2. FINDING CHILD PORNOGRAPHY/OBSCENITY

Where will most child pornography be found by the law enforcement officer or detective? If past experience continues to be true, the place will probably be found by accident. For example, at a traffic stop where an arrest is made, the vehicle inventory might reveal some child pornography. Or you may be investigating a crime or answering a burglar alarm complaint and, finding no one

home, search the home or business for a possible intruder. During the search you may find a room filled with magazines and photographs of naked children.

In each situation, read the law to determine if there is a violation. Be familiar with and understand statutory and legal guidelines for reasonable search and seizure. Know what type of materials are pornographic according to your judicial circuit, county and city ordinances.

In some situations, it may be best only to document, in writing and with photographs, what you have found. Notify the person in your department who investigates pornography and turn the case over to him or her, leave an officer at the scene, and attempt to get a search warrant.

Each officer reading this chapter should inquire into his or her department's policy concerning finding any pornographic material and ask who should receive the information.

- a. Child pornography/obscenity - what you should expect to find:

When child pornography/obscenity is located, you will find depictions of children engaged in a variety of explicit homosexual and/or heterosexual activities. Such material appears in the form of full-color magazines, slides, photostats, movie films and video tapes.

These pictures could show:

- Individual children (nude) posing in country settings by themselves, with look of innocence
- Simulated and real sex acts between adults and children
- Acts of urinating or defecating
- Sex acts between children and animals
- Bondage
- Sex acts using objects
- Other acts

- Simulated or real depictions of children being murdered (“Snuff Films”)
  - Orgies involving several (or many) children
- b. Documenting What Has Been Found

Whether the materials are seized or documented and left, it is important to document the following information. It will be useful in obtaining a search warrant.

- Photographs of Nude Children
  - Male or female?
  - Standing or lying down?
  - Setting-description of background
  - Inside or outdoors?
  - Physical development stage
  - Description of subject
  - Where photo was found
  - Number of photos of each subject
  - Color or black and white photo
  - Subject alone or with other person(s)?
  - Is sexual activity actual or simulated?
  - Description of the type of sex act depicted
- Magazines
  - Title
  - Number of pages
  - Copyrighted? Dated?
  - Publisher’s name and address
  - Volume number and issue number
  - Type of photos and poses
  - Description of the type of sex act depicted, the page number, sex of child, estimated age and whether or not the child had pubic hair
- Other Publications/Books
  - Title
  - Summary of subject matter  
Ex. Child Discipline - it is a primer of how to derive sexual pleasure from beating a child

- Publisher's address
- Is it published by an organization? If so, get the address, and other pertinent information
- Correspondence, diaries or tape recordings which relate to sexual conduct between juveniles and adults
- Address book with phone numbers of associates who have similar sexual interest in children
- Sexual aides, such as rubber penises, dildoes, and vibrators may be used by child victims and be documented in found photos.
- A family photo album which contains normal family-type photos, may also contain photographs that depict nudity and sexual activities involving juveniles with juveniles and juveniles with adults. These photographs are frequently mixed so they will not be discovered, to be used to lower the inhibition of a child, so that later disclosure to the child appears as accidental.

Pedophiles will often cut photographs of children from a child porno magazine and paste them on sheets of paper or walls. They will also keep pictures of children in underwear cut out of catalogs. These photographs may be termed as "erotica". Erotica is defined as photographs, sales ads, catalog cut outs, magazine clippings and/or drawings which are non-pornographic. These photographs, etc., depict children usually of a preferred age, sex and physical type. These are frequently maintained in scrap books or albums, and are utilized by the pedophile as fantasy objects.

Pornographic material may also be found while investigating a homicide or other crime scene. In one case when the law enforcement agency went to investigate a homicide, they found the following items at the crime scene: numerous nude photographs of various-aged children, VCR with adult pornographic video tape still in the machine, 8mm films, slides, camera equipment, lenses, enlargers, photo paper, chemicals, and undeveloped film. These items should be treated as evidence (documented, and

photographed) before they are removed. In this case the murderer was found by checking fingerprints on the found pornography. He had known the victim, but denied ever having been in the home. A photo was found which showed him sexually involved with the victim, inside the home.

All materials should be accurately documented as to where it was found and by whom.

c. State and Federal Law Violation

- Pornography is both a state and federal violation, each of which has different criminal elements. There may be incidents where you may not be able to prosecute at one level but may be able to prosecute at the other level.

### 3. CHILD PROSTITUTION

The estimates on how large the problem of child prostitution is varies throughout the nation. But, like child pornography, it often exists where you least expect it to be.

a. Where to look for child prostitution

Child prostitution activities can be found in a number of different locations. The following is a partial list:

- Truck stops
- Interstate highway rest areas
- Game rooms
- Public parks/beaches
- Parking lots
- Lounges, bars
- Escort services
- Other locations

Many of the techniques involved in working child pornography cases may prove helpful in investigating cases involving child prostitution.

b. Sources of information about child prostitution

By knowing the general locations where child prostitution may exist, you can obtain further information from such sources as:

- Members of the gay community
- Information from social workers
- Bartenders
- Cab drivers
- Adult bookstore operators
- Runaways - interview when they are returned
- Interviewing victims of child sexual abuse by parents

(Example: There have been reported cases where the prostitution of a child grew out of an incest situation. The father began to have friends over to his home where the child performed various sex acts with the adults and posed for pornographic photos.)

- Interviewing selected inmate populations
- Information leads
- Adult prostitutes - those who know of customers who are interested in sexual activities involving children
- Informants

**4. INTRAFAMILIAL SEXUAL ABUSE**

Sexual abuse of children perhaps occurs as commonly as physical child abuse. Intercourse occurs in approximately 50% of the intrafamilial sexual abuse cases. Other forms of

sexual abuse include oral-genital and anal contact, penetration with objects, touching of the breast and genital areas, and forcing the child to masturbate and perform fellatio on the abuser.

Sexual abuse occurs at all levels of income and education. Sexual abuse often exists where you least expect it to be.

Once the abusive situation has been revealed or discovered, the following should occur:

- a. Ensure the safety of the child. Obtain necessary medical treatment if the child has an injury.
- b. Follow your department's policy and investigative procedures for handling sexual abuse cases.
- c. Contact Department of Children and Families and initiate a joint investigation.
- d. Ensure the collection and preservation of physical evidence.
- e. Ask the child to tell you what happened in his or her own words. Listen carefully.
- f. Contact a victim advocate, social service agency or person that can help the victim and his or her family in dealing with this situation.





## **B. INVESTIGATIVE GUIDELINES**

### **1. GOALS AND OBJECTIVES**

The information on sexual exploitation presented here is designed to meet the need of the criminal investigator for organized written instruction and to furnish him or her with information that will be of assistance in the investigation and successful prosecution of "Sexual Exploitation of Children" cases.

The objectives of the Sexual Exploitation of Children Investigative Techniques are: (1) to provide the investigator with an introduction to his or her position relative to the sexual exploitation case, (2) to increase his or her knowledge of the basic procedures that may be utilized in such an investigation, (3) to provide him or her with a broad understanding of the legal principles that may be encountered in a sexual exploitation of child/obscenity prosecution, and (4) to provide investigative law enforcement services in and for the best interest of children with the protection of children's rights being the ultimate objective.

### **2. INTRODUCTION**

"Sexual Starvation - Not the craving for copulation, but the craving for the companionship of small girls and boys four (4) to twelve (12) or fourteen (14) years old. I have such a love for children, because their minds are not filthy and not contaminated with the lust most grown-ups are saturated with regarding their beautiful nude bodies."

A Pedophile From Florida

- a. The sexual exploitation of children by adults is a sensitive and emotional topic which has received increasing public attention in recent years. Although children have been sexually exploited for centuries, only recently have authorities and law enforcement begun to understand the scope of the problem. Evidence indicates that child sex is a large, lucrative business of international proportions.

The law enforcement officer in our modern and complex society must be trained in many areas of the law. One particular area that is important and often misunderstood is the legislation and investigative techniques regarding:

- Child Pornography/Obscenity
  - Child Sexual Exploitation
  - Child Prostitution
- b. Areas we all need to address in working these cases:
- Scope of problem: any child in America can be a victim
  - Need for a joint effort, and cooperation between agencies
  - Proactive stance by law enforcement
  - Educate the general public
  - Need for persons with specialized training to investigate these cases
  - Remember that the measure of success in these cases is not the arrest but the saving of the child
- c. The following are expected primary benefits which will ensue from the implementation of activity working these cases:
- Increase the number of developed and reported cases of sexual exploitation of children. This will be attributed to the increased community awareness regarding the department's ability to effectively investigate cases regarding sexually exploited children.
  - Increase arrest and apprehension of repeat offenders.
  - Increase the number of "prosecutable" cases sent to the State Attorney's office.
  - Increase the community's favorable perception of the investigating agency in its ability to sensitively

and effectively investigate crimes of child sexual exploitation.

### **3. SPECIALIZED INVESTIGATORS**

- a. Investigating sex crimes and the people who get involved in such investigations.

Often, most law enforcement officers do not like to investigate sex crimes against children. They feel uncomfortable with the subject, even if trained to deal with it. This is compounded by the fact that there is poor cooperation from the families of victims. Also, the law enforcement officers hesitate to try to elicit explicit details from the child victims. Many officers think that children make poor witnesses, thus reducing the possibility that a case will be prosecuted. As a result, some officers may be less aggressive on these types of cases than they are on others.

Some law enforcement agencies have adopted an aggressive investigative approach while others have remained with the traditional approach of waiting for crimes to be committed and reported to them.

If there is one point upon which there is virtually unanimous agreement, it is that investigation of child sex crimes is neither easy nor attractive. Special approaches and training are necessary. It doesn't matter whether we use special units to investigate or wait for the crimes to be reported, the officer on the beat and the detective will have to be trained in this very sensitive area before progress is made in the investigation of sex crimes involving children.

- b. Need for specialized investigators

A clear need has been demonstrated for specialized investigators with the experience and ability to conduct lengthy investigations pertaining to sexual exploitation of children. However, most departments do not have such specialists always available. By reading and using the procedures presented here, the experienced law enforcement officer can begin to understand what he or

she can do to make investigating exploitation cases easier, and to conduct these investigations.

c. Criteria for selection of specialized investigators

Department consideration of an officer for selection to specialize in the investigation of sexual exploitation of children (SEC) crimes should be based on specific criteria such as:

- Law enforcement experience
- Investigative skill
- Education
- Personality (family/youth oriented)
- Interviewing skills
- Ability to think abstractly versus concretely
- Desire to do this type of investigation
- Proper mental attitude
- Stability under emotional stress

The individual investigator assigned to investigate sexual exploitation of children cases should be thoroughly familiar with the laws pertaining to related offenses, development of probable cause, and arrest procedures.

d. Conduct and ethics

The "sensitive" nature of this area of law enforcement requires that the conduct of investigative personnel at all times reflect a professional approach to criminal investigation. Some investigators and agencies may tend to minimize the seriousness of these cases.

Officers should be aware that the handling, investigation, and prosecution of child sexual exploitation cases are many times the subject of misunderstanding and confusion.

Officers need to recognize that physical evidence is often the strongest portion of the case and that the testimony of the victim and witnesses is often weak. Therefore, the credibility of the officer's investigative procedures is usually attacked within the criminal trial arena. Sound procedures involving the following become even more critical to the prosecution of the case:

- Search and Seizure
- Interviewing Techniques
- Constitutional Issues

Faced with these problems, every officer assigned to an exploitation of children case (pedophilia, sexual molestation, child prostitution, child pornography and/or obscenity) must be prepared to use all the skills, training, and resources available. Moreover, the nature of these sexual exploitation cases demands that the investigating officer's conduct and ethics be beyond reproach. If this type of discipline and attitude is adhered to and a thorough investigation, similar to that given a homicide case, is conducted, very few of these cases will be lost in court.

e. Conclusion

Few law enforcement agencies have trained child pornography investigators, and many agencies don't believe the problem exists in their city or county.

With such an attitude, those who are sexually exploiting our children are free to operate, with little fear of being investigated or arrested.

However, if we are to be effective, the child should always be viewed as the victim of the adult's criminal actions.

Every law enforcement officer and agency should become interested in investigating these crimes against children. These cases will be seen as more useful as the officer observes that other illegal activities are frequently involved as well.

#### 4. INTERVIEWING THE VICTIM/OBTAINING A WARRANT

##### a. Interviewing the victim

- Remember these precepts:
  - Initial interviews should focus upon establishing probable cause. Under current case law (hearsay) and certain circumstances, this may be accomplished through interviews with adults (parents, teachers, Children and Families investigators or others), to whom disclosure has been made.
  - Interviews of children, especially very young children, should be conducted by persons with expertise in conducting such interviews.
  - Most jurisdictions are under local court order (Section 914.16, Florida Statutes) to limit or minimize the number of interviews of child victims. Care should be taken to abide by local court rulings.
  - For additional information about conducting interviews of children see: "Interviewing Techniques" chapter and "Interviewing Techniques for the Child Victim/Witness" section.
- What to do in the interview:
  - See "Interviewing Techniques for the Child Victim/Witness section." Ask the child to tell you what happened in his or her own words. Listen carefully.
  - If you suspect the child has an injury, seek medical attention immediately.
  - Contact a victim advocate, agency, or person that can help the victim and his or her family in dealing with the situation.

##### b. Questions to ask during the interview:

- What specific acts were committed and how many times?
- How did the suspect induce the victim to perform or submit to the acts?
- What were the dates and times the acts occurred?
- Were inducements, pornography or drugs used?
- If so, for what purpose, and where were they kept?
- Was the victim photographed?
- Did the victim see photographs of other children?
- Were other children present during the acts or at other times? Who were they?
- Does the victim know of any other adults who participated in such acts or associated with the suspect?
- Did the victim ever give a name, phone number, or address to the suspect? If so, how did the suspect record such information?
- Did the suspect ever go to the victim's home or call the victim on the phone?
- Did the victim ever telephone the suspect?
- Did the victim see any other children give their name, address, or phone number to the suspect? If so, how was it recorded?
- Did the victim play with toys, books, or games at the suspect's home? Can they be described in detail for later corroboration and search warrant seizure?
- Did the victim leave any personal belongings in the suspect's home or car?

c. Obtaining a warrant

Once the officer has gotten the victim's statement and identified the evidence (e.g., nude photographs, drugs, etc.) the officer should attempt to secure a search warrant for the suspect's home, business, vehicle, or the locations where the incident took place. Your own department's and the State Attorney's policies concerning a search warrant should be followed.

- Once the search warrant is issued and served, photograph the contraband you find that was named in the search warrant.
- The information you then receive will determine if your next step is to interview the suspect or to obtain an additional search warrant. If you are not sure, contact your department or the State Attorney.

**5. DEVELOPING AND DISCOVERING CHILD SEXUAL EXPLOITATION CASES**

The discovery of sexual exploitation of children by a pedophile or a molester may come to the attention of law enforcement through several means:

a. Interviewing children in sexual and physical abuse cases

A review of child abuse reports, particularly in the area of sexual abuse, shows that more and more reports are being handled every day in all jurisdictions. With this in mind, we should be aware that child pornography and child molestation go together. A child molester will use the child for his or her own benefit, and often the molesters use pornography in order to accomplish their aims. They may show children either adult or child pornography to lower their inhibitions, saying, "See it's okay, the naked body is beautiful, and touching each other's bodies, as we see the child and adult doing in the magazine, is all right."

While interviewing children, you must ask if nude photographs were seen or were taken of them, or of anyone they know.



b. Interviewing returned runaways

Many times the law enforcement officer on the street may be investigating a common family problem, such as a runaway child. As you conduct your interview concerning the missing child, you will discover the common problem facing this family unit which caused this child to run away, which caused parents to be abusive, and which caused the children to seek other adult companionship. Here can be the potential for the child's involvement in child pornography. This involvement can be a serious mental and physical threat to the children who become involved in such activity.

c. Using informants

Often we in law enforcement use informants to help solve crimes involving drugs, burglaries, and robberies. It is suggested that informants also be advised that you are looking for persons who commit sex crimes against children. Informants are often aware of child prostitution and child pornography, and know of adults who prefer very young prostitutes and who take nude photographs of prostitutes alone or with customers.

Some informants, when told of what some adults do to children sexually, can become effective sources of information in this and other areas.

Adult women prostitutes frequently are asked by customers to dress up and act like small children, before and during the sexual acts, and to be photographed in childlike poses. Here, the adult women are presented as very young sex objects (substitute children).

Adult males sometimes have male prostitutes engage in the same behavior as previously mentioned. Also, some men will hire both male and female prostitutes. Adult males who molest young boys or younger looking adult males are not necessarily homosexual.

d. Accident or unrelated investigations

While working on an unrelated case, the law enforcement officer should be alert to finding child pornography or information concerning child pornography/prostitution.

Example:

A deputy sheriff was making his patrol drive through a wooded area and observed a man sitting in his car. The suspect, when questioned, could give no logical explanation for being in the wooded area. The subject said he was looking for a lake and a place to fish, but had no fishing pole or equipment. The suspect appeared very nervous, but gave his consent to a search of his vehicle. In the vehicle, a folder containing pornographic material (i.e., nude/pornographic pictures of young white females and young white males), an open plastic jar of Vaseline and diaper wipes were found. The investigator also observed that the suspect's pants zipper was pulled down.

A law enforcement officer may happen upon an accident when on patrol, and he or she may observe an adult and child acting out of character, or may encounter a child (male or female) making solicitations.

In some cases, the child may be an unwilling victim of a sex act and report the incident to his or her parents who then call the law enforcement agency.

e. Sharing information with other agencies

Your department may receive a phone call from another agency giving information on a subject (child molester/pornographer) who moved from their jurisdiction to yours. Likewise, if you have information that a subject has moved to another area, the agencies in that area should be notified and provided with all relevant information.

Individual departments should develop a system to catalog and correlate data on juvenile crimes, missing persons and suspicious activities of persons thought to be prospective abusers and/or molesters. For example, agencies write "Suspicious Incident Reports" on cases where unknown subjects try to pick up children at bus stops. There usually is no way to pull this data back up unless a specific attempt is made at setting up a category for this.

f. Surveillance and active patrol of pedophile hangouts

During daily patrol and other investigations, law enforcement officers should be attuned to areas where victims are usually found and watched by pedophiles. This can be done by becoming aware of unusual activity of lone adults or grouping of adults in areas where boys and girls (children and teenagers) generally congregate or play. Typical areas include:

- Playgrounds and parks
- Convenience stores
- Pre-schools (kindergarten and daycare centers) and Middle (Junior) and Senior High Schools
- Fast food establishments
- Arcades/gamerooms
- Amusement parks
- Traveling carnivals
- Shopping malls and movies
- Beaches/lakes and boardwalks
- Recreation centers
- Roller and ice skating rinks
- Ballet and dance studios
- YMCA & YWCA
- Cheerleader practices
- Little League (boys and girls), swimming, football, track, and soccer practice areas
- Beauty and talent contests
- Bus stations/airports

- Other locations frequented by local children and teenagers
- Businesses that cater to children/teenagers

Examples:

A desk clerk at a YMCA was recruiting young boys to participate in making pornographic films.

A worker in a county park started soliciting children in the park and offering them money and drugs for sexual favors. They were rewarded with extra money and drugs for bringing other children to the park employees.

g. Other means of meeting children/teenagers

Pedophiles also use other means of meeting children, and often reports will originate from organizations about suspicious or unusual activity or acts by an individual. These reports should be thoroughly investigated for pedophile activities and involvement.

Examples:

- Employment or volunteer work in places that provide an opportunity to be around the type of children/teenagers they find attractive
- Civic and religious youth organizations, such as boy and girl scouts, big brothers and sisters, etc.
- Sunday school teachers, bus drivers and youth leaders
- Ice cream and convenience store clerks
- Paid employment of children/teenagers in the business of selling products and services such as cookies, candy, magazines, or raising funds to send a child to camp and other money making projects

h. Answering calls, conducting investigations and daily patrol activities

When in a home or business while answering a call for assistance, a burglary alarm, or on an investigation, look for the following clues which may suggest further investigation. Watch for all types of pornography that are readily available in plain view and could be seen by a child. These would include:

- VCRs - more than one and unusual amount of video tapes
- Video tapes with suspicious titles or suggestive pictures on the cassette
- Nude statues
- Nude pictures of children or adults on the wall
- Sexual aides
- Unusual amount of photographic equipment
- Room which appears to be used for torture or unusual sex activities
- Children or teenage clothes and items in a home where reportedly no children live. Check previous reports on this home. It could be a reported hangout for runways.

i. Using the search warrant

Executing a search warrant for other crimes not originally related to sexual exploitation of children

- When executing search warrants for crimes against property (burglary, larceny, drugs and narcotics, etc.) and crimes against persons (homicides, assaults, rapes, robbery, gambling, prostitution and others), the investigating officer should only search for and seize the property described or listed on the affidavit, as only those things described can be seized under the authority of the warrant. The officer may observe other things:
  - The law enforcement officer may seize property not listed in the affidavit, but only if there is a

reasonable relationship to the purpose of the search.

- If other property is seized, the authority for such seizure must be found elsewhere. Use the “plain view” doctrine, or have an officer stay at the secured scene and attempt to get a search warrant for the contraband located.
- The fact that a search is successful and yields contraband does not legalize it, and will not cure a defective warrant or the improper execution of a valid warrant.

Be prepared to find pornography and other related items while serving each warrant. This can be another example of how many cases can be interrelated and new cases developed, if only we will look.

j. Proactive investigations

- Crimes involving sexual exploitation of children may go unreported because of the close relationship that often exists between suspects and victims.
- Investigations often will require lengthy surveillances and interviews. Victims will at times initially be reluctant to discuss their involvement with a suspect pedophile/child molester because of guilt feelings and/or a sense of loyalty.
- Be prepared to be told by victims that the suspect describe is their “best friend.” Investigators will frequently need to spend numerous hours building rapport and trust with child victims in order to obtain the needed details to complete their investigations, make an arrest, and obtain an arrest warrant and/or a search warrant for pornographic/obscene materials.

k. Interrelating sexual exploitation cases

When investigating these three categories (pedophilia, child prostitution and child obscenity/pornography), the investigator must keep in mind that one of these crimes may be related to other crimes, such as:

- Homicide
- Other death investigation (accidental)
- Sexual battery/carnal intercourse
- Child abuse/neglect
- Lewd and lascivious acts on children
- Child selling
- Being shown pornography
- Missing person/runaways/kidnapping
- Indecent exposure

Consequently, such investigations must be thorough and complete, with details of the incident and persons interviewed. Because of the close relationship that often exists between suspects and victims, crimes of this nature may go unreported. Investigations often require lengthy surveillance's and interviews. Victims are initially reluctant to discuss their involvement with adult suspects because of guilt feelings and/or sense of loyalty. As previously stated, many describe the suspects as their "best friend." For these reasons the suspect should never be criticized. Investigators frequently must be prepared, when necessary, to spend numerous hours building rapport and trust with child victims in order to obtain crime reports.

#### I. Statute of Limitation

When conducting an investigation, the investigator should keep in mind the applicable period of limitation, if any.

For a victim of sexual battery, lewd and lascivious assault, or incest under the age of 16, the applicable period of limitation does not begin to run until the age of 16 or until the time the violation is reported to a law enforcement or other governmental agency, whichever occurs earlier. (See Florida Statute 775.15(7)).

m. Victims' Rights

Law enforcement officials should be familiar with Florida Statute 960.001 which give guidelines for the fair treatment of victims and witnesses in the criminal justice system.

Some jurisdictions, as a part of the bond criteria, mandate that the defendant (suspect) should not have contact with any victims or witnesses involved in the case. Please consult your local State Attorney's office for the procedures in your jurisdiction.

**6. CHILD PROSTITUTION**

a. Some reasons why juveniles become prostitutes

A review of current literature has shown that teenage prostitutes are products of a poor home environment, characterized by violence, lack of parental love and affection, and drug/alcohol abuse. Many have been the victims of sexual abuse, including incest and rape. They may also experience physical abuse and neglect at home. Many are dependent on their income from prostitution for their survival. Some teenagers run away from home and are enticed into prostitution by pimps, while others are lured into prostitution by friends.

b. Characteristics of teenage/child prostitutes

Many teenage female prostitutes have a poor self image and do not enjoy their lives as prostitutes. Their negative self-images are probably the result of the sexual abuse many of them experienced as young girls. Their negative self-images are reinforced by the labeling they have received as "promiscuous", "runaways", or "delinquents".

Often female teenage/child prostitutes come from poor socioeconomic backgrounds, have done poorly in school, have few vocational skills and limited job opportunities, harbor feelings of anger and hostility, and are searching for independence. They may also feel isolated and competitive toward other prostitutes.



Many male prostitutes are often runaways who have to sell their bodies as a means of survival. Ranging in ages from 8 to 17 years of age, they may be characterized as underachievers in school or at home. They are usually without previous homosexual activity, may be underdeveloped physically, and come from a low income background, with parents who are often absent, either physically or psychologically, from the home.

c. Linking your cases together

Often you may find that child prostitutes exist side-by-side with adult prostitutes. In your investigations you may not, at times, end up in court with a criminal case. By listening to your child victims, and piecing information together from various sources, you will begin to link children/teenagers with adult exploiters involved in child pornography, exploitation, prostitution, and other crimes.



## **C. ADDITIONAL SERVICES**

### **RESPONDING TO MULTIPLE VICTIM INVESTIGATIONS**

With the Mobile Interview Facility (MIF), the FDLE Crimes Against Children Program (CACCP) has the unique ability to have a fully operational Rapid Response Team (RRT) on site in less than 24 hours, anywhere in the state. The intent is to assist local law enforcement by providing a multi-disciplinary team of specially trained investigators with the ability to respond to locations reporting alleged crimes against children. This is especially important where a potential for multiple victims exists.

As a mobile interview platform, the MIF spares victims and witnesses the inconvenience, embarrassment and intimidation of traveling to a law enforcement facility.

The MIF provides a comfortable and non-threatening environment for persons to be interviewed, while offering the investigative team a comprehensive facility for remote monitoring and recording of all interviews.

### **FEATURES**

Comprised of a fifth wheel travel trailer and a tow vehicle with an auxiliary generator, the Mobile Interview Facility includes some of the following features:

- Mobility
- Completely self contained
- Auxiliary power for rapid deployment in temporary or remote locale
- Telephone, fax, and copier capabilities
- Lap top computer loaded with Leads Tracking, Color Scanner, and Digital Camera software
- Separate air conditioned Team Room and Interview Room
- Audio monitoring of interview area
- Separate color cameras to monitor/record witness and interviewer
- Wireless headphones for monitor team for comfort and mobility
- Complete control of tilt/pan and zoom focus on witness camera
- Ability to make four simultaneous audio/video recordings

- Discrete, bi-directional audio between monitor team and interviewer

### BENEFITS

The ability to provide local law enforcement with a team of experts, specially trained in the investigation of crimes against children, and to bring the interview facilities to the victims, results in:

- Reduced time in conducting the investigation
- Minimal exposure of child victims to law enforcement environment
- Less embarrassment to victims by investigative and court process
- Increased willingness on the part of victims and witnesses to assist
- Better quality evidence for prosecuting perpetrators
- Increase in convictions on otherwise difficult to prosecute cases
- Improved skills and techniques of investigators
- A means to verify integrity of the interview process

### SUMMARY

The Florida Department of Law Enforcement's Crimes Against Children Program has Special Agents with specialized training and expertise to assist any agency that requests assistance. All that is needed to activate the RRT is for the agency requesting assistance to call any of the FDLE offices and indicate they have a multiple victim, multiple offender, or multi-jurisdictional case. A Crimes Against Children Regional Coordinator will respond to assess and assist in acquiring whatever resources are necessary.

### **FDLE'S RAPID RESPONSE TEAM (RRT)**

Rapid Response Team (RRT): A suggested approach for greater effectiveness and more cost efficient use of interagency resources in the investigation of multiple victim/multiple suspect cases of child abuse and exploitation.

### **General Guidelines for Activating the RRT**

Multiple victim cases involving several children who may have been victimized by one or more offenders.

Multiple suspect cases involving more than one suspect being named by a child or children as having participated in, or been aware of abuse.

An institutional setting may include day care centers, public or private schools, clubs or organizations.

The RRT is a multi-disciplinary team of experts in child abuse, acting in response to complaints of child abuse in cases as described above. The RRT is composed of child abuse experts from the Florida Department of Law Enforcement (Crimes Against Children Program); Child Protection Team (CPTs provide medical, investigative, and therapeutic assistance); Department of Children and Families (DCF child protective services and licensing); State Attorney's Office (Prosecutor); Office of the Attorney General (Victim Services); and Sheriffs and/or local police agencies.

The primary goal of the RRT is to provide consultation to any Florida agency involved in the investigation of multiple victim/multiple suspect child abuse cases.

The primary objectives of the RRT are:

- a. To foster a child and family centered focus for the investigation, thereby:
  - Lessening the degree of emotional conflict and distress experienced by the child and family
  - Increasing the sensitivity to the child's developmental and emotional needs
  - Encouraging greater cooperation from the child, family members, and other witnesses
- b. To minimize the number of different interviewers necessary to gain information from the child
- c. To prevent the abuse of other potential victims
- d. To maintain a law enforcement standard of quality control in the investigation
- e. To increase the effectiveness of the prosecution

- f. To minimize the number of interviews, thus diminishing the trauma to the victim of having to repeat the statement numerous times
- g. To assist in the definition and clarification of roles, tasks, and responsibilities of each agency involved with the investigation
- h. To provide information and training regarding dynamics unique to multiple victim/multiple suspect child abuse cases

The RRT can be activated through notification at the onset of a multiple victim/multiple suspect case. The following are proposed steps for engaging the RRT:

- Initial request for consultation
- Immediate crisis review/briefing
- Immediate crisis response
- Consultative services
- Regular RRT staff review

Occasionally, cases of this nature are not readily recognizable from the outset. In such circumstances, it is recommended that the officer-in-charge or the Children and Families Child Protective Investigator immediately, upon determining that they are involved in a case that may be appropriate for the RRT, contact FDLE or the Abuse Registry and request assistance.

Attempting to assess the magnitude of the problem with inexperienced personnel or too few investigators may contribute to the failure of the investigation. Additionally, poorly addressing the social, emotional, and medical needs of the children may result in the unsuccessful prosecution. A resource such as the RRT will help to alleviate many of these problems and will go a long way to provide a more positive outcome for the victims, families, and professionals involved in such cases.

## **THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT'S CRIMES AGAINST CHILDREN PROGRAM**

In 1984, the Florida Legislature passed a bill which established the Crimes Against Children Trust Fund. This fund is financed through a surcharge placed on birth certificates and is used to operate a program that takes a proactive approach to investigating and preventing child abuse and the sexual exploitation of children. The Crimes Against Children Program (CACP) is located within the Florida Department of Law Enforcement (FDLE). This program is charged with providing investigative, training, and intelligence assistance to local, state, and federal law enforcement agencies.

### **Intelligence Assistance**

A vital first step in developing this program is the identification of local, state, and federal law enforcement, and other professionals working child abuse investigations. This networking and sharing of intelligence and investigative data enhances the existing communications network. The various databases, including the Sexual Predator database, enables FDLE personnel to identify not only patterns and movements of specific criminal activities, but provides a source of information to the general public. In addition, it provides local law enforcement investigators with a statewide medium through which they can share information.

### **Investigative Assistance**

Special Agents of the CACP have received extensive training in the area of crimes against children. Consequently, members of this program are qualified to investigate multiple victim, multi-jurisdictional operations and organized crimes against children. In addition, investigative and technical assistance is provided to law enforcement, and other agencies that provide services to child abuse victims.

The major concerns include:

- Child homicide(s)
- Preferential molesters
- Situational molesters
- Child pornography
- Physical abuse
- Missing and exploited children

CACP also has the ability to utilize the services of FDLE Special Agents who have been specifically trained in psychological profiling.

### **Multi-disciplinary Training**

The third main responsibility of the CACP is it ensures that Florida's professionals dealing with these cases are offered training which exposes them to the latest available information and investigative techniques. Each workshop focuses on a specific topic regarding crimes against children, and is geared toward a specific audience. The workshop instructors are professionally recognized as having outstanding expertise in their subject area. Not only do the workshop participants benefit from the instructors' experiences and expertise, they also have the opportunity to network with other professionals attending the training.





# **III. INVESTIGATING PHYSICAL CHILD ABUSE**

Physical Child Abuse - 2

## IDENTIFYING SUSPICIOUS INJURIES

Unless satisfactorily explained by the parents or others, the injuries are by themselves, EVIDENCE that a child has been abused:

- A. An injury inappropriate for a child's level of development:
  - 1. It takes a certain level of physical development to injure oneself.
  - 2. Any traumatic injury, burns, broken bones and poisonings of Pre-toddlers should be considered suspicious
  
- B. The location of the injuries
  - 1. Children will often develop bruises on their shins, foreheads, elbows, and knees.
  - 2. Any injury on the upper thighs, genital and rectal area, buttocks and the back of the legs or torso should be viewed with suspicious.
  
- C. The degree of force needed to produce the injury
  - 1. Children do not injure easily
  - 2. It takes substantial force to cause a bruise
  - 3. It requires even more force to break child's bones and cause serious abdominal injuries
  
- D. The type of injury
  - 1. It is almost impossible for some injuries to be self-inflicted
  - 2. It is important to consider the type of injury, location on the body and the explanation of the injury given by the adult caretaker.
  
- E. Number of old and new injuries:
  - 1. Physical abuse is rarely a one time, isolated event
  - 2. Usually a steadily escalating pattern of physically assaultive behavior
  - 3. Multiple injuries, on various parts of the body
  - 4. Multiple injuries at various stages of healing
  - 5. These injuries are not signs of an "accident prone child"
  - 6. These are signs that a child is living in a dangerous environment
  - 7. Without Professional intervention many of these children will die

## **BRUISES**

Most bruises are over a bony prominence such as forehead, shins, knees, elbow and facial scratches on babies from fingernails. Typical bruises include:

- A. Inflicted Bruises
  - 1. Buttocks
  - 2. Lower or small of back
  - 3. Cheeks or Lips
  - 4. Ears
  - 5. Neck
  - 6. Genital/Vaginal area
- B. Human Hand Marks:
  - 1. Oval grab marks (fingertips)
  - 2. Hand imprints
  - 3. Linear marks (fingers)
  - 4. Pinch marks
- C. Human Bite Mark  
Measure the distance between the canine teeth (3-cm. Or greater = adult bite marks)
- D. Bendable instruments
  - 1. Linear bruises (Belts, whips and straps)
  - 2. Looping bruises (doubled over cords or ropes)
  - 3. Round encirclement bruises
  - 4. Defense bruises around hands, wrists and lower legs

## **BIZARRE MARKS**

- A. Blunt Instrument Bruises - Specified Shapes
  - 1. Tattoos
  - 2. Forks
  - 3. Puncture type marks or bruises
  - 4. Circumferential tie marks (ankles and ankles)
  - 5. Gags
- B. Inflicted Burns  
Cigarette burns (may resemble impetigo), however will not get as infected since the heat may prevent infection

- C. Incense Burns  
Match tip or cigarette lighter

### **HEAD INJURIES**

- A. Inflicted Subdural Hematomas:
  - 1. Direct blows to the head and face
  - 2. Skull fractures
  - 3. Scalp swelling and bruises
  - 4. Retinal hemorrhages (3-4 weeks - remain fresh)
- B. From violent shaking (Shaken Baby Syndrome)
  - 1. No skull fractures
  - 2. No scalp swelling or bruises
  - 3. Retinal hemorrhages are more common
  - 4. Neck Injury
  - 5. Long bone fractures in 25% of the cases
- C. Serious Head Injuries:
  - 1. Head trauma is the most frequent cause of death in children
  - 2. CT scans of children admitted to the hospital over a two-year period were reviewed
  - 3. 95% of the serious intracranial injuries were the result of child abuse
  - 4. 64% of all the head injuries (excluding uncomplicated skull fractures) were the result of child abuse
- D. Inflicted Head Injuries:
  - 1. Subdural hematomas
  - 2. Scalp bruises (from direct blows with fist or club)
  - 3. Subgaleal hematomas (from pulling the hair out - yanking - 24 hours will have a tender scalp)
  - 4. Raccoon eyes
  - 5. Black eye(s)

### **RESEARCH SHOWS THAT:**

- A. Falls of less than four feet are often reported in association with children's head injuries that prove to be fatal, but such histories are inaccurate in all or most cases
- B. Life threatening injury requires at least a 15-foot fall.

## **ABDOMINAL INJURIES**

- A. Internal trauma - second only to head injuries
- B. No bruising present or exterior abdominal wall
- C. Ruptured liver
- D. Ruptured spleen
- E. Intestinal perforation
- F. Ruptured blood vessels
- G. Pancreatic injuries
- H. Ruptured kidney(s)
- I. Ruptured or perforated bowel
- J. Stomach injuries
- K. Ruptured bladder or urethra
- L. Colon/rectal injuries (most often due to sexual abuse)

## **BONE INJURIES**

- A. Inflicted Bone Injuries:
  - 1. Arms - long bones, wrists, fingers (any unusual fractures)
  - 2. Legs - long bones, knees, toes (any unusual fractures)
  - 3. Face - cheek bones, jaw
- B. Fractures:
  - 1. Tree limb (splintering of the bones)
  - 2. Spiral (twisting the bone in opposite directions)
  - 3. Bucket Handle (jerking the arms and legs)
  - 4. Fractures at different stages of healing
  - 5. Unusual fractures - ribs, scapula, sternum

## **QUESTIONABLE "BRITTLE BONE DISEASE" DEFENSE TO PHYSICAL ABUSE**

- A. Osteogenesis imperfecta (OI) sometimes referred to as brittle bone disease is a rare genetic disorder that results from abnormal collagen formation and is characterized by increased bone fragility and frequent fractures. This disorder is rare and occurs, according to most experts, in only one in 20,000 births. Others place the incidence at closer to one in 100,000.
- B. Four major types (Types I-IV) of OI have been clinically defined, with these types and their respective subtypes differing in severity and in the likely presence of diagnostic features or characteristics.
- C. If OI is suspected yet remains uncertain, a thorough review of the child's physical examination, clinical history, family history, and radiographic skeletal survey may be necessary. Prosecutors and

law enforcement should consult with a pediatrician, radiologist, geneticist and, if relevant, a dentist. In rare cases in which diagnostic difficulties persist, a skin biopsy may be tested and is likely to detect collagen abnormalities in 85% of OI cases.

