

2007

**FLORIDA JUVENILE
HANDBOOK**

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

FLORIDA DEPARTMENT OF CHILDREN AND
FAMILIES

Revised 6/2007



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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 2007 can be attributed to the efforts of the Juvenile Handbook Task Force members below:

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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 Canadian Centre for Missing Children, 211 Pretoria Avenue. Ottawa, ON K1S 1X1, 613-233-0052, (www.victimsofviolence.on.ca).

I. MISSING CHILDREN

RESPONDING TO MISSING CHILDREN INVESTIGATIONS

A. INITIAL RESPONSE

1. INTRODUCTION

- a. A missing child is any (un-emancipated) 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

(42 USC §5779 and 5780) requires States reporting under this Act to: (1) ensure that no State law enforcement agency establishes a policy which requires a waiting period before accepting a missing child or unidentified person report; (2) provide that each such report and all necessary and available information is entered into the State law enforcement system and the NCIC computer networks and made available to the Missing Children Information Clearinghouse or other designated agency within the State; and (3) require the law enforcement agency that entered the report into the

NCIC to **verify and update such record** with any additional information (including, where available, medical and dental records), **institute or assist with appropriate search and investigative procedures**, and maintain close liaison with the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases.

- 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, pursuant to **the Adam Walsh Child Protection and Safety Act**, the FCIC entry and NCIC entry should be made within 2 hours of the report. No entry will be removed from NCIC/FCIC based solely on age.

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:

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/NCACV 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. IMAGES

FCIC II and NCIC 2000 allow for the entry of images in all Hot File records. The images assist with the identification of persons or property. All records that have an image on file will be returned with an Image Number attached that can be queried.

Agencies may enter electronic images of photographs, fingerprints, or signatures into the FCIC II and NCIC 2000 once a person or property has been entered into the Hot Files.

To enter images into FCIC II through E-Agent:

- Click Forms
- Click Images
- Enter (FEIM)
- PCN No.
- Image Type ("M" for Mug Shot)
- Image Date (Day that image was taken)
- Add Image (Pull image from file)
- Submit

4. LINKING OF RECORDS

Upon making an entry into the Hot Files and agency can choose to link two records together for the purpose of assisting with the location and recovery of persons and/or property.

NCIC II records can only be linked in one direction, so the agency must look at the record to determine the most appropriate way to link the information. An example of this would be useful in a carjacking with a child in the car.

To link, fill in the fields listed below when entering a record:

- Linkage Agency ID
- Linkage Case Number

When an adult absconds with a child under the Department of Children and Families' (DCF) supervision, DCF will attempt to pursue a warrant for the adult to enable local law enforcement agencies to enter the individual into the state and national Hot Files. In the absence of the warrant, local agencies **may** accept a missing person report, using DCF as the reporting authority for the entry of an Endangered Missing Person record on the adult suspected of absconding with the child. In addition to entering the adult record, the missing juvenile record must be entered. When entering the adult's information (warrant or missing person) a notation should be made in the Remarks/Miscellaneous field identifying that the adult is suspected of absconding with the juvenile under the supervision of DCF (information should detail the child's information, case numbers, control numbers, etc.). In like fashion, information about the adult's record should be included in the missing juvenile entry to provide a cross-reference. Be sure to include vehicle information, license plate data, images as well as detailed information in the remarks field about the missing juvenile.

5. NOTIFICATION TO FBI/NCAVC AND NCMEC

The FBI 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 National Center for the Analysis of Violent Crime (NCAVC), 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:

MPC/CA (Child Abduction) - Missing Juvenile –
Endangered or Involuntary, Notifies the FBI NCAVC and NCMEC immediately.

6. LAW ENFORCEMENT RESPONSE TO A MISSING CHILD REPORT

a. Investigative Checklist

The purpose of this Investigative Checklist is to provide law-enforcement officers and agencies with a generic guide for the investigation of missing-child cases. Law-enforcement administrators should ensure that their agencies have established effective policies and procedures for the handling of missing/abducted-child investigations. Compliance with an agency's standard operating procedures, by officers conducting missing-child investigations, can result in efficient operations and successful resolution of the incident.

This checklist is not intended to be followed step-by-step by officers during each missing-child investigation. It is meant to provide them with a framework of actions, considerations, and activities that can assist them in performing competent, productive, and successful missing/abducted-children investigations.

Investigative Checklist

Administrative

- ☐ Intake report from parent/caller.
- ☐ Obtain basic facts, details, and a brief description of missing child and abductor.
- ☐ Dispatch officer to scene to conduct a preliminary investigation.
- ☐ Search juvenile/incident records for previous incidents related to missing child and prior police activity in the area including prowlers, indecent exposure, and attempted abductions.
- ☐ Inform responding officer of any pertinent information.
- ☐ Broadcast known details, on all police communication channels, to other patrol units, other local law-enforcement agencies, and surrounding law enforcement agencies. If necessary, use the NLETS telecommunication network to directly alert agencies in multi-state areas.
- ☐ Activate established fugitive search plans (prearranged plans among participating police agencies designed to apprehend fleeing fugitives) if necessary.
- ☐ Maintain records/recordings of telephone communications/messages.
- ☐ Activate established protocols for working with the media.

First Responder

- ☐ Interview parent(s)/person who made initial report.
- ☐ Verify that the child is in fact missing.
- ☐ Verify child's custody status.
- ☐ Identify the circumstances of the disappearance.
- ☐ Determine when, where, and by whom the missing child was last seen.
- ☐ Interview the individuals who last had contact with the child.
- ☐ Identify the child's zone of safety for his or her age and developmental stage.
- ☐ Based on the available information, make initial determinations of the type of incident whether non-family abduction; family abduction; endangered runaway; or lost, injured, or otherwise missing.
- ☐ Obtain a **detailed** description of the missing child, abductor, and any vehicles used.
- ☐ Relay detailed descriptive information to communications unit for broadcast updates.
- ☐ Request additional personnel if circumstances require.
- ☐ Request investigative assistance if necessary.
- ☐ Request supervisory assistance if necessary.
- ☐ Brief and bring up-to-date all additional responding personnel including supervisors and investigative staff.
- ☐ Ensure that everyone at the scene is identified and interviewed separately. Make sure that their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present.
- ☐ Note name, address, and home/business telephone numbers of each person.
- ☐ Determine each person's relationship to the missing child.
- ☐ Note information that each person may have about the child's disappearance.
- ☐ Determine when/where each person last saw the child.

- ☐ Ask each one, 'What do you think happened to the child?'
- ☐ Obtain names/addresses/telephone numbers of child's friends/associates and other relatives, friends and classmates of the family.
- ☐ Continue to keep communications unit apprised of all appropriate developing information for broadcast updates.
- ☐ Obtain and note permission to search home or building where incident took place.
- ☐ Conduct an immediate, thorough search of the missing child's home, even if the child was reported missing from a different location.
- ☐ Conduct search to include all surrounding areas including vehicles and other places of concealment.
- ☐ Treat the area as a crime scene.
- ☐ Seal/protect scene and area of the child's home (including child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints/footprints/teeth impressions) so that evidence is not destroyed during or after the initial search and to help ensure that items which could help in the search for and/or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/videotape these areas.
- ☐ Evaluate contents and appearance of the child's room/residence.
- ☐ Obtain photographs/videotapes of missing child/abductor.
- ☐ Prepare reports/make all required notifications.
- ☐ Ensure that information regarding the missing child is entered into the NCIC Missing Person File and that any information on a suspected abductor is entered into the NCIC Wanted Person File. (See Appendices A and B regarding the child abduction flag and definitions of NCIC categories.)
- ☐ Interview other family members, friends/associates, classmates and teachers of the child, and friends of the family to determine
 - ☐ When each saw the child
 - ☐ What they think happened to the child
 - ☐ Ensure that details of the case have been reported to NCMEC
- ☐ Notify the child's school administrators that the child is missing.
- ☐ Prepare and update bulletins for local law-enforcement agencies, state missing children's clearinghouse, FBI, and other appropriate agencies.
- ☐ Prepare a flier/bulletin with the child/abductor's photograph and descriptive information. Distribute in appropriate geographic regions.
- ☐ Secure the child's latest medical and dental records.
- ☐ Establish a telephone hotline for receipt of tips and leads.
- ☐ Establish a leads management system to prioritize leads and ensure that each one is reviewed and followed up on.

Investigative Officer

- ☐ Obtain briefing from first responding officer and other on-scene personnel.

- ☐ Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.
- ☐ Obtain a brief, recent history of family dynamics.
- ☐ Correct and investigate the reasons for any conflicting information offered by witnesses and other individuals submitting information.
- ☐ Review and evaluate all available information and evidence collected.
- ☐ Develop an investigative plan for follow-up.
- ☐ Determine what additional resources and specialized services are required. Determine if the case facts meet the criteria for an AMBER Alert. Consult with MCIC.
- ☐ Execute investigative follow-up plan.
- ☐ Assess need for Child Abduction Response Team (CART)

Note: CART can be mobilized for any missing child deemed to be in danger. CART can be used for missing endangered children classified as runaways.

Supervisory Responsibility

- ☐ Obtain briefing and written reports from first responding officer, investigators, and other agency personnel at the scene.
- ☐ Determine if additional personnel are needed to assist in the investigation.
- ☐ Determine if outside help is necessary from:
 - ☐ State Police.
 - ☐ FDLE Missing Children Information Clearinghouse (MCIC).
 - ☐ Internet Crimes Against Children Task Force (ICAC).
 - ☐ A Child Is Missing (ACIM).
 - ☐ FBI.
 - ☐ Specialized Units.
 - ☐ Victim-Witness Services.
 - ☐ NCMEC Project ALERT.
- ☐ Ensure that all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
- ☐ Establish a command post away from the child's residence.
- ☐ Ensure coordination/cooperation among all police personnel involved in the investigation and search effort.
- ☐ Ensure that all required notifications are made.
- ☐ Ensure that all agency policies and procedures are in compliance.
- ☐ Conduct a criminal history check on all principal suspects and participants in the investigation.
- ☐ Be available to make any decisions or determinations as they develop.
- ☐ Utilize media (including radio, television, and newspapers) to assist in the search for the missing child and maintain media relations, per established protocols, throughout the duration of the case.
- ☐ Liaison with CART Coordinator

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

1. Nonfamily-Abduction Investigative Checklist

In cases of nonfamily abduction, consider the steps listed in the *Nonfamily-Abduction Investigative Checklist* below:

Initial Investigation

[] Assign an officer to victim's residence with the ability to record and "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for agency use.

[] Conduct neighborhood/vehicle canvass.

[] Compile list of known sex offenders in the region.

[] Develop profile of possible abductor.

[] Consider use of polygraph for parents/guardians and other key individuals.

[] In cases of infant abduction, investigate claims of home births made in that area.

[] Fully load National Crime Information Center (NCIC) Missing Person File within two hours of report receipt (involuntary category) with complete descriptive information, medical information, dental information, and use the NCIC Child-Abduction ("CA") flag.

[] Use Nlets and other information systems to alert local, state, regional, and federal law-enforcement agencies.

[] Review records found in various law-enforcement databases, including Nlets, for attempted abductions with case similarities.

[] Provide support for family through nonprofit, missing-children organization.

Prolonged Investigation

- ☐ Reread all reports and transcripts of interviews.
- ☐ Revisit the crime scene.
- ☐ Review all potential witness/suspect information obtained in the initial investigation and consider background checks for anyone identified in the investigation.
- ☐ Review all photographs and videotapes.
- ☐ Re-examine all physical evidence collected.
- ☐ Determine if case file contains deoxyribonucleic acid (DNA) evidence from child and biological parent(s).
- ☐ Review child-protective-agency records for reports of sexual exploitation/ abuse about the child.
- ☐ Develop timelines and other visual exhibits.
- ☐ Reinterview key individuals.
- ☐ Interview individuals such as delivery personnel; employees of gas, water, electric, and cable companies; taxi drivers; post-office personnel; and garbage handlers.
- ☐ Critique results of the ongoing investigation with appropriate investigative resources.
- ☐ Arrange for periodic media coverage.
- ☐ Use rewards and crime-stopper programs.
- ☐ Contact NCMEC for photo dissemination, age-progression, and other case assistance.
- ☐ Update NCIC Missing Person File information as necessary.

Recovery/Case Closure

[] Arrange for a comprehensive physical examination of the victim.

[] Conduct a careful interview of the child, document the results of the interview, and involve all appropriate agencies.

[] Provide effective reunification techniques.

[] Cancel alarms and remove case from NCIC and other information systems.

[] Perform constructive post-case critique.

Note: This information provided by the National Center for Missing & Exploited Children® (NCMEC) toll-free at 1-800-THE-LOST® (1-800-843-5678).

2. INVESTIGATIVE RESPONSE

Follow the initial response tasks listed in the checklist, 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 tag numbers, vehicle descriptions or abductor information. Link the NCIC missing child entry to NCIC abductor/vehicle entry.
- b. Request an **Amber Alert or a Missing Child Alert**. The Florida Amber Plan is a program designed to broadcast critical information of a missing/abducted child believed to be in danger, using the Emergency Alert System (EAS), via radio and television, Dynamic Message Signs (DMS), lottery machines and the Florida Crime Information Center (FCIC).

To activate the Amber Alert, the following five (5) criteria must be met.

1. The child must be under 18 years of age.
2. There must be a clear indication of an abduction.
3. The law enforcement agency's investigation must conclude that the child's life is in danger.
4. There must be a detailed description of child and/or abductor/vehicle to broadcast to the public (photo when available).
5. The activation must be recommended by the local law enforcement agency of jurisdiction.

If the missing child case does not meet the Amber criteria, but the law enforcement agency believes the child's life is in danger a **Missing Child Alert (MCA)** can be activated.

