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*OFFICE OF THE STATE ATTORNEY TENTH JUDICIAL CIRCUIT*

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**WORKING TOGETHER TO REDUCE JUVENILE ARRESTS FOR NON-VIOLENT AND MISDEMEANOR OFFENSES IN POLK COUNTY – THE MEMORANDUM OF UNDERSTANDING, TEEN COURT, AND THE PREVENTION WEB**

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Working Together To Reduce Juvenile Arrests for Non-Violent and Misdemeanor Offenses in Polk County – The Memorandum of Understanding, Teen Court, and the Prevention Web

Tammy Glotfelty, Juvenile Division Director

In June of 2017, multiple agencies throughout Polk County entered into a Memorandum of Understanding (MOU) that details in writing a collaborative effort to reduce delinquency arrest history for juveniles who commit non-serious, delinquent acts through the use of the Department of Juvenile Justice Prevention Web. The parties signing the MOU include the Chief Judge, the State Attorney, the Public Defender, the Department of Juvenile Justice, the Clerk of Courts, Court Administration, Teen Court, and all law enforcement agencies in Polk County.

The Juvenile Civil Citation statute, Florida Statute § 985.12, mandates that at the local level, a civil citation or other similar diversion program shall be established with the concurrence of the chief judge, state attorney, and public defender of each circuit, and the head of each local law enforcement agency involved. On March 30, 2012, then Chief Judge, William Bruce Smith, issued Administrative Order No. 6-22.0, declaring that the Polk County Teen Court diversion program, established in 1990, complies with the requirements of Florida Statute § 985.12, and serves as the “other similar diversion program” in Polk County. With Teen Court firmly established and operational in Polk County, there was no need to create a new and separate civil citation system. The Teen Court program closely mimics and is a statutorily approved alternative to civil citation in Polk County and provides swift and appropriate consequences for delinquent behavior.

There are two paths available to refer a case to Teen Court. An **indirect referral** occurs when the defendant is transported to the Juvenile Assessment Center (JAC), the affidavit is marked for Teen Court, and the JAC forwards the case to Teen Court. A **direct referral** occurs when the law enforcement officer marks the affidavit for Teen Court and sends the affidavit directly to the Clerk of Courts Juvenile Division for Teen Court to retrieve. Prior to the MOU, a juvenile transported to the JAC (indirect referral) and referred to Teen Court was entered on the Juvenile

Justice Information System (JJIS) Face Sheet, resulting in an arrest on the official delinquency record. In contrast, a juvenile referred directly to Teen Court by the law enforcement officer (direct referral) was only entered in Teen Court’s database. A party desiring information about prior direct referrals would have to call

Teen Court for information. This lack of prior history information made it difficult to determine if a juvenile qualified for Teen Court. By agreement of all required parties through the Memorandum of Understanding, the DJJ Prevention Web is now utilized to document Teen Court referrals, both direct and indirect, so there is no arrest footprint on the defendant’s official JJIS delinquency history, and all referrals are maintained in the Prevention Web database. Referrals from July 1, 2017, and forward are now available for viewing on the Prevention Web.

The Prevention Web is a DJJ database that resembles JJIS in appearance but is the “Civil Citation Face Sheet” that provides a place to document civil

citation or other similar diversion referrals and to keep track of referral history. Information on the Prevention Web is not shared with any outside source and includes DJJID, identification information, address, critical alerts such as suicide risk or medical issues, parent/guardian information, school information, employer information, notes, and contact persons. The Prevention Web also includes the date admitted to Teen Court, the referring law enforcement agency, the reason for leaving the program (e.g., successful completion), the release by date, the offense date and time, and the presenting charges. As long as the defendant successfully completes the Teen Court program, the referral remains on the Prevention Web and there is no official delinquency history on the JJIS Face Sheet. Not only does this benefit the defendant, law enforcement is now able to view the Prevention Web and use prior history information to determine if a defendant qualifies for a Teen Court referral. Many other circuits utilize the DJJ Prevention Web, so prior civil citation or other similar diversion history from participating circuits will be available for viewing.



Tammy Glotfelty,  
Juvenile Division Director



**Youth Search Results**

Youths Found: 4

			Last Name	First Name	Middle Name	DOB	Race	Sex	SSN	County	Civil Citation	Delinquent
<a href="#">Facesheet</a>	<a href="#">LEO Facesheet</a>	<a href="#">CC Facesheet</a>					White	M	XXX-XX-XXXX	Orange	No	Yes
<a href="#">Facesheet</a>	<a href="#">LEO Facesheet</a>	<a href="#">CC Facesheet</a>					White	M	XXX-XX-XXXX	Miami-Dade	No	Yes
<a href="#">Facesheet</a>	<a href="#">LEO Facesheet</a>	<a href="#">CC Facesheet</a>					White	M	XXX-XX-XXXX	Polk	<b>YES (1)</b>	No
<a href="#">Facesheet</a>	<a href="#">LEO Facesheet</a>	<a href="#">CC Facesheet</a>					White	M	XXX-XX-XXXX	Miami-Dade	No	Yes