- D. "If the child has other clinical manifestations of physical abuse, such as bruises not associated with the site of a fracture, intracranial injuries, or retinal hemorrhages, it is extremely unlikely that the fractures are due to OI...the child who has multiple unexplained fractures in one environment, and then has no further fractures when removed from that environment, should be suspected of having non-accidental trauma."
- E. Temporary brittle bone disease (TBBD), also raised as a defense in cases involving unexplained injury, is not an accepted clinical diagnosis. The term "TBBD" has been introduced to describe OI like disorders currently attributed to temporary defects in the maturation of collagen: characteristics are said to include fractures (occurring within the first six months of life), metaphysical abnormalities periosteal reaction, anterior rib changes, delayed bone age, vomiting, diarrhea, apnea, enlargement of the liver, and anemia.
- F. The bottom line is that TBBD is not accepted in the scientific community. The notion of a temporary, self-limiting disease, which occurs and disappears with on proven medical explanation, does not have scientific credibility. If TBBD is raised as a defense in your jurisdiction, it most certainly should be challenged. The National Center for the Prosecution of Child Abuse can provide references to medical specialists for consultation.
- G. While TBBD is not a recognized disorder, OI is a disease that is most often diagnosed without difficulty after a comprehensive medical examination.
- H. The resurgent popularity of defenses of this nature highlights the importance of a multi-disciplinary approach to investigations of child physical abuse cases. The Florida Department of Law Enforcement's Crimes Against Children Unit welcomes your materials on OI or TBBD and information for experts testifying in such cases.



## **BURNS**

Up to 1/4 of all physical abuse inflicted upon children is caused by some form of burn. Most children are burned by some type of heated liquid. The following table shows the temperature of water versus the time it takes to cause a "full thickness" burn:

<b>Water Temperature</b>	<b>Time</b>
120 F	1 Minute
130 F	30 Seconds
140 F	6 Seconds
150 F	2 Seconds

### **DRY CONTACT BURNS**

- A. Usually from forced contact with heated metals:
  - 1. Heating grades
  - 2. Space heaters
  - 3. Electric irons
  - 4. Radiators
  - 5. Stove tops
  - 6. Microwave ovens
  
- B. Branding Burns
  - 1. Fireplace pokers
  - 2. Heated coat hangers
  - 3. Pots and pans, cause a donut shaped burn on buttocks

### **WET CONTACT BURNS**

- A. Scalds from forced immersions
- B. Most common abrasive scald burn is forced immersion into containers of hot water
- C. Forced immersions will cause specific patterns of burns
- D. Others include:
  - 1. Hot grease
  - 2. Gas or explosive materials
  - 3. Glove burns (forcing the hands into hot fluid)
  - 4. Stocking burns (forcing the feet into hot fluid)
  - 5. "Donut" or "Area of sparing" (caused by the skin making direct contact with the bottom of the container)

## **FAILURE TO THRIVE**

- A. Before Diagnosis:
  - 1. Underweight conditions
  - 2. Failure to gain weight at home
  - 3. Ravenous appetite
  - 4. Failure to thrive due to underfeeding
  - 5. Abdominal distention
  - 6. "Vacant" stare
  - 7. Skin lesions
- B. After Diagnosis:
  - 1. Rapid weight gain out of the home or away from the caretaker
  - 2. Rapid weight gain in the hospital or medical foster home
  - 3. Gain of 2 ounces a day for one week or a striking gain compared to a similar interval at home.

## **SERIOUS HEAD TRAUMA IN INFANTS: ACCIDENT OR ABUSE?**

- A. Head trauma is the most frequent cause of morbidity and death in abused children
- B. Medical records and CT scans of all children less than one year of age admitted to the hospital with head injuries over a two-year period were reviewed. 64% of all head injuries (excluding uncomplicated skull fracture) and 85% of serious intracranial injuries were the result of child abuse

## **CHILD ABUSE AND VIOLENCE IN SINGLE PARENT FAMILIES HAVE A HIGHER RISK OF ABUSING THEIR CHILDREN DUE TO:**

- A. Parent absence hypothesis
- B. Economic deprivation hypothesis
- C. Age of the caretaker
- D. The second national family violence survey of 6,000 households found single parents to be more likely to use abusive forms of violence toward their child than are parents in dual-caretaking households
- E. Boys and girls are equally vulnerable
- F. "Every year in the United States more than 125,000 children suffer injuries intentionally inflicted by their adult caregivers and between 2,000 and 5,000 die as a result of their injury".
- G. Language deficits and developmental delays may be helpful clues in the diagnosis of child abuse and neglect

## **CHILD MALTREATMENT FATALITIES**

- A. "Homicide is the leading cause of injury mortality in children under the age of 1".
- B. Homicide is the only leading cause of childhood death that has increased in the past 30 years. It accounts for 5% of all deaths in children, but only 1% of deaths in adults.
- C. 1974 - there were 600,000 cases of reported abuse and neglect in the United States
- D. 1989 - there were 2.4 MILLION cases of reported abuse and neglect in the United States

## **SUDDEN INFANT DEATH SYNDROME**

SIDS may be defined in general terms as the sudden unexpected death of an infant typically *two - four months* of age for reasons that are unclear even after a thorough and complete autopsy. Few sudden infant deaths occur after six months of age and very rarely after twelve months of age. Other terms that have been used as being synonymous with SIDS are Crib Death, Cot Death, and Sudden Unexpected Death Syndrome.

### **SOME RISK FACTORS COMMONLY ASSOCIATED WITH SIDS DEATH INCLUDE:**

- A. Mother is less than 20 years old and unmarried
- B. Males are more frequently involved
- C. Incidences are higher during the colder months of the year
- D. Premature birth
- E. Occurs primarily between the hours of midnight and 9 a.m., while in bed
- F. Low birth weight for gestation age
- G. Maternal history of smoking or narcotic use
- H. History of siblings with SIDS

## MUNCHAUSEN SYNDROME BY PROXY (MSBP)

Definition: A unique form of child abuse in which an individual, through specific repeated patterns, fabricates and/or produces an illness/disorder in a child to satisfy their own need for attention and self worth.

### HISTORICAL BACKGROUND

- A. Baron Karl Frederick Von Munchausen (1720-1797) was a German Baron and a Mercenary Officer that fought in the Russian-Turkish Wars. He was known as the "famous liar" for telling war stories.
- B. Dr. Richard Asher, an English Physician, first recognized Munchausen Syndrome in 1951. This syndrome was also known as Van Gogh Histories.
- C. Mothers are usually the offenders (Dr. Roy Meadows, 1977)
- D. Polle Syndrome - First child to die under suspicious circumstances at the age of one in 1796.

### TPOLOGY/CHARACTERISTICS

- A. Perceived/Fabricated illness (**Caution:** Don't jump the gun. Proceed slowly with the investigation)
- B. Repetitive, unnecessary visits to medical providers
- C. Symptoms are not present in the child at the time of the visit
- D. Doctor shopping (because they do not hear what they want to hear)
- E. Insistence for medical tests to determine child illness
- F. This is a produced illness, which can be the most endangering part of the syndrome.
- G. Unusual and/or painful tests administered to the child
- H. Escalation of life-threatening situations

### RECOGNITION OF WARNING SIGNS

- A. Symptoms often conflict with physical finding
- B. Undiagnosed disorder or illness
- C. Persistent or recurring illness without physical evidence
- D. Signs and symptoms do not occur when parent is not present or not in control
- E. Parent is in a "Hero Role"
- F. Parent, usually the mother, has an interest or attraction to the medical profession
- G. Illness symptoms "never seen before" or rare
- H. Illness does not respond to treatment

- I. One parent is absent during hospitalization
- J. History of SIDS in siblings

#### **OFFENDER PROFILE**

- A. Female (most common) (i.e., mother or baby-sitter)
- B. Intelligent, articulate, friendly, outgoing, and pleasant
- C. Need for attention
- D. Caring and nurturing
- E. From all socioeconomic levels
- F. Bonds with medical staff
- G. Marital problems (95% of the time)
- H. Feeling of isolation and loneliness

#### **APPROACHING THE OFFENDER**

- A. Smooth, even approach
- B. Sympathetic and understanding
- C. Allow the offender to rationalize their action
- D. Express concern for safety of the child

#### **VICTIM PROFILE**

- A. Male and female equally at risk
- B. Most are infants to ten years old

#### **COMMON METHODS USED**

- A. Salt
- B. Ex-lax
- C. IPECAC
- D. Suffocation
- E. Adding substances to food or drink
- F. Mimicry of medical conditions, i.e., add blood to stool

## **CHILD ABUSE SYNDROME**

### **BATTERED CHILD SYNDROME**

- A. Originally the Battered Child Syndrome defined a special group of abused children who had evidence of repetitive pattern of trauma.
- B. A significant number of fatal child abuse cases never meet the criteria generally accepted for the Battered Child Syndrome. These children are killed or seriously injured after an isolated or acute assault and on occasions only after a short series of assaults during a relatively short period of time, sometimes as little as one hour.
- C. The Battered Child Syndrome is defined in the Interdisciplinary Glossary on Child Abuse and Neglect. The term was introduced in 1962 by Dr. Henry Kempe in the journal of the American Medical Association in an article describing a combination of physical and other signs indicating that a child's internal and/or external injuries resulted from acts committed by the parent or caretaker.

### **SHAKEN/WHIPLASH - INFANT SYNDROME**

The child is often held by the shoulder and upper arms and violently shaken back and forth. Often there is no external evidence of trauma present. "Shaken Baby Syndrome" was intended to describe those children (primarily infants) who sustain severe intracranial bleeding and retinal hemorrhage while at the same time have no evidence of external head injury.

### **FAILURE TO THRIVE SYNDROME**

This is an extremely important medical diagnosis seen in children under one year of age. In these cases, the child's growth in height, weight and general motor coordination is stunted.



## **IV. INTERVIEWING TECHNIQUES**



Interviewing Techniques - 2

## **A. OVERVIEW**

Although interviewing juveniles is similar to questioning adults, basic differences exist between the two activities.

- Juvenile cases are disposed of in several ways other than by court room trial. Therefore, it is necessary that the law enforcement officer:
  - determine why a crime was committed, and
  - obtain the information needed to present a criminal case.
- A law enforcement officer must be familiar with the child's environment and history. By applying interviewing techniques properly, law enforcement officers will be successful in obtaining the information to resolve investigations.

### **RESPECTING JURISDICTIONAL AUTHORITY**

Most agencies, whether law enforcement or social service, have clear lines of authority and responsibility. As public servants, we are charged with dispensing services to certain groups of citizens. Conversely we are accountable to those citizens for the services rendered.

1. All members of the system should make every effort to respect the jurisdictional boundaries of other agencies. In addition to statutory mandates, most agencies follow guidelines, whether written or verbal, and have established protocol for the accomplishments of tasks.
2. Too often, personality differences, misunderstandings, lack of training, political issues, and so forth, influence our ability to work together toward a common goal. It is incumbent upon each officer to set aside personal feelings and respect the boundaries and limitations of others.
3. Disregarding jurisdictional boundaries is akin to jumping lines of authority (jumping rank), a concept that all law enforcement officers and social service organizations can understand. If you are a victim of this treatment, work through your supervisor to correct the problem. Work toward establishing good relations that enhance cooperation with

members of other agencies. If you are aware of this practice by others, discourage it. If you are asked to work a case that properly belongs in another jurisdiction, or you are aware of facts that suggest that other officers have a past or active investigation with the client, redirect the case.

4. In light of this approach, it is imperative that every agency should take "Courtesy Reports" when the victim is reporting in another jurisdiction from that where the incident took place.

**B. MEMORANDUM OF UNDERSTANDING/  
WORKING AGREEMENT BETWEEN LAW  
ENFORCEMENT AND THE DEPARTMENT OF  
CHILDREN AND FAMILIES**

Law enforcement agencies and representatives of the Department of Children and Families should be aware of, and become familiar with, any inter-agency agreement(s) that may be in place before conducting an investigation. The purpose of the ***Memo of Understanding*** is to coordinate services to the families and victims involved in the investigation(s). The cooperation, collaboration, and the sharing of appropriate information by all agencies involved will help ensure that the investigation is completed in a timely manner without compromising the integrity of the case. ***(See Model Agreement on following page.)***



## **MEMORANDUM OF UNDERSTANDING/WORKING AGREEMENT**

**(Name of Law Enforcement Agency)  
and the  
Department of Children and Families**

**The agencies named in this document agree to the following:**

### **PURPOSE**

The purpose of this Memorandum of Understanding is to coordinate services to the families of \_\_\_\_\_ (jurisdiction) through cooperation, collaboration, and the sharing of appropriate information by agencies within this jurisdiction. Specifically, this agreement establishes operational protocols for the joint investigation of abuse reports involving criminal allegations in order to:

- provide standard, consistent and thorough investigations
- maximize the resources through a joint investigative process
- minimize the number of interviews for children who are victims of abuse or neglect
- allow for the orderly collection of evidence in the criminal investigative process
- ensure the provision of appropriate services when deemed necessary for children and their families
- provide a forum for on-going communication and resolution of issues involving family safety in this community and foster an effective collaboration among
  - law enforcement
  - state attorney
  - judiciary
  - domestic violence providers
  - child protection team
  - local school system
  - Department of Juvenile Justice
  - Department of Children and Families (DCF)
  - Guardian Ad Litem

## **DEFINITIONS**

*"Abandonment"* means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provisions for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parent objections.

*"Abuse"* means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. For the purpose of protective investigations, abuse of a child includes the acts or omissions of the parent, legal custodian, caregiver, or other person responsible for the child's welfare.

*"Criminal Investigation"*: An investigation conducted by an appropriate law enforcement agency for the purpose of uncovering evidence which may lead to an individual's prosecution for adult abuse, neglect, or exploitation, or child abuse, neglect, or abandonment, or other appropriate criminal charges.

*"Domestic Violence"*: Any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, or any criminal offense resulting in physical injury or death of one family or household member by another who is or was residing in the same single dwelling unit.

*"Emergency Placement - Child"*: The temporary care of a child who is alleged to be or who has been found to be dependent, pending further disposition, before or after adjudication or after execution of a court order. The placement may be with a relative, non-relative or state licensed home or facility.

*"False Report"*: A report of abuse, neglect, or abandonment of a child to the central abuse hotline, which report is maliciously made for the purpose of : (a) harassing, embarrassing, or harming another person; (b) personal financial gain for the reporting person; (c) acquiring custody of a child; or (d) personal benefit for the reporting person in any other private dispute involving a child.

*"Family or household member"*: means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who have a child in common

regardless of whether they have been married or have resided together at any time.

*"Joint Investigation"*: Two agencies conducting concurrent criminal and protective investigations.

"Neglect" occurs when the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver deprives a child of, or allows a child to be deprived of, necessary food, clothing, shelter, or medical treatment or permits a child to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.

*"Protective Investigation"*: A fact finding and emergency service engagement process with the primary goal of protecting children, disabled adults or elderly persons.

## **INVESTIGATIVE PROCEDURES**

1. The Florida Abuse Hotline shall be responsible, as required by Section 39.201(2)(a) F.S., for transferring all calls with information that a child has been harmed by a non-caretaker to the Sheriff (or other single designated law enforcement entity) of the county in which the harm occurred.
  - a. The Sheriff (or designated law enforcement entity) will be responsible for establishing procedures for accepting such information including any follow-up hard copy report from DCF, and transferring it to any other appropriate law enforcement jurisdiction.
  - b. The law enforcement agency designated to receive non-caretaker abuse calls for \_\_\_\_\_ County is (name of law enforcement agency); the phone # is \_\_\_\_\_. Hard copies of DCF reports documenting child-on-child sexual allegations will be forwarded to (agency, person, address) within 48 hours of receipt.
2. Unless otherwise specified in this written agreement or required by law, all reports of alleged abuse or neglect of a child, elderly person, or disabled adult taken by the DCF Abuse Hotline for the area under the jurisdiction of the law



enforcement agency signing this agreement will be transmitted to the local Department of Children and Families Office in \_\_\_\_\_ County.

3. The Department of Children and Families protective investigator retains the responsibility for notifying the (name of law enforcement agency) as required Sections 39.301(11), F.S., immediately upon receipt of a report alleging or immediately upon learning during the course of investigation or when providing services that:
  - a. the immediate safety or well-being of a child is endangered;
  - b. the family is likely to flee;
  - c. a child has died as a result of abuse or neglect;
  - d. a child is the victim of aggravated child abuse as defined in Section 827.03, F.S.;
  - e. a child is the victim of sexual battery or of sexual abuse as defined in Section 415.503.F.S.;
  - f. a child is the victim of institutional abuse as defined in Section 39.302, F.S.
4. The protective investigator shall immediately notify, by either telephonic or electronic means, the (name of law enforcement agency) that the Department of Children and Families has received a report or learned of a situation covered by Section 3 of this agreement. A written copy of the report will be delivered to the (name of law enforcement agency) within one working day.
5. The (name of law enforcement agency) is responsible for assessing and responding to potential criminal allegations enumerated under Section 3 above. As required Section 39.306, F.S., the (name of law enforcement agency) will assume lead in conducting any potential criminal investigations involving children in cases specified in Section 3 above. The protective investigation will be coordinated with the criminal investigation. Evidence gathered in criminal investigations will be handled according to the policies and procedures of (name of law enforcement agency).
6. The agencies agree to conduct joint investigations. During the course of such investigations, the agencies agree to share information on an on-going and continuous basis. Both agencies understand that the safety of the victim is of primary concern and that the request for protective

investigation by the Department of Children and Families must be responded to by DCF within 24 hours of receipt of the report.

7. If the (name of law enforcement agency) requests that the alleged perpetrator not be interviewed by the protective investigator, that request shall be honored. The Department of Children and Families case record must document the date and time of the request, the person making the request and the reason for the request. The (name of law enforcement agency) agrees to advise the Department of Children and Families when and if a protective interview can be conducted and, when appropriate, share the results of any interview conducted by the (name of law enforcement agency).
8. The Department of Children and Families will be responsible for assessing the immediate safety of the child and taking the necessary actions that will ensure the continued safety of the child. The Department will also be responsible for determining and implementing necessary services to support the family.
9. The Department of Children and Families and (name of law enforcement agency) shall develop, implement, and provide training on joint investigative protocols and protocols for the assessment of family violence during abuse investigations and the assessment of abuse during family violence investigations.
10. The Department of Children and Families will refer to (name law enforcement agency) with the consent of the alleged perpetrator, reports that are determined to be false. Subsequent reports received by the Department of Children and Families during the criminal investigation will also be referred to (name of law enforcement agency) for investigation.

Additional protocol language should include a procedure for resolving any conflict in the interpretation of this Memorandum of Understanding and its working protocols.

#### **SHARING OF INFORMATION**

1. Pursuant to Section 39.306, F.S., and within statutory guidelines, (name of law enforcement agency) is authorized

to share with assigned Department of Children and Families protective investigators, Florida criminal history information accessed through the Florida Crime Information Center and not otherwise exempt from Florida Statute 119.07(1).

- a. Such information may be used only in the furtherance of a specific child protective investigation, including the emergency placement of an endangered child. The agencies will clearly define those investigations specified under this section.
  - b. Such information will be provided without charge.
  - c. Such information may be provided by the assigned criminal investigator or through (name of unit or individual).
  - d. The release of such information will be documented in accordance with applicable Florida Department of Law Enforcement FCIC procedures.
2. Within statutory guidelines, (name of law enforcement agency) will, upon request, provide to the designated child protective investigator a copy of all initial law enforcement reports relating to a domestic violence incident, including a narrative description of the incident, and any subsequent, supplemental, or related reports.
- a. Such reports shall be clearly defined as part of this agreement but shall include those in which children are present when family violence occurs.
  - b. Such reports shall be used only for the purpose of child protective investigations and placement of children under DCF care.
3. Within statutory guidelines, the law enforcement agency shall develop procedures to allow access to or otherwise share all appropriate local criminal information on an individual under investigation with the assigned protective investigator.
4. Within statutory guidelines, the Department of Children and Families will provide to the law enforcement agency copies of protective investigation reports during criminal investigations. Any reports shall be provided without cost to the law enforcement agency. Copies of these reports shall include the identity of the reporter which remains confidential pursuant to Section 39.202, F.S.

5. All information, reports, documents, etc., provided under the provisions of this agreement shall retain any confidential status provided under law and shall not be distributed outside the undersigned agencies unless otherwise authorized or mandated by law.

_____ Signature	_____ Signature
_____ Title	_____ Title
_____ (Name of Law Enforcement Agency)	_____ Department of Children and Families
_____ Date	_____ Date
_____ Designated Contact	_____ Designated Contact



## **C. INTERVIEWING TECHNIQUES FOR THE JUVENILE OFFENDER**

Juvenile matters (except non-felony traffic offenses) are handled exclusively in the Circuit Court, by juvenile court judges. Their proceedings are considered civil rather than criminal in nature.

Juvenile courts have been with us since the turn of the century, when the desire to separate adult criminals from young offenders became popular. Youths are considered to be less responsible for their acts and more responsive to adequate care, and therefore need REHABILITATION rather than PUNISHMENT.

Juvenile courts are based on the PARENS PATRIAE doctrine, which is literally "parenthood of the state." The courts accepted the responsibility for making decisions about the welfare and needs of delinquent youth, doing what is best for the child's care and rehabilitation as long as they continued to adequately protect society. Youth, in turn, lost some of the DUE PROCESS protections guaranteed to adults by the U.S. Constitution.

Florida is stressing, more than ever, the need to protect the constitutional rights of children (e.g., rights to representation), thus the trend is towards treating them (especially accused delinquents) more as adults in terms of due process. However, the court's rehabilitation and protection philosophy still causes children to be treated differently, especially AFTER the disposition. EXAMPLE: A child can demand to be handled as an adult, thus receiving fuller due process protections. This is risky, however, because the sanctions can be much more severe if the defendant is found guilty. If a child is taken into custody who has previously been transferred to and found guilty in an adult court, in almost every case he will be treated as an adult. (See Florida Statute 39.02(5), and contact your State Attorney's Office for local procedures.)

Juveniles still do not have the full procedural protections afforded adults (e.g., jury trials, appeal). Most of these differences only affect the child after you turn him or her over for judicial handling. In taking juveniles into custody, and in processing and handling them, you have most of the same things to consider as you do for adults.

## 1. IMPORTANT CONSIDERATIONS

The following steps are to be considered when conducting interviews with juvenile offenders. Officers should question juveniles whenever possible since a very high percentage of them will talk if questioned. Parents may have a right to talk to their children, if requested, and the children may have a right to talk to their parents, if requested, before questioning can continue. (Be familiar with local case law on parents and children's access to each other during questioning.) Equally important, be familiar with your policy.

- a. Prior to interviewing a juvenile suspect, the law enforcement officer should be completely familiar with the facts of the case, including all available information about the juvenile. Lack of adequate information reduces the officer's ability to ask the probing questions that are the hallmark of successful interviewing.

With regard to personal knowledge about the juvenile, the law enforcement officer should be aware of the following factors: the juvenile's prior police record, age, physical and mental health, home environment, school record, hobbies, friends, and general social attitudes. This information helps the law enforcement officer conduct a better interview by providing him or her with the facts needed to develop a rapport with the youth, understand his or her situation, and detect any deception.

- b. Prior to interviewing any juvenile or suspect, the law enforcement officer should always:
  - Read the full Miranda warning - from a prepared text or card, no matter how familiar the defendant claims he or she is with his or her rights. The card or prepared text will ensure that you forget nothing and will help provide for a better courtroom presentation. Do not interview the juvenile after he/she has asked for legal counsel.
  - If possible, obtain a waiver and statement in writing.
  - Be prepared to carry the burden of proof that the waiver was voluntary, knowing, intelligent, and free of coercion. Fortunately, this is a judicial determination and the standard is that of preponderance of the

evidence, and not that of proof beyond reasonable doubt.

c. DO NOT:

- Offer the subject any inducement to cooperate in the interview. Despite your good intentions, most defense attorneys know how to exploit this and the court will decide the issue of voluntariness against you.
- Offer the subject assurances as to what will happen during any phase of the handling of his or her case.

d. Prior to interviewing the juvenile offender or suspect, law enforcement should consider the voluntariness of the statements. Additionally, the following factors should be considered in determining the validity of a minor's waiver of the Miranda rights:

- Age of the accused
- Education of the accused
- Knowledge of the accused as to the substance of the charge and if any charges have been made or filed
- Whether the accused is held incommunicado or allowed to consult with parents, relatives, friends, or an attorney
- Whether the accused was interviewed before or after formal charges were filed
- Methods used in the interview
- Length of the interview
- Whether or not the accused refused to voluntarily give statements on a prior occasion
- If the accused repudiated a previous statement

Serious doubt exists whether very young children, are capable of understanding, let alone waiving, their constitutional rights.



## 2. SETTING

Interviews of adults are best conducted privately in a special room set aside for this purpose at a law enforcement office. This is also the proper setting for interviewing juveniles in most instances. However, considerations such as the juvenile's age, the nature of the offense, and the attitudes of the parents toward the interview may require that the questions take place at the juvenile's home.

- a. **HOME:** Since law enforcement officers are frequently responsible for the non-judicial disposition of juvenile cases where more than guilt or innocence is the question, the home is an appropriate setting for interviewing juveniles involved in minor offenses. Interviewing a youth in his or her home also enables the law enforcement officer to directly observe the family environment. Often the reaction of the parents to the youth's situation is as important a consideration as the juvenile's attitude. Where the parents do not acknowledge that a problem exists or indicate that they cannot control their child's actions, the law enforcement officer may decide that the child's best chance for rehabilitation rests outside the home. On the other hand, supportive parents who recognize the youth's problems and who are sincere in wishing to cooperate with law enforcement and juvenile authorities may be able to correct the juvenile's misbehavior.
- b. **LAW ENFORCEMENT OFFICE:** In felony cases, or when juveniles specifically request that they not be questioned at home or in the presence of their parents, interviews should be conducted at a law enforcement office. The parents of the juvenile should be contacted immediately and informed of the circumstances leading to the interviews. Their presence or absence during the interview depends on a multitude of factors including department policy, parents' availability, the office, and the youth's age and apparent understanding of Miranda rights.
- c. **SCHOOL:** Interviews at school may create unique problems. If so, contact should be made with the school board, school resource officer, or State Attorney's Juvenile Division for guidance. Generally, most schools

do not allow juvenile interviews when the juvenile is the suspect.

### **3. THE INTERVIEW**

The first concern of an interviewing officer is to develop a conversational rapport with the youth. While the approach used by the law enforcement officer depends on the crime in question and his initial evaluation of the juvenile, the goal is to promote confidence and decrease tension. The officer should be sympathetic and understanding toward the youth. Initial conversation may touch on aspects of the youth's life not directly related to the offense such as school or sports activities.

Questioning about the offense should at first be general in nature. The juvenile should be permitted to discuss it without interruption. Attentive listening not only ensures that the officer hears all, but also makes the youth feel that he or she is appreciated and understood. The officer should carefully record the initial statements of the juvenile so that he or she may later ask detailed questions. As the interview progresses, the officer should begin to be more specific in his or her questioning: re-examining points, analyzing discrepancies, and confronting the youth with apparent lies.

### **4. TECHNIQUES**

As previously stated, the objective of an interview with a juvenile is twofold: to evaluate the likelihood of guilt or innocence and to help determine what further action is in the best interest of the child, the parents, and society. Therefore, the officer is interested in personal as well as crime-related information.

- a. Classic interview techniques that are especially useful in eliciting incriminating information from juveniles include the following:
  - Sympathize with the subject by telling him or her that anyone else under the same conditions or in the same circumstances might have done the same thing.

- Relate personal experiences demonstrating that you understand the juvenile's position.
  - Do not push the juvenile into a situation where he or she must lose his or her self-respect in order to cooperate with you.
  - Do not allow the youth to test the sincerity of your efforts without making him or her aware that you understand his or her actions.
  - Point out the futility of resistance to telling the truth.
- b. Personal data about the youth should be used to develop answers to the following types of questions:
- Does the juvenile display a cooperative attitude?
  - Will the juvenile likely benefit from counseling?
  - Does the juvenile's home life seem conducive to rehabilitation?
  - If released, is the youth likely to commit other crimes?
  - Would the child run away from home if released?

## **5. PHYSICAL REACTION**

The law enforcement officer should observe carefully the physical state of the juvenile as influenced by his emotions and reactions to the questions. The following physical symptoms of nervousness usually indicate deception when exhibited by an adult. Although the signs of tension may be more heightened in a juvenile than in an adult, they may also be less indicative of guilt.

- a. Tension may be exhibited by:
- paleness
  - flushing
  - perspiration

- increased breathing rate
  - frequent swallowing
  - wetting of the lips
  - trembling lips
  - changes in the normal tension or relaxation of the muscles
  - clenched fists
  - tight neck muscles
  - finger-biting
  - foot-tapping
  - fidgeting (suggest that anxiety or anger is increasing)
- b. Eye contact is important. Observe if the juvenile looks directly at you when he or she speaks or whether he or she consistently avoids eye contact. In normal situations, there is sufficient eye contact so that each knows that he or she is communicating with the other. When a juvenile deliberately looks away, or appears to look past you or above your eye level, you need to determine the cause for the juvenile's behavior.
- c. Indicative responses: With youths, more than with adults, manifestations of nervousness such as broken speech patterns or a dropped head may indicate that the officer's questioning is touching the root of the problem. Continued questioning in this sensitive area may result in crying on the part of the juvenile. The law enforcement officer should not discontinue the interview because of tears. The juvenile who cries may be ready to establish a good relationship if the law enforcement officer demonstrates friendliness and helps the youth to overcome the embarrassment of an emotional outburst.

## 6. CLASSES OF JUVENILES

Although each interview is unique, requiring that the law enforcement officer evaluate the subject as an individual, knowledge of the general characteristics of three classes of juveniles can be used to good advantage.

- a. **THE ADOLESCENT:** A major obstacle that an officer must overcome is the age difference between himself or herself and the juvenile. In the case of adolescents, it is likely that the suspect will initially resent the officer, not only because he or she represents authority, but also because he or she is a member of adult society. Perhaps the most successful way to neutralize adolescent resentment is to be honest in your approach during the interview. Explain why the questioning is necessary and make it clear that all of the juvenile's questions will be answered.

Adults as well as youths have their prejudices, and the law enforcement officer should be careful not to let a juvenile's demeanor, dress, or speech interfere with establishing open communication. Instead, the officer should use these characteristics to help understand the youth and facilitate the interview. Cleanliness, dress, hair style, vocabulary, and mannerisms are typically social in origin, and if interpreted correctly by the officer, they will tell him or her a lot about the juvenile being questioned.

- b. **THE CHILD:** A critical first step in interviewing a child is to determine his or her rationality and understanding of what is taking place. One way of testing his or her perception of reality is to ask basic questions such as the following:
  - What is your name?
  - Where do you live?
  - Where are you now?
  - What day is it?
  - What time is it?
  - Do you know my name?

- Do you know who I am?

If any of these questions present a problem to the child, or if there are other indications that the child is genuinely confused or not capable of reasoned conversation, the interview should be stopped immediately and the juvenile's condition evaluated.

- c. THE RETARDATE: Some juvenile offenders are intellectually limited, if not retarded, and therefore pose a special problem to interviewing officers. The parents of such a juvenile should be present at the interview to help gain the cooperation of the youth and to help the officer understand the child's responses.

Because the language and thought processes of retarded juveniles are limited, the law enforcement officer must be able to communicate at their level. The officer should slow his or her speech, use simple words, and constantly look for signs that he or she is being understood by the youth. The interviewing officer must also be an attentive listener. The officer may encounter initial difficulty in understanding the exact meaning of the juvenile's words. Perceptive listening and questioning and the exercise of patience should enable the officer to establish effective communication with the child.

While limited in their ability to learn, retardates do experience the same emotions as other people. For this reason, the law enforcement officer must be extremely careful not to say or do anything that may be construed by the juvenile as being critical of his or her condition.

The law enforcement officer should always explore the probability that other youths have persuaded the retardate to engage in criminal activity. Retarded adolescents are highly susceptible to the suggestions of others, to the point where they may be induced to accept the blame for acts that they did not commit.

Remember, interviews conducted of the retarded without parents presence or knowledge are often suppressed.

## 7. RECOMMENDED METHODS

Interviewing is an important part of every law enforcement officer's job. Officers are constantly interviewing juveniles, parents, witnesses, victims, educators, and community leaders. The reputation of the law enforcement agency will depend a great deal upon how efficiently and considerately the officers conduct their interviews. The following is a list of methods commonly used when interviewing juveniles:

- a. Prior to the interview, any and all suspects should be separated and prevented from communicating with one another.
- b. Except in emergency situations, a child should not be placed or transported in any law enforcement car or other vehicle which at the same time contains an adult under arrest, unless the adult is alleged or believed to be involved in the same offense or transaction as the child. (See Florida Statute 39.032(4). However, whenever feasible, suspects should be transported separately to avoid collusion regarding their testimony.
- c. Treat the juvenile with consideration. Remember that what he or she thinks of you and your conduct may influence his or her future attitude toward you and the law.
- d. Be firm. Appeal to the youth's intelligence, reason, and sense of fairness.
- e. Be prepared for the interview. Gather what important facts you can before you begin. Try to get the details of the offense and significant information about the participants.
- f. Hold an initial interview as soon as possible after the arrest or detention. This will tend to demonstrate your interest and prevent the construction of an alibi.
- g. Encourage the juvenile to do most of the talking. You can often learn more when you do less talking yourself. Most children respond readily to a person who seems interested in their hobbies, abilities, attitudes, etc.

- h. Be a good listener. Concentrate on the interview so that the interviewee feels that you are deeply concerned about what he or she says. Avoid turning your attention to any other person or detail while the interview progresses.
- i. Identify yourself properly. Give your name and rank so that the interviewee knows exactly who you are. This helps to put the interview on a person-to-person basis.
- j. Encourage the interviewee to tell you all the facts. You can help by letting him or her know that nothing will shock you and that you understand that there are many reasons why people get into difficulty.
- k. Ask your questions to encourage more than “yes” or “no” answers. The more you can encourage talking, the more you can learn and help him or her. Ask open-ended questions like, “Tell me about what happened...”, or “I’d like to hear more about...”
- l. Give the juvenile a chance to “save face”. Rather than point out that he or she is lying, give him or her a chance to restate the facts. Reviewing the facts as you know them can help the juvenile admit participation in the offense. Pointing out discrepancies also helps. Most juveniles “stand their ground” once they are called a liar.
- m. Talk their language. Use simple expressions which can be easily understood. Avoid using technical terms. Do not condescend.
- n. Be patient. Do not expect to settle every case in record time. Anticipate a certain amount of resistance and avoid pressing for the facts. Frustrating your efforts may give satisfaction to the interviewee.
- o. Allow the interviewee to write his or her story. This may overcome resistance to the interview. Leaving the room may also help as long as there are adequate security measures.
- p. Explain why the information is necessary. Make it clear that there is a constructive purpose behind your questions and that your aim is to help.



- q. Be aware of what is not told. You might learn of certain sensitive areas which have been avoided but are important in understanding his or her problem. Not mentioning a certain member of the family may reveal hostility toward that person, for example.
- r. Encourage the juvenile to clear up all offenses. Once the present offense has been admitted, it is often easy to get him or her to tell you about former offenses. If he or she hesitates on this, it would be advisable not to press for the information since often times the details will be revealed in possible later contacts.
- s. Help the child to tell the truth in abuse and neglect cases. Many times in neglect cases parents have advised children what to say in order to protect themselves. An officer should be aware of the conflict a child faces if he or she is asked to tell the truth about negligent behavior in the home. The child's confidence must be won and the officer must stress the fact that only by telling the truth can the parents be helped by the agencies in the community. The officer and child are working together to help parents whose problems overwhelm them.

## **8. INEFFECTIVE METHODS**

The following is a list of warnings about methods found to be generally ineffective when interviewing juveniles.

- a. Don't resort to vulgarity, profanity, or obscenity. The use of such language by a law enforcement officer is especially bad and counterproductive. Such language should never be used.
- b. Don't "brand" juveniles. Epithets such as "thief", "liar", "burglar", "forger", should never be used in reference to juveniles in their presence or in the presence of their parents or relatives, or of any other person not a member of the law enforcement agency. Nothing is gained by it, and there are definite indications that it is very injurious to the child. Such epithets give rise to justified complaints. They are rightfully resented by the parents of non-delinquent children and, in the case of delinquent children, by the state. The use of such epithets toward

juveniles is a reflection upon the character and intelligence of the officer using them.

- c. Don't lose your temper. To do so is an admission of inferiority to the person being interviewed.
- d. Don't use physical force. Rough treatment does not gain respect but tends to develop greater hostility. If you cannot settle the case through accepted methods, be content to solve the case at some later date or to get the necessary facts on some future offense.
- e. Don't lie to gain a point. Sooner or later the lie may be discovered and you will have lost the respect you might have gained.
- f. Don't take notes immediately. Wait until the person feels comfortable with you and is ready for the notes. He or she may "freeze up" if you start writing statements too soon.

## **9. SUMMARY**

Questioning a juvenile is a complex task because each case has its own special consideration beyond the proper application of interviewing techniques. In aggregate, these conditions often span the breadth of problems encountered in law enforcement, requiring that the law enforcement officer possess investigative skills, a knowledge of the law, understanding of human behavior, a familiarity with the juvenile justice system, and the ability to assess an individual in terms of what is best both for the individual and for society.



## **D. INTERVIEWING TECHNIQUES FOR THE CHILD VICTIM/WITNESS**

Even though the crime may involve a child, the same basic interviewing techniques used for an adult should be employed. Procedures for interviewing a child may vary according to your judicial circuit, so please be familiar with your local procedures. (See Florida Statute 914.16.) The Chief Judge in your judicial circuit has drafted a protocol limiting the number of interviews that can be conducted with each child.

### **1. BASIC INVESTIGATION**

The investigation of child exploitative crimes is frequently, at best, difficult. There are many hurdles to overcome prior to the conclusion of an effective investigation. The responsibilities of law enforcement officers in the area of child abuse and neglect are the following:

- a. To investigate suspected cases of abuse and neglect, which are initiated by receipt of a report alleging illegal action;
- b. To provide emergency services necessary to protect a child suspected of being abused by:
  - visually examining the child for injuries
  - visually inspecting the child's living environment
  - obtaining the necessary medical treatment
  - relating to sexual abuse cases, do not conduct your own medical exams.
- c. To interview the child away from any possible abuser, including parents. Interview other possible victims, the initial reporter, and witnesses; and
- d. To follow normal crime scene procedures such as:
  - securing the scene

- notifying Children and Families if the abuser is the parent, guardian or person responsible for the child's welfare
- writing a thorough report
- separating witnesses

## 2. INTERVIEWING A CHILD VICTIM/WITNESS

Interviewing a child victim/witness is usually made difficult by built-in obstacles (e.g., vocabulary, lack of common understanding, fear of adults and/or law enforcement officers.) It is necessary for the officers to minimize these difficulties by using patience, experience and training to obtain a statement which will be useful to the prosecution.

There are three phases of a child interview:

- Phase 1. Pre-Interview**
- Phase 2 Interview**
- Phase 3 Interview Wrap-up/Conclusion**

a. **(Phase 1) Pre-Interview** - The more knowledgeable you are about the child, the easier the interview will be for both you and the child. The comfortable atmosphere may lend itself to a less traumatic experience for the child as well as a higher degree of success in determining the facts.