- c. Notify the FBI's National Center for the Analysis of Violent Crime (NCAVC), the FDLE Missing Children Information Clearinghouse (MCIC), and the National Center for Missing and Exploited Children (NCMEC). If necessary, request on-site investigative support and/or Child Abduction Response Team (CART) mobilization. Determine if a ransom has been demanded, if any contact has been made by the abductor, or if a computer was involved.
- d. Assign an officer to the home of the child. The officer assigned to the residence is able to
 - Brief family members about what the investigation will entail
 - Prepare them for possibilities such as random requests, crank calls, threats, psychics, private investigators
 - Describe the stress factors that will evolve as the situation develops and how the family can influence the investigation in both positive and negative ways
 - Screen and record the names of all visitors to the home
 - Arrange for professional assistance to help the family cope with the emotional aspect of the situation
 - Prepare the family for an eventual outcome such as recovery, reunification, injury or death

- e. 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 bloodhound dogs. Canvass the neighborhood and vehicles departing. Conduct a neighborhood canvass door-to-door 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.).
- f. Immediately establish a command post (not located at the crime scene) 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.
- g. Secure the child's room and treat as a crime scene. Secure the child's computer/disks if he/she had access. Obtain written 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.
- h. Preserve the child's bedding, used clothes, shoes, etc. for use as evidence and for K-9 or bloodhound assistance. Protect hairbrush, pillowcase, diary, and items with child's fingerprints, teeth impressions, and footprints. Obtain dental and medical records of child.
- i. 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.
(See sample forms for at the end of this section)

- j. 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.
- k. 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. Use volunteers to distribute flyers locally.
- l. 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.
- m. Arrange for a victim-witness advocate to be assigned to the family to assist with both immediate and long-term complications.
- n. 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.
- o. 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.

- p. 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.
- q. Utilize local and state level intelligence networks to compare methods of operation and files on known sex offenders.

NEIGHBORHOOD CANVASS

Address:		
1st Attempt: Date: Time:	2nd Attempt: Date: Time:	3rd Attempt: Date: Time:

AUTHORS:

Interviewing Officer:	Agency:
Interviewing Officer:	Agency:

VEHICLE DESCRIPTIONS AND REGISTRATION INFORMATION PRESENT AT LOCATION:

License # and State	Color/Make/Model/Year	Owner of Vehicle

IS THE VICTIM'S HOME VISIBLE FROM THIS LOCATION?

☐ Yes ☐ No

IS THE ABDUCTION SITE VISIBLE FROM THIS LOCATION?

☐ Yes ☐ No

SEXUAL EXPLOITATION

CONTACT INFORMATION:

Full Name (Request Positive ID):		
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Race:	DOB:
DL # and State:		SSN:
Home Phone:		Cell Phone:
Work Phone:		Other Phone(s):
Comments:		

NEIGHBORHOOD CANVASS (continued)

1. NAMES OF ALL OCCUPANTS WHO RESIDE AT THIS HOME/LOCATION?

Name	Race	Sex	Age/DOB	Interviewed
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No

(Please attach names of additional occupants to back of form)

2. NAMES OF ALL OCCUPANTS AND VISITORS AT THIS HOME/LOCATION AT THE TIME OF THE INCIDENT?

Name	Race	Sex	Age/DOB	Interviewed
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No

(Please attach names of additional occupants to back of form)

NEIGHBORHOOD CANVASS (continued)

3. DO YOU KNOW THE _____ FAMILY AND SPECIFICALLY THE VICTIM, _____? IF YES, PROVIDE DETAILS. IF NO, PLEASE SKIP TO QUESTION 6.
☐ Yes ☐ No
4. TELL ME EVERYTHING YOU KNOW ABOUT THE VICTIM AND HIS/HER FAMILY. DO YOU KNOW WHO THE VICTIM IS FRIENDS WITH?
5. ARE YOU AWARE OF ANY PERSON (S) WHO WOULD WISH TO HARM THE VICTIM AND HIS/HER FAMILY? IF SO, PLEASE PROVIDE DETAILS. ☐ Yes ☐ No
6. WERE YOU HOME ON THE DAY OF THE INCIDENT? ☐ Yes ☐ No
7. WHAT ACTIVITY DID YOU SEE OR HEAR AT OR NEAR THE VICTIM'S HOME?
8. DO YOU HAVE A DOG? DID IT BARK? AT WHAT TIME?
9. WHAT DID YOU OBSERVE ON THAT DAY?
10. WHAT IS THE USUAL DAILY ACTIVITY IN THIS AREA (DAY AND NIGHT)?
11. WHAT HAVE YOU NOTICED IN THE PAST TWO MONTHS THAT IS SUSPICIOUS OR UNUSUAL?
12. WHAT DELIVERY PEOPLE COME TO THIS AREA?
13. HAS ANY CONSTRUCTION ACTIVITY OCCURRED IN THE VICINITY IN RECENT MONTHS? IF SO, WHAT LOCATION? ☐ Yes ☐ No
14. HAS THERE BEEN ANY NEIGHBORHOOD EVENTS SUCH AS GARAGE SALES, PARTIES OR OTHER UNUSUAL EVENTS IN RECENT WEEKS? ☐ Yes ☐ No

Activities: <input type="checkbox"/> Garage Sales/Estate Sales <input type="checkbox"/> Parties/BBQs <input type="checkbox"/> Carnivals/Fairs/Parades <input type="checkbox"/> People Moving <input type="checkbox"/> In <input type="checkbox"/> Out <input type="checkbox"/> Open Houses <input type="checkbox"/> Flea Markets/Farmers Markets <input type="checkbox"/> Social Group Meetings <input type="checkbox"/> Sport Leagues/Games <input type="checkbox"/> Other _____	Details:
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NEIGHBORHOOD CANVASS (continued)

15. DESCRIBE THE NORMAL VEHICLE AND PEDESTRIAN TRAFFIC IN THIS AREA DURING THE TIME OF THE INCIDENT?

16. WHAT VEHICLES WERE PRESENT IN THE AREA AROUND THE TIME OF THE INCIDENT?

License # and State	Color/Make/Model/Year	Owner of Vehicle

17. DID YOU OBSERVE ANY VEHICLES NOT NORMALLY IN THE AREA? ☐ Yes ☐ No

License # and State	Color/Make/Model/Year	Owner of Vehicle

18. WHAT PERSON (S) WERE IN THE NEIGHBORHOOD AROUND THE TIME OF THE INCIDENT?

Name/Description/Title	Sex	Description
	<input type="checkbox"/> Male <input type="checkbox"/> Female	
	<input type="checkbox"/> Male <input type="checkbox"/> Female	
	<input type="checkbox"/> Male <input type="checkbox"/> Female	

NEIGHBORHOOD CANVASS (continued)

19. DID YOU OBSERVE ANY PERSON (S) NOT USUALLY IN THE AREA?

☐ Yes ☐ No

Name/Description/Title	Sex	Description
	<input type="checkbox"/> Male <input type="checkbox"/> Female	
	<input type="checkbox"/> Male <input type="checkbox"/> Female	
	<input type="checkbox"/> Male <input type="checkbox"/> Female	

20. WHO IS USUALLY ENTERING OR LEAVING THE AREA AROUND THE TIME OF THE INCIDENT?

Name/Description/Title	Sex	Description
	<input type="checkbox"/> Male <input type="checkbox"/> Female	
	<input type="checkbox"/> Male <input type="checkbox"/> Female	
	<input type="checkbox"/> Male <input type="checkbox"/> Female	

21. HAVE ANY NEIGHBORS RECENTLY MOVED FROM, OR HAVE NOT BEEN SEEN, IN THE AREA?

IF YES, WHO? ☐ Yes ☐ No

22. A. DOES YOUR HOME HAVE ANY EXTERIOR SURVEILLANCE SYSTEM?

☐ Yes ☐ No

- B. ARE YOU AWARE IF YOUR NEIGHBORS HAVE VIDEO OR CAMERA SURVEILLANCE? ☐ Yes ☐ No

Name	Address

23. ARE YOU AWARE OF ANYONE WHO MAY HAVE INFORMATION OR EVIDENCE RELATING TO THIS INCIDENT? IF SO, PLEASE PROVIDE DETAILS. ☐ Yes ☐ No

24. WHAT OTHER INFORMATION ABOUT THIS INCIDENT DO YOU HAVE THAT YOU FEEL IS IMPORTANT TO THIS INVESTIGATION? ☐ Yes ☐ No

NEIGHBORHOOD CANVASS (continued)

25. HAS ANYONE AT THIS RESIDENCE BEEN ARRESTED OR ARE WANTED? ☐ Yes ☐ No
26. DO YOU KNOW IF ANY OF YOUR NEIGHBORS HAVE BEEN ARRESTED OR ARE WANTED?
☐ Yes ☐ No
27. IS THERE ANYTHING ELSE YOU WISH TO TELL US? ☐ Yes ☐ No
28. IF APPROPRIATE, OBTAIN CONSENT TO SEARCH THE RESIDENCE, VEHICLES, AND/OR STORAGE AREAS. (IF CONSENT OBTAINED, ATTACH CONSENT TO SEARCH FORMS TO INTERVIEW SHEET)

Consent To Search Obtained: <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Person Who Consented:
Areas Searched: <input type="checkbox"/> House <input type="checkbox"/> Garage/Carport <input type="checkbox"/> Cars/Trucks <input type="checkbox"/> Sheds/Outbuildings <input type="checkbox"/> Boats <input type="checkbox"/> Trailers/RVs <input type="checkbox"/> Other _____	Details:

SEX OFFENDER CANVASS

Address:		
1 st Attempt: Date: Time:	2 nd Attempt: Date: Time:	3 rd Attempt: Date: Time:

Interviewing Officer:	Agency:
Interviewing Officer:	Agency:

VEHICLE DESCRIPTIONS AND REGISTRATION INFORMATION PRESENT AT LOCATION:

License # and State	Color/Make/Model/ Year	Owner of Vehicle

IS THE VICTIM'S HOME VISIBLE FROM THIS LOCATION? Yes No

IS THE ABDUCTION SITE VISIBLE FROM THIS LOCATION? Yes No

Full Name (Request Positive ID):			
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Race:	DOB:	
DL# and State:	SSN:		
Home Phone:	Cell Phone:		
Work Phone:	Other Phone(s):		
Comments:			

1. A. WHAT HAVE YOU BEEN ARRESTED FOR?

 B. WHAT ARE THE CIRCUMSTANCES INVOLVING YOUR ARREST(S)?
2. A. ARE YOU CURRENTLY ON PROBATION? YES NO

 B. WHO IS YOUR PROBATION OFFICER? PLEASE PROVIDE CONTACT INFO.

 C. WHAT ARE YOU ON PROBATION FOR?

 D. WHAT ARE THE CONDITIONS OF YOUR PROBATION?
3. A. HAVE YOU EVER BEEN ON PROBATION? IF YES, WHEN? YES NO

 B. WHO WAS YOUR PROBATION OFFICER? PLEASE PROVIDE CONTACT INFO.
4. A. ARE YOU CURRENTLY IN SEX OFFENDER THERAPY? YES NO

 B. WHO IS YOUR THERAPIST? PLEASE PROVIDE CONTACT INFO.

 C. WHAT NIGHT ARE YOUR MEETINGS?

5. HAVE YOU HAD ANY CONTACT WITH PREVIOUS VICTIMS AFTER YOU WERE CONVICTED?
IF YES, PROVIDE DETAILS? YES NO
6. A. ARE YOU CURRENTLY TAKING POLYGRAPH EXAMS? YES NO
B. WHO IS THE POLYGRAPH EXAMINER?
7. A. WHERE ARE YOU EMPLOYED?
B. HOW LONG HAVE YOU BEEN EMPLOYED THERE?
C. DO YOU TRAVEL FOR YOUR EMPLOYMENT? IF YES, WHERE? YES NO
8. WHAT DO YOU DO WHEN YOU ARE NOT WORKING (HOBBIES, ETC.)?
9. A. DO YOU OWN A COMPUTER? YES NO
B. WHO IS YOUR INTERNET PROVIDER?
C. WHAT ARE YOUR EMAIL ADDRESSES?
D. WHAT ARE YOUR SCREEN NAMES?
E. DO YOU HAVE WEB CAMS, DIGITAL CAMERAS, OR VIDEO CAMERAS?
IF YES, PLEASE PROVIDE DETAILS. YES NO
F. DO YOU POSSESS ANY CHILD PORNOGRAPHY? YES NO
10. A. DO YOU OWN ANY OTHER PROPERTY? IF YES, WHERE? YES NO
B. DO YOU RENT ANY OTHER PROPERTY SUCH AS STORAGE UNITS, ETC?
IF YES, WHERE? YES NO
11. DO YOU OWN A BOAT? IF YES, WHAT KIND AND WHERE? YES NO
12. DO YOU OWN ANY OTHER VEHICLES OR HAVE ACCESS TO ANY OTHER VEHICLES? IF, YES
PROVIDE DETAILS. YES NO

License# and State	Color/Make/Model/Year	Owner of Vehicle

13. WHAT PLACES DO YOU VISIT ON VACATION, ETC.?

14. WHO LIVES WITH YOU?

Name	Race	Sex	Age/DOB	Interviewed
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No

(Please attach names of additional occupants to back of form)

15. DO YOU HAVE ANY RELATIVES OR FRIENDS IN THE AREA?

Name	Race	Sex	Age/DOB	Interviewed
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No

(Please attach names of additional friends/family to back of form)

16. DO YOU KNOW THE VICTIM _____ OR THE _____ FAMILY? IF YES, PLEASE PROVIDE DETAILS. YES NO

17. A. WHERE WERE YOU AT THE TIME OF THE CHILD'S DISAPPEARANCE? PLEASE PROVIDE DETAILS.

B. DO YOU HAVE AN ALIBI WITNESS? IF YES, PLEASE PROVIDE DETAILS. YES NO

Full Name (Request Positive ID):		Interviewed <input type="checkbox"/> Yes <input type="checkbox"/> No
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Race:	DOB:
Address:		
DL# and State:		SSN:
Home Phone:		Cell Phone:

(Please attach names of additional witnesses to back of form)

18. HAVE YOU KEPT YOUR SEX OFFENDER REGISTRY CURRENT? YES NO

19. IF APPROPRIATE, OBTAIN CONSENT TO SEARCH THE RESIDENCE, VEHICLES, STORAGE AREAS. (IF CONSENT OBTAINED, ATTACH CONSENT TO SEARCH FORMS TO INTERVIEW SHEET)

Consent To Search Obtained: <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Person Who Consented:
Areas Searched: <input type="checkbox"/> House <input type="checkbox"/> Sheds/Outbuildings <input type="checkbox"/> Boats <input type="checkbox"/> Garage/Carport <input type="checkbox"/> Trailers/RVs <input type="checkbox"/> Cars/Trucks <input type="checkbox"/> Other _____	Details:

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. Review mall video/security tapes, if available.
 - 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 steps in the Investigative Checklist listed on pages 7-10**, and consider the following investigative suggestions:

- a. Enter the child into FCIC and NCIC as ENDANGERED. Notify the FBI’s National Center for the Analysis of Violent Crime (NCAVC), 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/video tapes 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. REUNIFICATION 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. Arrange to interview the child to determine what happened while he/she was gone. The interviewer may be a Crimes Against Children detective or skilled member of the Child Protection Team or Child Advocacy Center or someone who is specialized in conducting forensic interviews of children. Determine if the facts support notification to the Department of Children and Families abuse hotline. 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 the services of a mental health specialist may be necessary for an effective reunification. The parents should also 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 implications.