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[Printing Instructions](#)

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For more information, please contact the JJIS Help Desk ( [JJISHelpDesk@djj.state.fl.us](mailto:JJISHelpDesk@djj.state.fl.us) )  
(850) 921-7832

# Exhibit 1



**FLORIDA DEPARTMENT OF JUVENILE JUSTICE  
CIVIL CITATION FACE SHEET**

**YOUTH INFORMATION**

**DJJID:** \_\_\_\_\_ Date: \_\_\_\_\_  
 Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Middle Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Age: \_\_\_\_\_  
 Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Ethnicity: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
 SSN: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_

<b>HOME ADDRESS</b>	<b>MAILING ADDRESS</b>
---------------------	------------------------

Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone #: \_\_\_\_\_  
 ALT#: \_\_\_\_\_

Residence County: Polk

Circuit: 10

<b>CRITICAL ALERTS</b>		
<u>DESCRIPTION</u>	<u># OPEN</u>	<u># CLOSED</u>
<b>Allergies</b>	<b>1</b>	<b>0</b>

<b>SPECIAL ALERTS</b>			<b>ALIAS</b>	
<u>DESCRIPTION</u>	<u>START DATE</u>	<u>COUNTY</u>	<u>ALIAS TYPE</u>	<u>ALIAS NAME</u>
			Nickname	

<b>MEMBER INFORMATION</b>						
<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>MI</u>	<u>RELATIONSHIP</u>	<u>LIVES W/ YOUTH</u>	<u>WORK#</u>	<u>ALT#</u>
	Mother		Mother	X		

**YOUTH PLACEMENT HISTORY**

**Program Name:** C C Alternative Div - 10 Circuit - Teen Court - Polk County

THIS INFORMATION IS CONFIDENTIAL AND IS NOT TO BE DISCLOSED EXCEPT AS SPECIFIED BY STATE LAW

<u>ADMIT BY (DATE)</u>	<u>AGENCY REFERRED BY</u>	<u>REASON FOR LEAVING</u>	<u>RELEASE BY (DATE)</u>	<u>OFFENSE DATE/TIME</u>	<u>CHARGES</u>
(02/14/2017)					SIMPLE ASSLT - INTENT THREAT TO DO VIOLENCE (M2)

<b>YOUTH'S CURRENT SCHOOL</b>	<b>YOUTH'S EMPLOYER</b>
-------------------------------	-------------------------

School: \_\_\_\_\_ Employer: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone #: \_\_\_\_\_  
 Grade: \_\_\_\_\_  
 Scheduled Hours: \_\_\_\_\_

<b>YOUTH NOTES</b>			
Due to confidentiality requirements, all youth notes may not be displayed in this section.			
<u>CATEGORY</u>	<u>TYPE</u>	<u>DESCRIPTION</u>	<u>LAST UPDATED BY (DATE)</u>

<b>CONTACT PERSONS</b>					
<u>JPO NAME</u>	<u>UNIT/CIRCUIT</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>	<u>JPO SUPERVISOR</u>

THIS INFORMATION IS CONFIDENTIAL AND IS NOT TO BE DISCLOSED EXCEPT AS SPECIFIED BY STATE LAW

# Exhibit 2

To access the juvenile’s civil citation, other similar diversion, and Teen Court history, log in to the DJJ JJIS system and click on “[Facesheets](#).” Enter your search criteria for the juvenile you want to refer to Teen Court and click on “Find” at the bottom of the page. The “Youth Search Results” screen will appear (See Exhibit 1). Under the “Civil Citation” column, there will be a black “No” if the child has no prior referrals. If the juvenile has a red “Yes” under the tab, there is an open/active case. If the juvenile has a black “Yes” under the tab, the youth had a previous case that is now closed. The number of previous cases will be indicated by a number in parentheses. For example, a black “Yes (2)” indicates two closed prior cases. A red “Yes (1)” indicates one open case and one prior case. On the third tab from the left, click on the “CC Facesheet” tab. This will prompt the referral history to appear (See Exhibit 2). Once you have reviewed the Prevention Web, you will check the JJIS Face Sheet to see if the juvenile has any delinquency history. After both the Prevention Web Face Sheet and JJIS Face Sheet are reviewed, you can determine whether the defendant will meet Teen Court referral criteria. Many circuits now use the Prevention Web, which will assist users in determining prior history when a juvenile has charges from multiple circuits.