- Cursory interviews:
  - Interview the initial reporter to determine facts that may help you in the interview of the child victim/witness, such as the child's attitude or facts of the case.
  - Interview possible witnesses to the incident.
  - Interview initial officers, Children and Families counselor, or other persons who have talked to the victim.
- Determine the purpose/goal of the victim interview:

- Is this a dependency issue or criminal case?
- Secondary goal is to develop an interview environment conducive to obtaining a complete disclosure (special child interview room)
- Gather background information and establish type of disclosure:
  - Accidental disclosure: child may be reluctant or afraid
  - Indirect report: child may be apprehensive or confused
  - Direct disclosure: child may be willing to disclose completely
- Selection of interview tools - A variety of interview tools should be readily available, as each child has different attention spans, communication skills, education, and psychological developmental levels:
  - Coloring books, paper, crayons
  - Anatomical drawings
  - Anatomical dolls - proper training required
  - Recording devices - video, audio (If you are going to utilize video taping, establish a procedure with you local State Attorney's Office)
  - Toys
  - Puppets
- Interview conditions - The environment of the interview may have a positive and negative impact on the results. Some considerations should be:
  - Location - lighting, atmosphere, quiet, undisturbed, neutral
  - Setting - safe, secure, away from distractions and parental pressure

- Time - early in the day, allow plenty of time, as soon after initial report as possible, not at a time inconvenient to the child
- Interview team - who shall interview (team or single interviewer approach), experience of interviewer, who needs to interview (CPT, Children and Families, SAO or law enforcement), attitude of interviewer

**b. (Phase 2) Interview** - Once sufficient information is obtained, the fact finding portion of the investigation may begin.

- Getting started - allow time to explain to the parents what your interview process will be. Explain your use of aids/tools; make them feel comfortable about letting you interview the child. If the parent is a suspect, parental permission is not required.
- Introduction - when you are ready, have someone the child knows introduce you to him or her.
- Building rapport - explain to the child your role, what you do, who you are. Begin to establish a level of trust. Have them talk about themselves. Show them you can be trusted, one who will listen to them.
  - Evaluate the child - observe his or her behavior, mental state, emotional state; sit close to the child, at eye level, not high above the child. It may help to sit down on the floor with the child.
- Qualifying questions - (i.e., questions which are used in court certify a witness as competent). A child victim often cannot be "sworn in" quite the same way as an adult. Consult your SAO for their preference in this matter. (See "Qualifying Preschool Witnesses to Testify Checklist" in the General Checklist section of this Chapter.)
  - Have children demonstrate that they know their name, address, phone number, school, teacher's name, etc., or whatever portion of the above they are capable of knowing at their age. These

questions help to show the child's mental ability to recall.

- Have the child discuss the concept of right and wrong, the difference between telling the truth and telling a lie, and the consequences of lying.
- Problem solving - These are the hurdles that you, as the interviewer, must get over before the child discloses facts of the assault to you.
  - Reassure the child he or she is doing the right thing by telling of the abuse.
  - Speak clearly, slowly and at the child's level of understanding.
  - Encourage them to be relaxed and comfortable.
  - Do not act adversely to any of the child's statements.
- Facts disclosure - There are two basic components to this part of the interview; investigation and evaluation.

#### Investigation component

- Questions would be geared as a friend to friend - not officer to child.
- Do not immediately press the child for details.
- Limit your questions to the necessary ones.
- Break the ice first - don't discuss specifics too quickly.
- Encourage the child to tell about the incident in his or her own words.
- Establish the child's understanding of body parts and bodily functions including terms they use (see checklist for children's interview in sexual abuse cases).



- Remember your basic interviewing questions: who, what, when, where, how.
- Use open ended questions.
- Stay away from leading questions. Do not “put words in their mouths”.

Evaluation component - While listening to the child's replies, you are also evaluating many other things.

- Gaining insight regarding the emotional climate in which the child lives
- What does the child's affect tell you
- What topics does the child avoid all together
- What topics distract the child
- What topics cause the child visible distress
- What topics cause a change in the child's behavior or mood
- Assist the child to be as complete as possible relating the incident in chronological order by utilizing important events such as birthdays, holidays, seasons, or special activities to establish time frames
- Introduction of interview tools - The introduction of investigative tools can be made at any time throughout the interview. They should be specifically introduced to solicit a particular reply. Remember:
  - Not all tools are for everyone
  - Tools ease the child's tension
  - Children think it is unique that an adult has dolls, coloring books, etc.
  - Tools help to open up testimony

**c. (Phase 3) Conclusion/Wrap Up** - This is the time when the facts have already been established, and you begin to ease the child out of the interview environment.

- Make the child feel comfortable about the interview - let him or her ask some questions - tell the child he or she did a good job.
- Children are often reluctant to get anyone in trouble and will even guard the abuser if it is someone they love. Relieve them of guilt by constant reassurance that he or she did the right thing, he or she is not in trouble, he or she will be okay, he or she did nothing bad.
- Re-cap the facts; go quickly over the highlights of the incident; look for inconsistencies, blanks in information, and clarify any misunderstandings.
- Often closing the interview with a game or fun activity, such as drawing picture for you, will leave the child in a good frame of mind.
- Closing discussion:
  - Prepare the child for any further interviews, depositions, counseling, etc.
  - Explain the steps you'll be taking with the facts they disclose
  - Tell the child when you will be seeing them next
  - Make sure the child has no unanswered fears before he or she leaves

### **3. TECHNIQUES UNIQUE TO SPECIFIC PROBLEMS**

- a. If a child is the victim of physical abuse and/or neglect:
- The child will often attempt to protect the parent/abuser by denying abuse or minimizing the incident(s). This is common. Identify the abuser's behavior as bad and reassure the child that he or she

can love the parent, even though the parent's actions are inappropriate.

- The child may not realize that abuse is not normal. A life of abuse is all he or she has known. The child may believe or have been told that he or she deserves abuse. The child may think of the abuse as “discipline” or “punishment.” Ask them what happens when they are bad.
  - The child usually responds to “good touches”, compliments and personal attention, and exhibits low self-esteem.
  - The child may have been told not to tell. Ask if anyone told him or her not to tell.
  - If the child is to be interviewed at school, procedures under Florida Statutes must be complied with (Refer to Dependent Children Chapter.) If parents are suspect, schools are often a good place to interview. They provide a two-fold effect. 1) the child is not prepared for you; therefore, less likely coached by parents; 2) outside home, children are generally “safe” at school.
- b. If the child is the victim of sexual abuse by a guardian (parent, stepparent, baby-sitter, other relative, etc.):
- The child will experience embarrassment, humiliation, guilt, anger, and wide range of emotions depending upon age. These emotions may interfere with ability to report. The child needs reassurance and support.
  - The child will need reassurance that he or she has done nothing wrong.
  - When confronted, the child will often appear to be trance-like in an attempt to shut you out.
  - If the child refuses to disclose, leave the door open for further disclosure by telling him or her how to contact you. Do not push the issue if the child is not ready to disclose. It may appear you are trying to “lead” the child and therefore open yourself up to suppression by a defense attorney.

- The child may be initially angry at the reporter if he or she felt they were disclosing a confidence, e.g., a guidance counselor or the mother of a friend with whom he or she shared a secret. Help them to understand that the reporter did so in the victim's best interest.
- c. If the child is the victim of sexual abuse by a non-caretaker (may be a stranger or someone known to the child):
- The victim may experience some of the same feelings of embarrassment, anger, guilt, etc., but will probably be more willing to discuss the incident(s) if the abuser is not a parent or someone close to them.
  - The crime may have been a one-time incident, or a continuing series of incidents. Remember that children can be easily intimidated into silence.
  - Ask the child if he or she knows of other children who were exploited by the same person.
- d. If the interview is the result of direct disclosure:
- The child will probably know why you are there and discuss the incident(s) more readily, having already made the decision to do so.
  - Do not rush, however; take the time to reassure them and build rapport.
  - Don't assume that what your background investigation has revealed is totally accurate. Let the child tell the story.
  - The child may still exhibit reluctance, fear, etc. and may have experienced second thoughts since the initial disclosure.
  - If the child's initial disclosure was to someone else, an introduction by the person will be helpful. If disclosure is made to a parent, you might have the parent tell the child it is okay to tell.
- e. If the disclosure was indirect or accidental:

- The child may deny the incident(s) to you.
  - The child will need reassurance that he or she has done nothing wrong and that he or she will receive support and protection.
  - When confronted, the child will often appear to be trance-like in an attempt to shut you out.
  - Define the suspected wrong behavior and the guilt of the suspect. Absolve the victim of any guilt.
  - If the child refuses to disclose, leave the door open for future disclosure by telling them how to contact you.
  - The child may be initially angry at the reporter. Help them to understand that the reporter did so in the victim's best interest.
- f. If the child is a runaway that you suspect has been abused:
- Reassure the child that you are interested in helping him or her, not punishing or condemning them for running away.
  - Try to determine the precipitating event that prompted the child to run.
  - Let the child know that you believe many children run away because they are abused.
  - Offer the child the same support and reassurance you would extend to any troubled child.
  - Leave the door open for future interaction.
- g. Summary
- Most prosecutors will urge you to time-orient the incident(s). This is often difficult:
- for young children.

- when the incidents have occurred over a long period of time.
- when there is a long delayed report.

You can help the child by asking him or her to relate the incidents to other major events, such as Christmas, birthdays, vacation, etc.

Critical to all situations is the amount of support and reassurance the child receives. The child needs to be told that you will believe him or her even if no one else does. If a non-offending parent sides with an offending parent against the child, the child will need your support and protection more than ever. Assure the child that you will stand by him or her and make every effort to convince the non-offending parent that the child has told the truth and enlist their support for the child.

Let the child know how to contact you in the future, and from time to time, contact the child so that he or she does not get the feeling that you got what you needed and cast him or her aside. The child's trust-level will be raised again if you let him or her know you really care.



## **E. INTERVIEWING THE PARENT**

Interviewing the parents may be the most important step in the investigation. Parents may be apprehensive, fearful, or angry at the prospect of talking with the law enforcement officers about an injured or neglected child. The officer should, if possible, interview each parent separately and should be alert for any apparent vagueness or inconsistencies in their statements.

### **1. PARENTS OF A JUVENILE SUSPECT**

The law enforcement officer should make a diligent effort to contact the parent(s) or guardian of the juvenile suspect. However:

- a. the interview need not be delayed since the parent cannot waive the juvenile's rights, nor forbid the juvenile to talk to the officer;
- b. parents should not be present in the room with the juvenile while the juvenile is being interviewed, unless the juvenile requests their presence or the parents ask to be present.

### **2. PARENTS OF A JUVENILE VICTIM/WITNESS, IF THE PARENTS ARE NOT SUSPECTS**

- a. Inform them of the nature of the complaint.
- b. Encourage them to be supportive of the child by not displaying horror, anger, or repugnance in the child's presence.
- c. Question the parents for information relevant to:
  - the child's comments about the suspect(s)
  - inappropriate dialogue for the child's age
  - any noted injuries
  - any observation to support the allegation



### 3. IF A PARENT IS A SUSPECT

- a. Interview the non-offending parent separately. Advise them of the allegations. Determine if they are willing to contribute any information concerning the allegations. It is very beneficial if the non-offending parent is supportive of the child. An unannounced visit to one of the parents can be gainful. Often, you can obtain a spontaneous statement instead of one that might be planned.
- b. Due process rights apply to the parents, and must have Miranda rights read to them.
- c. The officer should not accede to any demands by the parents to reveal who reported them. Be alert to "indicators" of an abusing parent.
- d. Confession rates are being greatly increased in some areas by showing the parent/suspect the video taped interview of the victim before being questioned. This technique may be applicable - contact your State Attorney, Juvenile Division. In conducting these interviews, officers must consider how their individual actions impact the family. A harsh, judgmental attitude on the part of the officer will likely be met with hostility and anger from the family in return. A cool professional attitude, on the other hand, can keep from igniting an already volatile situation.

Officers who make light of complaints may alienate reporters. Those who reveal reporters' names to angry parents may be setting the stage for future violence. Furthermore, those who reinforce questionable actions by such statements as, "If he were mine, I'd hit him too", may be giving a disturbed parent license to increase the assaults upon the child.

Certainly, it is possible to be understanding and sympathetic to the parent without necessarily approving of his or her actions. Child abuse and neglect, especially in its severe form, can make investigators angry and desirous of revenge on the child's behalf. But the skilled investigator realizes that such feelings impair professional judgment.

It is difficult to remember that abusive and neglectful parents have difficulty trusting others and are fearful of authority. Regardless of how skilled the investigator is, it is unlikely that the parents will admit to abusing or neglecting their child(ren). Attempting to coerce a confession from the parents may make a future treatment relationship difficult to establish.

#### When talking to parents

DO:

- Observe the due process rights granted by the fourth and fifth amendments.
- Consider a non-custodial interview.
- Conduct the interview in private.
- Tell the parent(s) why the interview is taking place.
- Be direct, honest and professional.
- Be sympathetic and understanding.

DON'T:

- Try to "prove" abuse or neglect by accusations or demands.
- Display horror, anger, or disapproval of parent(s), child, or situation.
- Pry into family matters unrelated to the specific situation.
- Place blame or make judgments about the parent(s) or child.
- Reveal the source of the report.

Remember, you are trying to gain information. This is an interview not an interrogation.

## **F. INTERVIEWING THE CHILD MOLESTER**

### **1. THE GOAL**

The importance of conducting a comprehensive interview with a suspected child molester can not be overstated. Evidence, or an admission obtained during this important and critical investigative step will serve to enhance the outcome of a successful prosecution. Even upon collection of other types of incriminating information and evidence, the investigator must not neglect the opportunity to interview the suspect. Obtaining an admission or additional evidence will further support the investigative case but may also preclude the need to have the child victim(s) testify in court.

The following are five investigative goals to be met in conducting a suspect interview:

- a. Obtain corroborating evidence.
- b. Prevent need for child victim(s) court testimony.
- c. Preclude or combat anticipated defense strategies.
- d. Obtain a confession.
- e. Eliminate the individual as a suspect.

### **2. PLANNING INTERVIEW STRATEGY**

Prior to conducting the interview, the investigator(s) should create an interview strategy. The plan must be developed prior to making contact with the child molester suspect, if possible. As child molesters are frequently motivated by highly individual reasons, the interview plan must take into consideration interview techniques, psychological techniques and legal issues.

There are three key elements of a strategic interview plan:

- a. When ?

The investigator must make some important decisions in regard to when the suspect will be interviewed. In some

cases, individuals will immediately be aware that they are suspects. In other cases, there is a period of time between the report of child molestation and the alleged perpetrator being notified. The element of surprise is a very effective technique. Once a suspect discovers that he or she is the target of a child molestation investigation, the following events may occur:

- The suspect flees.
- The suspect contacts legal counsel and is advised not to speak to investigators.
- The suspect contacts the victim or victim's family in an effort to threaten the victim or have the victim recant.
- The suspect destroys or hides items which may be incriminating or evidentiary, e.g. photos of the victim, child pornography, etc.

NEVER telephone a suspect to schedule an interview. No matter how inconvenient, the investigator must move quickly to organize an investigative plan and make an unannounced visit to the suspect in order to secure the element of surprise. Surprising the suspect will place him/her at a disadvantage in the interview.

b. Where ?

Another important step in the interview strategy is determining where to conduct the interview. The following points will focus primarily upon the non-custodial interview in which the investigative plan has more flexibility. Traditional law enforcement interview techniques tend to instruct the investigator to conduct suspect interviews in an official setting, usually in a law enforcement agency. An official setting is thought to provide the investigator with a psychological advantage in that the suspect is placed in unfamiliar and potentially intimidating surroundings.

Many types of criminals are successfully interviewed in an official or defensive position. However, experience indicates that suspect child molesters more frequently respond in a positive and productive manner in an

interview setting which has a familiar and relaxed atmosphere. Placing a suspect child molester in a defensive position may serve to inhibit or eliminate the interview completely.

If the interview is conducted on a surprise basis at the suspect's residence, the investigator should strive to create a sense of intimacy with the suspect. Creating a sense of privacy or intimacy will frequently assist the investigator in obtaining the suspect's cooperation. Suspects may respond to the suggestion that this technique is being done for their sake.

The number of investigators or interviewers present during the interview must be considered. While more than one investigator may be necessary to cover the interview material or insure officer safety, too many investigators may create a more intimidating or custodial atmosphere. If the non-custodial interview is to be conducted in an official setting or at a police agency, the investigator must be mindful of officer safety and agency security procedures. However, if possible, the investigator should consider employing the following six techniques to reduce the sense of custodial atmosphere, or to preclude the suspect's claim of intimidation by the investigator's authority:

- If the interview is to be conducted in an official setting and the suspect is not considered a high risk, the investigator may want to suggest that the suspect drive him or herself to the interview. The non-custodial nature of the interview will be enhanced if the suspect is permitted to arrive or depart of his or her own free will.
- When the non-custodial interview is to be conducted in an official setting or in a setting not familiar to the suspect, the investigator should assure that the suspect is shown the way or route into and away from the interview room.
- The investigator should consider not closing or locking the doors to the interview room.

- The investigator should try to arrange the interview room in such a manner that he or she is not seated between the suspect and the exit door.
- The investigator must remember that the non-custodial suspect is free to move about the interview room or location. This may enable the release of stress and allow the suspect to let down his/her guard. While being mindful of officer safety, the investigator should not follow the suspect around during this movement.
- When officer safety is not an issue, the investigator should consider not wearing or displaying a weapon during the interview. This reduces the intimidation factor and the suspect is not able to claim that he or she felt compelled to remain under the investigator's authority or custody.

Each of these elements is structured to assure the suspect that he or she has the right to leave and terminate the interview at any time.

#### c. Miranda

The investigator must always be mindful of the legal issues regarding the advising of Miranda warning rights. Specific legal protocols apply when suspects are interviewed in custodial and non-custodial settings. If circumstances permit, the suggested approach to conducting a productive interview of a suspected child molester is in a non-custodial setting in which the suspect does not invoke Miranda protection. This is in no way an attempt to deceive the suspect or to deny the suspect his or her Miranda rights.

Remember that Miranda warning applies when a suspect is being questioned about a specific crime or set of crimes upon being taken into lawful custody. Custody does not always mean having been placed under arrest. Current case law depicts custody as a circumstance in which a reasonable person does not feel free to leave the officer's presence or terminate the official contact.

While not directly quoting the Miranda Warning, the investigator should advise the suspect in a **clear**, but

casual manner that he or she does not have to talk to the police and that the suspect is able to terminate the interview at any time. The investigator should repeat this advice to the suspect several times during the course of the interview.

d. Approach to Suspect

Anticipate the suspect's reaction to being accused. Experience indicates that there are a number of certain, very predictable reactions or responses that child molesters demonstrate when confronted with an allegation of child molestation during an interview. The investigator must become familiar with these stages of defense, or responses, and anticipate the suspect in articulating them. These attempted defenses or reactions, often develop in stages during the course of the interview. The investigator must not only anticipate these defensive reactions but it is recommended that the investigator attempt to articulate them before the suspect does.

- DENIAL:

- Usually the first anticipated reaction is one of complete denial.
- The suspect may act shocked, surprised or very indignant in response to the allegation.
- The suspect may deny any knowledge of the incident(s).
- The suspect may claim that he or she does not remember such an incident.
- The suspect may admit the physical circumstances but deny any sexual intentions.
- The suspect may state that the events were misinterpreted by the victim.
- The suspect's denial may be reinforced by the statements of family or friends.

- The suspect may allege that the victim or the victim's family are attempting to make false accusations.

This reaction phase may generally last a very long time with constant, lengthy, and complicated denials by the suspect. It is very important that the investigator maintain patience during this stage.

- MINIMIZATION:

- If evidence against the suspect rules out total denial, the suspect may attempt to minimize his or her actions.
- The suspect may attempt to minimize the number of incidents or occurrences, insisting that there was only one isolated incident or many less than the investigator knows to have occurred.
- The suspect will try to minimize the sexual activity, insisting that he or she only touched the victim and denying penetration or intrusive actions.

- JUSTIFICATION:

- The suspect may attempt to justify his or her behavior.
- The suspect may claim to love the victim more than anyone else does.
- The suspect may state that the child victim is better off having learned about sex from the suspect than from some inappropriate person.
- The suspect may claim to have acted because of an alcohol or drug problem.
- The suspect may portray the child as the sexual aggressor stating that the child made sexual advances to the suspect.



- In the case of older child victims, the suspect may claim not to have known the child's actual age.
- When none of the above caption defenses make any impact upon the investigator, the suspect may claim to be mentally ill or to have been so at the time of the incident(s).
- SYMPATHY
  - The suspect may attempt the "NICE GUY" (GIRL) defense, explaining that he or she is important in the community, active in church, or a devoted family person.
  - The suspect may plead that he or she has never been arrested before, implying that the event is a once in a lifetime occurrence.

**AUTHOR'S NOTE:** Much of the material herein was referenced in the following publication: "*Child Molesters: A Behavior Analysis for Law Enforcement Officers Investigating Cases of Child Sexual Exploitation.*" Published by: The National Center for Missing and Exploited Children, December of 1992. Author: Special Agent Kenneth Lanning, Behavioral Science Unit of the FBI.

### 3. LAW ENFORCEMENT TYPOLOGY: CHILD MOLESTERS

Special Agent Kenneth Lanning of the FBI's Behavioral Science Unit and Dr. Park Elliot Dietz, a forensic psychiatrist and consultant to the Behavioral Science Unit, have created a theoretical model that divides child molesters into two primary categories of persistent and patterned behavior. Application of this model is not the strict protocol of mental health professionals, but is designed to assist law enforcement officers to more successfully identify, interview, apprehend and convict child molesters. The two primary categories of child molesters may be described as the **Preferential** and the **Situational** offender.

It is very important that investigators of child molestation or child sexual exploitation cases be able to distinguish the attributes of each category. Once the investigator is able to accurately categorize the offender as being a Preferential

type or a Situational type, seven sub-types must be determined in order to assure an effective interview.

The following material will assist the investigator in understanding and distinguishing the traits of the Preferential type of offender from the Situational type of offender. Following this information is a discussion of the investigative strategy and interview approaches for each behavioral characteristics of the seven sub-types.

a. **MAJOR CHARACTERISTICS OF THE PREFERENTIAL OFFENDER**

Long term persistent pattern of behavior

Children are the preferred sex object

Well developed technique in approaching/seducing victim

Sexual fantasies focus on children.

The following information provided will discuss characteristics of the four (4) subcategories or sub-types of the Preferential Child Molester. Characteristics for each sub-type are provided and suggestions given for interview approaches.

• **Sub-type: The Seducer**

- This offender seduces with attention, affection and gifts.
- This offender is very patient in the seduction process, slowly attempting to lower the inhibitions of the child victim.
- This offender may seduce multiple victims simultaneously.
- This offender has the ability to identify with, talk to, and listen to children.
- This offender may be well known in the child's community and uses this adult status and authority to seduce the victim.

- This offender targets children that may be emotionally neglected at home.
- This offender becomes emotionally and sexually attracted to his or her victim(s).

#### Interview Techniques

The interviewer should understand that a majority of Preferential Offenders were the victims of child molestation as children. Since these offenders often attempt to justify their actions, the interviewer should use this sense of “justification” in an attempt to lower the offender’s inhibitions during the interview.

The interviewer must remember that this type of offender does not consider sexual acts with children as abuse. The offender considers sexual acts with children as loving acts. The interviewer should avoid terms such as molestation, rape or abuse. The interviewer should make every effort to be friendly, courteous, and very informal. The interviewer should strive to seem understanding and open minded when speaking to the offender.

The interviewer should convey to the offender a knowledge of the psycho-sexual dynamics of child molestation. This knowledge should include a reference to a theory of pedophilia which holds that child molestation is a learned behavior which holds in childhood. The interviewer should state that the offender does not necessarily choose his or her sexual preference, thus giving the offender the impression that the behavior may be justified. This is known as the offender’s justification stage.

The interviewer should attempt to create an atmosphere in which the offender can respond to feelings of guilt and may express remorse for having committed the acts.

- **Sub-type: The Introvert**
  - This offender lacks the interpersonal skills that the seducer sub-type possesses.
  - This offender demonstrates a minimal amount of verbal communication skill.

- This offender might frequent playgrounds, schools, etc., just to observe children.
- This offender (predominantly male) may expose himself to his victims without molesting them physically.
- This offender might make obscene telephone calls to children.
- This offender may marry a spouse with children.
- This offender may use a child who is being prostituted.
- This offender's selection of victims is the more predictable.

#### Interview Techniques

The interviewer should consider employing the same techniques suggested for the seducer sub-type but should not expect as much verbal expression. This offender may be very reluctant to articulate the events or even reluctant to deny the allegations.

The interviewer should attempt to use the technique of minimizing the offender's actions because in many cases, the offender does not actually touch the victim. Minimizing the offender's actions may draw out more of a response from the offender during the interview.

- **Sub-type: The Sadistic Offender**

- To be totally aroused, this offender must inflict pain and suffering.
- This offender will lure and physically abduct children. The offender may take the child into a vehicle and may use or display a weapon to gain control.
- This offender will sexually abuse the child victim with force or punishment and torture to enhance the offenders sexual gratification.

- This type of offender is often a serial offender and a violent offender.
- It is estimated that less than 5% of child molesters are this violent type.

#### Interview Techniques

#### **The sadistic offender is perhaps the second most difficult type of offender to interview.**

This offender often has an exaggerated sense of self image. This offender considers him or herself to be superior in intellect and cunning and therefore, impervious to police techniques. Perhaps because of this sense of superiority, the sadistic offender will often consent to being interviewed. This offender is not likely to be intimidated by the Miranda warning and may elect to continue speaking to, or performing for, the interviewer.

The interviewer must strive to identify points of strength and weakness in the offender. This offender is a master of manipulation and it is imperative that the interviewer be very well prepared. Premature interview attempts or incomplete investigation will fail with this offender.

- **Sub-type - The Inadequate Offender**

- This offender is frequently a social misfit.
- This offender is frequently very shy, has no friends, and no age appropriate romantic relationships.
- This offender is frequently a loner and may live with a parent or parents.
- This offender perceives children to be non-threatening and will seek their company. This offender has a strong sense of insecurity.
- This offender will substitute a child as a girlfriend or boyfriend and will initiate a sexual relationship.
- This offender will encourage sexual experimentation with the child victim to satisfy the offender's curiosity or sense of insecurity.

- This offender finds it difficult to express anger. This offender allows impulses to build until finally exploding. This type of offender may progress to sexual torture or murder.

#### Interview Techniques

This offender is frequently very receptive to speaking to the police. This offender will offer a denial, but often is not sophisticated enough to continue a strong denial.

The interviewer should make certain the interview setting is non-threatening.

The interviewer should take time to build a rapport with this type of offender while taking into consideration the mental age and childlike mind set of the offender.

This offender may demonstrate a very close relationship with his or her parents.

The investigator should keep in mind that this offender may not actually perceive that the act of molestation is wrong. This offender may not be competent enough to fully understand the implications of the interview or the Miranda warning.

The interviewer must be prepared for the fact that this offender may try to justify his or her actions by stating that the victim deserved the treatment.

The investigator should know that this offender is not affected by feelings of guilt or remorse. This offender is susceptible to deception techniques. This type of offender is not reluctant to divulge information detrimental to him or herself.

This offender will try to interview the interviewer, thus attempting to control the interview and learn more about the investigation. With this type of offender, the person selected to conduct the interview should be superior to the offender in status and physical stature. The detective interviewing the offender should be older than the offender and have a sharp intellect and appearance.

The interviewer must strive to remain and appear relaxed and confident, matching the offender's demeanor.

**b. MAJOR CHARACTERISTICS OF THE SITUATIONAL MOLESTER**

This offender does not have a preference for children only.

This offender may molest only once in a life time or only sporadically over a long term period of time.

This offender molests a fewer number of different victims.

This offender may molest other vulnerable types of victims, such as the elderly, the incapacitated, the disabled or the mentally incapacitated.

• **Sub-type: The Regressed Offender**

- This offender has a very low self esteem.
- This offender has very poor coping skills and mechanisms.
- This offender uses children as a sexual substitute.
- This offender is an opportunist, using victims available at the time.
- This offender very frequently abuses alcohol or drugs.

**Interview Techniques**

This offender may be the easiest to interview and from whom to obtain a confession.

This offender often can not cope with stress. It may be very difficult for him or her to cope with an interviewer who presents a very experienced and confident manner. The interviewer should make an effort to be very knowledgeable and professional yet approachable.

The interviewer should refrain from using words such as molestation, rape, or abuse with this offender also. This type of offender views the offense as an act of love with the victim.

The interviewer should employ minimization techniques with this type of offender. Statements such as, "I know you are not a rapist/pedophile/child molester...you just need help for the inappropriate things you did to that child", may elicit a response from this sub-type.

The minimization technique aids in creating the impression that the interviewer justifies the offender's actions.

To obtain successful interviews, the interviewer must practice relating to the various types of offenders, no matter how distasteful it may be. Attempting to think like the offender thinks may give the interviewer insight into the investigation.

This offender also responds to feelings of guilt and may demonstrate remorse. This offender also may respond to the investigator citing the offender's alcohol and drug abuse as justification for the offender's behavior. This offender very frequently victimizes his or her own child. This offender may respond to guilt or inferences that the offender's denial will force the child to endure court appearances and further trauma, etc.

With great discretion, the investigator may consider initiating a controlled telephone call from the victim to the suspect. The victim's well being must be carefully considered. However, the victim can be very effective when asking the offender why he or she is doing, or has done, these things to the victim. Many regressed offenders will respond to the victim's call with an attempt to explain and apologize to the victim.

The offender may implore the victim not to tell an adult and the offender may make other inculpatory statements.

Frequently, this type of offender may be very emotionally unstable. The interviewer should use discretion as this type of offender may be a potential suicide risk. Issues of officer safety must be paramount in dealing with this type of unstable offender.



- **Sub-type: The Morally Indiscriminate Offender**

- This offender exhibits a general pattern of abusive behavior.
- This type of offender often abuses the people closest to him/her. The victim(s) may be the spouse, children, or close friends.
- This offender is a habitual liar and may cheat or steal when the opportunity presents itself. This offender usually has an extensive criminal record with such crimes as theft, burglary, aggravated assault, etc.
- This offender cares for no one but him or herself.
- This offender abuses or molests only when he or she knows that there will be no retribution.
- This offender has a "Why not?" attitude when engaging in sexual abuse or child molestation.
- This offender acts out his or her urges when a victim is available.
- This offender frequently chooses strangers as victims to lessen the chances of being identified. However, this offender may molest his or her own children believing that they will be unable to report the incidents because of fear or control.
- This offender will seek the association of other morally indiscriminate people who are involved in similar and other criminal activities or in groups such as motorcycle gangs or youth gangs.
- This offender may collect true crime magazines, police or detective magazines, and sadomasochistic or masochistic magazines.
- This offender may collect child pornography, particularly depicting prepubescent children.

## Interview Techniques

This offender is the most difficult individual to interview. If the offender has a prior criminal record or experience, he or she will be reluctant or unwilling to talk to the police.

This offender has no feelings of guilt or remorse.

The most effective technique to use with this type of offender is the use of deception. The investigator must remember that a confession may not be coerced, nor the offender threatened. No deals or promises can be made between the interviewer and the offender in an effort to obtain a confession. (This does not apply to arrangements made with the sanction of the Office of the Prosecutor.)

This type of offender may have committed the offenses with a group or a gang and will be extremely unwilling to testify to acts committed with or by his or her associates.

If this offender is presented with the opportunity to testify against his or her associates to prevent his/her own arrest, he or she will incriminate themselves but will blame the actual acts or crime on the associates.

This type of offender may confess if he/she is convinced that confessing to one crime will allow him or her to get away with another more serious crime.

- **Sub-type: The Sexually Indiscriminate Offender**
  - This offender is the sexual experimenter.
  - This offender is the most common type among identified female offenders.
  - This offender finds it necessary to associate with at least one other sexually indiscriminate person.
  - This offender will often marry or live with another person or sexual partner in order to have 24 hour access to sex.
  - This offender is most often referred to as the sexual addict.

- This offender will be heavily into experimentation (and may be considered a “try-sexual” as this offender will try everything). This offender is often motivated by sexual appetite and boredom with traditional sex.
- This offender will have no inhibitions about engaging in group sex to include children.
- This offender usually possesses a massive collection of adult pornography. This collection will often include child pornography (which the offender will attempt to justify as merely being different).
- This offender will produce his or her own pornography.

### Interview Techniques

This offender can only relate to another person (this includes the interviewer) that he or she perceives as being as sexually indiscriminate as the offender.

This offender’s down fall is his/her bragging about sexual prowess. This offender loves to talk about sexual activity.

The interviewer must portray an image of being very casual, seemingly unprofessional, informal, and very interested in the offender’s sex life.

This offender may frequently sexually harass the interviewer, making inappropriate sexual comments. If this occurs, the interviewer should not become offended, angry or flustered, but must encourage the offender to continue talking.

The investigator should never refer to this offender as sick or perverted. Nothing is perverted to this offender.

The investigator should consider consent searches because most of this offender’s collection consists of legal items such as adult pornography and sexual aide devices. These items can provide corroborating evidence.

*It is important to know that the techniques suggested in the above captioned categories are useful guidelines for*

*investigators to follow when planning to interview various types of child molesters. They are not fool proof. The techniques suggested are the result of much research and have been utilized frequently with a high degree of success to obtain full confessions and evidence from various types of offenders. The suggested techniques and approaches have successfully withstood attack in evidence suppression hearings and other types of legal challenges.*



## F. GENERAL CHECKLISTS

### CHECKLIST FOR CHILDREN'S INTERVIEW IN SEXUAL ABUSE CASES, WORD TERMINOLOGY

1. Word used for urination \_\_\_\_\_
2. Word used for defecation \_\_\_\_\_
3. Word used for front private area \_\_\_\_\_
4. Word used for penis or vagina \_\_\_\_\_
5. Word used for back private area \_\_\_\_\_
6. Word used for anus \_\_\_\_\_
7. Family word for love or loving \_\_\_\_\_
8. Child's word for love or loving \_\_\_\_\_
9. Word used for sex or sexual act \_\_\_\_\_
10. Name used for parents  
Mother \_\_\_\_\_  
Father \_\_\_\_\_  
Other relative \_\_\_\_\_
11. Name used for suspect or offender \_\_\_\_\_
12. Word used for "no-no" \_\_\_\_\_ or "boo-boo"\* \_\_\_\_\_
13. Word used for hit or hurt \_\_\_\_\_
14. Term for a bad person, (e.g., evil, nasty) \_\_\_\_\_
15. Anything you have been told not to tell, such as "your secret"  
\_\_\_\_\_

16. Unusual terminology used
- 

\*The word "boo-boo" is sometimes used for defecation.

#### **QUALIFYING PRESCHOOL WITNESSES TO TESTIFY**

1. What is your name?
2. How old are you?
3. When is your birthday?
4. Do you go to school?
5. What school do you go to?
6. What grade are you in?
7. Who was your teacher last year?
8. Where do you live?
9. Who lives with you?
10. Do you know the difference between right and wrong?
11. Would you tell me what the difference is?
12. Is it right or wrong to tell a lie?
13. If you were to sit here and tell these people a lie, or something that wasn't true, what would happen to you?
14. Do you know what it is to tell a lie, a story, a tale?

## CHECKLIST FOR GOOD WRITING TECHNIQUES

1. Always use the simplest word available unless a more elaborate word is needed to convey an exact meaning.
2. Avoid using jargon or technical words whenever possible. Avoid police terms whenever possible - i.e., instead of 1600 hours use 4:00 p.m.
3. Do not use several words to do the job of one word; delete the extra words.
4. A positive statement is usually more concise than a negative statement.
5. Active voice is usually more concise and specific than passive voice.
6. Use the most precise word available without sacrificing understanding. More concrete, specific, and definite words enhance clarity. More abstract, general, and vague words reduce understanding.
7. Avoid redundant or obsolete phrases, superlatives, clichés, and overly positive or negative words.
8. Vary your sentence length to improve rhythm, and balance your sentences.
9. Each paragraph should be coherently, logically, and strategically developed around one central thought that is expressed in the topic sentence.
10. Persuasive writing requires that you develop a thoughtful outline and use the appropriate style to be sure to:
  - a. concede quickly and briefly what you must concede (e.g., "Although he denies saying it, Roger...")
  - b. devote at least one paragraph to every major argument
  - c. save your best argument for last
11. The following are common sense tips to utilize when thinking and organizing your report:



- a. Write to your audience. You will write one way for a juvenile court judge and another way for your supervising officer.
- b. Determine what you wish to say.
- c. Write with economy. Brevity is important, but the meaning must be conveyed. Use precise words to tell your story.
- d. Write to “express” instead of “impress”. Difficult, complex sentences filled with many syllables will often lose the reader.
- e. Remember that writing is more difficult than speaking since you do not get feedback from being able to observe your listener, and since he or she receives no voice, facial expressions, or gestures from you.
- f. Keep sentence length reasonable. News magazines average 17 words per sentence. Technical reports average 22 to 25 words. These reports have many complex sentences with too many long words. News magazines have only 8 percent to 10 percent of words with three or more syllables.
- g. Report writing should be impersonal but not inhuman.
- h. Keep verbs active.
- i. Good organization is essential to clear writing.
- j. Maintain flow by deciding what tense and person you choose to narrate. Example: 1st person.
- k. Quoting children is a very effective form of writing. Not only do you see their own words, it gives the reader an idea of the developmental state of the child.
- l. Avoid giving your opinion. A report should reveal your investigation, not what you think happened.

## **G. ADDITIONAL SERVICES**

Every law enforcement officer should become aware of programs or services available in his or her respective areas which offer officers assistance to juveniles. Examples of such programs are:

1. Big Brother/Big Sister
2. Rehabilitative Centers
3. School Resource Officers
4. Family Counseling Centers
5. Mental Health Centers
6. Explorer Posts
7. Child Protection Teams
8. Victim/Witness Assistance
9. Domestic Violence Shelters
10. Sexual Abuse Treatment Programs
11. Specialized Sexual Abuse Medical Practitioners
12. Rape Crisis Teams
13. FDLE - Crimes Against Children Program

In addition, there are a wide variety of delinquency prevention diversionary programs throughout the state of Florida (e.g., non-secure detention and community control through Children and Families, Juvenile Alternative Services Program (JASP), restitution programs). These programs offer a wide variety of services which are vital to each community, and offer alternatives to crime and opportunities for our juveniles to become productive citizens.



## **V. DEPENDENT CHILDREN**

Dependent Children - 2

## **A DEPENDENT CHILD MAY BE CATEGORIZED AS**

**ABANDONED** - When a parent, legal custodian, or other person responsible for the child's welfare, although able to do so, does not financially support or communicate with the child, indicating a willful rejection of such obligations. The incarceration of a parent, legal custodian, or other person responsible may support a finding of abandonment. (Subs. 39.01(1), F.S.) 1. This category may also include situations where the child apparently has no parent, legal custodian, or other caregiver to provide supervision and care (for example, a baby found in a trash bin). (Subs. 39.01(14)(e), F.S.)

**ABUSED** - When a parent, legal custodian, or other person responsible for the child's welfare subjects the child to any willful act or threatened act that results in physical, sexual, or mental injury, or risk of injury. Corporal discipline of a child by a parent, legal custodian, or other person responsible for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child. (Subs. 39.01(2), F.S.)

**NEGLECTED** - When a parent, legal custodian, or other person responsible for the child deprives the child of necessary food, clothing, shelter, or medical treatment, resulting in injury or risk of injury. (Subs. 39.01(46), F.S.)