6. RECOVERY PROGRAMS

Several programs are available which provide assistance to families recovering their missing children. The National Center for Missing & Exploited Children's (NCMEC) Hotline has a program to assist families in the reunification process by arranging for transportation and lodging for families who cannot afford these costs when picking up their missing child once found.

NCMEC private-sector partners which include American Airlines®, Amtrak, Continental Airlines®, and Greyhound® provide these services free of charge to the families in need of financial assistance when picking up their child, and the programs are coordinated exclusively through NCMEC.

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.

C. RUNAWAYS

1. INVESTIGATIVE RESPONSE

Follow the steps in the Investigative Checklist listed on pages 7-10. 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, medical problems or association with non-custodial persons. Any missing youth faces an increased level of threat, as they usually do not possess the necessary survival skills to protect themselves from exploitation on the street. Children run away from abusive environments. The fact that a child runs away may be an indication of abuse, neglect or abandonment on the part of the parents or legal guardians.

- 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. Enter into the FCIC/NCIC Missing Persons File immediately.
- c. 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.
- d. 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.
- e. 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?
- f. 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?
- g. 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?

- h. 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 a cell phone?
- i. Ascertain the resources available to the runaway; i.e., bank accounts, credit cards, cash, driver's licenses, identifications, vehicles, cell phones, 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.
- j. 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.
- k. Obtain dental and fingerprint information on the child.
- l. 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. Consider contacting or have the parents contact the Missing Children Information Clearinghouse (MCIC) and the National Center for Missing and Exploited Children (NCMEC).

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 or legal guardian.

- 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 or legal guardian as soon as possible.
- c. If abuse or neglect is alleged, notify the Department of Children and Families, Abuse Registry Hotline, 1-800-96-ABUSE. A joint investigation should be conducted concerning any abuse, neglect, or dependency allegations.
- d. Children who run from non-secure placements such as shelters or crisis care centers are not escapees, and should be handled as runaway missing dependent 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 to local law enforcement.
- e. Running away from home is not a delinquent act. Unless a child commits a violation of the law, once located a missing child should be taken into custody and released to a responsible adult relative, Department of Juvenile Justice approved runaway shelter, or Department of Children and Families Intake.
- f. Keep in mind that the majority of children are exploited during their runaways episodes. 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. Youth and families can also be referred to the Florida Network of Youth and Family Services, Inc. at www.floridanetwork.org or 1-800-runaway. This is a not-for-profit statewide association representing agencies which serve homeless, runaway and troubled youth ages ten and older and their families.
- g. After a runaway juvenile has been located and taken into custody, conduct a forensic interview to determine if the child was physically or sexually abused prior to or during the missing episode. In some cases, these juveniles may

have information about criminal activities that have occurred, or that they were involved in.

Note: The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), Standard 44.2-2 states in part:

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

- an incident report should be initiated;
- if the incident occurred within another jurisdiction the report should then be forwarded to the appropriate agency.
- when appropriate, advise Miranda warnings.

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.

4. WANTED/PICK UP ORDER VERSUS MISSING CHILD ENTRY

Some law enforcement members are substituting delinquency or dependency pick up orders when a child is missing instead of entering the child as missing using the EMJ message key. By not entering a missing child into the missing person file, birth and school records are not flagged pursuant to state statute 937 and the child's record is not crosschecked against NCIC unidentified persons files. Additionally, the missing child records can be linked to the abductor. The chances of officers querying an adult in NCIC/FCIC are greater than querying a child. Therefore, linking the missing child record to the adult may be vital to the safe rescue of the victim child.

Pursuant to the National Child Search Assistance Act all missing children shall be entered into the National Crime Information Center which requires the law enforcement agency that entered the report into NCIC to verify and update such record with any additional information (including, when available, medical and dental records) and institute or assist with appropriate search and investigative procedures.

PICK UP ORDERS

If a judge has issued a pick up order for a "dependent" child because the child is missing and the child has been reported as missing to law enforcement, then law enforcement should enter the child into the missing person file noting the existence of the pick up order in the MIS field. It is very important to note that **Pick up orders do not substitute for missing child reports**. This entry then generates the birth and school record flags which aid in missing children investigations. Additionally, the missing child entry will be checked regularly against the NCIC unidentified person files.

Juvenile pick up orders are sometimes issued for neglected or abused juveniles who have not been adjudicated for or charged with delinquency. This type of pick up order does not meet the criteria for entry into the state or national **wanted person** file. A court pick up order for a missing, neglected or abused juvenile, as well as, one who is declared un-emancipated or endangered, should therefore be entered into the **missing person** file. Agencies should use the MIS field to indicate the presence of a pick up order and all other pertinent information.

It is important that information related to a missing child is forwarded to all appropriate units or divisions within the law enforcement agency of jurisdiction. If the Warrants Section is responsible for entering the data into the NCIC/FCIC, procedures should be in place to insure the missing child report is received by the Detective Bureau or unit responsible for the search of missing children.

WANTED

Florida is one of the states permitted to enter juvenile warrants into the National Crime Information Center (NCIC) system. Courts in Florida, under certain circumstances, do issue juvenile pick up orders that qualify for entry into the FCIC/NCIC **wanted person file**. Such orders may be entered into the national wanted person file when the juvenile has been adjudicated delinquent and is subject to the jurisdiction of the court making such adjudication, or to the jurisdiction or supervision of an agency or institution pursuant to an order of the court; and additionally 1) has escaped from an institution or agency vested with the legal custody or supervision of such juvenile; or 2) has absconded while on probation or parole. **Additionally, when a child is both missing and wanted NCIC allows for duplicate entries of the child as both missing and wanted.** Local law enforcement will need to initiate their own procedures for handling these unique, but not uncommon cases.

In addition, general pick up orders are routinely issued for juveniles who have been charged with the commission of a delinquent act that would be a crime if committed by an adult and who have fled the state where the act was committed. Entry of a record in this category is permitted only when a petition has been filed in a court where the **violation of a criminal law is alleged to have been committed.**

In keeping with current policy, the entering agency must attempt to determine, to the maximum extent possible, if extradition will be authorized if the juvenile is located in another state. In many instances, however, no forecast of extradition can be made at the time the wanted person is entered on file, because extradition is not a law enforcement decision. In this case, the warrant should be entered. If at some future time, the entering agency learns that the individual definitely will not be extradited, the NCIC record must be modified to include NOEX as the first four characters of the MIS field. Remember, extradition information is not a requirement for warrants to be entered into NCIC; however, if the agency knows the status of extradition that must be included in the entry.

A copy of the judgment, formal adjudication or an order of commitment must support entry of a record in this category. Specifically excluded from this category are "status offenders," i.e., children who commit non-criminal, but legally proscribed acts such as truancy, disobedience to parents, running away, and violation of curfew.

If you have any questions concerning entering Missing Children into FCIC/NCIC, please call the Client Services at 1-800-292-3242.

D. FAMILY ABDUCTION

(Parental Abduction)

1. INVESTIGATIVE RESPONSE

Enforcement of Custody Orders

Officers should exercise extreme caution when considering actions that will directly affect the physical custody of a child.

Liability

Inappropriate or unauthorized actions by a law enforcement officer who has been called to “accompany and assist” in a child-custody dispute can bring about significant liability concerns for both the officer and the municipality.

a. In all parental abduction cases:

- **Follow the steps in the Investigative Checklist listed on pages 8-10.** A child who is in the company of an abducting parent is a child who may have been exposed to domestic violence, alcoholism and abuse. Often the abducted child is forced to be uprooted from family, friends, school and church. Family abduction is a form of child abuse. 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
- Make an attempt to contact the abductor parent by telephone or by sending a patrol unit to his or her house or place of employment 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. Also link the child's FCIC entry to the warrant entry of the abducting parent. Obtain photographs of both the child and the abductor and enter them into the FCIC entry.

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

- Review the documents pertaining to child custody and determine what geographical boundaries or limitations have been established. Establish if the abducting parent is in violation of the order.
- The child should 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 "left behind" 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 “left behind” parent is able to secure an amended or temporary custody order, law enforcement will not be able to take custody of the child absent exigent circumstances. 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 “left behind” 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.
- 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 Legislation regarding Parental Kidnapping)
- 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 under the Uniformed Child Custody Jurisdiction Enforcement Act (UCCJEA) (Florida Statute 61.1302).
- 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 that 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 pursued for

the absconding parent. (See 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 Legislation regarding Parental Kidnapping section.)

e. If the child has been abducted by BOTH parents when 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 should 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. If the child is a ward of the State, in the absence of a warrant, local agencies may accept a missing persons report, using the Department of Children and Families (DCF) as the reporting authority for the entry of the parent(s). (See CJIS Information Memorandum 2002-03)
- 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 Enforcement 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. 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:

- 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 law enforcement. 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 law enforcement. 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. **Intelligence Flags** - The FDLE MCIC flags the child, abductor, and vehicle information in the FCIC system for children reported missing to law enforcement. 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 queried through FCIC.
- d. **Friends/Relatives** - Request that the "left behind" parent 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 abducting parent's bank accounts, credit card accounts, check transactions for leads such as location of purchases and/or purchases of airline tickets, or rental cars. This information can be obtained by a subpoena, if necessary.
- f. **Credit Checks** - Check with local credit bureaus for information on social security number activity.
- g. **Insurance Information** - Contact the abducting parent's insurance companies (auto and others) to ascertain if a transfer of insurance coverage might have taken place.
- h. **Employment** - Review the abductor parent's employment if known, for forwarding addresses.

- i. **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 abducting 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.
- j. **Public transportation** companies should be contacted (airports, buses, taxis, trains, etc.). Sometimes the abducting parent will leave the area immediately by means of public transportation.
- k. **Utilities and telephone companies** may be able to provide a forwarding address for the abducting parent.
- l. **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/her the car.
- m. **College Records** - If the abducting 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.
- n. **Professional Licenses and Unions** - If the abducting 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.

- o. **Medical Records** - Contact doctors, dentists, and hospitals that provided health care to the child or abducting 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.
- p. **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.
- q. **Telephone records** of the abductor parent may be subpoenaed to determine what areas of the state or country he/she communicated with prior to and during the missing episode.
- r. **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). For access to the FPLS and fee information, contact the MCIC at 1-888-356-4774.
- s. **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.
- t. **Interpol** - Seek information from INTERPOL concerning criminal proceedings against the suspect-parent if he/she is believed to be out of the country.

- u. **Offline Searches** - Consider requesting an offline search for activity on a particular subject. An FCIC or NCIC search may be requested through the FDLE MCIC at 1-888-356-4774. See the “Additional Information” section in this chapter for further details.

4. **REUNIFICATION 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 has been told about the “left behind” parent?

- a. Conduct background checks on both the searching parent and the abducting parent.
- b. When rescuing the child, if possible, avoid removing the child directly from the home. 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. Consider having a child advocate present from your agency.
- c. Have a Guardian ad Litem or victim advocate present after the rescue of the child.
- d. Arrange for the child to have a comprehensive physical and psychological examination.
- e. Conduct a thorough forensic interview of the child and the abductor separately. Document the results of the interviews and seek other resources to ensure the reunifications process does not re-victimize the rescued child.

- f. 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.
- g. 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.
- h. Refer the child and recovering parent for local individual and family therapy.
- i. The NCMEC can assist in providing a list of counseling services available in Florida.

5. RECOVERY PROGRAMS

Several programs are available which provide assistance to families recovering their missing children. The National Center for Missing & Exploited Children's (NCMEC) Hotline has a program to assist families in the reunification process by arranging for transportation and lodging for families who cannot afford these costs when picking up their missing child once found. These programs are coordinated exclusively through NCMEC at 1-800-843-5678.

6. INTERNATIONAL ABDUCTION

- a. The FDLE Missing Children Information Clearinghouse (MCIC) is the contact agency when cases arise that involves 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 and also link the child's missing entry to the abducting parent(s) entry.
- 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) 326-6178. 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) 647-4000.
- 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, Belgium, Bosnia & Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Croatia, Cyprus, Denmark, Ecuador, Finland, France, Germany, Greece, Honduras,

Hungary, Iceland, Ireland, Israel, Italy, Luxembourg, Former Yugoslavia - Republic of Macedonia, Malta, Mauritius, Mexico, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, St. Kitts/ Nevis, Sweden, Switzerland, United Kingdom, Uruguay, Venezuela, Yugoslavia and Zimbabwe.

7. LEGISLATION REGARDING PARENTAL ABDUCTIONS

a. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)

The **UCCJEA** became available in 1997 and revises the Uniform Child Custody Jurisdiction Act (UCCJA). In 1968, the 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 **UCCJEA** additionally governs jurisdiction in interstate custody and visitation cases, requires interstate enforcement and non-modification of sister-state custody orders, and authorizes public officials to play a role in civil child custody enforcement and cases involving the Hague Convention on the Civil Aspects of International Child Abduction.

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. Natural Guardianship (Florida Statute 744.301)

(1) The mother and father jointly are natural guardian of their own children and of their adopted children, during minority. If one parent dies, the natural guardianship shall pass to the surviving parent, and the right shall continue even though the surviving parent remarries. If the marriage between the parents is dissolved, the natural guardianship shall belong to the parent whom the custody of the child is awarded. If the parents are given joint custody, then both shall continue as natural guardians. If the marriage is dissolved and neither the father nor the mother is given custody of the child, neither shall act as a natural guardian of the child. The mother of a child born out of wedlock is the natural guardian of the child and is entitled to primary residential care and custody of the child unless a court of competent jurisdiction enters an order stating otherwise.

e. 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 Investigative Analytical Services

Florida AMBER Plan

The Florida AMBER Plan is a program designed to broadcast critical information of a missing/abducted child believed to be in danger, using the Emergency Alert System (EAS), via radio and television, Dynamic Message Signs (DMS), lottery machines and the Florida Crime Information Center (FCIC). To activate the Alert, the following five (5) criteria must be met:

1. The child must be under 18 years of age.
2. There must be a clear indication of an abduction.
3. The law enforcement agency's investigation must conclude that the child's life is in danger.
4. There must be a detailed description of child and/or abductor/vehicle to broadcast to the public (photo when available).
5. The activation must be recommended by the local law enforcement agency of jurisdiction.