As provided in the MOU, Polk County has established agreed upon guidelines for law enforcement to follow in referring cases to Teen Court. A defendant may have a total of two referrals to Teen Court. The two allowed referrals can be a combination of two misdemeanor cases, or one felony and one misdemeanor case. Any felony offense referred to Teen Court must be non-violent and must not involve weapons. A defendant who does not successfully complete their first referral may not have a second case referred to Teen Court. Defendants with a prior probation or commitment may not be referred to Teen Court. Referrals to Teen Court are at the discretion of the law enforcement officer investigating the presenting offense. Law enforcement is strongly encouraged but is not obligated to refer a youth to Teen Court. The defendant must admit the presenting offense to proceed to Teen Court. A malicious act of violence, hate crime, lewd or sexual offense, or gang-related offense does not qualify for Teen Court. Battery and assault require

victim consent upon referral to Teen Court. Teen Court will be responsible for obtaining and documenting said consent. Stalking, Violation of Injunction, Possession of Firearm by a Minor, and other weapons-related offenses do not qualify for Teen Court.

**Each law enforcement agency has their own policies and procedures regarding Teen Court referrals.** As previously mentioned, a law enforcement officer has two options when referring a case to Teen Court, indirect referral or direct referral. Some agencies take the juvenile on a therapeutic ride in a law enforcement vehicle to the JAC with release to a parent as a strong deterrent to further delinquent behavior. If your agency follows this indirect referral method, you will transport an eligible juvenile to the JAC for Teen Court processing. The affidavit you submit to

the JAC should be checked “Teen” if your agency has a box to check on the affidavit. If your agency does not have a “Teen” box, write “Teen Court” on the original affidavit and each copy. The JAC will screen the defendant to determine if the defendant qualifies for Teen Court, and, if so, will send the paperwork to Teen Court for intake and assessment. If your agency’s policy is direct referral, you will issue a complaint affidavit and will

check the “Teen” box, if available, or write “Teen Court” at the top of the affidavit and all copies and forward the affidavit to the Polk County Clerk of Courts Juvenile Division. The juvenile does not go to the JAC but is released per your agency’s policy. The clerk will place affidavits marked for Teen Court in the Teen Court inbox. Teen Court will pick-up the affidavits and will perform intake and assessment for appropriate sanctions. The method utilized by an individual officer will largely depend on your agency’s policy, so please familiarize yourself. In any event, your affidavit will be screened for compliance with Teen Court requirements by the JAC and/or by Teen Court. Cases referred to Teen Court should not be given a Notice to Appear date. Teen Court will contact the child and parent/guardian to set an intake appointment date and time. Any affidavits that do not qualify for Teen Court and any defendants who are noncompliant with Teen Court sanctions will be referred to the State Attorney’s Office for prosecution.

To understand the benefit of the Teen Court program and



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use of the Prevention Web, it is helpful to follow the normal course of a law enforcement affidavit submitted for judicial handling and prosecution in court. When cases are referred for **prosecution in court**, an arrest affidavit travels from the JAC while a complaint affidavit travels straight from law enforcement. Both arrest and complaint affidavits are submitted to the Polk County Clerk of Courts Juvenile Division, where a uniform case number is assigned. Copies of arrest and complaint affidavits are then sent from the clerk to the State Attorney's Office and to DJJ. As a result, the defendant has a record with three agencies, the Clerk of Courts Juvenile Division (PRO), the SAO (STACWEB), and DJJ (JJIS). Even if the charges are later dismissed by no bill or nolle prosequi, the juvenile still has a record on the JJIS Face Sheet. In contrast, a Teen Court referral does not receive a uniform case number but is instead forwarded by the clerk to Teen Court where the case is entered on the Prevention Web. As a result, there is no record with the clerk or the SAO and a minimal DJJ record on the Prevention Web.

Once referred to Teen Court, participants are assessed to determine service needs. Sanctions and services are assigned and tailored to the individual juvenile. Possible sanctions include but are not limited to community service work hours, anger management, curfew, jail tour, Drug Court, M.A.D.D. Victim Impact Panel, and Consequences of Crime Course. Teen Court sanctions are often stronger than the sanctions typically ordered for juvenile probationers. Teen Court counselors provide case management. A trial with the juvenile's peers serving as attorneys and jury also gives a glimpse of the court process. In 2016, just over 1300 cases were referred to Teen Court. Approximately 56% were JAC/indirect referrals, while approximately 44% were direct referrals. If the juvenile successfully completes the Teen Court program, the case remains on the Prevention Web and no arrest record is created. If unsuccessful, the case is referred to the State Attorney's Office for judicial handling and is entered on the JJIS Face Sheet.

Polk County is now in a position to decrease the number of juvenile arrests made by law enforcement through increased referrals to Teen Court and use of the DJJ Prevention Web. If you are unclear whether a case qualifies for Teen Court, you may call the Juvenile Division at the State Attorney's Office, Teen Court, or the JAC for assistance. At present law enforcement has the discretion to determine which cases will be referred to Teen Court; however, each year, legislation is proposed to make referrals mandatory. Increasing referrals to Teen Court will be a positive step toward keeping law enforcement discretion in the statute and will give juveniles with non-serious, delinquent offenses the opportunity to maintain a clean arrest and delinquency history.