**SUBSTANTIAL RISK** - When the child is placed at substantial risk of imminent abuse, abandonment, or neglect by the parent, legal custodian or other caregiver. (Subs. 39.01(14)(f), F.S.)

A child may also be dependent because the child has been surrendered or voluntarily placed with the Department of Children and Family Services or a licensed child-caring or child-placing agency for purposes of care or adoption. (Subs. 39.01(14)(b), (c), (d), F.S.) (Law enforcement agencies rarely, if ever, come in contact with this type of situation.)

## A. INITIAL CONTACT

### 1. CASES WHICH REQUIRE A REPORT TO THE ABUSE HOTLINE.

a. Subsections 39.201(1)(f) and 39.201(2a), F.S., require a law enforcement officer to make a report to the Abuse Hotline in any case where the officer knows or has reasonable cause to suspect that a child is, or has been, or is at substantial risk of, being abused, abandoned, or neglected by a parent, legal custodian, or other person responsible for the child's welfare.

b. Subsection 39.01(47), F.S., defines "other person responsible for a child's welfare" (in addition to a parent or legal custodian) as follows:

A foster parent; employee of a private school, public or private child day care center, residential home, institution, facility, or agency; or any other person legally responsible for the child's welfare in a residential setting; and also includes an adult sitter or relative entrusted with a child's care. For the purpose of departmental investigative jurisdiction, this definition does not include law enforcement officers, or employees of municipal or county detention facilities or the Department of Corrections, while acting in an official capacity.

### 2. OTHER CASES

If the alleged perpetrator is not the parent, legal custodian, or other person responsible for the child's welfare, the Abuse Hotline should not be contacted. Rather, the case should be handled as a criminal offense (for example, battery or assault). If you have any doubt about the status of the alleged perpetrator, contact the local Department of Children and Family Services (DCFS) Protective Investigations unit for assistance.

### 3. PROCEDURES IN CASES WHERE THE ALLEGED PERPETRATOR IS THE PARENT, LEGAL CUSTODIAN, OR OTHER PERSON RESPONSIBLE FOR THE CHILD'S WELFARE:

- a. In addition to the subject child, determine presence of all other children in the home, whether they are at risk of harm, and whether any or all of them appear to require medical attention.
- b. If medical care appears to be needed for any of the children, and you have reasonable cause to suspect that any or all of the other children are at risk of harm, transport them to the hospital, and arrange for a DCFS protective investigator, and a member of the Child Protection Team, if applicable, to meet you and the child(ren) there.
- c. In a non-emergency situation, report to the Abuse Hotline and arrange to have a protective investigator meet you at the home. The protective investigator shall determine whether the children should be removed from the home. Law enforcement and the DCFS should conduct a joint investigation to determine whether criminal charges should be filed.
- d. A law enforcement officer has the authority to take a child into protective custody if the situation warrants such action. (Subs. 39.401(1)(b), F.S.)
- e. DCFS protective investigators and law enforcement should conduct joint investigations whenever possible. Full cooperation between these agencies is essential. Each member of this investigative team must keep in mind the importance of other members' duties and goals (i.e., law enforcement's criminal investigation and DCFS civil dependency investigation). You should also review local DCFS district procedures regarding the Child Protection Team's role in this joint investigation.
- f. Subsection 39.01(46), F.S., specifically excludes the withholding of medical treatment of minors for religious reasons from the definition of child neglect. These cases need to be reported to DCFS and investigated so the parent's good faith reliance on religious beliefs can be confirmed. Medical attention can be obtained through a court order by the treating facility or physician. In many areas the state attorney's office will assist in obtaining after-hours emergency orders from the duty judge.



**4. CASES OCCURRING OR INVESTIGATED OUTSIDE THE HOME.**

a. School.

(1) Pursuant to subsection 39.01(47), F.S., public schools are excluded from DCFS and law enforcement investigations of child abuse alleged to have been perpetrated by public school employees. (Private school employees are not excluded and are therefore subject to regular investigative procedures.)

(2) Subsection 39.301(12), F.S. does, however, authorize DCFS and law enforcement to interview a child at public school in regard to abuse which is alleged to have been committed by someone other than a public school employee. If you determine that it is necessary to interview the child at public school:

(a) Notify the local DCFS protective investigations unit to arrange a joint investigation, if possible.

(b) Contact the principal to explain the situation and make arrangements to speak to the child during school hours. Such interviews are statutorily authorized under subs. 39.301(12), F.S.

(c) Interview the child. A school instructional staff member known to the child may be allowed to be present if such presence could help in the interview or the child requests the staff member to be present.

(d) If a DCFS protective investigator was not present during the interview, contact the local protective investigations unit to discuss findings and determine if the child should be taken into protective custody.

(e) If the child is taken into protective custody, notify the parent, legal custodian or other person responsible for the child's welfare and tell them whom to contact for more information.

b. Shopping center, office building, etc. If you receive a report of a child observed to be abused, neglected, or abandoned in a shopping center, office building, or some other public place:

- (1) Follow step (2)(a) above.
- (2) Contact and interview the person who reported the alleged abusive situation, if possible.
- (3) Interview the child and parent, if available.
- (4) If the parent is the alleged perpetrator, and there is apparent danger to the child, take custody of the child or commence efforts to locate the child, and notify DCFS protective investigations of status, if applicable.
- (5) If it can be determined that the parent is not the alleged perpetrator, conduct an investigation to determine the identity of the alleged perpetrator.
- (6) If the parent is not available, take and maintain protective custody of the child pending transfer of custody to a DCFS protective investigator, and try to locate and/or contact the parent or legal custodian.

**5. IN ALL ABUSE, NEGLECT OR ABANDONMENT SITUATIONS:**

- a. If the law enforcement officer observes the abuse, neglect, or abandonment, or has probable cause to believe that abuse, neglect, or abandonment has occurred in accordance with section 901.15, F.S., he or she should:
  - (1) Intervene immediately and, if necessary, take protective custody and remove the child from the harmful environment.
  - (2) Arrest the alleged perpetrator immediately, if necessary.
  - (3) If the alleged perpetrator is a parent, legal custodian or other person responsible for the child's welfare, notify DCFS as soon as possible.
- b. Pursuant to section 39.401(1)(b), F.S., law enforcement officers and DCFS authorized agents may take a child into protective custody if they have "probable cause to support a finding of reasonable grounds for removal and that removal

is necessary to protect the child.” Reasonable grounds for removal include the following:

(1) The child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment.

(2) The parent, legal custodian or other person responsible for the child’s welfare has materially violated a condition of placement imposed by the court.

(3) The child has no parent, legal custodian or other person responsible immediately known and available to provide supervision and care.

c. Any law enforcement officer who observes a child younger than six (6) years of age left unattended or unsupervised in a motor vehicle may use whatever means are reasonably necessary to protect the minor child and to remove him or her from the vehicle. If the child is removed, notification must be placed on the vehicle.

**NOTE 1:** For investigative and interviewing techniques, see INTERVIEWING TECHNIQUES CHAPTER.

**NOTE 2:** Become familiar with the resources available to the child and your agency, including: your local DCFS service center; local Child Protection Team; crisis centers; State Attorney juvenile division; hospital and other medical services; Abuse Hotline (1-800-96 ABUSE).

## **B. INVESTIGATIVE GUIDELINES**

### **1. THE ROLES OF OFFICIALS IN ABANDONMENT, ABUSE AND NEGLECT CASES**

Dependent children come in contact with many different officials as they progress through the child protection system . The roles and responsibilities of some of the key officials are discussed below.

#### **a. THE ROLES AND RESPONSIBILITIES OF LAW ENFORCEMENT IN ABANDONMENT, ABUSE AND NEGLECT CASES**

The following are the main areas that a law enforcement officer must be concerned with in abandonment, abuse and neglect cases.

- Receiving and investigating reports of abandonment, abuse and neglect
  - Everyone must report their suspicions of abandonment, abuse and neglect to law enforcement or DCF Protective Investigations, and the reporter is not held liable if the report is made in good faith.
- Finding and reporting abandonment, abuse and neglect
  - An officer may discover, in the course of his or her work, reasons to believe abandonment, abuse or neglect has occurred.
  - Law enforcement officers are required by law to report to the DCF their suspicions or those of others who report to them their suspicions of abandonment, abuse or neglect. You only need "reasonable cause to suspect" that a child is an abused, abandoned or neglected child. Although everyone is required by law to report abandonment, abuse and neglect, law enforcement officers, doctors, teachers, psychologists and other professionals are specifically designated by law to report suspected

abandonment, abuse and neglect (See Florida Statutes 415.504).

- Anytime a law enforcement officer reports abandonment, abuse or neglect to DCF Protective Investigations, he or she must follow up with a written report within 3 days (Subsection 39.401(2)(b), F.S.)
- Providing protection and assistance during child protection investigations
  - If an officer is asked to accompany an DCF Protective Investigator, it means there is a reason to believe a dangerous domestic situation may exist or result.
  - Officers may have the opportunity to gather important information about the best ways to protect the children involved.
- Conducting criminal investigations into allegations of felonious child abuse or neglect
  - Investigating, gathering, photographing, and preserving evidence, taking custody, advising of rights, etc.
  - The officer handles these in unique ways relevant to abuse cases.
- Pursuant to subsection 39.401(1)(b), F.S., the law enforcement officer is authorized to take a child into custody if the officer has probable cause to support a finding that the child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment.

If the officer wishes further action by Department of Children and Families or the court, the officer must report the allegation of dependency immediately. The report must contain:

- Victim name, address or location, approximate age, race and sex

- Signs or indications of harm or injury, including a physical description if possible;
  - Relationship of the alleged abuser to the victim, if possible. If the relationship is unknown, a report will still be taken if other reporting criteria are met;
  - The reasons the officer believed the child to be in danger and in need of protection.
- Emergency Shelter Placements

The Protective Investigator decides whether shelter placement is appropriate. The Protective Investigator is looking for two things; the need to protect the child, and the presence of responsible adult relatives to whom the child could be released. If the Protective Investigator cannot find a placement alternative, he or she will place the child in an emergency shelter. A detention hearing must be held within 24 hours of placing the child in shelter.

- Dealing with Shelter Staff
- An officer may take a dependent child to a Department of Children and Families or court approved shelter. Officers should get to know the shelter(s) in their areas. Officers should also get to know the shelter's personnel and operating procedures.

DO:

Know the staff, their policies, procedures and style of operating.

Communicate well: Call the staff and verify procedures, or discuss problems.

Work with staff. Trust them to deal directly with young people. Deal with the staff.

Acknowledge the impact of your authority. If you come on too strong, you may frighten the children and provoke the staff.

**DON'T:**

Choose sides or reinforce one side against the other and then drop out of the picture yourself.

Criticize the program if you do not know all there is to know about it.

Run roughshod through a shelter home without regard for the privacy of the clients or the policies of the agency.

**b THE ROLE OF DEPARTMENT OF CHILDREN AND FAMILIES PROTECTIVE INVESTIGATIONS**

- Department of Children and Families Protective Investigations has an important role prescribed by the statutes, especially so in dependency cases where counseling may be a primary objective. Florida Statute 409.145(1), sets the following goals for Department of Children and Families:
  - Prevent the separation of the dependent child from their families.
  - The reunification of families who have had children placed in foster homes or institutions.
  - The permanent placement of children who cannot be reunited with their families or when reunification would not be in the best interest of the child.
  - The protection of dependent children or children alleged to be dependent, including provisions of emergency and long-term alternative living arrangements.
- The Department of Children and Families Protective Investigator decides whether placement in a shelter is necessary pending a hearing. (This is different from detaining delinquents. In delinquency cases there are criteria, and if the Department of Juvenile Justice Intake and the officer cannot agree, the State Attorney ultimately decides). Florida Statutes 409.165

requires Department of Children and Families to provide shelter care for dependent children who must be placed outside their homes and for whom suitable relatives cannot be found.

- The Department of Children and Families Protective Investigator is responsible for notifying the child's parents if the child is placed in a shelter.
- Protective Investigations decides if an alleged dependent child will be placed in a shelter. A dependent child is placed in a shelter ONLY IF:
  - placement is required to protect the child (provisions of services would not eliminate the need for placement).
  - the child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

(See Florida Statute 39.401(1) and (2).

- The DCF Florida Abuse Hotline decides whether the complainant's report (often the officer's) sufficiently establishes the jurisdiction of the court and supports the allegation that the child is a dependent child. He or she may request more information if necessary. Usually this exchange is verbal and not written because Protective Investigations must act immediately. (See Florida Statute 39.301(5). Make the report thorough the first time.
- The Department of Children and Families Protective Investigator decides whether to file a petition to the court alleging dependency, or to arrange voluntary treatment of the family. Protective Investigations must notify the complainant of the complainant's right to file such a petition if the Protective Investigator decides not to file one (See Florida Statute 39.301(5)(c). Officers should expect to be notified if Protective Investigations decides against the officer's recommendation to file. The officer may then file if he or she so chooses.



**c. CHILD WELFARE ATTORNEY'S ROLE**

- The Department of Children and Families child welfare attorney may file a petition to the court alleging the child to be a dependent child; so may anyone else who has knowledge of the facts or is aware of the allegations and believes them to be true (i.e., the officer or other complainant). All one has to do is file, in good faith, a sworn complaint/report establishing the jurisdiction of the court and supporting allegations.
- The Department of Children and Families child welfare attorney represents the Department of Children and Families in any Department of Children and Families initiated dependency proceeding.

**d. COURT'S ROLES**

- A child may be placed in a shelter for up to 24 hours without a hearing. Then a shelter hearing must be held to determine whether shelter care should continue until a disposition is obtained.
- The child cannot be held in a shelter for more than 60 days between the shelter hearing and adjudication hearing. THERE ARE SOME EXCEPTIONS WHEN A CONTINUANCE IS GRANTED OR THE PARENT CONSENTS.
- The child cannot be held for over 30 days in a shelter after adjudication or before disposition.
- The court may issue a summons or subpoena ordering the parent, child, records, and witnesses into court.
- The hearing is conducted by a judge, without a jury, and the standard used to establish the child's dependency is the preponderance of the evidence. Because a judge may order school attendance or other compliance as a dependency disposition, a child or parent who fails to comply with the court's order may be found in contempt of court.

## 2. EXAMPLES OF ABUSE/NEGLECT INDICATORS

- a. Remember, all the officer needs is the suspicion that abuse or neglect has occurred. The indicators listed below are provided as examples of the situations an officer may find which lead him or her to this suspicion.

<u>PHYSICAL EVIDENCE</u>	<u>CHILD'S BEHAVIOR</u>	<u>PARENT'S BEHAVIOR</u>
- Bruises and Welts	- Cries hopelessly	- Stressful relationships
- Burns	- Wary of adult contact	- Acute tension
- Fractures	- "Poker face" (somber)	- Unreasonable discipline
- Lacerations & abrasion	- Watchfulness	- Impulsive actions
- In genital area, injury or trauma	- Suspicious of others	- Unreal expectations

- b. Pursuant to section 39.301(11), F.S., immediately upon receipt of a report alleging, or immediately upon learning during the course of an investigation that:

- The immediate safety or well-being of a child is endangered;
- The family is likely to flee;
- A child dies as a result of abuse, abandonment, or neglect;
- A child is a victim of aggravated child abuse as defined in Florida Statutes 827.03; or
- A child is a victim of sexual battery or of sexual abuse,

DCF must orally notify the state attorney in the appropriate jurisdiction, and county sheriff's office or local police department, and, as soon as practicable, transmit the report to those agencies. The law enforcement agency shall review the report and determine whether a criminal investigation needs to be conducted and shall assume lead responsibility for all criminal fact-finding activities. A criminal investigation shall be coordinated, whenever possible, with the DCF child protective investigator.

- c. If the report pertains to an observable or medically diagnosed internal injury, the law enforcement agency may conduct a criminal investigation. If it does, the investigation will be coordinated, when possible, with the Department of Children and Families protective investigation and the local child protection team.
- d. As soon as practical after completion of the criminal investigation, the law enforcement agency will report the findings of that investigation to the State Attorney and to the Department of Children and Families Protective Investigator (if the investigator did not conduct a joint investigation).
- e. If a Department of Children and Families Protective Investigator conducts an abuse/neglect investigation and determines that it is not a custodial situation, (abuser is not a parent, guardian or other person responsible for the care of the child), he or she should contact the local law enforcement agency as soon as possible if he or she has not already done so.

### **3. CITATIONS AND PENALTIES FOR CHILD ABANDONMENT, ABUSE AND NEGLECT**

There are several offenses under Florida law that could be charged against adults who abandon, abuse, neglect, or endanger a child's health or welfare.

- a. Aggravated Child Abuse: Second Degree Felony (Florida Statute 827.03(2)). Occurs when a person:
  - Commits aggravated battery on a child;
  - Willfully tortures, maliciously punishes, or willfully and unlawfully cages a child; or
  - Knowingly or willfully abuses a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child.
- b. Child Abuse: Third Degree Felony (Florida Statute 827.04(1) means:

- Intentional infliction of physical or mental injury upon a child;
- Any intentional act that could reasonably be expected to result in physical or mental injury to a child; or
- Active encouragement of any person to commit an act that results or could reasonably be expected to result in physical or mental injury to a child.

Any person who knowingly or willfully abuses a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the third degree.

c. Neglect of a Child: Second or Third Degree Misdemeanor (Florida Statute 827.03.(3) means:

- A caregiver's failure or omission to provide a child with the care, supervision, and services necessary to maintain the child's physical and mental health, including, but not limited to, food, nutrition, clothing, shelter, supervision, medicine, and medical services that a prudent person would consider essential for the well-being of the child; or
- A caregiver's failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person.

Neglect of a child may be based on repeated conduct or on a single incident or omission that results in, or could reasonably be expected to result in, serious physical or mental injury, or substantial risk of death, to a child.

A person who willfully or by culpable negligence neglects a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the second degree.

A person who willfully or by culpable negligence neglects a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the third degree.

- d. Contributing to the Delinquency or Dependency of a child.(Florida Statute 82.04(1)) means:
- Commits any act which causes, tends to cause, encourages, or contributes to a child becoming a delinquent or dependent child or a child in need of services; or
  - Induces or endeavors to induce, by act, threat, command, or persuasion, a child to commit or perform any act, follow any course of conduct, or live in a manner that causes or tends to cause such child to become or to remain a dependent or delinquent child or a child in need of services.
- e. Persistent Non-Support: First Degree Misdemeanor (Florida Statute 827.06)
- After notice, fails to support child or spouse while he or she is legally obligated to support them.
- f. Desertion: Withholding Support: Third Degree Felony (Florida Statute 856.04).
- Any man deserting his wife and children or either of them, or any mother who withholds support from or deserts her child or children.
- g. Other related charges (Florida Statute Chapters 784, 787, 794, 798, 800, 826,).
- Assault, battery, aggravated assault, or aggravated battery
  - Kidnapping, interfering with custody
  - Sexual battery
  - Lewd and lascivious behavior
  - Indecent or unnatural acts
  - Incest

#### 4. GATHERING EVIDENCE IN ABANDONMENT, ABUSE AND NEGLECT CASES

##### a. Conducting Interviews

- Beforehand, the Department of Children and Families official and law enforcement officer should decide who has more experience interviewing possible child abuse victims and parents. This person should then handle the interviewing. It is important to the successful rehabilitation of the family. The other official should sit through the interviews to get information needed for his or her report. Interviewing in some jurisdictions takes place at the child protection team or the children's advocacy center.
- The point of joint investigations is to reduce the number of times a child must describe a traumatic situation. Each circuit should have an administrative order governing the number of interviews of this type. The interviewer and the victim should be aware of its provisions. (Florida Statute 914.16,)
- Medical testimony is essential to establish the extent of injury or illness, to cast doubt on explanations of the perpetrators, and to provide expert judgment on the likely causes of the injuries. Contact the child protection team for medical evaluations.
- Contact the local State Attorney and discuss videotaping the interview. This is especially useful in sexual abuse cases in which the hearsay exception applies. (See Florida Statutes 90.803(23) and 92.53).

##### b. Documenting/Photographing Observations

Photographing and entry into the home of a possible suspect should be done with constitutional consideration.

Make detailed notes of kitchen facilities, plumbing, lighting, temperature, ventilation, space, cleanliness, general appearance of child, observable injuries, and behavior of parents.

- Utilize experienced forensic photographers and proper scale on all injuries. Check with your child protection team to see if they will photograph injuries.
- Take photographs or arrange for them to be taken of the site of the purported accident, considerations suggesting neglect, and properly identified color photographs of the injured areas themselves. Use the best equipment for taking the photographs of an abandoned, abused or neglected child.

c. Records and File Searches

- Check department files, state law enforcement records, and those obtained through the courts, as well as the Abuse Hotline for prior substantiation of abandonment, abuse or neglect reports.

d. Identifying and collecting “real” evidence:

- Collect instruments (e.g., belts, cords, paddles, lighter, or hot plate) of abuse, or evidence of neglect (e.g., medicines or poisons, drugs, weapons found within the reach of unsupervised children).
- Request laboratory or physical exams in sexual abuse cases to obtain evidence, (e.g., semen, blood, hair, saliva, smears, clothing, fingerprints, weapons). Use the Attorney General's Office's protocol.

**5. INFORMATION TO BE INCLUDED IN A WELL WRITTEN ABANDONMENT, ABUSE OR NEGLECT REPORT**

a. Basic:

Name	Race/Ethnicity
Sex	Address
Age	Phone Number
Birthdate	

b. Present location of child (e.g., hospital, shelter, at home, etc.).

c. Name and address of person responsible for child (e.g., parent).

- d. Name, address and relationship of alleged perpetrator.
- e. Name and address of nearby relatives.
- f. Name and address of child's school.
- g. Basic information on siblings and other adults in the household.
- h. Places of employment or places where parents or perpetrators might be reached.
- i. Description of abandonment, abuse or neglect:
  - Describe date(s), facts, incident(s).
  - List witnesses.
  - Prior injuries: how long has the child been subject to abandonment, abuse or neglect?
  - Condition of child.
- j. Parents' explanation of the child's condition.
- k. Efforts taken to solve the problems (i.e., medical attention, protective custody).
- l. Known agencies involved with the family.
- m. Reporter information -
  - Your name, address, phone number.
  - Your source of information.
  - Date and time of report.

NOTE: Florida Statute 39.403 states that the Department of Children and Families Protective Investigator or the department Attorney can return an incomplete report for more information.



**6. ADDITIONAL INFORMATION ON CHILD ABUSE AND NEGLECT**

- a. Is the child in immediate danger or subject to further injury?
- b. What physical and/or emotional injuries have the child suffered and how serious are they? Arrange for a medical evaluation. Often, full skeletal x-rays are needed to investigate the possibility of bone or skull fractures or previous signs of injuries. This will be under the doctor's direction. Always check out the area of the alleged "accident" (note height of "fall", type of floor, etc.).
- c. If the child has suffered harm as a result of discipline, was the discipline reasonable? Consider the age, sex, physical and mental condition of the child, extent of harm, whether the spanking caused bleeding or welts, the frequency of such punishment, whether the parent lost control, and the alleged misconduct or event that precipitated the child's discipline.
- d. The credibility of the parents' explanation for the child's injuries must be considered. (You may need the help of the CPT doctor for these questions): Is the explanation plausible? Is it likely? Consider the extent and type of injuries. Determine whether the injuries appear to have been inflicted at different times, and over several weeks, months, etc. Are the child's injuries on different sides of the body? Are the injuries in unusual areas, such as the bottom of the feet, back, ribs, upper thighs, arms, around the ears, the buttocks, or legs? Do the physical characteristics of the injury match the description/manner in which the injury was allegedly caused?
- e. If the child is suffering physical injuries, have the parents obtained immediate medical treatment?
- f. Are there inconsistencies between each parent's or custodian's explanation of the injuries? Are there inconsistencies between successive explanations by the same parent or caretaker?
- g. Do the child's injuries or markings suggest a specific type instrument (e.g., electrical cord, belt, cigarette burn, radiator burn, immersion burn, belt buckle, fist, fingers,

paddle, coat hanger)? Look for these objects at the scene.

- h. If you know the identity of the reporter, what is the credibility of reporter? Is a neighbor feuding with the family? Is one parent in a marital dispute or custody fight with the other? Are grandparents trying to take custody away from the parents?
- i. Are there prior reports of suspected abuse in the family? Domestic violence? Substance abuse?
- j. Did the family attempt to hide the child?
- k. Does the child have more than one doctor? Frequently, abusers will “doctor shop” so no specific pattern of abuse will be suspected. Determine whether the child has been a patient in more than one hospital in the county/surrounding area.

## **7. FACTORS ASSOCIATED WITH SEXUAL ABUSE**

- a. The victim’s age, sex, and mental condition. Has emotional trauma related to the alleged incident impaired victim’s ability to explain the incident?
- b. The relationship of the suspect to the victim (parent, custodian, sibling, other relative, family friend or acquaintance, neighbor).
- c. Type of sexuality (heterosexual or homosexual, male or female).
- d. The character and extent of physical contact.
- e. Whether or not the victim will be competent to testify varies from case to case; there are no set rules on age. The judge will determine the competency of a witness based on the child’s ability to tell the truth under oath and communicate information.
- f. Is stress to the victim resulting from testifying against the perpetrator likely to cause the child further severe emotional trauma? Prosecutors and judges will often

attempt to divert sexual abuse cases partly because of the harm such proceedings will cause child and family.

- g. Was spouse or paramour of perpetrator aware of sexual abuse and condoned it, encouraged it, failed to report it or failed to protect the child?
- h. Be aware that a child may be a willing participant, but even though no force was used, a crime was still committed.
- i. Late reporting of sexual abuse is common. Because of the time lapse, the investigation will be difficult but is still important.
- j. Frequently, children are aware of the discomfort of their situations, but are unaware the offenders are violating the law.
- k. Recantation in sex abuse allegations is common, but does not necessarily mean that the child lied when making the original allegations.

#### **8. FACTORS ASSOCIATED WITH NEGLECT: LACK OF ADEQUATE SUPERVISION**

- a. When are the children left unsupervised?

Officers should seek information from the complainant, other witnesses, and from the children in question (considering their age and maturity). In questioning witnesses, it is important to determine:

- Are the children left during daylight and early evening hours or late at night?
- Are the children left for short periods or for long ones?
- When did the children last see a custodian or parent?
- Are they able to call for help in an emergency? Dial a phone? Make judgments?

If the children are taken into custody, the officer should leave a conspicuous note with the following content:

- Name and phone number of the officer.
- Statement that the children have been taken into custody.
- Request that the law enforcement officer be contacted immediately.

Officers should also alert both desk and shift commands of their action, so that the time of the parent's or custodian's first contact with the law enforcement officer may be properly logged.

- Are the older children capable of overseeing the activities of the younger children? Officers should also be aware that capability and maturity may be more important than age since in some families and some ethnic subcultures children are trained at a relatively young age to care for the younger siblings and do it competently, despite their age.
- Are any of the children infants, or of pre-school age? Do they have other special needs for supervision and care (such as medication, etc.)?
- Do the children have access to sufficient food, shelter, clothing, warmth, water, etc.?
- Are any environmental dangers present such as broken glass, leaking gas appliance, dangerous drugs, poisons, or exposed electrical wires?
- Do the children know how to contact the parent or custodian or some other responsible party?
- In evaluating cases where the baby-sitter is inadequate or incompetent, consider:
  - Whether the baby-sitter presents him or herself as mature in judgment.
  - Whether the baby-sitter is able to provide information that the position of "baby-sitter" normally requires one to know (e.g., what to do if there is an emergency, where the baby's formula is kept).

- Whether the sitter knows how and where to contact parents or other responsible adult.
  - The adequacy of the sitter's age, competency and maturity in light of how long a period the parent expects to be, or is, absent. A sitter who is adequate for several hours of baby-sitting might not be adequate or mature enough to care for the children overnight or for several days.
- h. In those cases where there is a "non-scene" sitter (i.e., a neighbor who is alleged to be "looking in" on the children), consider the sitter's competency and the extent to which the sitter is actually keeping track of the children and monitoring their activities. The officer should contact the neighbor in instances of this kind, and take note of the ability of the sitter to be aware of the situations affecting the child(ren). For example, the enforcement officers should note the length of time during which they were on the scene without the knowledge of the alleged sitter.

**9. FACTORS ASSOCIATED WITH NEGLECT:  
ENVIRONMENTAL DANGERS**

- a. Does the home provide adequate shelter? Investigate the condition of the plumbing; condition of electrical outlets and fixtures; condition and capacity of heating plant; ventilation; condition of windows, doors, floors, walls, and roof; adequacy and condition of furnishings (particularly beds); and the existence, adequacy and condition of major appliances (stove and refrigerator). Is there running water? Is the power on?
- b. Are there specific environmental hazards subject to the control of the parents or custodian? Look for food that is stale, rotten, moldy, or insect-infested; broken glass, medicines, poisons, or other potentially dangerous substances (including alcohol and drugs) within the reach of small children; dirty and molding clothing, general signs of filth and disarray.
- c. Are there specific environmental hazards that may or may not be subject to the direct control of parents or custodians? Look for stagnant water in sink or bathtub;

severe rodent or insect infestation; inadequate amounts and types of foods; peeling lead-based paint; broken stairs, railings, and so forth.

- d. Is there inadequate animal or pet control? Look for dead animal carcasses in home; excessive number of animals and excrement problems in home; uncontrolled vicious animal(s) that may be dangerous to children.

**10. DEPENDENCY VS. DELINQUENCY VS. CHILDREN/FAMILIES IN NEED OF SERVICES (CINS/FINS)**

- a. If a child runs away and while “on the streets” commits a violation of the law, the officer should file a delinquency complaint if the child meets the detention criteria. If the officer is unsure, the local State Attorney should be contacted.
- b. A child who runs away after committing a violation of the law should be handled as a delinquent.
- c. If a child is alleged to be either dependent, CINS/FINS and/or delinquent, detention criteria shall prevail prior to consideration of shelter placement.
- d. Anyone can file a dependency petition, but Protective Investigations usually does the filing.
- e. Only DJJ Intake can file a petition alleging CINS/FINS.
- f. The report the officer leaves with DJJ Intake or Protective Investigations must specify the reasons for taking the child into custody, and support the allegation of dependency, delinquency, or CINS/FINS.



## **VI. DELINQUENCY CASES**



Delinquency Cases - 2

## **A. DEFINITIONS**

1. **JUVENILE** - Any unmarried person under the age of 18 who has not been emancipated by order of the court and who has been found or alleged to be dependent, in need of services, or from a family in need of services, or any married or unmarried person who is charged with a violation of law occurring prior to the time that person reached the age of 18.
2. **DELINQUENT JUVENILE** - A juvenile found by the court to have committed a felony, misdemeanor or violation of local penal ordinance, or to be in direct or indirect contempt of court in delinquency hearings.

Delinquency Cases - 4

## B. TAKING A JUVENILE INTO CUSTODY

1. A juvenile may be taken into custody:
  - a. On a court order, warrant or *capias*.
  - b. On probable cause of a delinquent act or violation of the law (misdemeanor, felony, local ordinance). The laws of arrest that apply to an adult will apply to a juvenile. Local policies and procedures should be reviewed for misdemeanor arrests of juveniles.
  - c. On probable cause that a juvenile is in violation of the conditions of the youth's community control, furlough of aftercare supervision.
2. Juveniles cannot be transported with adults unless they are co-defendants.
3. For the arresting officer's protection, the dispatcher should be immediately informed that a juvenile is being transported. The juvenile's name, exact location, time and mileage (odometer reading) should be reported.
4. Juvenile Rights:
  - a. A reasonable effort should be made to contact the parents.
  - b. Miranda rights must be read to all juveniles, whenever miranda is appropriate. In some judicial circuits the parents may have a right to be present when the juvenile is questioned. Consult with the local state attorney's office regarding this.
  - c. If the parents cannot be contacted, the juvenile can still be questioned, after the juvenile's rights have been read and he or she comprehends them.
5. Any juvenile taken into custody on probable cause that he or she has committed a violation of law may be photographed and fingerprinted. The same procedures used for fingerprinting and taking photographs of adults apply with juveniles.

- a. These records, however, must be maintained in a separate file marked "Juvenile" - "Confidential". All copies of such records must also be marked.
  - b. The file is not available for public disclosure, but is available to other law enforcement agencies, state attorneys, the court, the juvenile, the parents or guardians, their attorney, the Florida Department of Juvenile Justice or any other person authorized by the court to have access to such records.
  - c. Photographs may be shown to victims and witnesses.
  - d. Misdemeanor traffic records are kept the same as adults.
6. Legally, a school cannot refuse admittance to a law enforcement officer or a DJJ official.
  7. School officials have the right to deny or restrict the review of student records. If review of student records is denied, then law enforcement needs parental permission or a court order to review school records.
  8. Federal Juvenile Justice and Delinquency Prevention (JJDP) Act Requirements
    - a. The federal Juvenile Justice and Delinquency Prevention (JJDP) Act requires that all juveniles be removed from adult jails. The JJDP Act does allow other delinquent juveniles to be temporarily held in jail for the purpose of processing.
  9. DEFINITION OF TERMS:
    - a. **Contact** - Any physical or sustained sight or sound contact between juvenile offenders in a secure custody status and incarcerated adults, including inmate trustees.
    - b. **Juvenile Offender in a Secure Custody Status** - A juvenile who is physically detained or confined in a locked room, or other area set aside or used for the specific purpose of securely detaining persons who are in law enforcement custody. Secure detention or confinement may result from being physically secured to a cuffing rail or other stationary object.

- c. **Sight Contact** - Clear visual contact between incarcerated adults and juveniles within close proximity to each other.
  - d. **Sound Contact** - Direct oral communication between incarcerated adults and juvenile offenders.
10. THE SIX HOUR RULE:
- a. A law enforcement officer may deliver a juvenile to an adult jail or police lock-up for temporary custody, not to exceed six hours.
  - b. This temporary custody may only be for the purpose of fingerprinting, photographing, awaiting transportation to an appropriate facility, or for pre or post-court holding.
11. SIGHT AND SOUND SEPARATION:
- a. Juveniles being processed or held in an adult jail or police lock-up must have no more than brief and inadvertent or accidental contact with adult detainees, including trustees.
  - b. No sight or sound contact is allowed in areas dedicated to juvenile use, including residential areas.
  - c. Separation must be accomplished architecturally or through policies and procedures in all secure areas of the facility including, but not limited to, such areas as admissions, sleeping, and shower and toilet areas. [Federal Register, 31.303 (d)(1)(i); and JJDP Act, 223(a)(13)]
12. STATUS OFFENDERS:
- a. Runaways, truant, uncontrollable juveniles, and other status and non-offenders shall not, for any length of time, be held in a cell or locked room or be handcuffed to a stationary object. (See "Children In Need Of Services/Families In Need Services" Chapter)
13. JUVENILES MAY BE HELD IN AN ADULT JAIL OR POLICE LOCK-UP FOR MORE THAN SIX HOURS ONLY IF:

- a. The juvenile has been direct filed, waived or indicted on adult felony charges.
- b. The juvenile is wanted in another jurisdiction on adult felony charges.
- c. The juvenile has previously been found to have committed a felony offense or a lesser included offense as an adult, and has received adult sanctions. This juvenile shall be processed and housed as an adult for any subsequent arrest or admission. (Florida Statute 985.233)

14. JUVENILE TRAFFIC OFFENDERS

- a. Juveniles charged with traffic offenses may be held in an adult jail or police lock-up only for temporary custody, not to exceed six hours.
- b. Juveniles charged with a non-felony criminal traffic offense or driver license violation, including non-felony D.U.I., failure to appear or contempt, shall not be held in secure custody in an adult jail or police lock-up for more than six hours.

15. FOREIGN NATIONALS

- a. Under the 1963 Vienna Convention on Consular Relations, all foreign nationals have the right to have their consulate notified if they are arrested and/or detained.
- b. If law enforcement has taken a juvenile who is determined to be a foreign national into custody, the arresting or transporting officer should make the Department of Juvenile Justice screener aware of that status if delivered for detention screening.

## **C. RELEASE OF A JUVENILE FROM CUSTODY**

1. A juvenile may be released/referred from law enforcement custody to:
  - a. Parent or legal guardian;
  - b. Responsible adult;
  - c. Shelter or protective investigator;
  - d. An adult approved by the court; or,
  - e. Florida Department of Juvenile Justice.
2. If a juvenile is released to someone other than DJJ, the person to whom the juvenile is released must be informed to:
  - a. Advise DJJ of any change in the juvenile's address.
  - b. Produce the juvenile in court at such time as directed by the court. If the juvenile does not appear, the court may issue a pick-up or custody order.





## **D. DELIVERY OF A JUVENILE TO DJJ INTAKE**

1. The detention screening process begins when a law enforcement officer delivers a juvenile who has been taken into custody (arrested) to the Florida Department of Juvenile Justice (DJJ). Detention screening may occur at a detention center, law enforcement agency, Juvenile Assessment Center, or case management unit.
2. Safety precautions:
  - a. To ensure the safety of staff and others as it relates to the handling of delinquent juveniles, DJJ staff have been cautioned not to screen a juvenile until the law enforcement officer has completed a thorough search of the juvenile and his/her belongings.
  - b. DJJ staff will request that the arresting or transporting officer search the juvenile and his/her belongings. This will help to ensure that weapons, drugs, and other contraband are not present.
3. The law enforcement officer will be asked:
  - a. If the juvenile has declared an intent to harm or kill himself or herself, or if any observations have been made regarding suicide risk, substance abuse or mental health problems.
  - b. About information regarding mitigating or aggravating factors; knowledge of prior offenses, family stability; or previous abuse or neglect of the juvenile.
  - c. To make recommendations as to whether the juvenile should be released, placed in non-secure or secure detention.
4. DJJ cannot accept custody of or screen a juvenile for detention, if:
  - a. The juvenile is believed to be suffering from a serious physical or mental condition which requires either prompt medical diagnosis or treatment.
  - b. The juvenile appears to be intoxicated and has threatened, attempted, or inflicted physical harm on

himself/herself or another person, or is incapacitated by substance abuse.

5. The law enforcement officer must deliver the juvenile to a:
  - a. Hospital;
  - b. Designated Public Receiving (i.e., mental health service provider or facility);
  - c. Addictions Receiving Facility; or
  - d. Other Appropriate Treatment Resource or Provider.
6. If the law enforcement officer leaves the screening area prior to DJJ staff realizing that the juvenile has one or more of the above problems, they will contact the agency and request their assistance in transporting the juvenile to an appropriate medical, mental health or other treatment facility.
7. Prior to accepting custody of or screening the juvenile, DJJ staff will request documentation to show that the juvenile was screened, evaluated, and/or treated by the medical or mental health facility.
8. The law enforcement officer must submit a written complaint/law enforcement report to the DJJ staff. The DJJ staff will review the written complaint for completeness and jurisdiction:
  - a. Written complaint forms vary throughout the State but must contain:
    - The juvenile's name and address.
    - The name(s) of the juvenile's parent or legal guardian.
    - The law violation allegedly committed by the juvenile.
    - The time frame in which the alleged violation occurred.
    - The location of the alleged law violation.
    - Probable cause (This is a legal procedure which is determined by the state attorney).