Steps for Activation

- The local law enforcement agency should contact the FDLE Missing Children Information Clearinghouse (MCIC) at 1-888-356-4774. (24 hours 7 days a week)
- Tell the person answering that you have a child abduction and would like to activate the AMBER Alert.
- The FDLE working in conjunction with the local law enforcement agency of jurisdiction will determine what information is to be broadcast and what areas will be targeted for dissemination.
- The FDLE will ensure that the information is broadcast through the Emergency Alert System, Dynamic Message Signs (if applicable), lottery machines, FCIC Bolo, and other resources.

If the missing child case does not meet the AMBER criteria, but the law enforcement agency believes the child to be endangered a **Missing Child Alert (MCA)** can be issued.

Missing Children Information Children Investigative and Analytical Services

The Missing Children Information Clearinghouse (MCIC) provides analytical and technical support to any law enforcement agency requesting assistance in the search of a missing child from Florida or a child that is believed to be in the state of Florida who is missing from another state or country. This support is critical to locating and reunifying these children with their legal guardians/parents. The MCIC operates a toll free nationwide hotline 1-888-FL-Missing (356-4774) which is available 24 hours a day to report a missing child or to provide sightings of a missing child. The MCIC also maintains an intelligence database and has access to a wide-range of data resources. MCIC can:

- Provide analytical and investigative assistance to law enforcement agencies
- Assist law enforcement agencies in developing leads and coordinating multiple agency follow-up
- Provide assistance for out-of-state, Interpol and/or Hague Country missing children cases
- Conduct private and public database searches
- Administer **AMBER** and Missing Child Alerts
- Administer Reward Money for endangered missing children cases
- Facilitate fingerprint submissions of missing children to AFIS
- Provide training to criminal justice partners, medical and social service professionals
- Serve as liaison to Florida's Child Abduction Response Teams (CART)
- Publishes and distributes emergency fliers containing names, photographs, and descriptions of missing children
- Serve as a liaison to other state missing children clearinghouses and the National Center for Missing and Exploited Children
- Serve as a liaison to the Florida Computer Crime Center when a computer is involved in missing child cases
- Assist with Off-line FCIC searches

Child Abduction Response Team (CART)

When a child is abducted, time becomes a critical factor in effecting a safe rescue. Time is best spent looking for the child and not for the resources. Rapid response requires pre-identified multi agency resources, an operational plan and protocols, and a well equipped, trained and exercised team.

In an effort to enhance each agency's ability to respond quickly and effectively to a missing or abducted child within their jurisdiction, FDLE has established inter-agency **Child Abduction Response Teams (CART)**. There are two principal goals of the regional CART:

1. Rescue of abducted or missing endangered children through dedicated and intensive investigative, preventative, and general law enforcement efforts.
2. Arrest and successful prosecution of criminal abductors.

A regional CART is comprised of members from federal, state and local law enforcement, state attorney offices, Department of Children and Families, and various other state and local agencies and civilian stakeholders within an FDLE region. These members by Mutual Aid Agreement or Memorandum of Understanding (MOU) have committed resources to rapidly respond to a child abduction or endangered missing child event. This interagency approach significantly enhances the ability of individual agencies to respond to a missing or abducted child by:

- Maximizing benefit from shared financial and personnel resources.
- Providing access to specialized equipment and devices.
- Integrating unique investigative, prosecutorial, child victim, and community expertise.
- Assuring family and community that all appropriate resources are integrated and focused on successful rescue of the child.

Based on the needs of the requesting law enforcement agency, CART can:

- Serve as a force multiplier;
- Provide additional analytical and investigative resources;
- Allows for agency of jurisdiction to maintain control of the investigation.

Crimes Against Children Program

The Crimes Against Children Program (CACP) is charged with providing intelligence, investigative, and training assistance to local law enforcement agencies. This program takes a proactive approach to investigating and preventing child pornography and the sexual exploitation of children.

1. Intelligence Assistance: The first step in the CACP is the identification of local, state and federal law enforcement professionals working these cases. The networking and sharing of intelligence and investigative data enhances the existing communications network of the Florida Investigative Support Center (FISC) within FDLE. This database enables FDLE personnel to identify patterns and movements of specific criminal activities. In addition, it provides local law enforcement investigators with a statewide medium through which they share criminal information.

2. 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 multi-jurisdictional operations and organized crimes against children. Investigative and technical assistance is provided to local law enforcement agencies. Major focus includes serial child homicides, pedophiles, child pornography and child sexual abuse. CACP also has the ability to utilize the services of FDLE Special agents who have been specifically trained in criminal profiling.

3. Multidisciplinary Training: Another responsibility of the MCIC is to ensure that Florida's professionals dealing with these cases are offered training which exposes them to the latest information and 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, but they also have the opportunity to network. MCIC locally sponsors “Responding to Missing/Abducted Children,” “Child Abduction Response Team (CART),” and “AMBER Alert Training.” These workshops are in partnership with the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention and Fox Valley Technical College.

Rapid Response Team (RRT)

The **RRT** is a multi-disciplinary team of experts in child abuse, acting in response to complaints of child abuse in multiple victim cases. The RRT is composed of child abuse experts from the FDLE Crimes Against Children Program; the Child Protection Team (medical, investigative and therapeutic assistance); University of Florida, Department of Pediatrics; Department of Children and Family Services (Protective Investigations and Licensing); State Attorney’s Office; Office of the Attorney General (Victim Services) and sheriffs and/or local police agencies. The primary role of **RRT** is to provide consultation to any Florida agency involved in the investigation of a multiple victim or multiple suspect child abuse case.

When needed the FDLE can provide the **Rapid Response Team (RRT) Mobile Command Post/Interview Room**.

The primary objectives of RRT are:

1. To foster a child-and-family-centered focus for the investigation, thereby:
 - a. lessening the degree of emotional conflict and distress experienced by the child and family.
 - b. increasing the sensitivity to the child’s developmental and emotional needs.
 - c. encouraging greater cooperation from child and family members.
2. To minimize the number of different interviewers necessary to gain information from the child.
3. To prevent the abuse of other potential victims.
4. To increase the effectiveness of prosecution.
5. To assist in the definition and clarification of roles, tasks and responsibilities.

6. To provide information and training regarding dynamics unique to multiple victims/multiple suspect child abuse cases.

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

- a. initial request for consultation
- b. immediate crisis review
- c. immediate crisis response
- d. consultative services
- e. regular RRT staff review

Rapid Response Team (RRT)

Occasionally, cases of this type are not identifiable from the outset. In such circumstances, it is recommended that the Children and Family Services investigator notify the District Administrator immediately upon recognizing that the case may be appropriate for **RRT** involvement. Attempting to assess the magnitude of the problem with inexperienced personnel or too few investigators may contribute to the failure of an investigation, poorly addressing the social and emotional needs of children and families and foreshadowing an unsuccessful prosecution. A resource such as the **RRT** would help to alleviate these problems, providing a more positive outcome for victims, families and the professionals involved in such cases.

For additional information about the MCIC, RRT, CACP or the CART Teams, please contact, 1-888-356-4774 (FL MISSING), visit www.fdle.state.fl.us or www.flcjr.net.

2. FEDERAL BUREAU OF INVESTIGATION (FBI)

National Center for the Analysis of Violent Crime

(NCAVC) - The primary responsibility of the NCAVC 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 NCAVC 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
- CyberTipline to report incidences of child sexual exploitation
- 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
- LOCATER (Lost Child Alert Technology Resource) is a web-based program that enables law-enforcement agencies to rapidly distribute critical images and information about missing-child cases.
- Queries/Database Searches - a database of active missing child cases can be searched based upon any of a series of identifiers
- Team Adam - Sends trained specialists to the site in serious child-abduction and child-sexual-victimization cases. It is an on-site response and support system that provides assistance to local law-enforcement agencies.
- Team HOPE - Matches searching families with trained volunteers who have had or still have a missing child.

Volunteers offer emotional support, compassion, guidance, empowerment, and assistance. Team HOPE members are screened and trained before working with families.

- **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.
- **Family Advocacy Services** - The National Center for Missing & Exploited Children (NCMEC), established Family Advocacy Division in 2003. It is staffed by social-service and law-enforcement professionals, the division works proactively with families, law enforcement, and family-advocacy agencies to provide technical assistance, referrals, and crisis-intervention services. The Family Advocacy Division is intricately involved with the NCMEC Campaign Against Child Sexual Exploitation, the division works on cases of extra-familial exploitation providing support, referrals, and case follow-up.
- **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 NCIC TOOLS

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 or the 2000 version of the *Unidentified Persons File Data Collection Entry Guide*.

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, scars, marks, tattoos, photos 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 (NIC#) and agency number of up to 20 additional records. If an inquiry has more than 20 possible matches, contact NCIC for an off-line search for all records. The NCIC number (NIC#) 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.NIC/_ or AGE/_SEX/_RAC/_EYE/_HAIR/_HGT/_WGT/_Body Part Status/_.

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:

QM.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 the MCIC at 1-888-356-4774.

3. OFF-LINE SEARCHES

An off-line search is a possible alternative when insufficient data is available to affect 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) 410-8412.

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 will submit the missing or unidentified person's dental x-rays to be coded by a forensic odontologist or certified dentist. Then 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 or the NCIC Unidentified or Missing Person File Data Collection Entry Guide. 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.

ACKNOWLEDGEMENTS

**Office of Juvenile Justice and Delinquency Prevention
Juvenile Justice Clearinghouse**
1-800-851-3420
www.ojjdp.ncjrs.org

**National Center for Missing & Exploited Children (NCMEC)
Charles B. Wang International Children's Building
699 Prince Street
Alexandria, VA 22314-3175**
1-800-THE-LOST (1-800-843-5678)
24 Hour Hot Line
Florida Branch (561) 848-1900
www.missingkids.org

II. SEXUAL EXPLOITATION OF CHILDREN

Child Obscenity/Pornography and Child Prostitution

OVERVIEW

Sexual exploitation is a term used to describe the sexual victimization of children, including child pornography, child prostitution and sexual abuse of children. 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.

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 types of materials are considered 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 a 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/game rooms
- 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 employee.

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/DVDs - more than one and unusual amount of video tapes
- Video tapes or DVDs 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 as described as 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 surveillances 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. SEXUAL EXPLOITATION & THE JUVENILE SEX OFFENDER

SEX OFFENDER DEFINITION

Pedophilia

AMERICAN PSYCHIATRIC ASSOCIATION: The act or fantasy of engaging in sexual activity with pre-pubescent children (usually 13 or younger), as a repeated, preferred or exclusive method of achieving sexual excitement. (DSM-IV)

“FIRST OFFENSE IMPROBABLE”

Study of 561 convicted child molesters

- Pedophiles that targeted boys outside the home committed the greatest number of acts of molestation with an average of **281.7**.
- These same offenders had an average of **150.2** different partners.
- Molesters who targeted girls within the family committed an average of **81.3** acts with an average of **2** victims per offender.
- **23%** of the **561** offenders committed acts against both family and non-family victims.

PREFERENTIAL MOLESTERS

Four Major Characteristics:

- Long term and persistent pattern of behavior
- Children as a preferred sexual object
- Well developed techniques in obtaining victims
- Sexual fantasies focusing on children

MISSING CHILDREN PREFERENTIAL MOLESTERS CHILD SEX OFFENDERS (Preferential Molesters)

Represented by every different type of sexual orientation

- Homosexual
- Heterosexual
- Bisexual

PREFERENTIAL MOLESTERS

Patterns of Behavior (Seducer)

- Courting with gifts, attention and affection
- Seduces over a period of time
- Lowering sexual inhibitions
- Multiple victims simultaneously
- Sex rings
- Ability to identify with children
- Know how to listen
- Know how to talk to children
- Uses adult status and authority
- Emotional abuse victims

Patterns of Behavior (Introverted)

- Has preference but lacks the interpersonal skills to seduce
- Minimal amount of verbal communication
- Hangs around play grounds
- May expose himself
- May make obscene phone calls
- Might marry a woman with children
- Selection of children is more predictable
- May use a child prostitute

Patterns of Behavior (Sadistic)

- Sexual preference with children
- To be sexually aroused must inflict pain or suffering
- Uses lures or force
- More likely to abduct, kidnap or kill
- Do not appear to be large in number
- Probably less than 5% of all sex offenders

PREFERENTIAL MOLESTER TREATMENT

(John Hopkins Hospital 1966)

Depo Provera – Chemical Castration (Medroxyprogesterone Acetate)

- Lowers the male hormones (testosterone)
- Does not feminize
- Group therapy

Side effects:

- Cancer
- Hair loss
- Diabetes
- Weight gain

PREFERENTIAL MOLESTER “THE COLLECTION”

Child Pornography: Images of children on:

- Video
- Photography (Developed & Undeveloped)
- Digital
- CD-ROM
- Disk
- Hard Drives

Virtual Child Pornography

Child pornographers can now use commercially available software to create images that appear to be children engaging in sexual conduct without using real children. These images can depict “*Virtual Children*” that are indistinguishable from real children.

- The Child Pornography Act (CPA) enacted by Congress in 1996 expanded the *Federal Law* to combat the use of computer technology for the purposes of producing child pornography.
- U.S. Supreme Court Ruling, April 2002: “*Virtual Child Pornography*” is not illegal.
- The burden of proof is on Law Enforcement.

- These types of virtual images are produced by using very *expensive* equipment currently only available to the U.S. Government and the major movie studios.
- Do not confuse *Virtual with Morphing!*
- Morphing and manipulating photographs of actual children is not part of the Supreme Court ruling.
- The Court's decision did not address, nor did it alter the language of the *CPPA* that deals with morphed or composite images.

Child Erotica

Any material, relating to children, that serves a sexual purpose for a given individual.

- Published materials relating to children
- Unpublished materials
- Pictures, photographs and videotapes
- Souvenirs and trophies
- Miscellaneous

CHARACTERISTICS OF THE COLLECTION

Important

- Most important thing in his life
- Willing to spend time and money
- After release from jail, or while in jail, will attempt to get collection back

Consistent

- No matter how much he has it is never enough
- If he has his collection 5-10 years (or longer) it will remain intact, but increase in size.