- b. In order to be complete, the circuit court of Florida must have jurisdiction over the case.
- The circuit court has jurisdiction over all cases where a juvenile is alleged to have committed a law violation, except non-felony traffic cases. County courts have original jurisdiction over non-felony traffic cases.
  - Jurisdiction is limited to juveniles under 18 years of age at the time the alleged law violation or contempt is committed.
  - The offense must occur within Florida.

The court may have limited jurisdiction over offenses that occur in other states. For example, a juvenile may steal a car in another state and drive it to Florida. Jurisdiction for the offense of auto theft does not rest in Florida, however, possession of a stolen auto may.

The court has authority to implement the provisions of the Interstate Compact on Juveniles. (See Section on Interstate Compact)

9. The law enforcement officer must file a written complaint with the Clerk of the Court within 24.
10. DETENTION ADMISSION CRITERIA  
(Florida Statute 985.213 - Uses of Detention)

Florida Department of Juvenile Justice staff and contracted providers must use the criteria on the detention risk assessment instrument (RAI) to determine:

- a. If a juvenile meets detention criteria.
- b. Whether a juvenile should be placed in secure, non-secure, or home detention care prior to a detention hearing.
- The juvenile is alleged to be an escapee or an absconder from a commitment program, a community control program, furlough, or aftercare supervision, or is alleged to have escaped while being lawfully transported to or from such program or supervision;

- The juvenile is wanted in another jurisdiction for an offense which, if committed by an adult, would be a felony;
- The juvenile is charged with a delinquent act or violation of law and requests in writing through legal counsel to be detained for protection from an imminent physical threat to his or her personal safety;
- A juvenile who is charged with committing an offense of domestic violence and does not meet detention criteria may be held in secure detention if the offense caused physical harm to the victim, if respite care is not available, or to protect the victim from further injury. The juvenile may not otherwise be held in secure detention for such an offense for more than 48 hours without a court order.
- The juvenile is charged with a capital felony, a life felony, a felony of the first degree, a felony of the second degree that does not involve a violation of chapter 893, or a felony of the third degree that is also a crime of violence, including any such offense involving the use or possession of a firearm; or
- The juvenile is charged with any second degree or third degree felony involving a violation of Chapter 893 or any third degree felony that is not also a crime of violence, and the juvenile:
  - Has a record of failure to appear at court hearings after being properly notified in accordance with the Rules of Juvenile Procedure;
  - Has a record of law violations prior to court hearings;
  - Has already been detained or has been released and is awaiting final disposition of the case;
  - Has a record of violent conduct resulting in physical injury to others; or
  - Is found to have been in possession of a firearm.

- The youth is believed to have violated the conditions of the youth's community control or aftercare supervision. However, a youth detained for this reason may only be held in a consequence unit if one is available as designated by the department. If a consequence unit is not available, the youth is to be placed on home detention with electronic monitoring.
11. If the juvenile does not meet the detention criteria, the Department must release him/her.
  12. There are three levels of detention: secure detention, non-secure detention and home detention. If the juvenile meets secure detention criteria, the DJJ staff will turn the juvenile over to the DJJ detention staff for appropriate processing and handling. The score on the RAI indicates the level of detention required.
  13. If the juvenile meets detention criteria and the DJJ staff believes the juvenile should be released, the DJJ staff must contact the State Attorney for release approval.
  14. DETENTION HEARING
    - a. If the juvenile is detained, in any level of detention care, a detention hearing must be held within 24 hours after the juvenile is detained.
    - b. The detention hearing determines:
      - The existence of probable cause.
      - Whether the juvenile has committed the alleged law violation of which he/she is charged.
      - The need for continued detention.
    - c. The court uses the results of the RAI conducted by DJJ and the detention criteria in determining the need for continued detention. In cases when the youth is charged with a domestic violence offense (when the offense does not meet detention criteria and respite care is not available), the court will also consider; if the offense resulted in physical injury to the victim; whether or not respite care is available; and whether it is necessary to place the youth in secure detention to protect the victim for further injury.

- d. When the court orders placement of the juvenile in any level of detention care, the DJJ staff must request the assessment of fees per Florida Statutes 985.215(6) and 985.231(2).
- e. Only the court has the authority to release the juvenile after he/she has been ordered detained by the court. In some cases, the court will include a provision in the order that DJJ may release the juvenile at its discretion.

15. FOREIGN NATIONALS

If the juvenile is a foreign national, meets detention criteria, and is being securely detained, the detention screener will notify the juvenile of his or her right to contact the consulate of their respective country in compliance with the 1963 Vienna Convention on Consular Relations. If the county in question requires mandatory notification, the screener will make the required notification.

## **E. DJJ PROCESSING OF A JUVENILE**

1. If a juvenile is securely detained, DJJ must make a recommendation within 24 hours to the State Attorney to file or not file a petition on the charge.
2. If the juvenile is not securely detained, DJJ must make the recommendation to the State Attorney within 20 days. It is imperative that the law enforcement officers promptly file all juvenile complaints to enable DJJ to meet this statutory requirement.
3. The State Attorney will conduct an investigation and decide within 45 days to file or not file a petition.
4. When the case is scheduled for disposition in court, DJJ staff must conduct a risk and needs assessment and make a recommendation to the court for disposition.
  - a. DJJ staff will schedule an interview with the parents and juvenile, and contact the victim and law enforcement officer for their recommendations.
  - b. If DJJ is recommending that no petition be filed, the victim and law enforcement officer will receive notice of this and may call the State Attorney to disagree.





## F. DIVERSION PROGRAMS

1. The Florida Department of Juvenile Justice (DJJ) is mandated to develop and implement effective programs to prevent delinquency, divert children from the traditional juvenile justice system, intervene at an early stage of delinquency, and provide critically needed alternatives to institutionalization and deep-end commitment.
  - a. Diversion programs are designed to operate as a gate keeping mechanism for the juvenile justice system.
  - b. The goal of these programs are to divert juveniles who have committed a delinquent act from being handled in a judicial manner, through structured non-judicial alternatives to community control and commitment programs.
2. CIVIL CITATION
  - a. Civil citation is an option for law enforcement to divert minor offenders from the system without going through the Department. A civil citation system is a local option program which may be established with the concurrence of the chief judge of the circuit, state attorney, public defender, and the head of each law enforcement agency involved.
  - b. Under the civil citation system, the law enforcement officer may issue a civil citation to a juvenile committing a misdemeanor, when the juvenile admits to committing the offense. The officer has the discretion to assign no more than 50 community service hours, and may require participation in intervention services appropriate to identified needs of the juvenile. It is the responsibility of the aforementioned local officials to identify and provide the necessary agency personnel to supervise community service hours.
  - c. Upon issuing a citation, the law enforcement officer must send a copy to the county sheriff, state attorney, the appropriate case management office of the Department, the community service monitor, the parent or guardian, and the victim. Only a law enforcement officer may issue a civil citation.

## **G. SERIOUS HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM (SHOCAP)**

Some circuits now have a SHOCAP program to identify and serve juveniles who are serious habitual offenders. Officer should be familiar with the local procedures regarding the handling of SHOCAP juveniles. (See SHOCAP section in the “Other Juvenile Issues” Chapter.)

## **H. INTERSTATE COMPACT ON JUVENILES (FLORIDA STATUTE 985.501)**

The state of Florida adopted Articles I through XVIII of the Interstate Compact on Juveniles (ICJ) in order to cooperate with other member states in the apprehension and return of runaways and escaped juveniles, and in the supervision of out-of-state probationers and parolees. All fifty states, District of Columbia, the Territory of Guam and the Virgin Islands are party members to the Compact.

1. The four major purposes of the Compact are:
  - a. To provide for the transfer of supervision of probationers and parolees across state lines.
  - b. To provide for the return of non-delinquent escapees and absconders.
  - c. To provide for the return of delinquent escapees and absconders.
  - d. To provide for the return of juveniles who have not yet been adjudicated delinquent and a petition has been filed.
2. Law enforcement has three roles:
  - a. Execute out-of-state court orders to take into custody and deliver all out-of-state runaways, escapees and absconders to the local assessment center, detention center, and/or other designated DJJ facility.
  - b. Provides any relevant status information to the DJJ Detention/Intake staff.

- c. Coordinates with DJJ on verification of warrants for Florida Juveniles.
3. Out-of-state escapees/absconders:
- a. Once a juvenile is securely detained on an out-of-state capias/warrant, DJJ immediately contacts the Compact Administrator at DJJ/HQ.
  - b. Juvenile must be afforded due process at the first detention review hearing. At this time the juvenile will be given the opportunity to Consent to Return Voluntarily by signing a Form III.
  - c. If the juvenile refuses to sign the Form III, the demanding state will file a Requisition Form II to begin the extradition process.
  - d. Once the juvenile has either signed the Form III or the holding court has honored the demanding state's requisition, the Compact Administrator will immediately coordinate transportation arrangements to have the juvenile returned to the demanding state.
  - e. Most juveniles are returned unaccompanied via commercial air transportation. Violent juvenile offenders are escorted to the demanding state.
  - f. Surveillance is arranged at almost any layover in the nation. This is done in order to make sure the return trip is successful without wasting time or travel money by allowing the juvenile to miss his/her connections or to run again.
4. Florida escapees/absconders returning from other states:
- a. Other states will follow the same procedures (1-6) Florida adheres to for out-of-state escapees/absconders.
  - b. Occasionally, an officer may have to meet a juvenile on his/her way back to Florida at the airport in order to execute an order to take into custody.

For additional information about the Compact you may contact the Compact Administrator at (904) 488-3795 or write to:

Interstate Compact on Juveniles  
Department of Juvenile Justice  
2737 Centerview Drive  
Tallahassee, FL 32399-3100

## **I. AVAILABLE RESOURCES**

Local Juvenile Assessment Center

Crisis Center (if applicable)

Juvenile Division of Local State Attorney's Office

Local Counseling Service

Local Juvenile Detention Facility

Interstate Compact Office

Florida Council of Crime and Delinquency

Local Department of Children and Families, Office of

Alcohol, Drug and Mental Health

Local Victim Assistance Program

Domestic Violence Hotline

Local Florida Department of Juvenile Justice Office

24 Hour Parent Helpline 1-800-FLA-LOVE (352-5683)

1-800-RUNAWAY

Florida Department of Education, Drop Out Prevention  
Office



**VII. CHILDREN IN NEED OF  
SERVICES/  
FAMILIES IN NEED OF  
SERVICES**



CINS/FINS - 2

## **A. INTRODUCTION**

The Children in Need of Services/Family in Need of Services (CINS/FINS) program was established in statute to provide services to children who exhibit runaway, truant, and beyond control or ungovernable behaviors, and their families. These children are called status offenders. Status offenses are acts for which an adult would not be prosecuted.

The legislative intent is: to distinguish the problems of and services provided to status offenders from the problems of abandoned, abused, neglected and delinquent children; to preserve the unity of the family; and to emphasize parental responsibility. The services are short-term and temporary and are designed to use the least restrictive interventions. Judicial intervention is only used as a last resort and is limited to situations in which a resolution has not been achieved through services or treatment, and after all less restrictive resources have been exhausted.

CINS/FINS - 4

## B. DEFINITIONS

1. **Family in Need of Services (FINS)** is a family that has a child or children for whom there is:
  - a. No pending investigation into an allegation of abuse, neglect, or abandonment; or
  - b. No current supervision by the Department of Juvenile Justice or the Department of Children and Family Services for an adjudication of dependency or delinquency.
    - The child must also have been referred to a law enforcement agency or the Department of Juvenile Justice for:
      - Running away;
      - Persistently disobeying the reasonable and lawful demands of the parents or legal custodians and being beyond their control (i.e. ungovernable); or
      - Being habitually truant.

(These are children and families that have not yet been to court as a child in need of services.)

2. **Child in Need of Services (CINS)** is a minor for whom there is:
  - a. No pending investigations into an allegation or suspicion of abuse, neglect or abandonment;
  - b. No pending referral alleging the child is delinquent; or
  - c. No current supervision by the Department of Juvenile Justice or the Department of Children and Family Services for an adjudication of dependency or delinquency.
    - The child must also be found by the court to:
      - Persistently run away
      - Be habitually truant; and/or

- Persistently disobey the reasonable and lawful demands of the parents or legal custodians and to be beyond their control.

The court must also find that the child's behavior has persisted despite the reasonable efforts of the child, parent, and appropriate agencies to remedy the situation.

## **C. PROGRAM OVERVIEW**

The Department of Juvenile Justice is responsible for the CINS/FINS program and contracts with other agencies (CINS/FINS providers) to provide these services to families and children. In order to receive information about your local CINS/FINS provider, contact the Florida Network of Youth and Family Services, (850) 922-4324 or contact the 1-800-RUNAWAY hotline.

The program provides a three-step system to address the problems of families whose children are exhibiting "status offense" behaviors:

1. The CIN/FINS case manager will attempt to assist the family in resolving the problem, or refer the child and the family to services and treatment.
2. If the family or child is not in agreement with or will not participate in the services or treatment offered or if the CINS/FINS case manager needs assistance in developing a plan for services, a case staffing committee will review the case and attempt to reach a resolution.
3. If all of the above efforts fail, the final attempt for resolution is the filing of a CINS Petition with the court if recommended by the case staffing committee. This court intervention will result in certain directives for the child and family to follow.



## D. DISCUSSION

Status offenses are symptomatic of other problems, usually in the home. When a child is truant, beyond control, or runs away, there are usually other issues involved. For example, a truant child is usually failing in school and may have learning problems that contribute to frustration. The child may skip school to keep his or her self-esteem intact.

The following factors may contribute to or be associated with "status offense" behaviors:

1. The parents or guardians may have abused, neglected or abandoned the child.
2. The child may be avoiding an intolerable home (situations of domestic violence), school or peer situation.
3. The parents or guardians may be breaking the law, thus, contributing to the child in need of services behaviors.
4. The parents or guardians may not have adequate parenting skills and may be causing or reinforcing the intolerable behavior.
5. The child may be fleeing a perceived problem which may not be based on fact.
6. The child may be rebelling against parental control.
7. The child may be running from a situation they believe cannot be faced due to embarrassment, peer pressure, etc.
8. The child may be returning to natural parents in violation of a court order or treatment plan.





## **E. INTAKE PROCEDURES**

Intake for families and children in need of services is performed by the DJJ CINS/FINS provider in accordance with Florida Statute 984.10. Any person or agency may make a report to DJJ or the CINS/FINS provider. The case manager or counselor reviews the report for completeness and returns any incomplete report to the person or agency making it without delay.

If the report is complete, the CINS/FINS case manager or counselor must make contact with the family and the child. If the counselor determines that services are needed and the family and child will voluntarily accept the services, a referral is made to the appropriate service and treatment providers, such as community mental health centers, shelters, substance abuse facilities, etc.

The parents or guardians remain responsible for the costs of services based upon their ability to pay. (Florida Statute 984.11.)

If the case manager or counselor has reasonable grounds to believe that the child has been abandoned, abused or neglected, the case is handled as a dependency case pursuant to the provisions of chapter 39, and Florida Statute 415.505.

### **1. TAKING INTO CUSTODY**

#### **a. Conditions for taking into custody (Florida Statute 984.13(1))**

Pursuant to Florida Statute 984.13, a child may be taken into custody if a law enforcement officer has reasonable grounds to believe that the child is: a runaway; is truant (for the purpose of delivering the child to the school system); pursuant to a court order (i.e. a pick up order or an order to take into custody); or when a child voluntarily agrees to or requests services.

A law enforcement officer should pick up a child if:

- The parents or counselors have filed a missing person report.
- The court has ordered custody.

- An out-of-state requisition is responded to by a court order to take the child into custody. (See section on Interstate Compact on Juveniles)
  - The child is truant.
  - The child requests to be taken into custody.
- b. Release of a child taken into custody (Florida Statute 984.13(2)(3))

The child may be released to a:

- Parent, guardian or custodian;
- Responsible adult relative;
- CINS/FINS provider if there are reasonable grounds to believe the child is truant, runaway, or ungovernable;

A full written report must be made to the intake office within 3 days.

The child may be delivered to the department, stating the facts of which the child was taken into custody and sufficient information to establish probable cause that the child is from a family in need of services.

If the child is released or delivered to the department or CINS/FINS provider, the case manager should review the facts to determine whether the child should remain in custody or be released. If shelter is not required, the department shall release the child to a:

- Parent, guardian or custodian;
- Responsible adult relative;
- Responsible adult approved by the department; or
- CINS/FINS provider.

## 2. RUNAWAYS

Law enforcement is not authorized to take a child into custody who is threatening to run away from the parents, guardians, or legal custodian. In cases where the child has not run away, law enforcement will advise the family to contact DJJ or the CINS/FINS provider.

Missing Persons Reports (See Missing Children Chapter)

- a. Law Enforcement will probably receive the missing persons report on a runaway child either from the parents or the CINS/FINS counselor or case manager working with the family. The officer should make sure to talk to the individual best able to describe the child, such as what the child was wearing, noticeable marks or scars, areas frequented by the child, peculiar habits, and the possible direction the child took.
- b. Intake will not accept a runaway juvenile report until the juvenile has been taken into custody. Do not call Intake to tell them you have found a child. Take the child into custody and then release him or her to a parent, guardian or custodian, a responsible adult relative, or a CINS/FINS provider.

## 3. TRUANTS

A law enforcement officer may take a child believed to be truant into custody for the purpose of delivering the child to school authorities. The school system will then take the actions required by Florida Statute 232.19, to remedy the conditions leading to the truant behavior.

- a. The child should be released if:
  - The child is over 16;
  - The child has a work permit or other certificate exempting the child from school attendance.
  - The child has a reasonable explanation for being out of school.
  - The child has a verified explanation (i.e. doctor's appointment, etc.).

- b. Take the child into custody if none of the above apply.
- c. An officer can only take a truant child into custody in order to transport him or her to the appropriate school or designated location.
- d. If a law enforcement officer has reasonable grounds to believe the child is truant, the person may release the child to a parent, guardian, legal custodian, responsible adult relative or to a CINS/FINS provider. (See subsection B above).
- e. Decide whether other problems need attention, then proceed accordingly:
  - If the child is delinquent, decide whether to file a delinquency complaint and whether to take the child into custody.
  - If abused, neglected or abandoned, decide whether to take the child into custody. Investigate, and report to Department of Children and Families Services Protective Investigations.

#### 4. BEYOND THE CONTROL OF PARENTS (UNGOVERNABLE)

Without a court order, a law enforcement officer is not authorized to take into custody a child alleged to be beyond the control of the parents.

- a. Most complaints that a child's behavior is poor or that she or he is beyond the parent's control will be made directly to the case manager.
- b. If a law enforcement officer is asked to take the child away, the officer should:
  - Check to see if there are signs that the parents are abusing or neglecting the child, or that their threats seem to pose an immediate danger for the child. If this seems to be the case, it can be treated as an abuse /neglect case. Document and explain your suspicions of abuse or neglect. Note the parent's behavior that make you believe the child would be

endangered by staying in the home. Department of Children and Families should be contacted if abuse is suspected.

- If the situation is more a matter of hot tempers and poor parenting, try to get the family to call the CINS/FINS provider for counseling and other assistance (have the number handy). The provider is authorized to handle these crisis situations.
- If the situation appears to be a problem related to school, refer the parents and child to the proper school officials (i.e., counselors, principal, etc.).
- If the problem is delinquency, decide whether to file a delinquency complaint and whether to take the child into custody.
- Do not be surprised if you are turned down by the case manager if you ask to place a child accused solely of being beyond parental control in a shelter. Emergency shelter placements for this purpose is discouraged unless they have no other option.



## **F. SHELTER CARE**

In order to receive shelter services, the child must be seventeen years old or younger and meet the following CINS/FINS

1. Have run away from home;
2. Be habitually truant from school while subject to compulsory school attendance;
3. Be ungovernable.

The following children are not appropriate for shelter placement:

1. Those with delinquency referrals or adjudications;
2. Those exhibiting violent and assaultive behavior to themselves or others;
3. Those who are actively suicidal;
4. Those who have a history of arson or fire setting;
5. Those who are under the influence or intoxicated;
6. Those who may have been abused, neglected, abandoned, or refused shelter by their families.
7. Those who have a history of sex offenses.

Without a court order or voluntary consent to placement by the child or family, a child may not be placed in shelter care before a court hearing unless the provision of services will not eliminate the need for shelter placement, and such placement is needed to provide an opportunity for the family and child to agree upon conditions for the child's safe return home, or the parent, guardian, or custodian is unavailable to take custody of the child (Florida Statute 984.14(1)) If the case manager finds that these criteria have been met, the child may be placed in the shelter. The parents, guardians, or custodians must be notified immediately of the placement.

A hearing is required within 24 hours if the child has been involuntarily placed in shelter care. A child from a family in need of services or a child in need of services may not be placed in shelter for longer than 35 consecutive days.



A child in need of services or a child from a family in need of services may not be placed in a secure detention facility, jail or any other commitment facility for delinquent children under any circumstances. (Florida Statute 984.14(7))

## **G. CINS STAFF-SECURE SHELTER PROGRAM**

Only children who have been adjudicated as a child in need of services are eligible for placement in the staff-secure shelter program for 90 to 120 days. A placement in such a program must be court-ordered.

For further information regarding the staff-secure program, contact DJJ, the local CINS/FINS provider or the local CINS/FINS attorney.

## **H. CASE STAFFING COMMITTEE (Florida Statute 984.12)**

A case staffing committee meeting will be held if the:

1. Family or child does not agree with the services offered;
2. Family or child refuses to participate with the services;
3. Case manager needs assistance in developing a case plan.
4. Parents, guardians, or custodians make a written request that a meeting be convened.

Law enforcement may be asked to assist in the case staffing process.

If additional information is needed regarding the case staffing committee, contact DJJ or your local CINS/FINS provider.



## **I. JUDICIAL PROCEEDINGS**

See Florida Statute 984.14-984.24.

A CINS/FINS petition may only be filed by:

1. An attorney for the Department of Juvenile Justice after all necessary steps have been taken.
2. The state attorney on truancy cases after they have complied with all necessary steps to file a petition.
3. Parents, guardians, or custodians if they have first participated in services recommended by the CINS/FINS provider and provided written notice to the DJJ General Counsel's Office.

Contempt powers are to be restricted and limited in use by the courts in CINS/FINS cases.

Contact the DJJ CINS/FINS attorney or your local CINS/FINS provider for information regarding CINS Judicial Proceedings.



## **J. ADDITIONAL CONSIDERATIONS**

### **1. IT IS A CRIME TO SHELTER OR AID A RUNAWAY**

It is a first degree misdemeanor to knowingly shelter a runaway without the consent of the parent, guardian or custodian or without notifying a law enforcement officer of the minor's name and the fact that the minor is being provided shelter.

It is also a first degree misdemeanor to knowingly aid a runaway without first contacting the parent, guardian or custodian or notifying a law enforcement officer.

The consent of the minor is irrelevant under this section.

An individual suspected of violating this statute should be treated as any other individual suspected of committing a criminal or delinquent act.

### **2. INTERSTATE COMPACT ON JUVENILES (Florida Statute 985.501)**

The state of Florida adopted Articles I through XVIII of the Interstate Compact on Juveniles (ICJ) in order to cooperate with other member states in the apprehension and return of runaways and escaped juveniles, and in the supervision of out-of-state probationers and parolees. All fifty states, District of Columbia, the Territory of Guam and the Virgin Islands are party members to the Compact.

a. The four major purposes of the Compact are:

- To provide for the transfer of supervision of probationers and parolees across state lines.
- To provide for the return of non-delinquent escapees and absconders.
- To provide for the return of delinquent escapees and absconders.
- To provide for the return of juveniles who have not yet been adjudicated delinquent and a petition has been filed.

b. Law enforcement has three roles:

- Execute out-of-state court orders to take into custody and deliver all out-of-state runaways, escapees and absconders to the local assessment center, detention center, and/or other designated DJJ facility.
- Provide any relevant status information to the DJJ Detention/Intake staff.
- Coordinate with DJJ on verification of warrants for Florida Juveniles.

c. Out-of-state runaways:

Any out-of-state juvenile picked up on a missing persons or order to take into custody should be delivered to the local Department of Juvenile Justice (DJJ) Juvenile Assessment Center (JAC) or DJJ Intake Unit where it will be determined if the juvenile should be securely detained or sheltered. Once the youth has been afforded a due process hearing through DJJ, the ICJ office will coordinate travel arrangements with the other states' ICJ office to ensure a safe return of the juvenile.

Florida normally does not detain status offenders, however, there is an exception with out-of-state juveniles. In some states, status offenders are under the jurisdiction of the court on formal probation and in some cases parole and are securely detained within their home state. Therefore, per Compact law (which supersedes Florida state law) the juvenile's home state law prevails. If a juvenile meets detention criteria in their home state, they shall be securely detained in Florida.

- Once a juvenile is securely detained on an out-of-state capias/warrant, DJJ immediately contacts the Compact Administrator at DJJ/HQ.
- Juvenile must be afforded due process at the first detention review hearing. At this time the juvenile will be given the opportunity to Consent to Return Voluntarily by signing a Form III.

- If the juvenile refuses to sign the Form III, the demanding state will file a Requisition Form I to begin the extradition process.
- Once the juvenile has either signed the Form III or the holding court has honored the demanding state's requisition, the Compact Administrator will immediately coordinate transportation arrangements to have the juvenile returned to the demanding state.
- Most juveniles are returned unaccompanied via commercial air transportation. Violent juvenile offenders are escorted to the demanding state.
- Surveillance is arranged at almost any layover in the nation. This is done in order to make sure the return trip is successful without wasting time or travel money by allowing the juvenile to miss his/her connections or to run again.

d. Florida runaways returning from other states:

- Other states will follow the same procedures (1-6) Florida adheres to for out-of-state runaways.
- Occasionally, an officer may have to meet a juvenile on his/her way back to Florida at the airport in order to execute an order to take into custody.

A list of the states which securely detain and prosecute status offenders has been included in this section for your information. For additional information about the Compact you may contact the Compact Administrator at (850) 488-3795 or write to:

Interstate Compact on Juveniles  
 Department of Juvenile Justice  
 2737 Centerview Drive  
 Tallahassee, FL 32399-3100





## **K. THE BAKER ACT**

(Florida Statute 394.463)

Any child who is likely to hurt himself, herself, or others or who cannot function in his or her own best interest (usually due to emotional or psychological instability) may be eligible for mental health services under this statute. Such a child is not appropriate for CINS/FINS services, a CINS/FINS shelter, and should be taken directly to a mental health facility.

If a child receiving CINS/FINS services or a child in the CINS/FINS shelter exhibits the above behavior, the counselor may request law enforcement transportation for the child to the local mental health facility. Law enforcement should treat this request as if it were a request for shelter and respond immediately.

**\*\*NOTE\*\*** The Baker Act (Florida Statute 394.463) requires mental health centers to do emergency psychiatric evaluations. Mental Health centers will provide service to children who are mentally ill, likely to injure themselves or others, or who are unable to use sound judgment in their own behalf. Mental health centers that provide 24 hour supervision qualify as temporary shelter placements for children in need of services who are likely to injure themselves or others, or who need care and treatment and who lack the capacity to decide their own best interest (e.g., psychotic or suicidal youth).



## **L. MARCHMAN ACT**

(Florida Statute 397, Part V)

### Involuntary Treatment of Drug and Alcohol Dependents

A person may be ordered into drug and alcohol treatment at an appropriate treatment facility by:

1. The circuit court upon the petition of a spouse, a parent or guardian, and next of kin;
2. A physician, the head of any state treatment facility or rehabilitation center, the sheriff of the county where such person resides or is found; or
3. Any three citizens of the state.

The petition shall allege that the person:

1. Is a habitual abuser of a controlled substance not pursuant to a lawful prescription;
2. Has lost the power of self-control with respect to the use of such controlled substance; and
3. Has threatened, attempted, or actually inflicted physical harm on himself or others or is in need of medical treatment and care and, by reason of drug abuse, his judgment has been so impaired that he is incapable of appreciating the need for care and making a rational division in regard thereto. A mere refusal to undergo treatment shall not, by itself, constitute evidence of lack of judgment with respect to the need for care.

Such a child is not appropriate for CINS/FINS services, a CINS/FINS shelter, and should be taken directly to a local hospital, detoxification center, or addictions receiving facility.

If a child receiving CINS/FINS services or a child in the CINS/FINS shelter exhibits the above behavior, the counselor may request law enforcement transportation for the child to the local hospital, detoxification center or addictions receiving facility. Law enforcement should treat this request as if it were a request for shelter and respond immediately.



# **VIII. SEXUAL OFFENDERS & PREDATORS**

Sexual Offender/Predators - 2

## **PUBLIC SAFETY INFORMATION ACT 1997 SEX OFFENDER/SEXUAL PREDATOR LAWS**

As of October 1, 1997, new criteria was established on registration and community notification for sexual predators and offenders. With the enactment of the Public Safety Information Act (PSIA) of 1997, which amended Florida Statute 775.21, all sexual predators, who committed their act on or after October 1, 1993, are now subject to mandatory community notification and registration requirements. Additionally, the act broadens the registration requirements to include sexual offenders who have been released from any sanction of the court or from the care, custody and control of the Department of Corrections on or after October 1, 1997.

Sex offenders are specifically defined in the legislation by conviction of certain enumerated sex offenses. While law enforcement is not mandated to notify the community on sex offenders, chiefs or sheriffs may release criminal history information on sex offenders, to include public notification of the information.

Additional changes were enacted under Senate Bill 1992. These changes took effect in July and October of 1998, and are contained herein. Information on sex offenders or sex predators may also be obtained by contacting FDLE's toll free telephone number (1-888-FL-PREDATOR) or through FDLE's Internet web site: [www.fdle.state.fl.us](http://www.fdle.state.fl.us).



## A. WHO IS A SEXUAL PREDATOR?

There are two ways of becoming a sexual predator. One way is to commit (on or after October 1, 1993) one of the several "one is enough" sexual predator offenses. The other way is to commit a "second offense" sexual predator offense (committing a listed sexual offense after having been previously been found to have committed certain other listed sexual offenses.)

### 1. THE "ONE IS ENOUGH" SEXUAL PREDATOR OFFENSE

- a. Any person who has been convicted or is found to have committed, regardless of adjudication, or who pleads nolo contendere or guilty to any capital, life, or first degree felony violation of the following offenses which occurred **ON or AFTER October 1, 1993**:

**s. 794** Sexual Battery

**s. 847.0145** Selling or buying of minors for portrayal in a visual depiction engaging in sexually explicit conduct.

**s. 794** **Attempt** to commit sexual battery **where the victim is a minor**

OR

- b. Any capital, life, or first degree felony violation of the following which occurred **ON or AFTER October 1, 1996**:

**s. 787.01** Kidnapping of a child under the age of 13, aggravating circumstances **where the victim is a minor and the defendant is not the victim's parent.**

**s. 787.02** False imprisonment of a child under the age of 13, aggravating circumstances **where the victim is a minor and the defendant is not the victim's parent.**

### 2. THE "SECOND OFFENSE" SEXUAL PREDATOR OFFENSE

- a. Any person who has been convicted or is found to have committed (on or after October 1, 1993), regardless of adjudication, or who pleads nolo contendere or guilty to

any second degree or greater felony violation of these Florida offenses (or similar law of another jurisdiction).

**s. 794** Sexual Battery

**s. 800.04** Lewd, lascivious, or indecent assault or act upon or in the presence of a child.

**s. 827.071** Child abuse, employ, consent, promote, etc., sexual performance by a child.

**s. 847.0145** Selling or buying of minors for portrayal in a visual depiction engaging in sexually explicit conduct.

OR

b. Any second degree or greater felony violation of the following which occurred on or after October 1, 1996:

**s. 787.01** Kidnapping of a child under the age of 13, aggravating circumstances **where the victim is a minor and the defendant is not the victim's parent.**

**s. 787.02** False imprisonment of a child under the age of 13, aggravating circumstances **where the victim is a minor and the defendant is not the victim's parent.**

**s. 796.03** Procuring a person under the age of 18 for prostitution.

**s. 825.1025(2)(b)** Lewd or lascivious, or indecent assault or act in the presence of an elderly person or disabled adult.

c. **And** the offender has previously been convicted of or found to have committed or has pled nolo contendere or guilty to, regardless of adjudication, any violation of:

**s. 787.01** Kidnapping of a child under the age of 13, aggravating circumstances **where the victim is a minor and the defendant is not the victim's parent.**

**s. 787.02** False imprisonment of a child under the age of 13, aggravating circumstances **where the victim is a minor and the defendant is not the victim's parent.**

**s. 794.011(2)** Sexual battery with injury child under 12 years of age.

- s. **794.011(3)** Sexual battery upon person 12 or older with threats of deadly weapon or physical force.
- s. **794.011(4)** Sexual battery on 12 year old or older (various circumstances).
- s. **794.011(5)** Sexual battery upon 12 year old or older without serious personal injury.
- s. **794.011(8)** Solicit or engage in sexual batter by person in familial or custodial authority on a person under 18.
- s. **794.023** Sexual battery by multiple perpetrators.
- s. **796.03** Procuring person under 18 for prostitution.
- s. **800.04** Lewd or lascivious, or indecent assault or act upon or in the presence of a child.
- s. **825.1025** Lewd or lascivious battery upon an elderly person or disabled adult.
- s. **827.071** Child abuse: employ, consent to, promote, etc., sexual performance by a child.
- s. **847.0133** Sell, give away, etc., obscene material to a minor.
- s. **847.0135** Computer pornography.
- s. **847.0145** Selling or buying of minors for portrayal in a visual depiction engaging in sexually explicit conduct.

- c. And the “prior felony” resulted in a conviction or sentence or adjudication of delinquency entered separately, prior to the current offense.
- d. However, a previous offense will not be considered a “prior felony” for purposes of designating a sexual predator if the “prior offense” was committed more than 10 years before the primary offense, AND the offender has not been convicted of any other crime for a period of 10 consecutive years from the most recent date of release from confinement, supervision or sanction, whichever is later.

**In either instance, a written finding designating the qualifying individual as a “sexual predator” must be issued from the court to establish the designation of “SEXUAL PREDATOR”.**

## **B. WHAT CONSTITUTES AN OFFENDER?**

A Sexual Offender is any person convicted\* of committing, attempting, soliciting or conspiring to commit, any of the following

violations (or any offense committed in this state which has been redesignated from a former statute number, or similar offenses in another jurisdiction): **AND Released on or after October 1, 1997 from the sanction\*\* imposed for any conviction\* of these offenses.**

<b>s. 787.01</b>	Kidnapping of a child under the age of 13, aggravating circumstances. <b>Where the victim is a minor and the defendant is not the victim's parent.</b>
<b>s. 787.02</b>	False imprisonment of a child under the age of 13, aggravating circumstances. <b>Where the victim is a minor and the defendant is not the victim's parent.</b>
<b>s. 787.025</b>	Luring or enticing a child.
<b>s. 794</b>	Sexual Battery.
<b>s. 796.03</b>	Procuring a person under 18 for prostitution.
<b>s. 800.04</b>	Lewd, lascivious, or indecent assault or act upon or in the presence of a child.
<b>s. 825.1025</b>	Lewd or lascivious battery upon an elderly person or disabled adult.
<b>s. 827.071</b>	Child Abuse: employ, consent to, promote etc. sexual performance by a child.
<b>s. 847.0133</b>	Sell, give away etc. obscene material to a minor.
<b>s. 847.0135</b>	Computer pornography.
<b>s. 847.0145</b>	Selling or buying of minors for portrayal in a visual depiction engaging in sexually explicit conduct.

\*"Convicted" means that, regarding the person's offense, there has been a determination of guilt which is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction in any state of the United States.

\*\* A **sanction** in this state or in any other jurisdiction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

*The 1997 Florida Legislature enacted provisions requiring registration and permitting community notification regarding “sex offenders.” Not all “sex offenders” are “sexual predators”, so in determining registration requirements, caution must be exercised in evaluating the offender’s criminal history. Provisions for sexual offenders are found primarily in Florida Statute 943.0435.*

## **C. SEXUAL PREDATOR and SEX OFFENDER REGISTRATION PROCESS**

### **1. WHO MUST REGISTER?**

ALL SEXUAL PREDATORS AND SEX OFFENDERS MUST REGISTER. FAILURE TO REGISTER AS REQUIRED BY LAW CONSTITUTES A THIRD DEGREE FELONY.

#### **Residence Definitions:**

- **PERMANENT** residence means a place where the person abides, lodges, or resides for 14 or more consecutive days.
- **TEMPORARY** residence means a place where the person abides, lodges, or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person’s permanent address; for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in the state; or a place where the person routinely abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person’s permanent residence.

Sexual Predators/Offenders who have registered as required are exempt from felony criminal registration as outlined in s. 775.13(6)(e), 775.13(6)(f).

Sexual offenders who are also sexual predators shall register as a sexual predator as required under s. 775.21.

After the court makes a determination that a predator meets the statutory criteria, the court submits its finding to FDLE or the Department of Corrections (if the offender is imprisoned). If FDLE, DC, or any law enforcement agency obtains

information suggesting that an offender meets the criteria for a sexual predator, but has not been designated as one in writing by the court, the state attorney of the circuit in which the offender resides is to be notified, and the state attorney will seek a court hearing to obtain the written finding. (Florida Statute 775.21 allows a state attorney to secure a court's sexual predator written finding when it appears one should have been made, but was not, or for offenders entering Florida from other jurisdictions).

## 2. HOW DOES A PREDATOR/OFFENDER REGISTER?

- a. If predator/offender is in the custody of, control of, or under the supervision of the Department of Corrections, then DC must register the predator/offender with FDLE. This includes any predator/offender on probation, parole, or conditional release. In such cases, the probation officer, parole officer, or community control officer must register the predator/offender.
- b. If predator/offender is not in the custody, control of, or under the supervision of the Department of Corrections, then the predator/offender must initially register in person with either FDLE or the Sheriff in the county of his or her temporary or permanent residence. Registration must be within 48 hours after establishing his or her temporary or permanent residence.
- c. **Additionally**, predators and offenders under non-incarcerated sanction or those who have been released from sanction, shall report to the Department of Highway Safety and Motor Vehicles (DHSMV) within 48 hours. They are required to report their status and show proof of registration as predator/offender to DHSMV officials and obtain a driver's license or identification card which will be flagged within the DHSMV system. This information will in turn be forwarded by DHSMV to FDLE.
- d. If the predator/offender is in the custody of a local jail, the custodian of the local jail shall register the sexual predator/offender and forward the registration information to FDLE. The custodian of the local jail shall also take a digitized photograph of the predator/offender

while he or she remains in custody and shall provide the digitized photograph to FDLE.

- e. If the sexual predator/offender is under federal supervision, the federal agency responsible for supervising the predator/offender may forward to FDLE any information regarding the predator/offender, which is consistent with the registration information provided by the Department of Corrections. Indication may be made as to whether use of the information is restricted to law enforcement purposes only or may be used by FDLE and law enforcement for purposes of public notification.