Organized

- Usually maintains neat, orderly records
- Use computers, photo albums, binders, diaries

Permanent

- He might move, hide or give collection to another Pedophile if he believes police are investigating him.
- Usually does not destroy it
- Has been known to will collection to another Pedophile

Concealed

- Concerned about security of collection
- Must always have access to his collection
- Safety deposit boxes
- Storage sheds, apartment storage areas, false panels, safe, duct work, auto
- Where it is hidden depends on living arrangement

Shared

- Pedophiles frequently have a need or desire to share, show, and tell others
- Might brag
- Will trade items with other Pedophiles

Motivation for collection

- May help Pedophiles satisfy, deal with or reinforce their compulsive, persistent sexual fantasies with children
- Fulfills need for validation (attempt to justify and rationalize their behavior)
- The need for validation may also explain why some Pedophiles compulsively and systematically save the collected material

N.A.M.B.L.A.

North American Man Boy Love Association

- Phone Number (New York City): (212) 807-8578
- Feedback from members
- Boys in the media
- News article about arrests
- Personal ads
- On-line Computer Contact:
<http://qrd.tcp.com/qrd/orgs/NAMBLA/nambla.and.youth>

P.I.E.

Pedophile Information Exchange

- Headquarters – England
- 2/3 members in the United States
- Mailing Address: *P.O. Box 75, London, England E58AQ*
- Publishes the newsletter “CONTACT”

LEWIS CARROLL COLLECTORS GUILD

- Named after Lewis Carroll (1832-1898), author of *Alice in Wonderland* and *Through the Looking Glass*.
- Carroll took photos of nude girls as young as six years of age.
- Headquarters – Chicago, Illinois
- President – David Tencher (Died in prison)
- Voluntary Association of persons who believe nudist materials are constitutionally protected expressions and whose collected interests include pre-teen nudes.
- Publishes “Wonderland Newsletter” (4 times a year)

P.A.N.

Paedo Alert News

- Man-Boy Love Association
- Lower age of consent to 4 years
- Publishes *PAN Magazine* and *Hermes*

PAN Magazine:

- Contains Articles
- Sells magazines and books
- Contains news
- Contains stories
- Contains photographs of boys

Headquarters – Amsterdam, Netherlands

HOWARD NICHOLS SOCIETY

- Headquarters – Philadelphia, Pennsylvania
- Publishes – “How to Have Sex with Kids”

RENE GUYON SOCIETY

- Based on the philosophy and writing of Guyon (1933) and a distortion of early works of Freud
- Headquarters – Los Angeles, California
- 8,500+ members
- Slogan – “Sex Before Eight or It’s Too Late”
- Children need sex with compassionate adults to reduce violent antagonism supposedly aroused by societal repression and guilt
- Sexual repression causes depression, suicide, delinquency, gang warfare, assault and social problems
- Mailing Address: 256 Robertson Blvd, Beverly Hills, California
- Spokesman – Tim O’Hara
- Members – Parents and Psychiatrists
- Publishes – “Child Lovers Handbook, Guide to Better Child Loving”
- Addresses:
 - When arrested
 - In a car
 - Psychiatrists
 - Visiting other child lovers
 - At the movies
 - Parks
 - Schools
 - In Prison
 - Mental Hospitals
 - On your death bed – How to will your collection
- How to seduce girls by ages: 3-6, 7-10 and 11-14 years

MINOR PROBLEMS

- Headquarters – 52 Broughton Street, Edinburgh, Germany EH138A
- Publishes – Newsletter “*Minor Problems*”

C.S.C.

Childhood Sensuality Circle

- Headquarters – San Diego, California
- Children should begin sex at birth
- “Causes a Lot of Problems Not to Practice Incest”
- Mailing Address: P.O. Box 2156, San Diego, California 92105

OTHER PEDOPHILE ORGANIZATIONS

- GYM: Gay Youth Movement, London, England
- Movement Liberation Des Pedophiles – Belgium
- Children Legal Center – London, England
- Diaper Pail Fraternity

MISSING CHILDREN SITUATIONAL MOLESTERS IDENTIFYING SITUATIONAL MOLESTERS

Five Major Characteristics:

- Does not have a true sexual preference for children
- Once in a lifetime to long term patterns of behavior
- Usually have fewer number of different victims
- Other vulnerable individuals: Elderly, disabled, mentally retarded
- Larger in number and increasing

PATTERNS OF BEHAVIOR

Regressed:

- Low Self-esteem
- Poor Coping Skills
- Uses children as sexual substitute
- Victim criteria availability

Morally Indiscriminate:

- Growing category
- General pattern of abusive behavior
- Abuses wife and friends
- Lies, cheats and steals whenever he/she thinks they can get away with it
- “Why not” attitude
- Has urge, child is there, so he acts
- Victims may be strangers
- Collects detective magazines or adult porn (S&M)
- May collect child porn. especially pubescent children
- Lures, forces, manipulates

Sexually Indiscriminate:

- Sexual experimenter
- “Try Sexual”
- No real sexual preference for children
- Boredom with sex
- Could be their own children
- Provide children to other adults – sex groups
- Clearly defined S&M sexual preference
- Large collections of adult pornography
- Some child pornography

Inadequate:

- Social misfit
- Mental retardation or psychoses
- Shy teen – no friends
- Mostly harmless, but can kill
- Children are non-threatening
- Curiosity and insecurity
- Build-up of impulses
- Loner – lives with parents
- Difficult to express anger – explodes
- Sexual torture
- Victim could be elderly
- Might collect adult pornography

SEX OFFENDERS

Diagnostic Criteria:

- Adults with this disorder are oriented toward children of the opposite sex twice as often as toward children of the same sex.
- The recidivism rate for homosexuality pedophilia is second to that for exhibitionism.
- Many people with this disorder were themselves victims of sexual abuse.
- Most pedophiles report an attraction to children of a particular age range which may be as specific as within a range of only one or two years.
- Over a period of at least six months, the offender experiences recurrent, intense, sexually arousing fantasies, sexual urges or behaviors involving sexual activity with a prepubescent child or children (generally age 13 or younger).
- The person is at least 16 years of age and at least 5 years older than the child or children described above.
- The fantasies, sexual urges or behaviors cause clinically significant distress or impairment in social, occupational or other important areas of functioning.

PEDOPHILES

Nicholas Groth, Ph.D. – Diagnostic Typology

Fixated Pedophile:

- Primary sexual preference: pre-pubescent children
- Premeditated offenses
- Interests in children emerges during adolescence

Regressed Pedophile:

- Primary sexual preference: adults
- Offenses are impulsive
- Interest in children emerges in adulthood
- Deep seeded stress is their motivation

JUVENILE SEX OFFENDERS

Definitions:

Juvenile Sex Offender is defined as:

- A child 12 years of age or younger who is alleged to have committed a violation of Florida Statute(s): 794, 796, 800 or 847.01333.
- A child (includes children 18 and under) who is alleged to have committed any violation of law or delinquent act involving juvenile sexual abuse.

Child on Child sexual contact *must involve more than just experimentation.*

Juvenile sexual behavior may range from non-contact sexual behavior, to varying degrees of direct sexual contact.

- *Non-contact:*
 1. Obscene phone calls
 2. Exhibitionism
 3. Voyeurism
 4. Showing or taking lewd photographs
- *Direct sexual contact* may include:
 1. Fondling
 2. Digital and/or penetration with any other object
 3. Sexual battery
 4. Fellatio
 5. Sodomy

Juvenile Sexual Abuse is defined as any sexual behavior that occurs without the consent, without equality (*Victim & offender of the same or similar age*), or as a result of coercion or manipulative seduction.

Consent is defined as intelligent, knowing and voluntary, and does not include coerced submission. Consent *shall not be deemed or construed* to mean the failure by the victim to offer physical resistance to the offender.

Coercion is defined as exploitation of authority, use of bribes, threats of force or intimidation to gain cooperation or compliance from the victim.

Equality is defined as two participants operating with the same level of power in a relationship, neither being controlled nor coerced by each other.

Sexual battery is defined as oral, anal or vaginal penetration of another by any other object; however sexual battery does not include an act done for bona fide medical purposes.

Mentally Incapacitated is defined as temporarily incapable of appraising or controlling a person's own conduct due to the influence of *narcotic, anesthetic or intoxicating substance* administered without his or her consent or due to any other act committed upon that person with his or her consent.

Physically Helpless is defined as unconscious, asleep or for any other reason physically unable to *communicate unwillingness* to an act.

Physically Incapacitated is defined as bodily impaired or handicapped and substantially limited in ability to resist or flee.

Incest is defined as a person knowingly marrying or having sexual intercourse with a person to whom he/she is related as a *brother, sister, uncle, aunt, nephew or niece*.

Important note: Consent is not legal defense in sexual battery cases where the victim is *less than 16 years of age*.

WHO COMMITS JUVENILE SEX OFFENSES?

- Offenders are usually between the ages of 5-19
- Median age is 14-15
- Over 90% are males

WHO ARE THE VICTIMS?

- Over 90% are known by the victim (relative, babysitter, acquaintance)
- Median victim age is 7
- Females are 3 times more likely to be victims than males
- However, it is believed that male victimization is greatly under-reported

HOW SERIOUS ARE THE OFFENSES?

- More than 60% involve some form of penetration
- Over 1/3 involve physical force
- In comparison to adult offenders, juveniles are more likely to have intercourse or some other form of invasive sexual

contact, cause the victim physical injury, threaten the victim, or expose them to pornography.

- One study reports that 56% of the sexual abuse cases referred to a Washington, D.C. hospital involved juvenile perpetrators.
- A number of studies estimate that juvenile offenders commit 20-30% of rapes and 30-50% of child molestations.
- Due to the young age of the offender, many cases go unreported.

DO JUVENILE SEX OFFENDERS BECOME ADULT SEX OFFENDERS?

- As juvenile offenders become adults – offenses increase 50 fold.
- 47-58% of adult sex offenders committed their first offense as an adolescent.
- In one study, 71% of adult offenders taking a polygraph test admitted to committing their first sex offense as a juvenile.
- The likelihood that *most* adult offenders began their sexual deviancy as juveniles does not mean that most juvenile offenders will necessarily become adult offenders.

DISPOSITION & TREATMENT CONSIDERATIONS:

- A complete assessment of the Juvenile Offender includes:
 - Intelligence
 - Sexual Behavior
 - Interests
 - Personality
 - (MMPI) psychological test
- The *Biological Therapy* theory uses medications to control the juvenile offender's impulses.
- The *Cognitive-Behavioral/Social Learning* theory assumes that "sexually coercive behavior has been learned, observed or experienced, and changing behavior will require new ways of thinking and new ways of responding to distressing feelings and conditions."
- *Relapse Prevention* is the most common treatment model presently being used for juvenile sex offenders.
- This model is premised on the belief that "precursors can be identified and addressed in the last stage of treatment, and an individual's analysis of trigger cues and risk factors is shared with the prevention team so that they are fully apprised of a youth's unique vulnerabilities."

As stated in a position paper of the Association for the Treatment of Sexual Abusers, “poor social competency skills and deficits in self esteem can best explain sexual deviance in juveniles, rather than the paraphilic interests.”

“There is little evidence to support the assumption that the majority of juvenile sexual offenders are destined to become adult sexual offenders, or that these youths engage in acts of sexual perpetration for the same reasons as their adult counterparts.”

RESOURCE INFORMATION

National Center for Prosecution of Child Abuse
American Prosecutors Research Institute (APRI)
99 Canal Center Plaza, Suite 510
Alexandria, Virginia 22314
Website: www.ndaa-apri.org
Phone: (703) 549-4253

Mark Chafin & Barbara Bonner, “Don’t Shoot, We’re Your Children”: Have We Gone Too Far in Our Response to Adolescent Sexual Abusers and Children with Sexual Behavior Problems? 3 Child Maltreatment 314 (1998)

D. ADDITIONAL SERVICES

RESPONDING TO MULTIPLE VICTIM INVESTIGATIONS

With the Mobile Interview Facility (MIF), the FDLE Crimes Against Children Program (CACP) 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 processes
- 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 an 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

A. IDENTIFYING SUSPICIOUS INJURIES

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

1. An injury inappropriate for a child's level of development:
 - a. It takes a certain level of physical development to injure
 - b. oneself
 - c. Any traumatic injury, burns, broken bones and poisonings of
 - d. pre-toddlers should be considered suspicious
2. The location of the injuries:
 - a. Children will often develop bruises on their shins, foreheads, elbows, and knees
 - b. Any injury on the upper thighs, genital and rectal area, buttocks and the back of the legs or torso should be viewed with suspicion.
3. The degree of force needed to produce the injury:
 - a. Children do not injure easily
 - b. It takes substantial force to cause a bruise
 - c. It requires even more force to break a child's bones and cause serious abdominal injuries.
4. The type of injury:
 - a. It is almost impossible for some injuries to be self-inflicted
 - b. It is important to consider the type of injury, location on the body and the explanation of the injury given by the adult caretaker
5. Number of old and new injuries:
 - a. Physical abuse is rarely a one time, isolated event
 - b. Usually a steadily escalating pattern of physically assaultive behavior
 - c. Multiple injuries, on various parts of the body
 - d. Multiple injuries at various stages of healing
 - e. These injuries are not signs of an "accident prone child"
 - f. These are signs that a child is living in a dangerous environment

- g. Without professional intervention many of these children will die

B. BRUISES

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

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

C. BIZARRE MARKS

1. Blunt Instrument Bruises - Specified Shapes
 - a. Tattoos
 - b. Forks
 - c. Puncture type marks or bruises
 - d. Circumferential tie marks (wrists and ankles)
 - e. Gags
2. Inflicted Burns

- Cigarette burns (may resemble impetigo); however the wound will not get as infected since the heat may prevent infection
3. Incense Burns
Match tip or cigarette lighter

D. HEAD INJURIES

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

E. RESEARCH SHOWS THAT:

1. 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
2. Life threatening injury requires at least a 15-foot fall.

F. ABDOMINAL INJURIES

- a. Internal trauma - second only to head injuries
- b. No bruising present on 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)

G. BONE INJURIES

Inflicted Bone Injuries:

- a. Arms - long bones, wrists, fingers (any unusual fractures)
- b. Legs - long bones, knees, toes (any unusual fractures)
- c. Face - cheek bones, jaw

Fractures:

- a. Tree limb (splintering of the bones)
- b. Spiral (twisting the bone in opposite directions)
- c. Bucket Handle (jerking the arms and legs)
- d. Fractures at different stages of healing
- e. Unusual fractures - ribs, scapula, sternum

H. QUESTIONABLE "BRITTLE BONE DISEASE" DEFENSE TO PHYSICAL ABUSE

1. 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.