### **3. CHANGE OF ADDRESS PROCESS**

After initial registration, all non-incarcerated sexual predators/offenders must notify the DHSMV within 48 hours of any change of residence. Should the predator/offender be under sanction they must also report their change of address, as required by law, to their supervisor who will in turn notify FDLE. DHSMV will notify FDLE of the change of address information and changes will be posted to the Internet site. The Sheriff's Office and all police departments within the county will be notified via FCIC AM message of all changes of predator addresses. Agencies should regularly access the FDLE sexual predator/offender site via CJNET or the Internet at [www.fdle.state.fl.us](http://www.fdle.state.fl.us) to obtain current listings of all sexual offenders. Agencies may also contact FDLE's Sexual Offender/Predator Unit for information at 1-888-357-7332.

### **4. WHAT INFORMATION IS PROVIDED UPON REGISTERING?**

Name, social security number, age, race, sex, date of birth, height, weight, hair and eye color, address of current residence or temporary residence\*, date and place of any employment, date and place of each conviction, a brief description of the crime, (if not already taken) genetic markers (blood samples for DNA database\*\*), a photograph\*\*, fingerprints\*\*, and "any other information determined necessary" by FDLE."

\*A post office box shall not be provided in lieu of a physical residential address.

\*\*NOTE: The Department of Corrections must be prepared to take both the required photographs of the predator/offender, along with his/her fingerprints. The sentencing court should order DNA blood samples at time of conviction, but may have to be obtained later if not previously secured. To facilitate registration in person at a law enforcement agency, FDLE has prepared a unified registration document that will be used to register sexual predators and sexual offenders who are under an obligation to register.

If the predator/offender's place of residence is a motor vehicle, trailer, mobile home or manufactured home (s.320), he or she shall also provide written notice of vehicle ID number; license tag number; registration number; and description, including color scheme.

If the predator/offender's place of residence is a vessel, live-aboard vessel, or houseboat (s.327), he or she shall also provide written notice of the hull ID number; manufacturer's serial number; name of vessel; and description, including color scheme.

Registration information shall be immediately forwarded to FDLE.

#### **5. HOW WILL LOCAL LAW ENFORCEMENT BE NOTIFIED?**

FDLE will notify the sheriff, the state attorney, and if applicable, the chief of police of the community in which a predator resides within 48 hours of the predator's registration with the Department. This will be accomplished with manually entered FCIC administrative messages. Due to the high volume of sex offenders required to register, notification will be made with an automatic FCIC administrative message. FDLE is responsible for the on-line maintenance of current information regarding registered sexual predator/offenders and maintains a toll-free telephone access number **(1-888-357-7332)** for law enforcement agencies to obtain information for purposes of monitoring, tracking and prosecution.



FDLE also maintains a current listing of sexual predators/offenders on its Internet web site, which can serve as an excellent resource for law enforcement agencies. FDLE's internet address is <http://www.fdle.state.fl.us>. Chiefs and sheriffs are encouraged to provide Internet access to their agency personnel involved in monitoring sexual predators/offenders, as information changes daily and printed lists become outdated quickly.

**6. WHAT IF AN AGENCY DETERMINES REGISTRATION RECORDS ARE INACCURATE?**

It is important that registration records be as accurate as possible. Many agencies will be routinely monitoring the predators and offenders in their communities. During the course of agency activity, it may be determined that an address or other information reflected in FDLE's records is not accurate. This might be caused by a mistake in the registration information, failure by the predator/offender to promptly update registration records, or by a predator's or offender's intentional attempt to circumvent registration requirements. If you believe the predator/offender intended to violate the registration requirements of the law, you should report the information to the state attorney of jurisdiction for consideration of prosecution. **Any indication of inaccuracy or needed changes in FDLE's registration files should be reported to FDLE by the agency, by calling FDLE at 1-888-357-7332.** Should you determine that a predator/offender is no longer at the address reflected in FDLE's records, try to determine a new address, but contact FDLE even if a new address for the predator is not known.

**7. WHO MUST NOTIFY THE PUBLIC AND WHAT MUST BE INCLUDED?**

Once the sheriff of the county and the chief of police of the municipality are notified by FDLE of a sexual **predator's** presence, the sheriff or police chief must notify the community. (See Florida Statute 775.21(7)). Law enforcement officials may notify communities on sex **offenders.**

There is no "specified manner" to notifying the community. Notification is now in "any manner deemed appropriate" by the notifying agency head for all sexual offenders. FDLE will notify the public through its Internet web page address

([www.fdle.state.fl.us](http://www.fdle.state.fl.us)) and its toll free telephone number (1-888-357-7332).

Information disseminated to the public MUST include: name, description of the predator, photograph, address (if known), circumstances of the offense(s), and whether the victim was at the time of the offense a minor or an adult. (Note: The actual age of the minor victim need not be stated, and the notification obligation does not authorize naming a victim of the predator's sexual crime(s). Circumstances of the offense should not disclose references to incest or custodial sexual abuse, as that may easily identify the victim.

1998 House Bill 3737—Within 48 hours after receiving notification of the presence of a sexual **predator**, the sheriff of the county or the chief of police of the municipality where the sexual predator temporarily or permanently resides shall notify each licensed day care center, elementary school, middle school, and high school within a 1-mile radius of the sexual predator's residence.

## **8. SEXUAL PREDATORS/OFFENDERS OBLIGATIONS**

Must register with FDLE (through the sheriff's office, an FDLE office, the Department of Corrections, the custodian of a local jail or a federal supervision office) within 48 hours after establishing permanent or temporary residence in this state. Those who are not incarcerated and who reside in the community (including those under the supervision of the Department of Corrections), must within 48 hours of initial registration, present proof of initial registration as a predator/offender at the DHSMV and secure or renew a driver's license or identification card. Any permanent or temporary change of address will be made in person to DHSMV within 48 hours. The predator bears the costs of the process. Failure to register, provide required information, or failure to renew a driver's license or identification card, or who otherwise fail, by act or omission, to comply with the requirements of the Sexual Predator Act or offender registration laws, commit a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

A predator/offender who intends to establish residence in another state must report intended move to the sheriff or FDLE with 48 hours before the date they intend to leave

Florida. Those who indicate their intent to reside in another state or jurisdiction and later decide to remain in this state must, within 48 hours after the date of indicated departure, notify the sheriff or FDLE, whichever agency is the agency to which they reported the intended change, of their intent to remain in this state. Failure to do so is a second-degree felony.

Registration with FDLE is for life, unless an offender or predator has had their civil rights restored, received a full pardon or had a conviction set aside in a post-conviction proceeding for any felony sex offense that met the criteria for the sexual predator designation or for the sexual offender criteria classifying them as a sexual offender. Those sexual predators (court designated predators after October 1, 1998) and sexual offenders who have been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 20 years and have not been arrested for any felony or misdemeanor offense since release, may petition the criminal division of the circuit court of the circuit in which they reside for the purpose of removing the requirement for registration or removing the sexual offender/predator designation. **NOTE:** Sexual predators (court designated predators before October 1, 1998), who have been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 10 years and have not been arrested for any felony or misdemeanor offense since release, may petition the criminal division of the circuit court in the circuit in which they reside for the purpose of removing the sexual predator designation. Sexual predators who are granted relief of their predator designation, unless specified in the order, must comply with the requirement for registration as sexual offenders and other requirements provided under s. 943.0435 or s. 944.607.

**9. PROHIBITION AGAINST WORKING WITH MINORS:**

A sexual predator who has been convicted of, or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation of s. 794.011(2), (3), (4), (5), or (8); s. 794.023, s. 800.04, s. 827.071, s. 847.0133, or s. 847.0145, or a similar law of another jurisdiction, when the victim was a minor, is prohibited from working as a volunteer or for compensation, at any business, school, day care center, park, playground, or other place where children regularly congregate. Violation of this is a

felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

#### **10. IMMUNITY**

When the court has made a written finding that an offender is a sexual predator, an elected or appointed official, public employee, school administrator or employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is immune from civil liability for damages resulting from the release of information.

The Department of Corrections, the Department of Highway Safety and Motor Vehicles, the Department of Law Enforcement, personnel of those departments, and any individual or entity acting at the request or upon the direction of those departments are immune from civil liability for damages for good-faith compliance with sexual predator and sex offender laws, and shall be presumed to have acted in good-faith in compiling, recording, reporting, or providing information. The presumption of good-faith is not overcome if technical or clerical errors are made by the DC, DHSMV, FDLE, personnel of those department, or any individual or entity acting at the request or upon the direction of those department in compiling, recording, reporting, or providing information, or if the information is incomplete or incorrect because the information has not been provided by a person or agency required to provide the information, or because the information was not reported or was falsely reported.

#### **11. MISUSE and FALSIFICATION of INFORMATION**

Any person who misuses public records information relating to a sexual predator/offender, as to secure a payment from such a predator/offender; who knowingly distributes or publishes false information relating to such a predator/offender which the person misrepresents as being public records information; or who materially alters public records information with the intent to misrepresent the information, including documents, summaries of public records information provided by law enforcement agencies, or public records information displayed by law enforcement agencies on web sites or provided through other means of communication, commits a misdemeanor of the first-degree, punishable as provided in s. 775.082 or s. 775.083.

## **D. SEXUAL PREDATOR/OFFENDER ADDRESS VERIFICATION**

All law enforcement agencies are encouraged to check to verify that the sexual predator/offender continues to reside at the reported address.

If there is reason to believe that a sexual predator/offender is not residing at the reported address, any law enforcement agency may take appropriate action. Sexual predators/offenders are required to report any change of address. Failure to do so is a third degree felony. However, the offender may have reported the change to the Department of Highway Safety and Motor Vehicles or Department of Corrections' Probation and Parole Office and the address may not have been forwarded to FDLE to update the file. For this reason, verification that the offender did not make notice would be necessary in order to confirm. FDLE will assist in these cases.

FDLE and the Department of Corrections shall implement a system for verifying the addresses of sexual predators. The system must be consistent with federal requirements that apply to the laws of this state governing sexual predators.

The Department of Corrections shall verify the addresses of sexual predators and sex offenders who are not incarcerated but who reside in the community under their supervision.

FDLE shall verify the addresses of sexual predators and sex offenders who are not under the care, custody, control, or supervision of the Department of Corrections in a manner that is consistent with federal requirements. FDLE will regularly conduct certified mail-outs to all registered sexual predators/offenders who are no longer under sanction. Results from these mail-outs will be distributed to local law enforcement agencies and FDLE regional offices to facilitate efforts in identifying and ascertaining the location of any predator/offender who has failed to comply with registration requirements.

## **E. SEXUAL PREDATOR COMMUNITY NOTIFICATION**

The case profiles of these offenders would indicate that, prior to developing specific plans for community notification, local agencies should conduct an assessment of places within their locale that would be natural magnets for a sex offender or predator. For instance, communities that have large tourist child centered attractions would need to identify those areas and develop specific contacts within the organizations or businesses. Malls typically have arcades that provide little supervision and are places where parents often drop their children in lieu of a preferred method of baby-sitting. The community assessment would identify the places where broad based community notification would be appropriate.

The burden of making the notification should be shared by the many different agencies that have a clientele in need of notification. This shared responsibility can be facilitated by establishing a multi-disciplinary team to either develop a local protocol or agency policy, or to review sexual predator information when it is received. This team could include a representative from FDLE, local law enforcement, the Child Protection Team (CPT), Probation and Parole, Rape Crisis Center(s), Victim Service Providers, Florida Department of Children and Families, and any other agency or group that may have input as to a proper community response. Additionally, this team can determine the target areas that are likely places frequented to by predators, and the resources and venues are available for community notification.

Chamber of Commerce meetings and other business forums may be one opportunity for chiefs and sheriffs to develop workable arrangements for receiving notification and for processing that notification to employees and customers if deemed appropriate. Community police or patrol officers may be another means of contact with these groups to begin setting guidelines before the first predator even resides within the community.

In developing procedures for broad based notification, an agency should make sure they consider how they will implement the process. Key questions to ask would be: Have I established a line of communication with businesses, agencies and organizations that have a vested interest in knowing that a sexual predator resides in their community? Have I discussed with these individuals suggestions on receiving information on sexual predators and how to properly handle the information that they receive? Do they know who to call if they observe the individual

frequenting the premises? These issues and concerns must be addressed in order for any notification policy to be effective.

## **F. ASSESSING INDIVIDUAL PREDATORS' MODUS OPERANDI (MO)**

Upon receipt of information received on predators released from custody of the Department of Corrections or out-of-state registrants, the Florida Department of Law Enforcement will provide notice to all appropriate law enforcement agencies through an FCIC administrative message.

Upon request, the modus operandi (m.o.) form will be mailed to any law enforcement agency within a county where a sexual predator is residing. The information contained on this form can assist in developing patterns or actions used in abduction and/or sexual offenses previously committed by the predators.

A flyer with a current photograph and information, such as physical characteristics, address, etc. will be mailed to each law enforcement agency within the county where a sexual predator resides. Flyers provided will be in a format that can be easily reproduced for use in the community notification process, if desired.

## **G. WHOM SHOULD BE NOTIFIED?**

In order to maximize community notification resources, law enforcement personnel may wish to identify possible locations where a sexual predator or offender would find victims. These locations may be identified in a variety of ways. In fact, an interview with the predator might assist investigators in locating areas he/she may frequent. Common routes that the sexual predator may travel, such as between home and work, could be analyzed for possible locations that could serve as magnets to attract the predator. Consider searching the area surrounding the predator's residence and place of employment and look for areas or places the predator may target.

In addition to the previous information, the following additional steps may be considered as a part of the community notification process depending on your assessment of the situation:

In general:

- \*\* Internet
- \*\* Local television
- \*\* Community newspaper
- \*\* Flyers
- \*\* Direct mail
- \*\* Press releases

Specific notice to:

- \*\* Neighborhood crime watch
- \*\* Rape crisis centers
- \*\* Victim service providers
- \*\* Department of Children and Families
- \*\* Guardian Ad Litem
- \*\* Girl Scouts, Boy Scouts, Big Brothers/Sisters or other organizations that solicit volunteers
- \*\* Church groups
- \*\* Parks and recreation programs
- \*\* Rest areas and truck stops
- \*\* School and day care facilities
- \*\* Post offices, libraries and malls
- \*\* Neighborhood Associations/Publications

Additional strategies

Agencies may wish to establish a policy that addresses mandatory field interview reports (FIRs) when officers query on individuals who are known sexual predators. This is similar to several local agency policies on Field Interview Reports for suspected or known gang members that are used to track patterns of activity. If FIR cards can be accessed and searched by name at a later date, this could be a useful tool in determining any ongoing community notification that should take place based upon the predator's "known hangouts" within the community.

## **H. WHO IS ENTITLED TO NOTICE OF A SEXUAL OFFENDER?**

Six months prior to the release of a sexual offender from incarceration, the Department of Corrections must provide to FDLE, the sheriff of the county where offender was sentenced, the sheriff of the county where offender plans to reside, and any person who requests the information the following: name/alias, prison/jail from which the offender is released, social security number, race, sex, date of birth, height, weight, hair and eye color,



date and county of sentence, the crime sentenced for, fingerprints, and a photograph (taken within 60 days of the anticipated release). DC may provide other records, including criminal records, and personnel records.

Upon receipt of the above information, FDLE and/or the sheriff or police chief shall give the information to anyone who asks, and MAY notify the community in any manner they deem appropriate, unless the information is confidential or exempted from disclosure under Chapter 119. (Notification of the community is optional for sexual offenders. It is mandatory for sexual predators.)

## **I. FDLE SERVICES FOR LAW ENFORCEMENT**

- a. In addition to Internet access, FDLE will maintain and make available a connection to the sexual offender/predator database for all criminal justice agencies with CJNET capabilities.
- b. Upon request FDLE will provide all collected modus Operandi (MO) information on sexual predators to local law enforcement agencies for investigations and analysis of patterns or actions used in abduction and/or sexual offenses previously committed by the predators.
- c. FDLE will provide all sheriffs' offices and FDLE regional operations centers with sexual predator and offender registration forms (FDLE/CJIS/SOPU-001).
- d. FDLE will make available by diskette, electronic (through CJNET) or hardcopy format, model affidavits and warrants for all offenses regarding sexual offenders and predators.
- e. FDLE is coordinating with the Department of Highway Safety and Motor Vehicles to provide additional driver license and motor vehicle information on sexual predators and sex offenders to law enforcement officers whenever possible. The DHSMV will issue driver's license, renewed driver's licenses or identification cards to sexual predator and sex offenders who report to DHSMV with a change of address. Additionally, the license and registration of sexual predators are manually flagged (license manually flagged on sex offenders), when known, so an inquiry should identify the person's status as a predator or offender.

- f. FDLE searches all registered sexual predators and sex offender for active warrants each month. The results of these searches will be forwarded to the FDLE Regional Offices for coordination with local agencies in responding to this information.
- g. FDLE will provide all criminal justice agencies in the county where the sexual predator is going to reside a camera-ready copy of a flyer that may be used for community notification. Also, FDLE will notify media when a sexual predator is released into a community using the same flyer. This notification will be given to the Capitol Press Corps and the local media where the sexual predator is going to reside.
- h. FDLE will coordinate with the Department of Corrections to help ensure that DNA samples on all sexual predators are available to assist agencies in investigating and prosecuting cases. For sexual predators who do not have DNA samples, FDLE will take appropriate measures to locate the predator and obtain samples.
- i. FDLE will actively participate in locating and arresting sexual predators and sex offenders who are not residing at the address they have provided. When FDLE is notified that an offender is not at the location, FDLE will add to the remarks field in the sexual predator/sex offender status record that the reported address does not appear to be correct and, when appropriate, will move to obtain a warrant for the sexual predator or sex offender's arrest. FDLE plans to work cooperatively with local law enforcement to fully effect this strategy.
- j. FDLE will provide analysis and intelligence to assist local agencies in solving crimes that are sexual offenses, particularly where there is a possibility that a sexual predator or sex offender is involved.
- k. FDLE makes Florida sexual predator and sex offender information available to other states by providing access to the hot file status records by submitting information on these persons to the National Sex Offender Registry. FDLE provides the ability for local law enforcement agencies to access sexual predator information in other states. These are accomplished through the National Law Enforcement Telecommunications System (NLETS).

- l. FDLE will serve as a member of interdepartmental teams and task forces if so requested by local authorities.
- m. FDLE intends to make resources available to respond to the needs of the criminal justice community and the public in regard to sexual predator/offenders. This will include, as necessary, crime laboratory services, investigative services and informational services.
- n. FDLE will provide protocol books and brochures to local law enforcement. Also, informational brochures will be made available to the general public.

## **XI. OTHER JUVENILE ISSUES**

Other Juvenile Issues - 2

## **A. JUVENILE SUICIDE**

### **1. INITIAL RESPONSE**

Most youths who attempt suicide don't really want to die; they are crying out for help. Contrary to a popular belief, suicide is not an impulsive act, but the result of a three-step process: (1) a previous history of problems compounded by (2) problems associated with adolescence; finally, (3) a precipitating event. The precipitating event which triggers the suicide event frequently is a great perceived loss, a personal loss, or significant family crisis.

Many behavioral and verbal clues, some subtle, others more obvious, can alert the trained officer, parent, or professional to the adolescent's suicidal intentions.

### **2. ARRIVING AT THE SCENE**

When arriving at a scene involving a suicidal person, the officer should remember certain steps to enhance the safety of on-lookers, the victim, and himself or herself.

- a. The officer should respond quickly and quietly. Avoid rushing onto the scene.
- b. Assess one's own safety and that of others, particularly when firearms are involved.
- c. Remove on-lookers or potentially disruptive persons from the scene. If at a school, enlist the help of administrators or teachers.
- d. Be certain that medication, chemicals, and all potential weapons are secured.
- e. Establish contact and begin intervention procedures if first officer at scene.
- f. Attempt to lead subject away from immediate danger.
- g. Avoid placing yourself in a position where life and safety depend on the suicidal person.

- h. Avoid situations where avenues of escape are blocked for subject or officer.
- i. Remain alert for any sudden attack or self-destructive attempt.
  - Frequent attempters don't have the courage to kill themselves; they want to force an officer to kill them.
  - Some desire to "take someone else with them."
- j. Assume traffic and crowd control duties and support intervening officer if responding as a back up.
- k. In a barricaded or hostage type situation, consider calling out the department hostage negotiator or SWAT.
- l. Obtain information which may facilitate your attempt to prevent the suicide from local crisis intervention team, Florida Department of Children and Families, and family members.

### **3. COMMUNICATING WITH THE SUICIDAL PERSON**

- a. During initial contact:
  - Introduce yourself, providing your full name, as this encourages the individual to respond to you in a more personal and informal way.
  - Always provide an honest explanation as to why you are in attendance.
  - Seek to determine the mode of address preferred by the individual. Most persons in a crisis provide their nickname and/or personal name. By using these names, a more personal relationship is established.
  - The officer must not be judgmental. For example, if the individual states, "My life is unbearable", a judgmental reply such as "Oh, come now, things can't be **that** bad", reinforces the person's perception of his or her inability to cope and increases the chances that he or she will do something desperate. An appropriate response such as, "You say you're having

trouble at home?” indicates that the officer understands the individual’s plight and wants to know more.

- Allow the subject to feel that he or she is in control of the situation (e.g., allow the subject to set the pace of the conversation). Also, avoid interrupting him or her while he or she is talking.

b. Once communication has been established:

- Ask open-ended questions concerning the subject’s feelings, current plight, and the events which led to the present situation.
- It is important to begin emphasizing that alternatives to suicide exist, that help is available, and that you are prepared to obtain it for him or her.
- Use re-expression to show understanding and sincerity with statements such as, “I understand that you are upset about; please tell me more about that.”
- If the individual accepts your help or, alternatively, gives up his or her attempt, arrange for medical assistance immediately. Do not allow the individual to be left alone.
- At all times it is important that the officer not lose sight of his or her own safety and well-being.
- Never promise anything you are unable or unwilling to do or deliver for the person.
- Follow-up; after the crisis, do what was promised to the individual (such as contacting resources, etc.) and check to see how they are doing and if they are following up on any commitments or self-help plans they agreed to.

#### **4. RECOMMENDED PROCEDURES FOR BARRICADED YOUTH DETERMINED TO BE A DANGER TO THEMSELVES AND/OR OTHERS**

NOTE: The order of priority and the specific need should be



considered.

- a. Upon arrival at the scene, determine the immediate hazards and institute the appropriate safeguards.
- b. Establish contact with a friend, neighbor, landlord or relative to obtain information on the floor plan of the residence.
- c. If possible, determine the subject's mental stability, background information, prior suicide attempts (and manner of attempt). If possible, contact the subject's mental health counselor and request that he or she come to the scene.
- d. Contact the specialty unit in your department if one is available, an officer trained in negotiations, or someone from a mental health crisis unit.
- e. Determine the subject's most likely method of self-destruction. Ascertain if the subject has access to firearms.
- f. Have electric and gas services cut off, especially if they might be used to carry out the act.
- g. Attempt to establish a friendly communication with the subject and have him or her exit the building. If personal contact is not practical, use the telephone.
- h. Have emergency services standing by (e.g., ambulance, fire department).
- i. Whenever possible, keep backup units and emergency service vehicles out of the subject's view.
- j. Request that the closest member of the family respond to the scene to provide you with information. Also ask the family minister or rabbi to come, if appropriate. Members of the family should not be allowed to converse with or be seen by the suicidal youth.

## **5. AFTER THE IMMEDIATE DANGER HAS SUBSIDED**

The officer should evaluate the level of suicidal threat and

plan the proper course of action.

- a. A child at risk for suicide should not be released to parents because parents often will not follow up on getting the child to a facility for a mental health examination, leaving the officer in a position of liability. Florida Statute 394.463(2)(a)2 states that “A law enforcement officer ***shall*** take a person who appears to meet the criteria for involuntary examination into custody and deliver the person or have him or her delivered to the nearest receiving facility for examination.” The officer is then required to fill out a written report detailing the circumstances under which the person was taken into custody, known as a “BA-52” form, at the receiving facility. Best practice is that the law enforcement officer taking a child into custody for dependency or involuntary examination would make all reasonable attempts to contact the parents or guardians of such child, and advise them of the status of the child and the next point of contact (such as a mental health counselor or protective services worker).

A word of caution is in order here. Before contacting a parent or guardian of a child taken into custody, it is wise to determine if abuse is present. Particularly in cases of sexual abuse, this may be a precipitating factor in the suicidal threat or behavior. Returning the child to an abusive environment could trigger additional stress and escalate the problem.

- b. Criteria for Involuntary Mental Health Examination:

These are set forth in Florida Statute 394.463. An Involuntary Mental Health Examination (commonly known as the “Baker Act”) is the only appropriate alternative if the officer’s evaluation indicates that “*there is a substantial likelihood that without care or treatment the person will cause serious bodily harm to himself or herself or others in the near future, as evidenced by recent behavior*” (Florida Statute 394.463(1)(b)(2)).

Attempts at suicide or present threats involving a specific plan and/or a highly lethal method of inflicting self-harm (such as a firearm, cuts on wrists, etc.) are generally accepted as factors indicating that “substantial likelihood” of serious bodily harm exists.

Other factors may also be taken into consideration in the decision of whether the person meets criteria. These may include, but are not limited to, past suicide attempts, a history of suicide of a parent or friend, or satanic or cult involvement (which greatly increase likelihood of suicide completion). Helping resources available, and other factors known to the officer may also be considered. Getting help for the suicidal person is the main responsibility of the officer, and it should be remembered that where saving a life is concerned, it is better to err on the side of safety.

- c. A parent or guardian should be notified as soon as possible. Sometimes, however, it may be necessary to wait until after the evaluation for involuntary examination has been made to contact parents in order to minimize parental interference with the officer's duties. Parents often feel threatened and are resistive of efforts to provide outside help in these sensitive situations. It is always wise to provide an honest explanation of actions taken by the officer to the parents at the earliest appropriate time. In cases of parental protest, it should be remembered that Florida Statute 394.463 clearly mandates that "*A law enforcement officer shall take a person who appears to meet the criteria for involuntary examination into custody...*" No exceptions are made for juveniles; therefore the officer's decision on use of the Baker Act is not negotiable with the parent or guardian.
- d. The juvenile should be examined by a physician if there is the possibility that physical injury may have been inflicted.

Efforts to prevent suicide will not always be successful. One should not indulge in self-blame if one fails to prevent someone from committing suicide, but acknowledge that the best attempt at preventing it has been made.

## **6. HELPFUL INTERVENTIONS IN DEALING WITH A SUICIDAL SITUATION**

- a. Be direct. Talk openly and matter-of-factly about suicide. Ask the person, "Are you thinking of killing yourself?" Don't sugar coat or lessen the reality of the situation by using phrases like "ending it all" or "going to sleep". Hold

up for the person what kind of decision they are really making.

- b. Listen to the person in crisis. Allow expressions of feelings, including feelings about wanted to die. Accept the feelings. Let the person cry or scream in order to get their feelings out.
- c. Don't say things like "It's not so bad," or "Things will get better soon." That invalidates the overwhelming feelings that the suicidal person is having. You can say things like "You feel so terrible right now that you can't see any way out other than killing yourself". That lets the suicidal person know that you can hear how terrible they feel.
- d. Don't be judgmental. Don't debate whether suicide is right or wrong, or feelings are good or bad. Don't lecture on the value of life.
- e. Don't underestimate a threat of suicide. People that threaten to commit suicide often do commit suicide. Take the person seriously. Never dare the person to do it or tell the person that you don't think that they would be able to do it.
- f. Don't act shocked. This will put distance between you and the suicidal person. Get support for yourself so that you will be able to support the suicidal person.
- g. Find out how the person plans to kill himself or herself. Do they have a vague plan, or do they have a very specific plan with the time, day and method picked out? The more specific the plan the greater the risk.
- h. Some methods of suicide are more dangerous and risky than others. A gun, for example, is more risky than cutting. But all methods are risky. Anytime drugs are involved, call poison control to find out what the risk is for the particular drug or poison the person is considering. Remember that over the counter medications, such as acetaminophen, can be life-threatening, even in relatively small doses.

## **7. KEY RISK SUICIDE INDICATORS**

### **a. High-priority Indicators**

- Active attempt or threat
- Direct statement of suicidal intent
- Recent attempts or self-inflicted injury
- Making final arrangements, such as making a will or giving away items of personal value
- Specific method or plan for suicide already chosen

### **b. Other Indicators**

- Feelings of hopelessness or helplessness
- Loss of interest in friends or activities
- Depression/aggression (sometimes masked as vandalism or poor behavior)
- Drug and/or alcohol abuse
- Preoccupation with "heavy metal" music, morbidity, satanism or the occult
- Friend or relative who committed suicide
- Previous suicide attempts
- Excessive risk-taking
- Recurrent or uncontrolled death thoughts or fantasies
- Low self-esteem
- Loss of a family member or relationship, particularly by death or rejection
- Frequent mood swings/self-imposed isolation
- History of child abuse (physical or sexual)
- Chronic physical complaints or eating disorders
- Sexual identity conflicts
- Unreasonably high expectations for academic or athletic performance

## **8. STATISTICS ON YOUTH SUICIDE**

- Suicide ranks as the third leading cause of death for young people (behind only accidents and homicide). For those ages 15-19, suicide is the second leading cause of death.
- Each year, there are approximately 14 suicides for every 100,000 adolescents.

- Approximately 14 young people between the ages of 15-24 die **every day** by suicide.
- Every 1 hr. 40 mins. a person under the age of 25 completes suicide.
- Between the years of 1980-1992, a total of 67,367 persons under the age of 25 completed suicide; accounting for 16.4% of all suicides.
- Whereas suicides account for 1.4% of all deaths in the United States annually, they comprise 14% of all deaths among 15-24 year olds.
- Over the past 35 years, the youth suicide rate has **tripled**.
- Suicide rates for those 15-19 year olds have increased 28.3% since 1980. Suicide rates for those between the **ages of 10-14 have increased 120% since 1980**.
- Firearms remain the most commonly used suicide method among youths, regardless of race or gender, accounting for two of every three completed suicides.
- Research has shown that access to or the availability of firearms is a significant factor in the increase of youth suicide.
- As of 1992, the ratios for male to female adolescent suicides were 5:1 for whites and 7.8:1 for blacks.
- Black males (ages 15-19) have shown the largest increase in suicide rates among adolescents. Their suicide rate has increased 165% since 1980.
- Research has shown that most adolescent suicides occur in the afternoon or early evening and in their own home.
- Seven to sixteen percent of adolescents report a lifetime history of suicide attempts.
- Four to eight percent of adolescents report an attempt within the prior twelve months; that is, within a typical high school classroom, it is likely that three students (one

boy and two girls) have made a suicide attempt in the past year.

- Fourteen percent of all adolescents have stated on self-report surveys that they have attempted suicide; the true figure may be higher.
- A prior suicide attempt is an important risk factor for an eventual completion.
- The typical profile of an adolescent attempter is a female who ingests pills; while the profile of the typical adolescent completer is a male who dies of a gunshot wound.
- Not all adolescent attempters may admit to their intent. Therefore, any deliberate self-harming behaviors should be considered serious and in need of further evaluation.
- The intent of most adolescent attempters appears to be interpersonal and instrumental. In other words, they desire to effect change in the behaviors or attitudes of others.
- Repeat attempters (those making more than one non-lethal attempt) use their behavior as a means of coping with stress and tend to exhibit more chronic symptomology, poor peer coping histories, and higher presence of suicidal and substance abusive behaviors in their family history.
- Up to 60% of high school students report having suicidal ideation.
- Suicide risk factors for adolescents include, but are not limited to:
  - Presence of a psychiatric disorder (e.g. depression, bipolar disorder, personality disorders, conduct disorder).
  - Substance abuse or dependency.
  - Expressions/communications of thoughts of suicide, death, dying, or the afterlife (in the context of sadness, boredom, or negative feelings).
  - Poor control over behavior or significant change in behavior.

- Impulsive, aggressive behavior, frequent expressions of rage.
- Previous exposure to their own or other's suicidality.
- Recent severe stressors.
- Family loss or instability; significant problems in parental relationships.
- Difficulties in dealing with sexual orientation; unplanned pregnancy.
- History of running away or incarceration.

## 9. ADDITIONAL CAUTIONS

In some cases young people talk about suicide to their friends and are not taken seriously or may even be ridiculed by their peers. This tends to occur often in cases in which the young person is attempting to manipulate those around him or her by such threats, or has made frequent self-destructive statements or feigned attempts. One danger is that peers will often "call the bluff" and tell the person to just go ahead. The young person then feels "committed", or obligated to escalate the seriousness in order to save face or be taken seriously. In a few such cases, youngsters who clearly did not intend to complete suicide miscalculated the level of lethality and died.

Investigators should also be aware that in cases of death or serious injury in which extreme recklessness or risk-taking behavior is involved, the possibility of covert attempts at suicide should be considered. Children who are unusually "accident-prone" should also be considered at high risk for this type of behavior.

Incidents such as single-car accidents are sometimes an attempt to "cover up" the suicide attempt by the young person. This is thought to be a cause of under reporting of juvenile suicide.

### References:

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## **B. YOUTH GANGS**

### **1. CRIMINAL STREET GANGS**

Criminal street gangs are no longer a dilemma experienced only by larger cities. The presence of gangs is now being reported in smaller rural towns as well, many of which are experiencing the gang phenomenon for the first time. The level of violence associated with gang crimes is increasing. Today's street gangs are well-armed and are often involved in violent criminal acts against people and property. Gang members in Florida are known to be involved in murders, drive-by shootings, burglary/home invasions, armed robberies, arson, auto theft, narcotics trafficking, thefts, weapons violations, criminal mischief and car jacking.

### **2. GANG LEGISLATION**

In response to the escalating problems associated with youth and street gangs in the state, the Florida Legislature enacted the Street Terrorism Enforcement and Prevention Act (STEP) in October 1990. Chapter 874, Florida Statutes, provides definitions for gang terms and reclassifies penalties for any felony or violent misdemeanor if those offenses meet the criteria of a pattern of criminal street gang activity. The STEP Act also provides civil penalties, penalties for recruiting criminal street gang membership and property forfeitures. (In 1996, the title was changed to "Criminal Street Gang Prevention Act.")

### **3. CHARACTERISTICS OF A GANG MEMBER**

1. Will likely be male. Usually between the ages of thirteen and twenty-three.
2. Will probably be black or hispanic, although the U.S. Department of Justice has reported that the proportion of white involvement is increasing.
3. Are more likely to have come from an economically handicapped family or a broken home.
4. Usually poorly educated; frequently a school dropout or truant.

5. Unemployed; poor employment skills.
6. Very streetwise.
7. Aggressive, antisocial and hostile.
8. In trouble with the police.

This profile provides some of the many personal characteristics associated with gang involvement. Youths become involved in gangs for a variety of reasons. Coupled with such factors as a deprived economic and personal status, a variety of other motivators can help influence a youth to join a gang. Individuals with low self esteem often feel the need to establish an identity and gain recognition, and an individual may look to a gang in search of a role model.

Another strong inducement for the prospective gang members is money. The proceeds from gang-involved crimes are impressive to those who have little likelihood of legally obtaining money. Children growing up in impoverished neighborhoods often see gang members as the only ones having money. Stolen money and cars, as well as proceeds from drug sales, provide the gang member with an appearance of success, as measured by the acquisition of material goods and even sexual opportunities.

#### **4. GANG SYMBOLISM**

Gang members use graffiti, tattoos, hand signs, and colors to communicate among themselves and with other gangs. Each street gang has its own unique signs and symbols to identify gang members and to promote group solidarity. In addition to the identifiers described below, members may also express gang affiliation by wearing certain types of clothing, jewelry, bandannas, hats, various haircuts and hairstyles and gold-capped teeth. These symbols have very significant meaning to a gang member, and members will go to great lengths to protect them from degradation by rival gangs. Gang members consider degradation to their gang the ultimate form of humiliation, and violent altercations can occur when one gang shows "disrespect" for a rival gang.

## GRAFFITI

The appearance of graffiti is one of the first indications that gangs are present in an area. Graffiti as an art form was first introduced to the New York art scene in the 1970's. This popular art form has been adopted by gangs to define territorial boundaries or "turf," and to issue warnings or challenges to rival gangs.

Graffiti is a form of communication and can be classified as either artistic or gang-related signs and symbols. Artistic graffiti consists of words or depictions that are used to express a writer's emotions. Groups of graffiti writers may form a "tag crew" that appears to be very similar to a gang. Often the graffiti of these "taggers" is mistaken for that of a criminal street gang, although "taggers" are usually not gang members.

Gang-related signs and symbols are usually used by a gang member to advertise his gang. It can also be used to show contempt or opposition for a rival gang. Gang graffiti that is crossed out, written upside down or reversed is usually a threat or challenge, and is considered to be a serious insult.

Graffiti should be closely monitored, as it allows law enforcement to keep track of gang conflicts and can serve as a roster of gang members. Graffiti must be photographed and then painted over immediately. If not covered up, graffiti tends to multiply. Graffiti "paint-out" programs have been initiated in many areas, and are often effective when done as a court ordered community service sentence.

## COLORS

Gangs use colors to represent themselves. Sometimes colors have specific meanings to gang members and are included in the gang's ideology. A recent trend is to wear various sportswear, including starter jackets, sports caps and athletic shoes which represent their appropriate gang colors.

## TATTOOS

Tattoos are also used as a method of communication. A tattoo is worn to identify the wearer as a member of a particular gang, make a statement or to honor a fallen gang

member. The tattoo can include the name, initials or symbols of a gang, and may include the faction (or area) to which the member belongs. Tattoos may identify leadership roles and are used to show the various levels of commitment that exist within the gang. Some gang tattoos are professionally drawn, others are homemade, and they may be found anywhere on the body.

### HAND SIGNS

Signals are made by forming letters or numbers with the hands and fingers to depict gang symbols or initials. Hand signals are used by gangs to communicate gang affiliation and/or to challenge rival gangs. One of the more common uses of gang hand signs is to "throw down" a rival gang's sign, which means to show disrespect by placing the rival's sign in a downward position.

### COMMON GANG SYMBOLS

Many street gangs use the same signs, symbols and sports teams logos in their graffiti or in tattoos. These symbols may have different meanings from one gang to another. These are some of the common symbols used by street gangs:

Bishop's Head	Heart
Cane	Hooded Figure
Crab	Horns
Crescent Moon	Knight's Head
Cross	Pitchfork
Crown (Rounded or Pointed)	Pyramid
Devil's Head	Rabbit Head
Devil's Tail	Rooster
Diamond	Shield
Dice	Shotgun
Dollar Sign	Snake
Dots	Spade (Card)
Eagle	Spear
Eye	Star (5, 6 or 8 point)
Gloves	Sun
Halo	Swords
Head or Skull	Top Hat

## 5. GANG ALLIANCES

Criminal street gangs often form alliances for both protective purposes and for the furtherance of criminal goals. These alliances commonly cross racial/ethnic lines, and are likely to be composed of black, white, and hispanic gangs. Gang alliances were first established in Chicago, where gangs traditionally belong to either the **“People Nation”** or the **“Folk Nation.”** Often referred to as “nations” in gang slang, these alliances were established in the penitentiary system in the 1980’s by gang members who formed coalitions as a means of protection. This movement appears to be spreading throughout the United States, and many gangs in Florida align themselves with either the Folk or the People Nation. Gangs aligned with “Folks” are the bitter rivals of those aligned with “People.”

Gang alliances have also been established in California. **“Crips”** and **“Bloods”** are names used as an umbrella under which many predominantly black Los Angeles street gangs align themselves. These gangs originated in Los Angeles in the late 1960’s to early 1970’s when youths from one neighborhood banded together for protection from rival gangs in other neighborhoods. The Bloods developed to protect themselves from the Crips, and the groups have become traditional rivals.

Members aligned with either of these factions have established dress and behavioral identifiers by which they proclaim their alliance to others. For example, “People” gangs wear their identifiers to the left side, while “Folks” wear theirs to the right. An identifier might be a hat bill turned to the left or right, a pants leg rolled up on the respective right or left leg, or even jewelry worn on the designated side. Colors are also important identifiers, and the “Bloods” use the color red, while Crips chose blue as their identifying color. Additionally, they use certain terms and words to express their gang membership. Blood gang members will greet one another as “Blood” or “Piru,” while Crips greet another with the word “Cuzz.”

Gangs within an alliance usually peacefully co-exist in the interest of mutual protection. As a general rule, gangs within an alliance will not fight with each other but there are exceptions to this rule and differences sometimes occur between member gangs. On the contrary, gangs will almost

always fight or go to war against any gang that is aligned with a rival nation.

## 6. FOLK and PEOPLE NATION SIGNS AND SYMBOLS

### FOLK NATION

Sign	Meaning
Pitchfork	Strength (as in conquering society's persecution); carried by the devil
3 Dots	Sometimes tattooed between thumb and index finger; means "my crazy life"
Sword	"Death before dishonor" or survival within the gang
Heart	Love of gang
Devil's Tail	Oppression that all non-white people suffer
Six Point Star (or the number 6)	Star of David. From the top, each point stands for: love, life, loyalty, knowledge, understanding and wisdom. The number 6 sometimes appears in the center of the star
360	The full circle of knowledge possessed by a gang member
Devil's Horns	Determination to overcome all obstacles
Numbers 7 and 8	Year of the founding of the Sons and Daughters

**Folk** members favor the **right** side of the body; colors of choice are blue and black.

### PEOPLE NATION

Sign	Meaning
Crown	The eye of Allah, the supreme being
Five Point Star	From the top point: love, loyalty, wisdom, understanding and knowledge
Pyramid	Corners represent: physical, mental and spiritual knowledge
Hat	Top hat is symbolic of protection or shelter
Cane	The "staff of authority or strength"
Circle	Total knowledge or understanding that black people have ruled and will again rule the world
Crescent Moon	Splitting of the Black Nation into two parts - East and West

**People** members favor the **left** side of the body; colors of choice are red and black.



## **7. LAW ENFORCEMENT RESOURCES**

To combat gang crimes, law enforcement agencies in several regions of the state have joined forces to pool their talent and resources. Multi Agency Gang Task Forces (MAGTFs) have been formed to bring state law enforcement, sheriff's offices and police departments together to improve detection of gang activity. To combat the multi-jurisdictional impact of street gangs, these task forces have entered into agreements which allow them to cross into the others' jurisdictions. Mutual aid agreements allow participants to mobilize for community events which are expected to draw gang members. These task forces also undertake pro-active enforcement by cooperatively conducting investigations and closely monitoring gang "hangouts." The MAGTFs are permanent task forces comprised of local, state and federal agencies whose representatives attend monthly meetings to exchange intelligence on gang activity.

The first formalized gang task force was formed in 1988 in Dade County, after recommendations made by the County's Grand Jury led to the formation of the Multi-Agency Gang Task Force (MAGTF). Other regions in the state soon formed their own task forces. In Broward County, the MAGTF has a set of standard operating procedures which outline the duties and responsibilities of a law enforcement steering committee, a MAGTF Coordinator/Assistant Coordinator and designated municipal gang detectives. The Tampa Bay Area Multi Agency Gang Task Force includes law enforcement agencies from Hillsborough, Pinellas, Polk, Pasco, and Manatee counties. Gang task forces have also been formed in Palm Beach, Escambia and Okaloosa counties.

Other agencies also host monthly gang intelligence meetings. The Orange County Sheriff's Office held the first Central Florida Gang Intelligence Meeting in 1989. Attendees of this monthly meeting represent approximately thirty agencies from Orange, Seminole, Osceola, Lake, Volusia, Brevard and other surrounding counties. Several areas in Florida hold monthly intelligence meetings to exchange information about street gang activities. Many of these meetings are not limited strictly to law enforcement and represent a wide range of agencies whose common goal is to exchange information and work together to address gang-related issues.

The Florida Gang Investigators Association (FGIA) was formed in February 1993. Comprised of representatives from federal, state and local law enforcement agencies throughout Florida, FGIA provides a network in which agencies can work cooperatively to control and prevent gang activity. Some of the Association's objectives are:

- to promote a free exchange of intelligence and information among investigators/analysts, with the goal of effectively impacting the level of gang-related violence perpetrated by criminal groups whose actions adversely affect and constitute a threat to public order;
- to advocate and encourage the development of new techniques that will aid investigators in the identification and arrest of gang members suspected of committing crimes;
- to provide training and familiarization with regards to organized crime tactics, philosophy and modus operandi of gangs to association members and any other law enforcement agencies.

The Florida Gang Investigators Association sponsors an annual conference to provide gang enforcement training. The Association also produces a quarterly newsletter which includes information on gang-related issues and gang activity from around the state. The FGIA has worked closely with FDLE in the implementation of the statewide gang data base, and provided recommendations to the Committee on Juvenile Justice for revisions to the Street Terrorism Enforcement and Prevention Act during the 1996 legislative session.



## **C. PREVENTING CHILDHOOD TRAUMA RESULTING FROM EXPOSURE TO DOMESTIC VIOLENCE**

### **1. INTRODUCTION**

It is important for officers investigating domestic violence, child abuse, parental suicides, or other events that are traumatizing to children, to be aware of the potential for negative effects of these events on children's development. Some of the effects on children witnessing violence include withdrawal, abnormal fears, regression, decline in school performance, learning problems, truancy, impassivity, obsessively retelling the incident, behavioral and emotional problems, or denial of the incident. Full blown post traumatic stress disorder (PTSD) symptoms have been reported in young children exposed to violence and other critical incidents. Teenagers, though often overlooked, are equally subject to stress-related trauma and need assistance.

It has also been found that exposure to critical incidents in early childhood is correlated with later maladaptive, or problem behaviors, in adolescence. Some of these include drug and alcohol abuse, as well as violent, aggressive and antisocial behavior. Children who observe domestic violence in childhood are much more likely to become perpetrators of domestic violence in adulthood. It has also been shown that these problems can largely be prevented by proper handling of the critical incident in the early stages.

Because some very young children may not outwardly appear to be affected by the critical incident, or do not verbalize about it, it is easy to assume that the trauma is having no impact on the child. The fact is, however, that the child is aware of the situation and is processing it in his/her own way, which may include appearing to block out the incident. The effects of violence on child who shows no response may be even more serious because it may not be dealt with. Although the effects may not appear until later, it is important that the child get help immediately. The importance of early intervention in preventing serious problems cannot be over-emphasized. This is true regardless of age, gender, or ethnic origin of the child involved.

Although statistically less common than simple domestic battery, cases in which the child witnesses or is present

during the suicide or killing of a parent are by far the most traumatic for the child. As would be expected, they are the most likely to develop PTSD. It is imperative that immediate help is provided for these children, who are also victims. The key is compassion and realizing that their entire support system and sense of security have been ripped from them and they don't understand why. They have suddenly suffered the bereavement of one or both parents, possibly the imprisonment of the other, loss of home, possessions, and friends, and witnessed unimaginable horror. Sometimes the death is the culmination of and confirmation of years of their worst fears.

Resources available to the investigating officer or other child care professionals should include the victim advocate, or victim assistance counselor, community resources, the courts, and agencies that provide counseling. In the case of smaller agencies that do not have their own victim advocate, one can usually be made available from a larger neighboring agency or from the Florida Department of Law Enforcement.

## **2. RECOMMENDED PROCEDURES FOR THE RESPONDING OFFICER**

- a. If children are present they should be shielded from witnessing further violence or the arrest of parents if logistically practical, taking officer safety into consideration. This is usually best accomplished by isolating or removing the children from the immediate scene and can be done by back-up officers if available.
- b. An age-appropriate explanation of the situation should be made to the children as soon as practical.
- c. It is very helpful for the officer to give the young child something to hold onto such as a teddy bear or other stuffed animal.
- d. Children may need to be relocated to an emergency shelter, with relatives or other responsible adult caretaker, or a location where the child feels safe.
- e. A victim advocate (also known as a victim assistance counselor) should be contacted as soon as possible. It is preferable that the victim advocate, or other counselor, be specially trained in Critical Incident Stress Debriefing

(CISD) with children. The debriefing should be done within 12 hours of the traumatic event for maximum effectiveness. Long-term counseling may also be needed, depending on the type of traumatic situation.

- f. Thorough documentation of the incident in the report is essential. Include the names of all children involved. If children have been relocated, addresses or locations of the children or other family members should NOT be included in the report for their protection.
- g. An advocate for the child should be appointed to insure that follow-up counseling and other recommended services are provided. This can be done either by the victim advocate or a court-appointed guardian ad-litem.

**References:**

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Wolfe, S., Zak, L., and Wilson, S. (1986). "Child Witness to Violence Between Parents: Critical Issues to Behavioral and Social Adjustment." *Journal of Abnormal Child Psychology* 14 (1) 95-104.



## **D. SERIOUS HABITUAL OFFENDER CHILD APPREHENSION PROGRAM (S.H.O.C.A.P.)**

### **1. WHAT IS SHOCAP?**

SHOCAP is an acronym which stands for Serious Habitual Offender Comprehensive Action Program. SHOCAP is an interagency information sharing and case management program which focuses the local system's attention on the serious habitual juvenile offenders in a community. With so few resources in the state of Florida, it is critical that the system focus on the serious repeat offenders. Studies have shown that 94% of the youth who have an interaction with the juvenile justice system, will never get in trouble again. It is the other 6% that go on to become the habitual offenders and deserve special attention. SHOCAP, which requires the commitment of every component of the local juvenile justice system, has three goals: 1) identifying the serious habitual offenders (SHO's) in a community, 2) responding to the needs of these youths, and 3) enhancing the supervision of these youths to prevent further offenses.

### **2. WHAT ARE THE BENEFITS OF SHOCAP?**

The benefits of SHOCAP vary from site to site and are the direct result of the amount of effort and interagency cooperation within a given community. Some of the expected benefits of SHOCAP within a community include:

- Enhanced communication between agencies
- Efficient utilization of existing resources
- Effective handling of serious habitual offenders within the community
- Reduction of juvenile crime within the community
- Increase in public safety

### **3. WHAT IS THE FLORIDA STATEWIDE SHOCAP INITIATIVE?**

The Florida Statewide SHOCAP Initiative is an interagency effort on the part of the Florida Department of Law Enforcement, the Florida Department Juvenile Justice, and the Florida Department of Education to address the juvenile



crime problem in Florida. Having seen the success of the existing SHOCAP program in Florida, FDLE sought and was awarded grant funding to develop and implement a statewide SHOCAP program. In addition, FDLE entered into a federal partnership with the Office of Juvenile Justice and Delinquency Prevention to assist in fulfilling the objective of the statewide initiative.

**4. WHO HAS BEEN SELECTED FOR THIS PROGRAM?**

Currently, thirty-four counties have been admitted into the statewide initiative. Counties admitted into the initiative are eligible for training and technical assistance that is funded through the grant supporting this project.

**5. FLORIDA COUNTIES WHICH ARE SHOCAP SITES**

Alachua, Bay, Brevard, Broward, Charlotte, Citrus, Collier, Dade, Duval, Escambia, Gadsden, Hardee, Hernando, Highlands, Hillsborough, Indian River, Jackson, Lee, Leon, Manatee, Marion, Martin, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Seminole, St. Johns, St. Lucie

**6. FURTHER INFORMATION CONCERNING SHOCAP**

If you have further questions about the Florida Statewide SHOCAP Initiative, please contact the Florida Department of Law Enforcement, Special Programs and Investigations Unit at (850) 410-8300. Fax number (850) 410-8382.

## **E. DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.)**

The Drug Abuse Resistance Education (D.A.R.E.) Program is targeted for exit level elementary (5th and 6th grade) students. The emphasis of D.A.R.E. is to help students recognize and resist the many pressures that influence them to experiment with alcohol and drugs. In addition, the program focuses on feelings related to self-esteem, interpersonal and communications skills, decision making, and positive alternatives to drug abuse behavior.

D.A.R.E. offers a variety of activity-oriented techniques which are designed to encourage student-generated responses to problem-solving situations. The focus of drug abuse prevention for the primary and middle grades is that of drug safety. The particular emphasis of this instruction is on helping students become aware of the potential dangers in the misuse of any drug, medicine, or other substance. Also, there is recognition of the need at this level to help students develop awareness that alcohol and tobacco are drugs.

The D.A.R.E. Training Program consists of an 80 hour training course. Minimum qualifications for law enforcement officers wishing to attend training is two years of sworn law enforcement experience. Application can be made by contacting the Regional Coordinator within your region or by calling the Florida Department of Law Enforcement, Florida D.A.R.E. Training Center in Tallahassee at (850) 487-3708. There is no cost for the training, however, the officer's agency is responsible for lodging and per diem for each officer that attends D.A.R.E. training.

A Participation Agreement is signed by their agency administrator agreeing to make their officer available to instruct the D.A.R.E. curriculum in the school district named within their application. The agreement is also signed by the Superintendent of the local school district or designee, agreeing to provide classroom space and allot at least 45 minutes per lesson each week to the targeted class for delivery of the D.A.R.E. Program. This is a seventeen week curriculum.

If a D.A.R.E. officer has not taught the curriculum for a two year period of time, they are required to attend a four (4) day observation during a regular scheduled D.A.R.E. Training. Contact the Training Center for dates and times. Florida Statute 233.0663 (3)(d) states that each trained D.A.R.E. Program officer shall teach in at least one elementary school or

other grade as approved pursuant to the rules, policies, and procedures adopted under the authority provided in subsection (1) in the school semester immediately following the D.A.R.E. Program that he/she has attended.

# **X. LEGISLATION**

Legislation - 2

## A. PERTINENT LEGISLATION BY TITLE

### A

Aggravated child abuse	827.03
Alternate care of children; social welfare	409.165
Appointment of guardian ad litem for abused or neglected child	415.508
Assault or battery upon district school board employees; penalties	231.06

### B

Baker Act	394.463
Birth records of missing children	937.024
Birth records of missing children; registrars' duties	382.355

### C

Care of children; social welfare	409.145
Carnal intercourse with unmarried person under 18 years	794.05
Child abuse	827.04
Child protection teams	415.5055
Child protective investigations	415.505
Confidentiality of reports and records in cases of child abuse and neglect	415.51
Criminal intelligence or investigative information obtained from out of state agencies	119.072

### D

Definitions of terms used in abuse, neglect and exploitation statutes	415.503
Dental records of missing persons	937.031

**D Cont.**

Department of Education to compile list of missing Florida school children	937.023
Determination of temporary custody proceedings, jurisdiction	751.02
Distributing school attendance required between ages 6 and 16	232.01
District authority and responsibilities in abuse, neglect and exploitation	415.5018
Domestic violence	741.28
Drug Abuse Resistance Education Program	233.0663
Duty of law enforcement officers in death Investigations	406.14

**E**

Employment of minors	562.13
Expungement Orders	943.058

**F**

Fair treatment of victims and witnesses guidelines	960.001
False imprisonment; false imprisonment of child under age 13, aggravating circumstances	787.02
Family services response system on abuse, neglect and exploitation	415.5017
Filing and enforcement of custody of another state	61.1332
Fingerprints; missing children	937.028

**G**

Gang Prevention Act	874.01
Grandparental visitation rights	752.01
Guardian ad litem	61.401

**H**

Hearsay exemptions	90.803
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**I**

Immunity from liability in cases of child abuse and neglect	415.511
Incest	826.04
Inspection, examination and duplication of records; exemptions	119.07
Interference with custody	787.03
Interstate Compact on Juveniles	39.51
Interview limits of child abuse and sexual abuse of victims under age 16 or with mental retardation	914.16

**J**

Judicial disposition of youthful offenders	958.04
Judicial or other proceedings involving victims or witnesses under 16	92.55
Jurisdiction declined by reason of conduct	61.1318
Juvenile domestic violence offenders	39.0445

**K**

Kidnapping, kidnapping of child under age 13, aggravating circumstances	787.01
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**L**

Leaving children unattended or unsupervised in a motor vehicle	316.6135
Lewd, lascivious, or indecent assault or act upon or in presence of a child	800.04



**L Cont.**

Luring or enticing a child	787.025
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**M**

Mandatory reports of child abuse or neglect	415.504
Missing child reports	937.021
Missing Children Information Clearinghouse	937.022
Modification of custody decree from another state	61.1333

**N**

Negligent treatment of children	827.05
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**P**

Penalties relating to abuse reporting	415.513
Petition for temporary custody	751.03
Possession of alcoholic beverages by person under age 21	562.111
Procuring person under age of 18 for prostitution	796.03
Protection of minors; prohibition of certain acts in connection with obscenity	847.0133
Protective investigations	39.403
Protective services for abused or neglected children; legislative intent	415.502
Pupil and student school records and reports; rights to parents, guardians and students	228.093

**R**

Recognition of out of state custody decrees	61.1328
Registry of out of state custody decrees and proceedings	61.1334
Regular school attendance	232.02

**R Cont.**

Releasing or delivery from custody	39.038
Removing minors from state or concealing minors contrary to state agency order or court order	787.04
Resisting officer without violence to his person	843.02

**S**

School resource officer program	230.2318
Sealed Records	943.059
Selling or buying of minors; penalties	847.0145
Selling, giving or serving alcoholic beverages to person under 21; penalties	562.11
Sentencing guidelines offense levels	921.0012
Sexual Battery	794.011
Sexual battery by multiple perpetrators; enhanced penalties	794.023
Sexual Offender Registration	943.0435
Sexual performance by a child; penalties	827.071
Sexual Predator registration requirements, procedures and penalties	775.21
Sheltering unmarried minors; aiding unmarried minor runaways	984.085
Stalking; definitions and penalties	784.048

**T**

Taking a child alleged to be dependent into custody	39.401
Taking a child into custody; dependency	39.037
Taking a child into protective custody	415.506
Teenage Parent Programs	230.23166
Time limitations; general penalties	775.15
Trespass upon grounds of facilities of public schools; penalties; arrest	228.091

**U**

Unidentified person; reporting requirements	406.145
Uniform Child Custody Jurisdiction Act	61.1302
Use of close circuit television in proceedings involving victims or witnesses under 16	92.54

**V**

Videotaping of testimony of victim or witness under the age of 16 or person with mental retardation	92.53
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## B. PERTINENT LEGISLATION BY STATUTE NUMBER

39.037	Taking a child into custody; dependency
39.038	Releasing or delivery from custody
39.0445	Juvenile domestic violence offenders
39.401	Taking a child alleged to be dependent into custody
39.403	Protective investigations
39.51	Interstate Compact on Juveniles

61.1302	Uniform Child Custody Jurisdiction Act
61.1318	Jurisdiction declined by reason of conduct
61.1328	Recognition of out of state custody decrees
61.1332	Filing and enforcement of custody of another state
61.1333	Modification of custody decree from another state
61.1334	Registry of out of state custody decrees and proceedings
61.401	Guardian ad litem

90.803	Hearsay exemptions
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92.53	Videotaping of testimony of victim or witness under the age of 16 or person with mental retardation
92.54	Use of close circuit television in proceedings involving victims or witnesses under 16
92.55	Judicial or other proceedings involving victims or witnesses under 16

119.07	Inspection, examination and duplication of records; exemptions
119.072	Criminal intelligence or investigative information obtained from out of state agencies

228.091	Trespass upon grounds of facilities of public schools; penalties; arrest.
228.093	Pupil and student school records and reports; rights to parents, guardians and students

230.23166	Teenage Parent Programs
230.2318	School resource officer program

231.06	Assault or battery upon district school board employees; penalties
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232.01	Distributing school attendance required between ages of 6 and 16
232.02	Regular school attendance

233.0663	Drug Abuse Resistance Education Program
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316.6135	Leaving children unattended in motor vehicle
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382.355	Birth records of missing children; registrars' duties
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394.463	Baker Act
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406.14	Duty of law enforcement officers in death investigations
406.145	Unidentified person; reporting requirements

409.145	Care of children; social welfare
409.165	Alternate care of children; social welfare

415.5017	Family services response system on abuse, neglect and exploitation
415.5018	District authority and responsibilities in abuse, neglect and exploitation
415.502	Protective services for abused or neglected children; legislative intent
415.503	Definitions of terms used in abuse, neglect and exploitation statutes
415.504	Mandatory reports of child abuse or neglect
415.505	Child protective investigations
415.5055	Child protection teams
415.506	Taking a child into protective custody
415.508	Appointment of guardian ad litem for abused or neglected child
415.51	Confidentiality of reports and records in cases of child abuse and neglect
415.511	Immunity from liability in cases of child abuse and neglect
415.513	Penalties relating to abuse reporting

562.11	Selling, giving or serving alcoholic beverages to person under 21; penalties
562.111	Possession of alcoholic beverages by person under age 21
562.13	Employment of minors

741.28	Domestic violence
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751.01	Petition for temporary custody
751.02	Determination of temporary custody proceedings, jurisdiction

752.03	Grandparental visitation rights
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775.15	Time limitations; general penalties
775.21	Florida Sexual Predators Act; legislative findings and intent

784.048	Stalking; definitions and penalties
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787.01	Kidnapping, kidnapping of child under age 13, aggravating circumstances
787.02	False imprisonment; false imprisonment of child under age 13, aggravating circumstances
787.025	Luring or enticing a child
787.03	Interference with custody
787.04	Removing minors from state or concealing minors contrary to state agency order or court order

794.011	Sexual Battery
794.023	Sexual battery by multiple perpetrators; enhanced penalties
794.05	Carnal intercourse with unmarried person under 18 years

796.03	Procuring person under age of 18 for prostitution
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800.04	Lewd, lascivious, or indecent assault or act upon or in presence of child
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826.04	Incest
827.03	Aggravated child abuse
827.04	Child abuse
827.05	Negligent treatment of children
827.071	Sexual performance by a child; penalties
843.02	Resisting officer without violence to his person
847.0133	Protection of minors; prohibition of certain acts in connection with obscenity
847.0145	Selling or buying of minors; penalties
874.01	Criminal Street Gang Prevention Act
914.16	Interview limits of child abuse and sexual abuse of victims under age 16 or with mental retardation
921.0012	Sentencing guidelines offense levels
937.021	Missing child reports
937.022	Missing Children Information Clearinghouse
937.023	Department of Education to compile list of missing Florida school children
937.024	Birth records of missing children
937.028	Fingerprints; missing children
937.031	Dental records of missing persons
943.0435	Sexual Offender Registration
943.058	Expungement Orders
943.059	Sealed Records
958.04	Judicial disposition of youthful offenders
960.001	Fair treatment of victims and witnesses guidelines
984.085	Sheltering unmarried minors; aiding unmarried minor runaways

# **XI. FREQUENTLY USED NUMBERS**



Frequently Used Numbers - 2

## **FLORIDA DEPARTMENT OF LAW ENFORCEMENT**

Post Office Box 1489  
Tallahassee, Florida 32302

### **Missing Children Information Clearinghouse**

Tallahassee (850)410-8585  
Toll Free Nationwide 1-888-FL-MISSING  
1-888-356-4774

**Crimes Against Children  
Program**  
(850) 410-8300

**Serious Habitual Offender  
Apprehension Program  
(SHOCAP)**  
(850) 410-8381

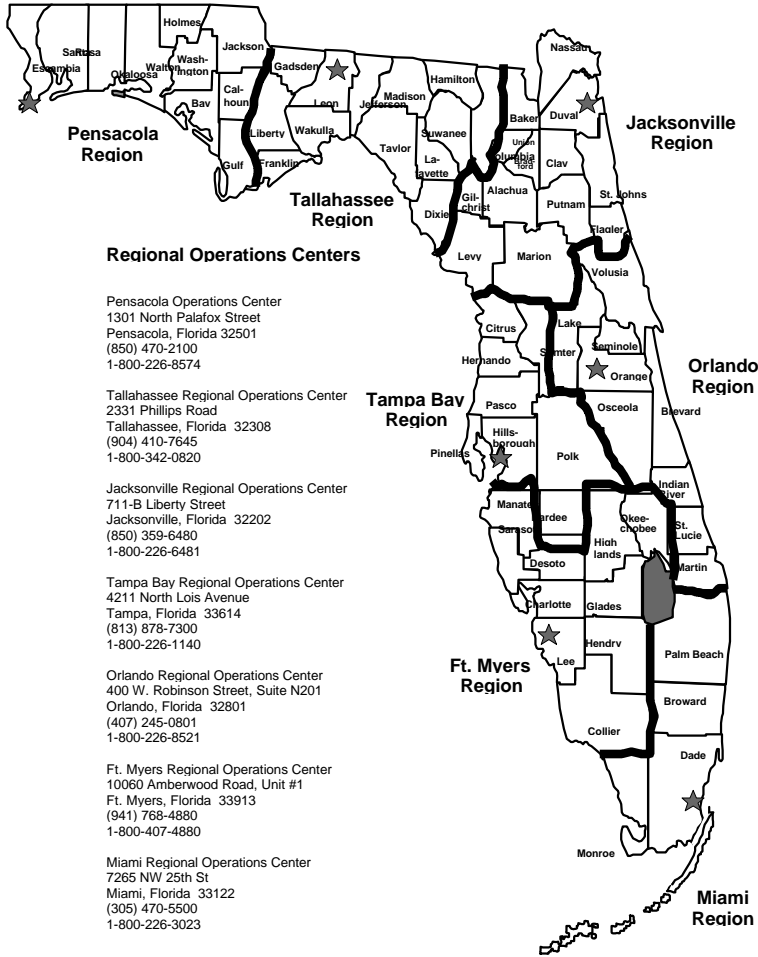
**Sexual Predators Program**  
(850) 410-8572  
1-888-357-7332

**Drug Abuse Resistance  
Education  
(DARE)**  
(850) 410-7645

### **Additional FDLE Assistance**

Statewide assistance in other criminal matters may also be obtained through one of FDLE's 7 regional offices throughout Florida. For the closest regional office near you, see the following map.

# FDLE Statewide



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

## VISION

The Department of Juvenile Justice envisions a safer Florida where people experience the benefits of life resulting from the reduced risk of harm caused by juvenile delinquency.

## MISSION

The mission of the Department of Juvenile Justice is to provide a full range of programs and services to prevent and reduce juvenile delinquency in partnership with families, schools, communities, and law enforcement and other agencies. The Department of Juvenile Justice is committed to a balanced approach that increases public safety, provides department and offender accountability, and affords opportunities for youth to develop into responsible citizens.

## DISTRICT PROGRAM OFFICE LISTING

### DISTRICT 1

1419 N. Palafox St.  
P. O. Box 8010  
Pensacola, FL 32505  
Ofc: (850) 595-8236/SC 693  
Fax: (850) 595-8550/SC 693

### DISTRICT 2

525 North M. L. King Blvd.  
Tallahassee, FL 32301-1054  
Ofc: (850) 487-4251/SC 277  
Fax: (850) 414-9054/SC 994

### DISTRICT 3

408 W. University Ave.  
Seagle Building, Suite 106  
Gainesville, FL 32601  
Ofc: (352) 334-1590/SC 625  
Fax: (352) 334-1549/SC 625

### DISTRICT 4

2050 Art Museum Drive  
Flagler Building, Suite 205  
Jacksonville, FL 32207  
Ofc: (904) 390-4669/SC 870  
Fax: (904) 390-4679/SC 870

### DISTRICT 5

701-94th Avenue, N., Suite 130  
St. Petersburg, FL 33702-2448  
Ofc: (813) 570-5040 /SC 513  
Fax: (813) 570-3289/SC 513

### DISTRICT 6

Interstate Park  
4524 Oak Fair Blvd., Ste 100  
Tampa, FL 33610  
Ofc: (813) 744-8902/SC 512-1862  
Fax: (813) 744 8908/SC 512-1868

**DISTRICT 7**

644 Ferguson Drive  
Orlando, FL 32805  
Ofc: (407) 521-2600/SC 326  
Fax: (407) 521-2608/SC 326

**DISTRICT 8**

2295 Victoria Ave., Suite 195  
Ft. Myers, FL 33901  
Ofc: (941) 338-2650/SC 748  
Fax: (941) 338-2663/SC 748

**DISTRICT 9**

1756 N. Congress Avenue  
West Palm Beach, FL 33409  
Ofc: (561) 616-1560/SC 256  
Fax: (561) 616-1560/SC 256

**DISTRICT 10**

Broward Regional Service Center  
201 West Broward Boulevard  
Ft. Lauderdale, FL 33301  
Ofc: (954) 467-4381/SC 453  
Fax: (954) 467-5996/SC 453

**DISTRICT 11**

3300 N.W. 27<sup>TH</sup> Ave  
Miami, FL 33142  
Ofc: (305) 637-2911/SC 461  
Fax: (305) 637-2918/SC 461

**DISTRICT 12**

128 Orange Avenue  
Daytona Beach, FL 32114  
Ofc: (904) 947-3591/SC 380  
Fax: (904) 947-3595/SC 380

**DISTRICT 13**

Tealbrook Professional Ctr.  
2300 SE 17th St., Suite 201  
Ocala, FL 34471  
Ofc: (352) 620-7807/SC 667  
Fax: (352) 620-7804/SC 667

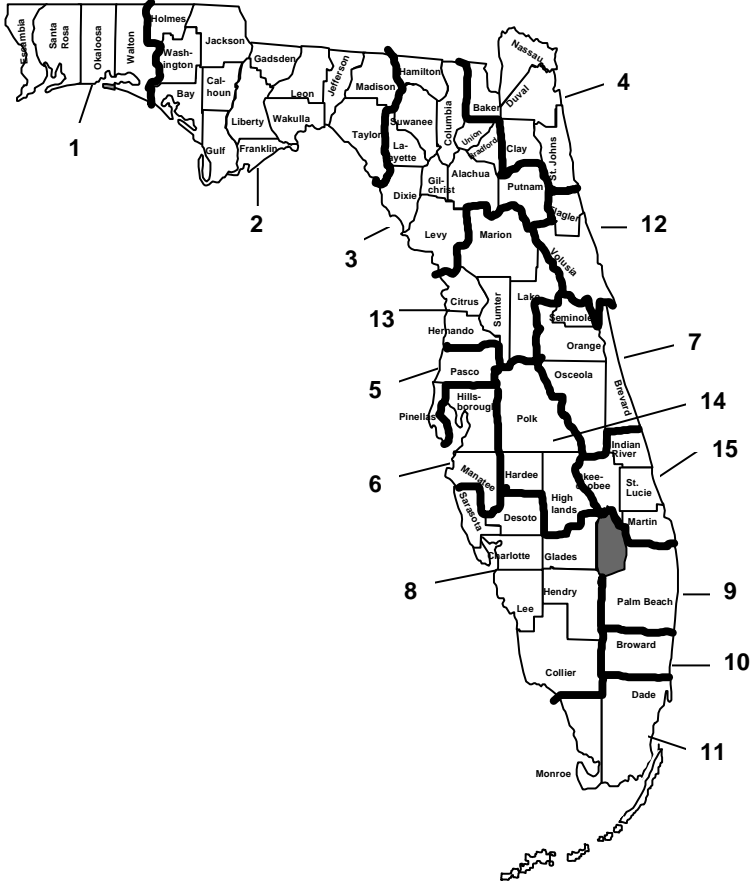
**DISTRICT 14**

1295 Brice Blvd.  
Bartow, FL 33830  
Ofc: (941) 534-0231/SC 515-0667  
Fax: (941) 534-0239/SC 515-0675

**DISTRICT 15**

337 N. 4th Street, Suite D  
Ft. Pierce, FL 34950  
Ofc: (561) 467-3166/SC 240  
Fax: (561) 467-3190/SC 240

# DJJ Statewide



Frequently Used Numbers - 7

Frequently Used Numbers - 8

**FLORIDA DEPARTMENT OF JUVENILE JUSTICE  
DETENTION CENTERS**

**DISTRICT 1**

Escambia Regional JDC  
1800 St. Mary's Street  
Pensacola, Florida 32501  
Phone: (850) 595-8820  
FAX: (850) 595-8676

**DISTRICT 2**

Bay Regional JDC  
450 East 11th Street  
Panama City, Florida 32401  
Phone: (850) 872-4706  
FAX: (850) 873-7099

Leon Regional JDC  
2303 Ronellis Drive  
Tallahassee, Florida 32310  
Phone: (850) 488-7672  
FAX: (850) 922-2842

**DISTRICT 3**

Alachua Regional JDC  
3440 Northeast 39th Avenue  
Gainesville, Florida 32609  
Phone: (352) 955-2105  
FAX (352) 955-3025

**DISTRICT 4**

Duval Regional JDC  
1241 East 8th Street  
Jacksonville, Florida 32206-4099  
Phone: (904) 798-4820  
FAX (904) 798-4825

**DISTRICT 5**

Pinellas Regional JDC  
5255 140th Avenue North,  
Clearwater, Florida 34620  
Phone: (813) 538-7100  
FAX (813) 538-7318

**DISTRICT 5 Cont.**

Pasco Regional JDC  
28534 State Road 52  
San Antonio, Florida 33576  
Phone: (352) 588-5900  
FAX: (352) 588-5909

**DISTRICT 6**

Hillsborough Regional JDC  
3948 West Martin Luther King, Jr.  
Boulevard  
Tampa, Florida 33614  
Phone: (813) 871-7650  
FAX: (813) 873-4764

Manatee Regional JDC  
1803 Fifth Street West  
Bradenton, Florida 34205  
Phone: (941) 741-3023  
FAX: (941) 741-3061

**DISTRICT 7**

Orlando Regional JDC  
2800 South Bumby Avenue  
Orlando, Florida 32806  
Phone: (407) 897-2800  
FAX (407) 897-2856

Orange Halfway House  
2015 All Children's Way  
Orlando, Florida 32818  
Phone: (407)522-2118  
FAX (407)522-2103

Seminole Regional JDC  
200 Bush Boulevard  
Sanford, Florida 32773  
Phone: (407) 330-6750  
FAX (407) 328-3947



**DISTRICT 7 Cont.**

Brevard Regional JDC  
5225 Dewitt Ave.  
Cocoa, Fl 32927  
Phone: (407) 690-3400  
FAX: (407) 690-3412

**DISTRICT 8**

SW Florida Regional JDC  
2525 Ortiz Avenue, P. O. Box  
50339  
Fort Myers, Florida 33994-0339  
Phone: (941) 332-6927  
FAX (941) 332-6931

**DISTRICT 9**

Palm Beach Regional JDC  
1100 45th Street Building "A"  
West Palm Beach, Florida 33407  
Phone: (561) 881-5020  
FAX (561) 881-5019

**DISTRICT 10**

Broward Regional JDC  
222 N. W. 22nd Avenue  
Fort Lauderdale, Florida 33311  
Phone: (954) 467-4563  
FAX (954) 583-8858

**DISTRICT 11**

Dade Regional JDC  
3300 N.W. 27th Avenue  
Miami, Florida 33142  
Phone: (305) 637-4673  
FAX (305) 637-2812

**DISTRICT 12**

Volusia Regional JDC  
3840 Old Deland Road  
Daytona Beach, Florida 32124  
Phone: (904) 238-4780  
FAX (904) 238-4792

**DISTRICT 13**

Marion Regional JDC  
3040 N.W. 10th Street  
Ocala, FL 34475  
Phone: (352) 732-1450  
FAX: (352) 732-1457

**DISTRICT 14**

Polk Regional JDC  
2155 Bob Phillips Road  
Bartow, Florida 33830  
Phone: (941) 534-7090  
FAX (941) 534-7024

**DISTRICT 15**

St. Lucie Regional JDC  
1301 Bell Avenue  
Fort Pierce, Florida 34982  
Phone: (561) 468-3940  
FAX (561) 468-4005

**FLORIDA DEPARTMENT OF JUVENILE JUSTICE  
JUVENILE ASSESSMENT CENTERS**

**District 1/Escambia**

1800 St. Mary's Street  
Pensacola, FL 32501  
(850) 595-8931

**District 2/Leon**

3333 W. Pensacola St. Bldg. 400  
Tallahassee, FL 32304  
(850) 574-8814

**District 3/Alachua**

3436 NE 39th Avenue Suite 2  
Gainesville, FL 32609  
(352) 375-2125

**District 4/Duval**

1283 East Eight Street  
Jacksonville, FL 32206  
(904) 798-4700

**District 5/Pinellas**

14500 49th Street North  
Clearwater, FL 34622  
(813) 464-7450

**District 6/Tampa**

8620 North Dixon Avenue  
Tampa, FL 33804-  
(813) 932-0023

**District 6/Manatee**

1802 Fifth Street West  
Bradenton, FL 34205

**District 7/Orange**

823 West Central Blvd  
Orlando, FL 32805  
(407) 836-8800

**District 8/Lee County**

3707 Broadway Street, Bldg B  
Fort Myers, FL 33901  
(941) 278-7400

**District 9/Palm Beach**

(Not Open)  
3400 Belvedere Road  
West Palm Beach, FL 33406

**District 10/Broward**

2600 Southwest Fourth Avenue  
Fort Lauderdale, FL 33315  
(954) 467-4600

**District 11/Dade**

275 NW 2<sup>nd</sup> Street  
Miami, FL 33128  
(305) 755-6200

**District 12/Volusia**

3840 Old Deland Road  
Daytona Beach, FL 32124  
(904) 947-5860

**District 13/Marion**

3040 Northwest 10th Street  
Ocala, FL 34475  
(352) 840-5840

**District 14/Polk**

1090 US Highway 17 South  
Bartow, FL 33830  
(941) 519-3655

**District 15/St. Lucie**

1800-C Okeechobee Road  
Fort Pierce, FL 34950  
(561)467-1139



**CINS/FINS SHELTER AND COUNSELING  
INFORMATION SITES**

\* All bold lettering indicates a CINS/FINS shelter site

**DISTRICT 1**

Lutheran Ministries of Florida  
4610 W. Fairfield Dr.  
Pensacola., FL 32506  
(850) 453-2772

**DISTRICT 2**

Anchorage Children's Home  
2121 Lisenby Ave.  
Panama City, FL 32405  
(850) 763-7102

**Capital City Youth Services**  
**2407 Roberts Ave.**  
**Tallahassee, FL 32310**  
**(850) 576-6000**

**DISTRICT 3**

Corner Drug Store, Inc.  
1300 NW 6<sup>th</sup> St.  
Gainesville, FL 32601-4246  
(352) 334-3800

**DISTRICT 4**

Youth Crisis Center  
7007 Beach Blvd.  
Jacksonville, FL 32216  
(904) 720-0002

**DISTRICT 5**

Youth and Family Alternatives  
7524 Plathe Rd.  
New Port Richey, FL 34653  
(813) 856-5601

Family Resources, Inc.  
Post Office Box 13087  
St. Petersburg, FL 33704  
(727) 384-8336