2. 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.
3. 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.
4. "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."
5. Temporary brittle bone disease (TBBB) also rose as a defense in cases involving unexplained injury, but is not an accepted clinical diagnosis. The term "TBBB" 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.
6. The bottom line is that TBBB is not accepted in the scientific community. The notion of a temporary, self-limiting disease, which occurs and disappears without proven medical explanation, does not have scientific credibility. If TBBB 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.
7. While TBBB is not a recognized disorder, OI is a disease that is most often diagnosed without difficulty after a comprehensive medical examination.

8. 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.

I. 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 verses the time it takes to cause a "full thickness" burn:

Water Temperature	Time
120 F	1 Minute
130 F	30 Seconds
140 F	6 Seconds
150 F	2 Seconds

1. 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

2. 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:
- e. Hot grease
- f. Gas or explosive materials
- g. Glove burns (forcing the hands into hot fluid)
- h. Stocking burns (forcing the feet into hot fluid)
- i. "Donut" or "Area of sparing" (caused by the skin making direct contact with the bottom of the container)

J. FAILURE TO THRIVE

1. Before Diagnosis:
 - a. Underweight conditions
 - b. Failure to gain weight at home
 - c. Ravenous appetite
 - d. Failure to thrive due to underfeeding
 - e. Abdominal distention
 - f. "Vacant" stare
 - g. Skin lesions
2. After Diagnosis:
 - a. Rapid weight gain out of the home or away from the caretaker
 - b. Rapid weight gain in the hospital or medical foster home
 - c. Gain of 2 ounces a day for one week or a striking gain compared to a similar interval at home

K. SERIOUS HEAD TRAUMA IN INFANTS: ACCIDENT OR ABUSE?

- Head trauma is the most frequent cause of morbidity and death in abused children
- 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

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

- Parent absence hypothesis
- Economic deprivation hypothesis
- Age of the caretaker
- 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
- Boys and girls are equally vulnerable
- "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".
- Language deficits and developmental delays may be helpful clues in the diagnosis of child abuse and neglect

M. 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.

**Emotional Abuse & Delay of Growth
(Psychosocial Dwarfism Syndrome)**

- Age range: Toddlers to adolescents
- Proportionate stunting
- Eating behaviors grossly disturbed
- Unusual patterns of urination and defecation
- Mental development delays
- Poor social adjustment
- Unhappy and irritable
- Antisocial behavior
- Caretaker's attitude – critical and belittling
- Associated abuses – Physical, but more commonly sexual abuse or a combination of abuses
- Accelerated growth when removed from the environment
- Rapid reverse of the growth hormone deficiency when removed from the abusive environment

N. 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:

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

O. 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.

1. 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.

2. TYPOLOGY/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

3. 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

4. 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

5. 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

6. VICTIM PROFILE

- a. Male and female equally at risk
- b. Most are infants to ten years old

7. 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

P. CHILD ABUSE SYNDROME

1. 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 occasion 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.

2. SHAKEN/WHIPLASH - INFANT SYNDROME

The child is often held by the shoulders 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 has no evidence of external head injury.

3. FAILURE TO THRIVE SYNDROME

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

IV. INTERVIEWING TECHNIQUES

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. Many agencies are now signing memorandums of understanding (MOU).
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, and 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 of 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
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_____ Title	_____ Title
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_____ (Name of Law Enforcement Agency)	_____ Department of Children and Families
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_____ Date	_____ Date
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_____ Designated Contact	_____ Designated Contact
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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 that 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 consider:
 - 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 may be 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 (suggests 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 parental 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, an 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 physical, sexual 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
 - Consider a search warrant

- Process the scene (Photographs, collection of evidence)
- 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 or both
 - 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
 - Free-hand drawings
 - Anatomical dolls - proper training required
 - Recording devices - video, audio (If you are going to utilize video taping, establish a procedure with your 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
- Consider using CPT or CAC trained Forensic Interviewers
- 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, CAC, 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
- Avoid having the parent(s) present during the interview
- 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, and 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 to 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 a 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, step-parent, baby-sitter, other relative, etc.):
- The child will experience embarrassment, humiliation, guilt, anger, and a 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. However, avoid attempting to lock the child into a specific number of incidents. Such as: "Did it happen more than ten times? More than fifteen times?"

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. Attempt to interview the non-offending parent as soon as possible.
- b. Due process rights apply to the parents, so be careful when taking a statement. Miranda rights may apply.
- 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 important to remember that abusive and neglectful parents have difficulty trusting others and are fearful of authority. The skill training and experience of the interviewer will play a major role in obtaining a statement from the parents. Many parents will not admit to abusing or neglecting their child (ren), however many will offer explanations that are inconsistent and conflicting that will help in establishing guilt.

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 cannot 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 suspected 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 deny 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 offender's 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 lifetime 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 cannot 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 exculpatory 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.

G. 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, and 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

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(48), 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.
- g. Subsection 39.301(17), F.S., requires that the law enforcement agency participating in an investigation to

photograph the child's living environment and provide a copy for the protective investigative file.

h. Subsection 39.01(3), F.S., has been amended to include situations where a parent, legal custodian or caregiver places the child with another person or makes the child unavailable for the purpose of impeding or avoiding a protective investigation unless the court determines that the caregiver was fleeing from a domestic violence situation.

4. CASES OCCURRING OR INVESTIGATED OUTSIDE THE HOME.

a. School.

(1) Pursuant to HB 7173, Public schools are **not** exempt from DCFS investigations. Previously, subsection 39.301(18), F.S., excluded public schools from DCFS investigations of child abuse alleged to have been perpetrated by public school employees. (Private school employees are also subject to regular investigative procedures.)

(2) 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(16), 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 or 1-800-922-2873).

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 the Abuse Hotline (1-800-96Abuse) for screening and potential follow-up investigation by law enforcement or DCF Protective Investigations. 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 39.201).

- 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 removal from the home for 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

- The Department of Children and Families continues to comply with the intent language from the Florida Legislature to make the health and safety of the child the first priority in Florida's child protection system. This includes that the provision of services may be provided on a voluntary basis *unless* there are high risk factors such as young age of parents, a history of substance abuse or domestic violence.
- The Department of Children and Families is required to immediately notify the local law enforcement agency in the county in which the alleged child maltreatment is believed to have occurred in all cases received from the abuse hotline. Local working agreements are being amended to include which local law enforcement agency will be notified. Each local law enforcement agency is to review each new report to determine whether a criminal investigation is warranted as required in sub-section 39.301(2), F.S.
- 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 Protective Investigator must complete criminal history checks on all subjects of each abuse report, which is to include Florida criminal history (FCIC) and local criminal histories as well as the Department of Corrections.
- The Department of Children and Families Protective Investigator in consultation with Child Welfare Legal Staff 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)(a). Officers should expect to be notified if Protective Investigations decides against the officer's recommendation to file.

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>
<ul style="list-style-type: none">- Bruises and Welts- Burns- Fractures- Lacerations & abrasion- In genital area, injury or trauma	<ul style="list-style-type: none">- Cries hopelessly- Wary of adult contact- "Poker face" (somber)- Watchfulness- Suspicious of others	<ul style="list-style-type: none">- Stressful relationships- Acute tension- Unreasonable discipline- Impulsive actions- Unreal expectations

- b. Pursuant to section 39.301(14), 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: First 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
- h. Failure to Report Abuse: Third Degree Felony.

Any adult residing in the same household as a child known or suspected to be a victim of child abuse who knowingly and willfully fails to report such abuse- Domestic violence or other mitigating circumstances are allowable.

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, and space, and 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 |
| -Birth date | |

- 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 of 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.

(See Florida Statute 984 - Children and Families in need of Services (CINS/FINS)).

VI. DELINQUENCY CASES

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.

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, probation or 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, truants, 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; (unless juvenile has an out-of-state missing person's hit on NCIC. Juvenile should then be taken to the Florida Department of Juvenile Justice JAC or Detention Facility for secure detention).
 - 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 hours.

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, probation, 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;

NOTE: OUT-OF-STATE NON DELINQUENT RUNAWAYS LISTED IN NCIC AS MISSING PERSONS ARE TO BE SECURELY DETAINED.

- 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 country 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.

Per DJJ Policy and Procedure 6002, all out-of-state runaways taken into custody on a missing persons hit shall be securely detained.

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. 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, absconders, 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 runaways, escapees and absconders:
 - a. Once a juvenile is securely detained on an out-of-state capias/warrant or a missing persons hit, 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 I or II to begin the return/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 runaways, escapees, and 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 (850) 488-3795 or write to:

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

H. 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)

Runaway Switchboard 1-800-RUNAWAY

Florida Department of Education, Drop Out Prevention Office

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

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, habitually 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.

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 Florida Parent Hotline, 1-888-4-1-FAMILY (1-888-413-2645).

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

1. The CINS/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 service 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 that 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 that 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, which might 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 in reference to 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 are 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 criteria:

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 of 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.

Truancy Petition

See Florida Statute 984.03(57) and 984.151

- If a child has 15 unexcused absences within a 90-day calendar day period, the school superintendent may file a truancy petition in truancy court.
- If a court decides the child has missed any of the days in the truancy petition, the court may order the parent and the child to participate with certain requirements.
- If the child does not successfully complete the sanctions ordered, the case shall be referred to the case staffing committee with a recommendation to file a CINS petition.

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.
- The 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.

3. SCHOOL DISTRICTS DUTIES AND RESPONSIBILITIES (Florida statute 232.17)

Public schools are required to take steps to enforce regular school attendance, including contacting the home to verify absence. If the student has at least 5 unexcused absences within a calendar month, or 10 unexcused absences within a 90-day calendar period. The student's primary teacher is required to report such findings to the principal. Upon finding, the principal shall make a report to the child study team to detect early patterns of truancy. Upon finding a pattern of non-attendance, a meeting with the parent(s) must be scheduled.

School representatives are authorized to return a youth who is unexcused from school to a juvenile assessment center or other location established by the school board to receive students who are absent from school.

The parent, guardian or school superintendent are required to refer a case to the case staffing committee as outlined in s. 984.12, F.S., for youth who refuse to comply with the compulsory school attendance requirements, and authorizes the school superintendent to file truancy petition pursuant to s. 984.151, F.S.

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 on 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 decision 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

PUBLIC SAFETY INFORMATION ACT 1997 SEX OFFENDER/SEXUAL PREDATOR LAWS

As of October 1, 1997, a 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.

A. WHO IS A SEXUAL PREDATOR?

There are three ways a person can be qualified and designated as a "sexual predator" in the state of Florida and, therefore, be required to comply with Florida's sexual predator registration laws:

- 1) **"One is Enough"** - Commit one specified offense on or after October 1, 1993, in Florida or in another jurisdiction, be convicted of such offense, and have a court enter a finding that such person is a sexual predator;

OR

- 2) **"Second Strike"** – Commit one specified offense on or after October 1, 1993, in Florida or in another jurisdiction, after having previously been convicted of or found to have committed, or pled nolo contendere or guilty to, regardless of adjudication, one or more of specified sexual offenses, and have a court enter a finding that such person is a sexual predator.

OR

As of 2004:

3) An offender who has been determined to be a sexually violent predator pursuant to a civil commitment proceeding under chapter 394 shall be designated as a "sexual predator" under this section and is subject to registration and community and public notification. {Section 775.21(4)}

In any 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."

SEXUAL PREDATOR REQUIREMENTS

New as of 2006

What constitutes a "permanent residence" and a "temporary residence"?

The applicable Florida statutory provisions define these terms as follows:

"Permanent residence":

- A place where the person abides, lodges, or resides for a period of 5 or more consecutive days. {F.S. 943.0435(1)(6)}

"Temporary residence":

- A place where the person abides, lodges, or resides for a period of 5 or more days in the aggregate during any calendar year and which is not the person's permanent address; or for a person whose permanent residence is not in the state.

Sexual predators...

- Who have registered as required under s. 775.21 are exempt from convicted felon registration as defined by s. 775.13. {Section 775.13(5)(e)}
- Are subject to community and public notification. {Sections 775.21(6)(k)2., 775.21(7), 943.043}
- Must register with the Florida Department of Law Enforcement (FDLE) (through the sheriff's office, an FDLE office, the Florida Department of Corrections (FDC), the custodian of a local jail or a federal supervision office) within 48 hours after

establishing permanent or temporary residence in this state.
{Section 775.21(6)}

- Who are enrolled, employed, or carrying on a vocation at an institution of higher education in this state, must provide FDLE with the name, address, and county of each institution, including each campus attended, and the sexual predator's enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff's office, or the Department of Corrections if the sexual predator is in the custody or control of or under the supervision of the Department of Corrections, within 48 hours after any change in status. {Section 775.21(6)1.b.} *For more information, see the Campus Sex Crimes Prevention Act section.*
- 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 in person at the DHSMV and secure or renew a driver's license or identification card. {Section 775.21(6)(f)}
- Must report in person any change in permanent or temporary residence to DHSMV within 48 hours. {Section 775.21(6)(g)}
- Must renew *in person* their driver's license or identification card when subject to renewal. {Section 775.21(6)(g)}
- Who are not in custody or control of, or under the supervision of FDC, or are not in the custody of a private correctional facility, must report any change in their permanent or temporary residence or name, after registering in person at an office of FDLE or at the sheriff's office, in the manner currently provided in 775.21(6). {Section 775.21(6)(e)}
- Must report intent to establish residence in another state in person to the sheriff or FDLE within 48 hours before the date they intend to leave Florida. {Section 775.21(6)(i)}
- 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 upon which they indicated they would leave this state, notify in person the sheriff or the department, whichever agency is the agency to which they reported the intended change of residence, of their intent to remain in this

state. *Failure to do so is a second-degree felony.* {Section 775.21(6)(j)}

As of 2004

- Who vacates a permanent residence and fails to establish or maintain another permanent or temporary residence shall, within 48 hours after vacating the permanent residence, report in person to the department or the sheriff's office of the county in which he or she is located. The sexual predator shall specify the date upon which he or she intends to or did vacate such residence. The sexual predator must provide or update all of the registration information required. The sexual predator must provide an address for the residence or other location that he or she is or will be occupying during the time in which he or she fails to establish or maintain a permanent or temporary residence. {Section 775.21(6)(g)}

As of 2004

- Who remains at a permanent residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the predator indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported (see previous paragraph) for the purpose of reporting his or her address at such residence. If the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required in the previous paragraph but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. {Section 775.21(6)(g)}
- Must maintain registration with the department for the duration of their life, unless they have received a full pardon or have had a conviction set aside in a post conviction proceeding for any felony sex offense that met the criteria for the sexual predator designation. {Section 775.21(6)(l)}
- Who were designated a sexual predator by a court **before October 1, 1998**, and 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. {Section 775.21(6)(l)}

- Who were designated a sexual predator by a court on or after October 1, 1998, who have been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 20 years, and who 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. {Section 775.21(6)(l)}
- Who are granted relief of their predator designation, unless specified in the order, must comply with the requirements for registration as sexual offenders and other requirements provided under s. 943.0435 or s. 944.607. {Section 775.21(6)(l)}
- Who obtain an order from the court that imposed the order designating them as a sexual predator which removes such designation, shall forward a certified copy of the written findings or order to the department in order to have the sexual predator designation removed from the sexual predator registry. {Section 775.21(6)(l)}
- Sexual predators who live in another state but work or attend school in Florida must register both their in-state employment or school address as well as their out-of-state residential address. {Section 775.21(2)(g), 943.0435(1)(c)}
- Who, except as otherwise specifically provided, fail to register or who fail, after registration, to maintain, acquire, or renew a driver's license or identification card or provide required location information, or who otherwise fail, by act or omission, to comply with the requirements of the Sexual Predator Act, commit a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. {Section 775.21(10)(a)}
- Who have been convicted of or found to have committed, or have 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 violation of a similar law of another jurisdiction, when the victim of the offense was a minor, and who work, whether for compensation or as a volunteer, at any business, school, day care center, park, playground, or other place where children regularly congregate, commit a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. {Section 775.21(10)(b)}

B. WHAT CONSTITUTES AN OFFENDER?

There are several ways a person can be qualified and designated as a “sexual offender” in the state of Florida and, therefore, be required to comply with Florida’s sexual offender registration laws:

1. Be convicted of committing, or attempting, soliciting, or conspiring to commit, any of the specified crimes below in this state or of similar offenses in another jurisdiction (or any similar offense committed in this state which has been re-designated from a former statute number to the one specified);

AND

- a. Be in the custody or control of, or under the supervision of, the Florida Department of Corrections, or be in the custody of a private correctional facility, on or after October 1, 1997, as a result of the above conviction(s);

OR

- b. On or after October 1, 1997, be released or have been released from the sanction(s) imposed for the above conviction(s).

OR

2. Establish or maintain a residence in this state and have not been designated as a sexual predator by a court of this state but have been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and as a result of such designation, are subjected to registration or community or public notification, or both, or would be if a resident of that state or jurisdiction;

OR

3. Establish or maintain a residence in this state and be in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the specified criminal offenses listed below (or any similar offense committed in this state which has been re-

designated from a former statute number to the one specified).{Sections 943.0435(1)(a); 944.606(1)(b); 944.607(1)(a)}

QUALIFYING OFFENSES FOR SEXUAL OFFENDER DESIGNATION

Commission of OR Attempt, Solicit, or Conspire to Commit	s. 787.01*	Kidnapping <i>Where the victim is a minor and the defendant is not the victim's parent</i>
	s. 787.02*	False imprisonment <i>Where the victim is a minor and the defendant is not the victim's parent</i>
	s. 787.025	Luring or enticing a child <i>Where the victim is a minor and the defendant is not the victim's parent</i>
	Chapter 794*	Sexual Battery <i>*Excluding subsections 794.011(10) and 794.0235</i>
	s. 796.03	Procuring a person under the age of 18 for prostitution
	s. 800.04	Lewd/lascivious offenses committed upon or in the presence of persons less than 16 years of age
	s. 825.1025	Lewd/lascivious offenses committed upon or in the presence of an elderly person or disabled adult
	s. 827.071	Sexual performance by a child
	s. 847.0133	Protection of minors; prohibition of certain acts in connection with obscenity
	s. 847.0135	Computer pornography
	s. 847.0137	Transmission of child pornography by electronic device/equipment
	s. 847.0138	Transmission of material harmful to minors to a minor by electronic device/equipment
	s. 847.0145	Selling or buying of minors (for portrayal in a visual depiction engaging in sexually explicit conduct)
Or A violation of a similar law of another jurisdiction		

***NOTE: Before using a Kidnapping or False Imprisonment conviction to determine if an offender is a “sexual offender”, please check the current case law in Florida for applicable interpretation and application of these convictions.**

Sexual Offenders...

Who have registered as required under s. 943.0435 or s. 944.607 are exempt from convicted felon registration as defined by s. 775.13.

{Section 775.13(5)(f)}

Who are subject to community and public notification. *{Sections 775.21(5)(d), 943.043, 943.0435(10), 944.606(2),(3)(d),(4),944.607(11)}*

- 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. *{Sections 943.0435(2), 944.607(4),(7),(8)}*
- Who are enrolled, employed, or carrying on a vocation at an institution of higher education in this state, must provide FDLE with the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff's office, or the Department of Corrections if the sexual offender is in the custody or control of or under the supervision of the Department of Corrections, within 48 hours after any change in status. *{Sections 943.0435(2)(b)2., 944.607(4)(b)}*
For more information, see the Campus Sex Crimes Prevention Act section.
- 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 registration - present proof of initial registration as an offender in person at the DHSMV and secure or renew a driver's license or identification card. *{Sections 943.0435(3), 944.607(9)}*
- Must report in person any change in permanent or temporary residence to DHSMV within 48 hours. *{Sections 943.0435(4), 944.607(9)}*
- Renew *in person* their driver's license or identification card when subject to renewal. *{Sections 943.0435(4), 944.607(9)}*

- Who are not in custody or control of, or under the supervision of FDC, or are not in the custody of a private correctional facility, must report any change in their permanent or temporary residence or name, after registering in person at an office of FDLE or at the sheriff's office, in the manner currently provided in 943.0435(4), (7), and (8). *{Section 943.0435(2)(a)}*
- Must report intent to establish residence in another state to the sheriff or FDLE *in person* within 48 hours before the date they intend to leave Florida. *{Section 943.0435(7)}*
- 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 upon which they indicated they would leave this state, notify the sheriff or the department, whichever agency is the agency to which they reported the intended change of residence, of their intent to remain in this state. *Failure to do so is a second-degree felony.*
{Section 943.0435(8)}
- **Who also meet all qualifying criteria for sexual predator, including a court finding, must register as a sexual predator as required under s. 775.21.** *{Sections 943.0435(5), 944.607(9)}*
- *Who do not comply with the requirements of offender registration laws commit a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.* *{Sections 943.0435(9)(a), 944.607(9)}*
- The failure of a sexual offender to submit to the taking of a digitized photograph, or to otherwise comply with the requirements of this section, is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. *{Section 944.607(10)(a)}*
- Must maintain registration with FDLE for the duration of their life, unless they have received a full pardon or have had a conviction set aside in a post conviction proceeding for any felony sex offense that meets the criteria for classifying them as a sexual offender for purposes of registration. *{Section 943.0435(11)}* *See Relief of Status as Sexual Offender below for more information.*
- Who establishes or maintains a residence in this state and has not been designated as a sexual predator by a court in this

state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person was a resident of that state or jurisdiction shall register in the manner provided in s. 943.0435 or s. 944.607 and shall be subject to community and public notification requirements and penalties provided in s. 943.0435 or s. 944.607, until such offender provides FDLE with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to FDLE that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state. {Sections 775.21(5)(d)}; 943.0435(1)(a)3., (11)(c)}

- Sexual offenders who live in another state but work or attend school in Florida must register both their in-state employment or school address as well as their out-of-state residential address. {Sections 775.21(2)(g), 943.0435(1)(c)}

As of 2004

- Who vacates a permanent residence and fails to establish or maintain another permanent or temporary residence shall, within 48 hours after vacating the permanent residence, report in person to the department or the sheriff's office of the county in which he or she is located. The sexual offender shall specify the date upon which he or she intends to or did vacate such residence. The sexual offender must provide or update all of the registration information required. The sexual offender must provide an address for the residence or other location that he or she is or will be occupying during the time in which he or she fails to establish or maintain a permanent or temporary residence. {Section 943.0435(4)}

As of 2004

- Who remains at a permanent residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported (see previous paragraph) for the purpose of reporting his or her address at such residence. If the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required in the previous paragraph but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.{Section 943.0435(4)}

**C. SEXUAL PREDATOR and SEX OFFENDER
REGISTRATION PROCESS**

1. WHO MUST REGISTER?

All qualifying sexual predators and offenders must register.

Failure of a sexual predator or offender to register as required by law is a third degree felony. {Sections 775.21(10), 943.0435(9), 944.607(9),(10)}

Criminal Felon Registration - Sexual Offenders and Predators who have registered as required are exempt from felony criminal registration as outlined in s. 775.13(5)(e), 775.13(5)(f). {Section 775.13}

Sexual Offenders who are also sexual predators shall register as sexual predators as required under s. 775.21.
{Sections 943.0435(5), 944.607(9)}

After the court makes a determination that a **predator** meets the statutory criteria, the court submits its finding to FDLE and the Department of Corrections (if the offender is imprisoned). If FDLE, FDC, 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.) {Sections 775.21(4)(c), (5)(a)2., (5)(c)}

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 the Sheriff's Office 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 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. ADDITIONAL REGISTRATION REQUIREMENT

As of 2006

Sexual Predators and **Sexual Offenders** who are not incarcerated, not in custody, and not serving other sanctions **AND** who are enrolled at, employed by or carrying on a vocation at an institution of higher learning or career centers must report, **in person**, the following information to the sheriff of the county in which the predator/offender establishes or maintains a residence:

- name, address, and county of each institution of higher education;
- each campus attended; and
- enrollment or employment status.

Sexual Predators and **Sexual Offenders**: Any **change** in enrollment or employment status must be reported, **in person**, by the predator/offender, **to the sheriff** of the county of the predator's/offender's residence, within 48 hours of the change. The sheriff will promptly notify each institution of the sexual predator's presence and any change in such person's enrollment or employment status. The sheriff will also provide the information from the sexual

predator/offender to FDLE {Sections 775.21(6)(a)1.b.;
943.0435(2)(b)2.}

The JESSICA LUNSFORD REREGISTRATION ACT

As of 2005

Beginning September 1, 2005:

- Failure to correctly respond to an Address Verification letter from FDLE by the specified date (3 weeks from mailing) is a **3rd degree felony**.
- Provides a criminal offense for anyone attempting to hide or conceal sexual offenders or predators from law enforcement officials. Commission of this crime is a **3rd degree felony**.
- This could include: (1) Withholding information from, or not notifying, law enforcement about an offender's or predator's noncompliance and, if known, his or her whereabouts. (2) Harboring, attempting to harbor, or assisting another person in harboring or attempting to harbor an offender/predator. (3) Concealing, attempting to conceal, or assisting another person in concealing or attempting to conceal an offender/predator. (4) Providing information to law enforcement regarding an offender/predator which the person knows to be false.
- Individuals designated as Sexual **Predators** on or after September 1, 2005, must wait 30 years (from the date sanctions for the qualifying sex offense terminate) before petitioning a court to remove the designation. To qualify for the petition, the Sexual Predator cannot be arrested for any reason (misdemeanor or felony) during the 30 year period and must meet the federal Wetterling Act criteria.

Beginning December 1, 2005:

- Sexual predators and offenders must report in person twice a year (during the month of his/her birth date and in the 6th month thereafter) to the sheriff's office in the county in which he or she resides or is otherwise located. Failure to comply with this requirement is a **3rd degree felony**.
- Please Note: This requirement applies both to individuals who have been released from sanctions for their qualifying sex offense, as well as those currently under some form of supervision.
- Valid vehicle and employment information must be provided to law enforcement during Re-Registration. Failure to comply with this requirement is a **3rd degree felony**.

6. 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 **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.

7. 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.

8. 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**) 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.

9. 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.

10. 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.

11. 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.

12. 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. COMMUNITY NOTIFICATION REGARDING SEXUAL PREDATORS {Section 775.21(7), Florida Statutes}

- **General notification to the community and the public**
- *Upon 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 establishes or maintains a permanent or temporary residence shall notify the community and the public of the presence of the sexual predator in a manner deemed appropriate by the sheriff or the chief of police.*
- **Notification to Schools and Day Care Centers**
- *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 temporary or permanent residence of the sexual predator, of the presence of the sexual predator.
{Section 775.21(7)(a)}

*Information provided by law enforcement to the community and the public regarding a sexual predator **must include the following:***

- *The **name** of the sexual predator;*

- A **description** of the sexual predator, including a **photograph**;
- The sexual predator's current **address**, including the name of the county or municipality if known;
- The **circumstances of** the sexual predator's **offense or offenses**; and
- Whether the **victim** of the sexual predator's offense or offenses was, at the time of the offense, **a minor or an adult**.

These requirements do NOT authorize the release of the name of any victim of the sexual predator.

The sheriff or police chief may coordinate notification efforts with FDLE. Statewide notification to the public is authorized, as deemed appropriate by local law enforcement personnel and FDLE.
{Section 775.21(7)}

Notifications to and by Institutions of Higher Education
(Campus Sex Crimes Prevention Act)

Upon receiving the required information from a sexual predator regarding such person's enrollment or employment status at an institution of higher learning, or any change thereto, the **sheriff** and the **Department of Corrections** shall **promptly notify each institution** of higher education of the sexual predator's presence and of any change in the predator's enrollment or employment status. {Section 775.21(6)(a)1.b.}

Institutions of higher education in Florida that must comply with federal law under the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)**, must **issue a statement advising the campus community where to obtain law enforcement agency information provided** by a state concerning registered sex offenders/predators, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address. 20 U.S.C. § 1092(f)(1)(I).