**DISTRICT 5 Cont.**

Family Resources North  
Clearwater, FL 33713  
(727) 449-8336

**DISTRICT 6**

Hillsborough County  
Department of Children's Services  
3110 Clay Mangum Ln.  
Tampa, FL 33618  
(813) 276-2097

**Family Resources Manatee**  
**361 6<sup>th</sup> Ave W**  
**Bradenton, FL 34205**  
**(941) 741-3575**

**DISTRICT 7**

Boys Town of Central Florida  
950 N Central Ave.  
Oviedo, FL, 32765  
(407) 366-3667

**Crosswinds Youth Shelter**  
**55 McCleod St.**  
**Merritt Island, FL 32953**  
**(407) 452-0800**

Children's Home Society  
1080 Woodcock Rd., Ste. 151  
Orlando, FL 32803  
(407) 847-5333

**Family Services Program**  
**1800 E Michigan St.**  
**Orlando, FL 32806**  
**(407) 897-6370**

**DISTRICT 8**

Sarasota Family YMCA  
1084 S Briggs Ave  
Sarasota, FL 34237  
(941) 951-2916

**DISTRICT 9**

Children's Home Society  
2920 Broadway  
West Palm Beach, FL 33407  
(561) 833-2400

**DISTRICT 10**

Lippman Family Center  
221 NW 43<sup>rd</sup> Ct.  
Oakland Park, FL 33309  
(954) 568-2801

**DISTRICT 11**

Miami Bridge Central  
2810 NW South River Dr.  
Miami, FL 33125  
(305) 635-8953

**Switchboard of Miami**

444 Brickell Ave.  
Miami, FL 33131  
(305) 358-1640

**DISTRICT 11 Cont.**

Florida Keys Children's Shelter  
73 High Point Rd.  
Tavernier, FL 33070  
(305) 852-4246

**DISTRICT 12**

BEACH House  
408 S Ridgewood Ave  
Daytona Beach, FL 32114  
(904) 238-4728

**DISTRICT 13**

Arnette House  
2310 NE 24<sup>th</sup> St.  
Ocala, FL 34470  
(352) 622-6135

**DISTRICT 14**

Cornerstone Youth Shelter  
5400 Bethlehem Rd.  
Mulberry, FL 33860  
(941) 701-1177

**DISTRICT 15**

Children's Home Society - Wave  
CREST  
4520 Selvitz Rd.  
Ft. Pierce, FL 34981  
(561) 460-9752

**NATIONAL CENTER FOR MISSING AND EXPLOITED  
CHILDREN**

2101 Wilson Boulevard, Suite 550  
Arlington, VA 22201-3077  
(703) 235-3900  
1-800-843-5678 (Nationwide)  
1-800-826-7653 (TDD accessible for the hearing impaired)  
Fax: (703) 235-3900

**MISSING CHILDREN PRIVATE ORGANIZATIONS IN  
FLORIDA**

**FLORIDA BRANCH OF THE NATIONAL CENTER FOR MISSING AND  
EXPLOITED CHILDREN**

9176 Alternate A1A, Suite 100  
Lake Park, Florida 33403-1445  
(561) 848-1900  
Fax: (561) 848-0308

**CHILD KEYPPER'S INTERNATIONAL**

221 19th Avenue North  
Post Office Box 6292  
Lake Worth, Florida 33466  
(561) 586-6695

**MISSING CHILDREN HELP CENTER**

410 Ware Boulevard, Suite 400  
Tampa, Florida 33619  
(813) 623-5437 (In State)  
1-800-USA-KIDS (Nationwide)  
1-800-872-5437

**MISSING CHILDREN CENTER**

276 East Highway 434  
Winter Springs, FL 32708  
(407) 327-4403  
Fax: (407) 327-4514

## **RUNAWAY HOTLINES**

**FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES**

Statewide Hotline for Runaways

1-800-RUNAWAY

1-800-786-2929

**NATIONAL RUNAWAY SWITCHBOARD**

3080 N. Lincoln Avenue

Chicago, IL 60657

1-800-621-4000

## MISSING CHILDREN OUT-OF-STATE AGENCIES

### ALABAMA

Alabama Department of Public Safety  
Missing Children Bureau  
2720 Gunter Park Drive North  
Montgomery, AL 36109  
(334)260-1172  
1-800-228-7688 (Nationwide)

### ALASKA

Anchorage State Troopers  
Missing Persons Clearinghouse  
5700 E. Tudor Road  
Anchorage, AK 99507  
(907)269-5497  
1-800-478-9333 (In-state)

### ARIZONA

Arizona Department of Public Safety  
Criminal Investigations Research Unit  
Post Office Box 6638  
Phoenix, AZ 85005  
(602)223-2158

### ARKANSAS

Arkansas Office of the Attorney  
General  
Missing Children Services Program  
323 Center Street, Suite 200  
Little Rock, AR 72201  
(501)682-1323

### CALIFORNIA

California Department of Justice  
Missing/Unidentified Persons Unit  
Post Office Box 903387  
Sacramento, CA 94203  
(916)227-3290

### CANADA

Royal Canadian Mounted Police  
Missing Children's Registry  
1200 Vanier Parkway  
Ottawa, Ontario, Canada K-1G3M8  
(613)993-1525

### COLORADO

Colorado Bureau of Investigation  
Missing Children Project  
690 Kipling, Suite 4000  
Denver, CO 80215  
(303)239-4251

### CONNECTICUT

Connecticut State Police  
Missing Persons/ Research and  
Planning  
1111 Country Club Road  
Post Office Box 2794  
Middletown, CT 06457  
(860) 685-8260

### DELAWARE

Delaware State Police  
State Bureau of Identification  
Post Office Box 430  
Dover, DE 19903  
(302)739-5883

### FLORIDA

Florida Department of Law  
Enforcement  
Missing Children Information  
Clearinghouse  
Post Office Box 1489  
Tallahassee, FL 32302  
(850) 410-8585  
1-888-356-4774 (Nationwide)

### GEORGIA

Georgia Bureau of Investigation  
Missing Children Information Center  
Post Office Box 370808  
Decatur, GA 30037-0808  
(404) 244-2554  
1-800-282-6564 (Nationwide)

### HAWAII

Missing Child Center of Hawaii  
425 Queens Street  
Honolulu, HI 96813  
(808) 586-1150



**IDAHO**

Idaho Bureau of Criminal Identification  
Post Office Box 700  
Meridian, ID 83680  
(208)884-7136

**ILLINOIS**

Illinois State Police  
I-SEARCH  
500 Iles Park Place, Suite 400  
Springfield, IL 62718  
(217)785-0631

**INDIANA**

Indiana State Police  
Clearinghouse for Missing Children  
Indiana Government Center  
100 N. Senate Avenue  
Indianapolis, IN 46204-2259  
(317)232-8310  
1-800-831-8953 (Nationwide)

**IOWA**

Iowa Department of Public Safety  
Missing Person Information  
Clearinghouse  
Wallace State Office Building  
502 E. 9<sup>th</sup> St.  
Des Moines, IA 50319  
(515)281-7958  
1-800-346-5507 (Nationwide)

**KANSAS**

Kansas Bureau of Investigation  
Missing Persons  
1620 S.W. Tyler Street  
Topeka, KS 66612  
(913)296-8200  
1-800-572-7463 (Nationwide)

**KENTUCKY**

Kentucky State Police  
Missing Child Information Center  
1240 Airport Road  
Frankfurt, KY 40601  
(502)227-8799

**LOUISIANA**

Louisiana Department of Health and  
Human Resources  
Clearinghouse for Missing and  
Exploited Children  
Post Office Box 3318  
Baton Rouge, LA 7082  
(504)342-4011

**MAINE**

Maine State Police  
Criminal Investigation Division  
18 Meadow Rd.  
Augusta, ME 04330  
(207)287-7502

**MARYLAND**

Maryland Center for Missing Children  
Maryland State Police  
1201 Reisterstown Road  
Pikesville, MD 21208-3899  
(410)290-0873  
1-800-637-5437 (Nationwide)

**MASSACHUSETTS**

Massachusetts State Police  
Missing Persons Unit  
470 Worchester Road  
Framingham, MA 01702  
(508)820-2130

**MICHIGAN**

Michigan State Police  
Prevention Services Unit  
714 South Harrison Road  
East Lansing, MI 48823  
(517)333-4006

**MINNESOTA**

Minnesota State Clearinghouse for  
Missing Children  
Bureau of Criminal Apprehension  
1246 University Avenue  
St. Paul, MN 55104  
(612)642-0610

**MISSISSIPPI**

Mississippi State Highway Patrol  
Missing Children  
Post Office Box 958  
Jackson, MS 39205  
(601)987-1592

**MISSOURI**

Missouri State Highway Patrol  
Missing Children  
Post Office Box 568  
Jefferson City, MO 65102  
(573)751-3452  
1-800-877-3452 (Nationwide)

**MONTANA**

Montana Department of Justice  
Missing/Unidentified Persons  
303 N. Roberts Street  
Helena, MT 59620  
(406)444-3625

**NEBRASKA**

Nebraska State Patrol  
Criminal ID  
Post Office Box 94907  
Lincoln, NE 68509-4907  
(402)479-4019

**NEVADA**

Nevada Office of the Attorney General  
Missing Children Clearinghouse  
555 E. Washington Blvd, Suite 3900  
Las Vegas, NV 89101  
(702)486-3539

**NEW HAMPSHIRE**

New Hampshire State Police  
Major Crimes Unit  
Hazen Drive, Hayes Building  
Concord, NH 03305  
(603)271-2663

**NEW JERSEY**

New Jersey State Police  
Missing Persons Unit  
Post Office Box 7068  
West Trenton, NJ 08628  
(609)882-2000

**NEW MEXICO**

New Mexico Department of Public  
Safety  
Missing Children Section  
Post Office Box 1628  
Santa Fe, NM 87504  
(505)827-9191

**NEW YORK**

New York Division of Criminal Justice  
Missing and Exploited Children  
Clearinghouse  
NYS-DCJS, 4 Tower Place  
Albany, NY 12203  
(518)457-6326  
1-800-346-3543 (Nationwide)

**NORTH CAROLINA**

North Carolina Center for Missing  
Persons  
116 West Jones Street  
Raleigh, NC 27603-1335  
(919)733-3914  
1-800-522-5437 (Nationwide)

**NORTH DAKOTA**

North Dakota Clearinghouse for  
Missing Children  
Post Office Box 5511  
Bismarck, North Dakota 58502  
(702)328-2121

**OHIO**

Missing Children Clearinghouse  
Attorney Generals Office  
30 E. Broad Street, 16th Floor  
Columbus, OH 43215-3428  
(614)644-8066  
1-800-325-5604 (Nationwide)

**OKLAHOMA**

Oklahoma State Bureau of  
Investigation  
Criminal Information Unit  
Post Office Box 11497  
Oklahoma City, OK 73116  
(405)848-6724  
1-800-522-8017

**OREGON**

Oregon State Police  
Missing Children Clearinghouse  
400 Public Service Building  
Salem, OR 97310  
(503)378-3720

**PENNSYLVANIA**

Pennsylvania State Police  
Missing Persons Unit  
1800 Elmerton Avenue  
Harrisburg, P 17110  
(717)783-5524

**RHODE ISLAND**

Rhode Island State Police  
Missing and Exploited Children Unit  
311 Danielson Pike  
North Scituate, RI 02857  
(401)444-1125

**SOUTH CAROLINA**

South Carolina Law Enforcement  
Division  
Missing Person Information Center  
Post Office Box 21398  
Columbia, SC 29221  
(803)737-9000  
1-800-322-4453 (Nationwide)

**SOUTH DAKOTA**

Division of Criminal Investigation  
Attorney General's Office  
500 East Capitol Avenue  
Pierre, SD 57501-5050  
(605)773-3331

**TENNESSEE**

Tennessee Bureau of Investigation  
Criminal Investigation Unit  
1148 Foster Avenue  
Nashville, TN 37210-0940  
(615)741-0430

**TEXAS**

Texas Department of Public Safety  
Missing Persons Clearinghouse  
Post Office Box 4087  
Austin, TX 78773-0422  
(512)424-2814

**UTAH**

Utah Department of Public Safety  
Missing Children's Clearinghouse  
Bureau of Criminal Identification  
Box 148280  
Salt Lake City, UT 84114  
(801)965-4686  
1-888-770-6477 (Nationwide)

**VERMONT**

Vermont State Police  
Child Protection Coordinator  
P.O. Box 809  
St. Alban, VT 05478  
(802)527-5008  
1-800-822-4453

**VIRGINIA**

Missing Children Information  
Clearinghouse  
Virginia State Police  
Post Office Box 27472  
Richmond, VA 23261-7472  
(804)674-2026

National Center for Missing and  
Exploited Children  
2101 Wilson Boulevard, Suite 550  
Arlington, VA 22201-3077  
(703)235-3900  
1-800-843-5678 (Nationwide)  
1-800-826-7653 (TDD accessible for  
the hearing impaired)  
(703)235-3900 FAX

**WASHINGTON, D.C.**

Metropolitan P.D.  
Missing Persons/Youth Division  
1700 Rhode Island Avenue NE  
Washington, D.C. 20018  
(202)576-6771

**WASHINGTON**

Missing Children's Clearinghouse  
Washington State Highway Patrol  
Post Office Box 2347  
Olympia, WA 98507  
(360)753-3960

**WEST VIRGINIA**

West Virginia State Police  
725 Jefferson Road  
South Charleston, WV 25309  
(304)558-1467  
1-800-352-0927

**WISCONSIN**

Wisconsin Department of Justice  
Clearinghouse for Missing and  
Exploited Children  
Crime Information Bureau  
Post Office Box 2718  
Madison, WI 53701-2718  
(608)266-7314

**WYOMING**

Wyoming Office of Attorney General  
316 West 22nd St.  
Cheyenne, WY 82002  
(307)777-7252



## FLORIDA CLERK OF CIRCUIT COURTS

**Alachua County**

201 East University Ave.  
Gainesville, Florida 32601  
352-374-3636

**Bay County**

300 East 4th Street  
Panama City, Florida 32401  
850-763-9061

**Brevard County**

700 South Park Avenue  
Titusville, Florida 32780  
407-264-5350

**Calhoun County**

425 East Central Avenue  
Blountstown, Florida 32424  
850-674-4545

**Citrus County**

110 North Apopka Avenue  
Inverness, Florida 34450  
352-637-9410

**Collier County**

3301 Tamiami Trail East  
Naples, Florida 34112  
941-732-2646

**Dade County**

73 West Flagler Street  
Miami, Florida 33130  
305-375-3333

**Dixie County**

Post Office Box 1206  
Cross City, Florida 32628  
352-498-1200

**Baker County**

339 East Macclenny Avenue  
Macclenny, Florida 32063  
904-259-3121

**Bradford County**

945 North Temple Avenue  
Starke, Florida 32091  
904-964-6280

**Broward County**

201 Southeast 6th Street  
Fort Lauderdale, Florida 33301  
954-831-6610

**Charlotte County**

118 West Olympia Avenue  
Punta Gorda, Florida 33950  
941-637-2279

**Clay County**

825 North Orange Avenue  
Green Cove Spgs, Fl. 32043  
904-284-6317

**Columbia County**

145 North Hernando Street  
Lake City, Florida 32056  
904-758-1342

**DeSoto County**

115 E. Oak Street  
Arcadia, Florida 33821  
941-993-4876

**Duval County**

330 East Bay Street  
Jacksonville, Florida 32202  
904-630-2028

**FLORIDA CLERK OF THE COURTS** Cont.

**Escambia County**

190 Governmental Center  
Pensacola, Florida 32501  
850-595-4310

**Franklin County**

33 Market Street, Suite 203  
Apalachicola, Florida 32320  
850-653-8861

**Gilchrist County**

112 South Main Street  
Trenton, Florida 32693  
352-463-3170

**Gulf County**

1000 5th Street, Room 148  
Port St. Joe, Florida 32456  
850-229-6113

**Hardee County**

Post Office Drawer 1749  
Wauchula, Florida 33873  
941-773-4174

**Hernando County**

20 North Main Street, Rm 131  
Brooksville, Florida 34601  
352-754-4206

**Hillsborough County**

419 Pierce Street, Rm 114  
Tampa, Florida 33602  
813-276-8100 ext 7201

**Indian River County**

2000 16th Avenue  
Vero Beach, Florida 32960  
561-770-5185 ext 157

**Flagler County**

201 East Moody Blvd.  
Bunnell, Florida 32110  
904-437-7414

**Gadsden County**

10 East Jefferson Street  
Quincy, Florida 32351  
850-875-8601

**Glades County**

Post Office Box 10  
Moore Haven, Florida 33471  
941-946-0113

**Hamilton County**

207 Northeast 1st Street  
Jasper, Florida 32052  
904-792-1288

**Hendry County**

Post Office Box 1760  
LaBelle, Florida 33975  
941-675-5217

**Highlands County**

430 South Commerce Avenue  
Sebring, Florida 33870  
941-386-6565

**Holmes County**

201 North Oklahoma Street  
Bonifay, Florida 32425  
850-547-1100

**Jackson County**

4445 East Lafayette Street  
Marianna, Florida 32446  
850-482-9552

**FLORIDA CLERK OF THE COURTS Cont.**

**Jefferson County**

Jefferson County Courthouse  
Monticello, Florida 32344  
850-342-0218

**Lafayette County**

Lafayette County Courthouse  
Mayo, Florida 32066  
904-294-1600

**Lake County**

550 West Main Street  
Tavares, Florida 32778  
352-742-4100

**Lee County**

1700 Monroe Street  
Fort Myers, Florida 33902  
941-335-2990

**Leon County**

301 South Monroe Street  
Tallahassee, Florida 32301  
850-488-7534

**Levy County**

355 Court Street  
Bronson, Florida 32621  
352-486-5228

**Liberty County**

Post Office Box 399  
Bristol, Florida 32321  
850-643-2215

**Madison County**

101 South Range Street  
Madison, Florida 32341  
850-973-1500

**Manatee County**

1115 West Manatee Avenue  
Bradenton, Florida 34205  
941-749-1800

**Marion County**

110 Northwest 1st Avenue  
Ocala, Florida 34475  
352-620-3910

**Martin County**

100 East Ocean Blvd  
Stuart, Florida 34994  
561-288-5718

**Monroe County**

500 Whitehead Street  
Key West, Florida 33040  
305-294-4641 ext 3314

**Nassau County**

191 Nassau Place  
Yulee, Fl. 32097  
904-321-5700

**Okaloosa County**

1250 N. Eglin Parkway  
Shalimar, Florida 32579  
850-651-7200

**Okeechobee County**

304 Northwest 2nd Street  
Okeechobee, Florida 34972  
941-763-2131

**Orange County**

425 North Orange Avenue  
Orlando, Florida 32801  
407-836-2060



**FLORIDA CLERK OF THE COURTS** Cont.

**Osceola County**

17 South Vernon Avenue  
Kissimmee, Florida 34741  
407-847-1300

**Pasco County**

38053 Live Oak Avenue  
Dade City, Florida 33523  
352-521-4274

**Polk County**

255 North Broadway  
Bartow, Florida 33830  
941-534-4540

**St. Johns County**

4010 Lewis Speedway  
St. Augustine, Fl. 32095  
904-823-2333

**Santa Rosa County**

6865 Caroline Street  
Milton, Florida 32570  
850-623-0135

**Seminole County**

301 North Park Avenue  
Sanford, Florida 32771  
407-323-4330 ext. 4335

**Suwanee County**

200 South Ohio Avenue  
Live Oak, Florida 32060  
904-364-3498

**Union County**

55 West Main Street  
Lake Butler, Florida 32054  
904-496-3711

**Palm Beach County**

301 North Olive Avenue  
West Palm Beach, Fl. 33401  
561-355-4621

**Pinellas County**

315 Court Street, Rm 400  
Clearwater, Florida 34616  
813-464-3267

**Putnam County**

410 St. Johns Avenue  
Palatka, Florida 32177  
904-329-0361

**St. Lucie County**

212 South Indian River  
Fort Pierce, Florida 34950  
561-462-6900

**Sarasota County**

1991 Main Street  
Sarasota, Florida 34236  
941-362-4066

**Sumter County**

209 North Florida Street  
Bushnell, Florida 33513  
352-793-0215

**Taylor County**

108 North Jefferson Street  
Perry, Florida 32347  
850-838-3506

**Volusia County**

120 West Indiana Avenue  
Deland, Florida 32720  
904-822-5710

**FLORIDA CLERK OF THE COURTS** Cont.

**Wakulla County**

3056 Crawfordville Highway  
Crawfordville, Fl 32327  
850-926-3341

**Washington County**

1293 West Jackson Street  
Chipley, Florida 32428  
850-638-6289



**DEPARTMENT OF CHILDREN AND FAMILIES  
FAMILY SAFETY AND PRESERVATION**

**ALACHUA COUNTY**

1000 NE 16th Ave., Bldg F  
Gainesville, Florida 32601  
(352) 955-5161  
[Protective Investigations and  
Protective Supervision]

1000 NE 16th Ave., Bldg I  
Gainesville, Florida 32601  
(352) 955-5243  
[Foster Care and Adoptions]

**BAKER COUNTY**

84 Lowder Street  
Macclenny, Florida 32063  
(904) 573-4920  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

**BAY COUNTY**

500 W. 11TH St.  
Panama City, Florida 32401  
(850) 872-7648  
[All services]

**BRADFORD COUNTY**

1250 Andrews Circle  
Starke, Florida 32091  
(904) 964-1526  
[All services]

**BREVARD COUNTY**

Palm Bay Service Center  
4640 Lipscomb Street  
Palm Bay, Florida 32905  
(407) 984-4750  
[Protective  
Investigations/Protective  
Supervision]

**BREVARD COUNTY Cont.**

Titusville Service Center  
3880 S. Washington Avenue  
Titusville, Florida 32780  
(407) 383-2712  
[Protective  
Investigations/Protective  
Supervision]

Village Green Service Center  
1636 South Fiske Blvd.  
Rockledge, Florida 32955  
(407) 690-3750  
[Protective  
Investigations/Protective  
Supervision/Foster Care]

**BROWARD COUNTY**

1801 West Sample Road  
Pompano Beach, Florida 33064  
954-969-4346  
[Child Protective Investigations,  
Child Protective Services]

1403 NW 40th Avenue  
Lauderhill, Florida 33313  
954-321-2750  
[Child Protective Investigations,  
Child Protective Services]  
954-321-3001  
954-797-8401  
[Foster Care and Adoption  
Services]

7261 Sheridan Street  
Hollywood, Florida 33024  
954-967-1332  
[Child Protective Investigation,  
Child Protective Services]

**BROWARD COUNTY Cont.**

Administrative Offices  
201 W. Broward Blvd.  
Suite 402  
Ft. Lauderdale, Florida 33301  
954-467-4281  
[Support Staff for Family Safety  
and Preservation Program]

**CALHOUN COUNTY**

Family Safety and Preservation  
services are provided by Jackson  
County.

**CHARLOTTE COUNTY**

1105 Taylor Road  
Punta Gorda, Florida  
941/575-3400  
[All services]

**CITRUS COUNTY**

2315 Highway 41, North  
Inverness, Florida 34453  
(352) 860-5080  
(All Services)

**CLAY COUNTY**

806 Oak Street  
Green Cove Springs, Florida  
32043  
(904) 529-2360  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

**COLLIER COUNTY**

215 Airport-Pulling Road North  
Naples, Florida 34104  
941/643-5900  
[All services]

**COLLIER COUNTY Cont.**

401 Colorado Avenue  
Immokalee, Florida 34142  
941/657-3635  
[Investigations and Protective  
Supervision, Foster Care]

**COLUMBIA COUNTY**

2649 US 90, West  
Lake City, Florida 32055  
(904) 329-1490 (Pager)  
[All services]

**DADE COUNTY**

1150 SW 1st St  
Miami, Florida 33130  
(305) 325-2615  
[Foster Care and Adoptions]

4500 Biscayne Blvd.  
Miami, Florida 33137  
(305) 571-2145  
[Foster Care, Independent Living,  
Program Administration]

401 NW 2nd Ave.  
Miami, Florida 33128  
(305) 377-5172  
[Protective Investigations, program  
management, Business Office]

3300 NW 27th Ave.  
Miami, Florida 33142  
(305) 637-4564  
[Protective Investigations and  
CWLS attorneys]

17400 SW 97th Ave.  
Miami, Florida 33165  
(305) 377-5000  
[Protective Investigations,  
Protective Services, Foster Care,  
Adoptions]

**DADE COUNTY Cont.**

150 NW 79th St.  
Miami, Florida 33150  
(305) 795-2020  
[Protective Supervision]

3601 NW 167th St  
Opa-Locka, Florida 33055  
(305) 628-7002  
[Protective Investigations,  
Protective Supervision, Foster  
Care]

16666 NE 19th Ave.  
N. Miami Beach, Florida 33168  
(305) 919-0800  
[Protective Investigations]

9999 NE 2nd Ave.  
Miami Shores, Florida 33138  
(305) 795-2150  
[Foster Care]

777 W. Palm Dr.  
Florida City, Florida 33034  
(305) 246-7645  
[Protective Investigations,  
Protective Supervision]

**DESOTO COUNTY**

805 North Mills Avenue  
Arcadia, Florida 34266  
941/993-4500  
[All services]

**DIXIE COUNTY**

Family Safety and Preservation  
services are provided by Gilchrist  
County.

**DUVAL COUNTY**

921 North Davis Street, Building B,  
Suite 360  
Jacksonville, Florida 32209  
(904) 798-4452  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

921 North Davis Street, Building B,  
Suite 315C  
Jacksonville, Florida 32209  
(904) 798-4438  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

921 North Davis Street, Building B,  
Suite 149  
Jacksonville, Florida 32209  
(904) 359-6156  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

921 North Davis Street, Building B,  
Suite 115C  
Jacksonville, Florida 32209  
(904) 359-6239  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

921 North Davis Street, Building B,  
Suite 215D  
Jacksonville, Florida 32209  
(904) 359-6160}}

**ESCAMBIA COUNTY**

160 Governmental Center  
Pensacola, Florida 32501  
(850) 595-3200  
[Program Office of Family Safety  
and Preservation/Aging & Adult]

**ESCAMBIA COUNTY Cont.**

3300 N. Pace Blvd.  
Pensacola, Florida 32505  
(850) 595-8700  
[Dependency/Delinquency,  
Protective Investigation/Services  
Foster Care and Adoptions]

3300 N. Pace Blvd.  
Pensacola, Florida 32505  
(850) 595-8450  
[Licensing for Foster Home, Day  
Care, Developmental Services]

**FLAGLER COUNTY**

All Family Safety and Preservation  
services are provided by the  
Volusia County offices.

**FRANKLIN COUNTY**

411 Highway 98, West  
Apalachicola, Florida 32320  
(850) 663-7397  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**GADSDEN COUNTY**

230 E. Crawford St  
Quincy, Florida 32351  
(850) 627-9531  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**GILCHRIST COUNTY**

P.O. Box 1199  
Trenton, Florida 32693  
(352) 463-3100  
[All services]

**GLADES COUNTY**

All Family Safety and Preservation  
services are provided by the  
Hendry County offices.

**GULF COUNTY**

201 Monument Ave.  
Port St. Joe, Florida 32456  
(850) 229-6854  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**HAMILTON COUNTY**

Family Safety and Preservation  
services are provided by  
Suwannee County.

**HARDEE COUNTY**

201 West Carlton Service Center  
Wauchula, Florida 33873  
(941)773-2155  
[All services]

**HENDRY COUNTY**

215 South Francisco Street  
Clewiston, Florida 33440  
941/983-6171  
[All services]

100 Pratt Boulevard  
LaBelle, Florida  
941/674-4157  
[Investigations, Foster Care,  
Adoptions, Economic Services]

**HERNANDO COUNTY**

661 S. Broad Street  
Brooksville, Florida 34601-3114  
(352) 754-6704  
(All services)

**HIGHLANDS COUNTY**

940 SE Lakeview Drive  
Sebring, Florida 33870  
(941) 382-2141  
[All services]

**HILLSBOROUGH COUNTY**

4000 W. Martin Luther King Jr.  
Blvd.  
Tampa, Florida 33614  
813-871-7570  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services]

9350 Bay Plaza Blvd  
Tampa, Florida 33619  
813-744-6230  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services]

4109 E. Fowler Ave.  
Tampa, Florida 33617  
813-975-4943  
[Protective Supervision]

1313 Tampa Street  
Tampa, Florida 33602  
813-272-2134  
[Protective Supervision, Voluntary  
Family Services]  
813-272-2122  
[Foster Care & Adoptions]  
813-272-3577  
[Foster Care]  
813-272-0419  
[Foster Care, Foster Home  
Licensing]

**HOLMES COUNTY**

117 S. Waukesha St  
Bonifay, Florida 32425  
(850) 547-3641  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**INDIAN RIVER COUNTY**

1436 C Old Dixie Highway  
Vero Beach, Florida 33903  
(561) 770-6740  
[Adult Payments, Economic Self-  
Sufficiency Services, Aging and  
Adult Services, Developmental  
Services, Investigations,  
Protective Supervision, Foster  
Care]

**JACKSON COUNTY**

4452 Clinton St.  
Marianna, Florida 32446  
(850) 482-9568  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**JEFFERSON COUNTY**

945 N. Jefferson St.  
Monticello, Florida 32344  
(850) 342-0164  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]  
(850)342-0160

**LAFAYETTE COUNTY**

Family Safety and Preservation  
services are provided by  
Suwannee County.



**LAKE COUNTY**

1300 Duncan Drive  
Tavares, Florida 32778  
(352) 742-6330  
(All services)

**LEE COUNTY**

2120 Collier Avenue  
Fort Myers, Florida 33901  
941/936-5000  
[Economic Services, Family  
Transition Program]

935 Pondella Road  
North Fort Myers, Florida 33903  
941/656-7100  
[Food Stamps, Economic  
Services, WAGES, Family  
Transition Program]

2295 Victoria Avenue  
Fort Myers, Florida 33901  
941/332-2822  
[Investigations, Protective  
Supervision, Foster Care,  
Adoptions, Economic Services,  
Developmental Services]

**LEON COUNTY**

3019 Jackson Bluff  
Tallahassee, Florida 32399  
(850) 488-0160  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care,  
Adoptions]

**LEVY COUNTY**

Family Safety and Preservation  
services are provided by Gilchrist  
County.

**LIBERTY COUNTY**

Family Safety and Preservation  
services are provided by Gadsden  
County.

**MADISON COUNTY**

1001 S. Range St  
Madison, Florida 32340  
(850) 973-5112  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**MANATEE COUNTY**

303 13th Ave. East,  
Bradenton, Florida  
941-741-3776  
[Protective Investigations,  
941-741-3778  
Voluntary Family Services,  
Protective Supervision, Foster  
Care, Foster Care Licensing,  
941-741-3240Adoptions]

349 6th Ave. W.  
Bradenton, Florida 34205  
941-741-3777  
[Foster Care Licensing & Day  
Care Licensing]

**MARION COUNTY**

3001 W. Silver Springs Blvd.  
Ocala, Florida 34470  
(352) 620-3000  
(All services)

**MARTIN COUNTY**

821 Martin Luther King, Jr. Blvd.  
Stuart, Florida 34994  
(561) 223-2634  
[Developmental Services,  
Economic Self-Sufficiency  
Services Investigations, Protective  
Supervision, Foster Care]

**MONROE COUNTY**

1111 12th St.  
Key West, Florida 33040  
(305) 292-6754  
[Protective Investigations,  
Voluntary Family Services,  
Protective Services, Foster Care,  
Adoptions, MAPP, & Licensure]

159 Key Deer Blvd.  
Big Pine, Florida 33043  
(305) 872-9104  
[Protective Investigations &  
Voluntary Family Services]

2796 Overseas Highway  
Marathon, Florida 33050  
(305) 289-2390  
[Protective Investigations,  
Protective Services, & Child Care  
Licensure]

175 Wrenn St.  
Tavernier, Florida 33070  
(305) 853-3244  
[Protective Investigations,  
Voluntary Family Services,  
Protective Services, Foster Care,  
Adoptions, MAPP & Licensure]

**NASSAU COUNTY**

1303 Jasmine Street  
Fernandina Beach, Florida 32034  
(904) 277-7222  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

**OKALOOSA COUNTY**

340 Beal Parkway, N.W.  
Fort Walton Beach, Florida 32548  
(850) 833-3700  
[Dependency/Delinquency,  
Protective Investigation/Services  
Foster Care and Adoption]

299 South Main Street  
Crestview, Florida 32536  
(850) 682-7600  
[Protective Investigation Protective  
Services and Foster Care]

**OKEECHOBEE COUNTY**

1690 NW 9TH Avenue  
Okeechobee, Florida 34972  
(941) 462-5753  
[Economic Self-Sufficiency  
Services Investigations, Protective  
Supervision, Foster Care]

**ORANGE COUNTY**

1010 Executive Center Drive  
Orlando, Florida 32803  
(407) 897-2950  
[Protective  
Investigations/Protective  
Supervision]

1010 Executive Center Dr.  
Orlando, Florida 32803  
(407) 897-4150  
[Foster Care]

3165 McCrory Place  
Suite 200  
Orlando, Florida 32803  
(407) 897-5850  
[Protective  
Investigations/Protective  
Supervision ]  
(407) 893-3057  
[Protective Services]

**OSCEOLA COUNTY**

1605 N. Bermuda Ave.  
Kissimmee, Florida 34741  
(407) 846-5357  
[Protective  
Investigations/Protective  
Supervision/Foster Care]

**PALM BEACH COUNTY**

2300 N. Florida Mango Road  
West Palm Beach, Florida 33409  
(561) 688-7780  
[Protective Services, Foster Care,  
Protective Investigations]

4100 Okeechobee Blvd.  
West Palm Beach, Florida 33409  
(561) 616-1427  
[Placement , Adoptions]

111 S. Sapodilla Ave.  
West Palm Beach, Florida 33401  
(561) 837-5120  
[Protective Investigations,  
Protective Services]

1117 W. Lantana Road  
Lantana, Florida 33462  
(561) 540-1283  
[Protective Investigations,  
Protective Services.]

301 Broadway  
Riviera Beach, Florida 33404  
(561)882-3669  
[Protective Investigations,  
Protective Services, Foster Care]

408 S. E. Ave. E.  
Belle Glade, Florida 33430  
(561)992-1300  
[Protective Investigations,  
Protective Services, Foster Care]

**PALM BEACH COUNTY Cont.**

1845 S. Federal Hwy.  
Delray Beach, Florida 33483  
(561)279-1455  
[Protective Investigations, Foster  
Care, Protective Services]

**PASCO COUNTY**

7625 Little Road  
New Port Richey, Florida 34654  
(813) 841-4146  
[Investigations, Protective  
Services, Foster Care, Adoptions]

36739 S.R. 52  
Dade City, Florida 33525  
(352) 521-1200  
[Investigations, Foster  
Care/Protective Services]

**PINELLAS COUNTY**

11351 Ulmerton Road  
Largo, Florida 33778  
(727) 588-6600  
[Investigations, Protective  
Services, Foster Care, Adoptions]

701 94th Avenue North  
St. Petersburg, Florida 33702  
(727) 579-4700  
[Investigations, Protective  
Services, Foster Care]

3151 3rd Avenue North  
St. Petersburg, Florida 33713  
(727) 893-2810  
[Investigations, Protective  
Services, Foster Care, Adoptions]

**POLK COUNTY**

4720 Old Highway 37  
Lakeland, Florida 33813  
(941) 619-4100  
[Headquarters]

**POLK COUNTY Cont:**

270 Bartow Municipal Airport  
Bartow, Florida 33830  
(941) 534-7100  
[All services]

**POLK COUNTY Cont.**

200 N Kentucky Avenue  
Lakeland, Florida 33801  
(941) 680-5537  
[All services]

**PUTNAM COUNTY**

825 Highway 19 South  
Palatka, Florida 32178  
(904) 329-3511  
[Protective Investigations, Foster  
Care, Protective Services]

**ST. JOHNS COUNTY**

75 King Street, 3rd Floor, Lobby D  
St. Augustine, Florida 32084  
(904) 825-6810  
[Child Protective Investigations,  
Protective Supervision, Foster  
Care]

**ST. LUCIE COUNTY**

337 N. 4th Street, Suite A  
Fort Pierce, Florida 34950  
(561) 467-3700  
[District Admin, Finance and  
Accounting, General Services,  
Management Information  
Systems, Personnel, Aging and  
Adult Services Mental Health and  
Substance Abuse Program,  
Investigations, Protective  
Supervision, Foster Care]

**SANTA ROSA COUNTY**

6557 Caroline Street  
Milton, Florida 32570  
(850) 626-3000  
[Dependency, Protective  
Investigation/Services Foster  
Care]

**SARASOTA COUNTY**

864 17th Street  
Sarasota, Florida 34234  
941/316-6000  
[Investigations, Child Welfare  
Legal Services, (all other Family  
Safety and Preservation services  
are contracted)]

320 Seaboard Avenue  
Venice, Florida 34292  
941/483-5922  
[Investigations, (all other Family  
Safety and Preservation services  
are contracted), Adult Payments &  
Family Track - Economic Self  
Sufficiency]

**SEMINOLE COUNTY**

532 W. Lake Mary Blvd.  
Sanford, Florida 32773  
(407) 328-5595  
[Protective  
Investigations/Protective  
Supervision/Foster Care]

**SUMTER COUNTY**

P.O. Box 220  
Sumterville, Florida 33585  
(352) 793-3200  
(Protective Investigations)

**SUWANNEE COUNTY**

501 S.E. Demorest St.  
Live Oak, Florida 32060  
(904) 362-2179  
[Protective Investigations, Foster  
Care and Adoptions]

**TAYLOR COUNTY**

1711 S. Jefferson St.  
Perry, Florida 32347  
(850) 584-3444  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**UNION COUNTY**

Family Safety and Preservation  
services are provided by Bradford  
County.

**VOLUSIA COUNTY**

210 N. Palmetto Ave.  
Daytona Beach, Florida 32114  
904-238-4651  
[Protective  
Investigations/Services, Foster  
Care, Licensing, Adoptions]

1340 S. Woodland Blvd.  
DeLand, Florida 32720  
904-736-5272  
[Protective Investigations,  
904-736-5505  
Protective Services,  
904-736-5522  
Foster Care 904-736-5523]

**VOLUSIA COUNTY Cont.**

767 Fort Smith Blvd.  
Deltona, Florida 32738  
407-860-7136 or 407-860-7143

1431 S. Dixie Freeway  
New Smyrna Beach, Florida  
32168  
904-424-2088  
[Protective Investigations,  
Protective Services]

**WAKULLA COUNTY**

3115 Crawfordville Highway  
Crawfordville, Florida 32327  
(850) 926-7191  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]

**WALTON COUNTY**

79 N. Davis Lane  
DeFuniak Springs, Florida 32533  
(850) 892-8640  
[Protective Investigation Protective  
Services and Foster Care]

**WASHINGTON COUNTY**

1352 South Boulevard  
Chipley, Florida 32428  
(850) 638-6160  
[Protective Investigations,  
Protective Supervision, Voluntary  
Family Services, Foster Care]





## **XII. DEPARTMENT PROCEDURES AND NOTES**





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