F. COMMUNITY NOTIFICATION REGARDING SEXUAL OFFENDERS {Sections 943.043, 944.606(4)}

Notification of a sexual **offender** to the public is **authorized but not required**, as deemed appropriate by local law enforcement personnel and FDLE. {Sections 943.043, 944.606(4)}

Notifications to and by Institutions of Higher Education
(Campus Sex Crimes Prevention Act)

Upon receiving the required information from a sexual offender regarding such person's enrollment or employment status at an institution of higher learning, or any change thereto, the **sheriff** and the **Department of Corrections** shall **promptly notify each institution** of higher education of the sexual offender's presence and of any change in the offender's enrollment or employment status. {Sections 943.0435(2)(b)2.; 944.607(4)(b)}

Institutions of higher education in Florida that must comply with federal law under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), must **issue a statement advising the campus community where to obtain law enforcement agency information provided** by a state concerning registered sex offenders/predators, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address. 20 U.S.C. § 1092(f)(1)(I).

G. OTHER LAW ENFORCEMENT NOTIFICATION INFORMATION AND REQUIREMENTS

Notification of a sexual offender/predator to the public is authorized, as deemed appropriate by local law enforcement personnel and FDLE.

{Sections 775.21(6)(k)2., (7)(b), 943.043, 944.606(4)}

Upon receiving information regarding a sexual offender from the Florida Department of Corrections, the Department of Law Enforcement, the sheriff or the chief of police shall provide the information described in subparagraph (a)1. to any individual who requests such information and may release the information to the public in any manner deemed appropriate, unless the information so received is confidential or exempt from s. 119.07(1) and s. 24(a), Article I of the State Constitution. {Section 944.606(3)(d)}

If a sexual offender or predator registers with the sheriff's office, the sheriff shall take a photograph and a set of fingerprints of the offender/predator and forward the photographs and fingerprints to the department, along with the other registration information that the offender/predator is required to provide. {Sections 775.21(6)(a) and (e); 943.0435(2)}

If a sexual offender or predator notifies the sheriff of intent to establish residence in another state or the intent to remain in this state after previously reporting intent to leave, the sheriff shall promptly provide to FDLE the information received from the sexual offender/predator. FDLE shall notify the statewide law enforcement agency, or a comparable agency, in the intended state or jurisdiction of residence of the sexual offender/predator's intended residence. {Sections 775.21(6)(i), 943.0435(7)}

IX. INTERNET CRIMES AGAINST CHILDREN

Internet Crimes Against Children

OVERVIEW

The Internet is a nearly perfect medium for offenders seeking to sexually exploit children. It provides privacy, anonymity, and a virtually unlimited pool of unsupervised children who may be susceptible to manipulation. Large numbers of children are encountering unwanted sexual solicitations while online. In the most serious cases, offenders target children to engage in sexual acts.

The Internet has also become a major source for offenders seeking to acquire and distribute child pornography. Pornography is used to break down inhibitions and attempt to validate, as normal, sex between children and adults. When these pictures are posted on the Internet, they become an enduring and irretrievable record of the victimization of a child.

KEEP IN MIND: Electronic evidence is fragile and often fleeting. The courts may question and scrutinize the actions of an officer that have the potential to alter, damage, or destroy original evidence. First responders and investigators must understand the procedures associated with its collection and preservation.

Before attempting to collect any electronic evidence, please review the requirements of Section E.

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Section G—Resources

MISSING CHILDREN

A. COMPUTER-RELATED OFFENSES PROTECTING CHILDREN

Quick Reference Guide

Sexual Performance, Use of child in, 827.071(2):

Employs, authorizes, or induces a child to engage in a sexual performance, or being a parent, legal guardian, or custodian of such child, consents to the participation by such child in a sexual performance. (2nd degree)

Sexual Performance, Promoting a, 827.071(3)

Produces, directs, or promotes any performance which includes sexual conduct by a child. (2nd degree)

Sexual Performance, Posses with intent to promote, 827.071(4)

Possess with the intent to promote any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole, or in part, includes any sexual conduct by a child. The possession of three or more copies of such image is prima facie evidence of an intent to promote. (2nd degree)

Sexual Performance, Possession, 827.071(5)

Possess a photograph, motion picture, exhibition, show, representation, or other presentation which in whole or in part, he or she knows to include any sexual conduct by a child. The possession of each picture is a separate offense. (3rd degree)

Computer Pornography, 847.0135(2)

Compiles, enters into, or transmits by use of computer; makes, prints publishes, or reproduces by other computerized means; knowingly causes or allows to be entered into or transmitted by use of computer; or buys sells, receives, exchanges or disseminates...any notice, statement, or advertisement of any minor's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with any minor, or the visual depiction of such conduct. Not a defense that undercover officer involved in detection. (3rd degree)

Computer Pornography, Solicitation of a child, 847.0135(3)

Knowingly utilize a computer on-line service, Internet service, or local bulleting board service to seduce, solicit, lure, or entice or attempt to seduce, solicit, lure, or entice, a child or another person believed by the

person to be a child, to commit any illegal act described in chapter 794, 800 or 827. (3rd degree)

Computer Pornography, Owners and Operators, 847.0135(4)

Unlawful for any owner or operator of a computer on-line service, Internet service, or local bulleting board service knowingly to permit a subscriber to utilize the service to commit a violation of this section. (1st degree misdemeanor.)

Transmission of Pornography by Electronic Device (from within state), 847.0137(2)

Any person in this state who knew or reasonably should have known that he or she was transmitting child pornography to another person in this state or in another jurisdiction. (3rd degree)

Transmission of Pornography by Electronic Device (from outside state), 847.0137(3)

Any person in any jurisdiction other than this state who knew or reasonably should have known that he or she was transmitting child pornography to any person in this state. (3rd degree)

Transmission of Material Harmful to Minors (sender and recipient in state), 847.0138(2)

Any person in this state who knew or believed that he or she was transmitting an image, information, or data that is harmful to minors, to a specific individual known by the defendant to be a minor in this state. Only applies to email and applies to cops posing as minors. (3rd degree)

Transmission of Material Harmful to Minors (sender out of state and recipient in state), 847.0138(3)

Any person in any jurisdiction other than this state who knew or believed that he was transmitting an image, information, or data that is harmful to minors to a specific individual known by the defendant to be a minor in this state. Only applies to email and applies to law enforcement officers posing as minors. (3rd degree)

B. INVESTIGATIONS

Definitions

Child Pornography: any image depicting a minor engaged in sexual conduct. *F.S.S. 847.001(d)(3)*

Sexual Conduct: actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual lewd exhibition of the genitals; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or if such a person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. *F.S.S. 847.001(d)(16)*

Harmful to Minors: any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind of form, depicting nudity, sexual conduct, or sexual excitement when it:

- Predominantly appeals to the prurient, shameful, or morbid interest of minors;
- Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
- Taken as a whole, is without serious literary, artistic, political, or scientific value of minors. (*F.S.S. 847.001(d)(6)*)

A mother's breastfeeding of her baby does not under any circumstance constitute "sexual conduct" nor is it "harmful to minors." *F.S.S. 847.001(d)(6) & (16)*

Child Erotica: "Any material, relating to children, that serves a sexual purpose for a given individual...It includes things such as fantasy writings, letters, diaries, books, sexual aids, souvenirs, toys, costumes, drawings, and non-sexually-explicit visual images." (*Child Molesters: A Behavioral Analysis*, Office of Juvenile Justice and Delinquency Prevention) Child erotica, including nude poses that do not meet the criteria for child pornography, is not illegal to possess or distribute.

Internet Service Provider (ISP): a company that provides access to the Internet; generally provides a software package, username, password and access phone number.

Child Pornography

Child pornography is contraband and should be maintained pursuant to each agency's policies regarding such. Absent a court order specifically ordering otherwise, evidence containing child pornography shall not be released to any defendant or representative thereof.

When providing evidence containing child pornography to another law enforcement agency, such evidence should be hand-delivered, digitally protected or sent using a delivery service which tracks the shipment.

Child Pornography--Key Investigative Elements

What to look for:

1. Real or simulated sexual act
2. Lewd exhibition of the genitals
 - a. Boy's erect penis
 - b. Girl's legs are parted
3. The child's genital area is the main focus of the image. This is typically achieved by the angle of the camera.

Child Pornography—Computer Evidence Recovery

Every "click of the mouse" alters and has the potential to destroy digital evidence. For more information on evidence recovery, see Section E: "First Response to Electronic Evidence."

The officer should ask the reporter to describe what was previously viewed to determine whether or not the image was child pornography or merely some other depiction of children (for example, child erotica).

- Responding/investigating officers should **obtain a search warrant** whenever the officer believes an offender's computer contains child pornography. Sample Search Warrant language can be found at the Florida Computer Crime Center CJNet site at: http://www.flcjc.net/fc3/subpoena_language.htm
- Responding/investigating officers should **obtain a consent to search** (Section C) if the officer believes that child pornography may have been inadvertently downloaded on the reporter's computer.
- Any search of a computer whether on-site or in a forensic lab should be conducted only by someone trained to conduct on-site searches or is certified to conduct computer forensic examinations.

Online Solicitation (“Traveler”)

Traveler—Key Investigative Elements

- Adults who use online services to make contact with children. Their intent is to personally meet with and sexually exploit children.
- Children are often contacted by offenders after they have been observed in chat rooms or as a result of online profiles that the children create.
- Contact is usually initiated by the offender while online. Offenders typically engage in sexual dialogue with the child. Children are routinely encouraged by the offender to send pictures of themselves, communicate by telephone, and to meet in person.
- Offenders may invest a long time in “grooming” their victims to trust them, and will likely be grooming more than one child simultaneously.

Traveler—Computer Evidence Recovery

Every “click of the mouse” alters and has the potential to destroy digital evidence. For more information on evidence recovery, see Section E: “First Response to Electronic Evidence.”

When a parent or child reports that they have been solicited online, the responding/investigating officer should obtain written consent for a trained investigator to search their computer.

The search may disclose evidentiary information to include:

- The offender’s screen name
- Chat logs from online conversations with the offender
- Any images transmitted by the offender

E-mail is extremely time sensitive.

- Most Internet Service Providers only retain copies of an e-mail for a few days.
- Consider sending a **Preservation Letter** to the offender’s and the reporter’s Internet Service Provider to preserve new, read, deleted, and sent e-mail.

- The **“Preservation Letter”** preserves the content of the e-mail accounts pending the issuance of a search warrant to the Internet Service Provider.
- Sample Preservation Letter language can be found at the Florida Computer Crime Center CJNet site at: http://www.flcjjn.net/fc3/preservation_letter.htm.

Officers may consider posing as children to communicate online with an offender

- A specially trained investigator may pose as a child to communicate with an offender.
- A trained investigator may need to assume the child’s identity.
- Specific guidelines for this type of investigation have been established by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Internet Crimes Against Children Task Force Program. (See Section F.)

Note: Even though an offender may provide written consent for the search of his computer, a search warrant should also be obtained as soon as possible in the event the offender withdraws consent.

MISSING CHILDREN

C. CONSENT TO SEARCH FORM

COMPUTER(S), COMPUTER PERIPHERALS, & RELATED MEDIA

I, _____, do hereby authorize and give my permission to

_____ who has identified himself/herself to me as a sworn law enforcement officer, with the necessary assistance of a computer forensic examiner, to make a full and complete search of my computer(s), computer peripherals and related media located at: _____

I have been advised by the above law enforcement officer that law enforcement officers are engaged in an investigation concerning an alleged violation of federal and/or state laws pertaining to Internet crimes against children, including child pornography. I do further authorize and give permission to take from my _____ located at _____, any computer(s), computer peripherals and related media which may have or might have connection, value or relevance as evidence in said investigation.

The above law enforcement officer has fully and fairly advised me of my rights as follows:

That I have a right to refuse consent to this search of my property.

That I have a right to consult with an attorney or any other person of my choice prior to giving this consent and permission to search the above described property.

That any computer(s), computer peripherals and related media found by said officers in the course of their search can be used as evidence against me or others in a court of law.

I fully understand and appreciate these rights and wish that it be specifically understood that I am hereby giving consent and permission to conduct the search of the computer(s), related peripherals and related media solely because of my desire to freely and voluntarily cooperate and assist in this investigation. I have not been promised anything or been threatened or coerced in any way; nor has any inducement of any kind been held out to me in return for this consent and permission to search.

Signed: _____

Witness: _____

Date / Time: _____

Witness: _____

Location: _____

D. SUGGESTED INTERVIEW QUESTIONS

The following questions are provided as an interview guide to assist in gathering critical information.

1. Who owns the computer (all names)?
2. Who uses/has access to the computer? Who resides/stays in household?
3. For what purpose is the computer used? Do you have a laptop computer? What are the particular uses of that laptop computer? What software is being used and for what?
4. Are any publications produced on the computer?
5. Is the computer password protected? If so, what is the password? Does it have a key? (If so, - **seek consent** - and seize it also.) Any use of encryption?
6. Are you a current user of any Internet bulletin boards, message boards, or other online communities? If so, which ones? What name and password are used for each of them?
7. Who used the screen name(s) that sent the child pornography? What are the passwords for that/those screen name(s)? How long has he/she used the screen name which sent the child porn? Were they using the screen name when the child porn was sent?
(I.D. other screen names used and for what purpose.)
8. Did anyone else use that screen name and password? If so, you should interview to confirm or refute.
9. Have you downloaded anything from the Internet? If so, where is the information downloaded to (hard drive or floppy disk)?
10. If zip files were downloaded, did you unzip them? Did you re-name files or maintain the file names as received?
11. Where is the child pornography? If on the hard drive of the computer, what directory is it in? (You want to know this so you can tell the forensic examiner where to look for the evidence in order to expedite that examination.) If it's on floppy disks, where are they located?

12. Who sent you the child pornography? What is the true name of that person? Did you talk over the telephone? If so, what is the number?
13. Are you on any address book lists or list serves? If so, which ones? What did they send and how frequently?
14. Were you in any chat rooms to discuss the child pornography trading? If so, which ones? If not, how did you find someone to send him/her the contraband?
15. Do you know of anyone producing the child pornography? If so, who?
16. Did anyone discuss sending child pornographic videotapes? If so, who? Did you send or receive any videos?
17. Do you know any of the children in the images? If so, who and how do they know them?
18. Do you have a scanner? If so, what do you use it for? Have you ever scanned photographs for anyone else?
19. Have you ever meet any children through an Internet bulletin board, message board, or other online community? If so, who and why? Do you know of anyone else meeting children for sexual reasons?
20. Have you ever used U.S. Mail to send/receive floppy disks, videos, magazines, etc? If so, from/to whom?

E. FIRST RESPONSE TO ELECTRONIC EVIDENCE

A first responder may have to recognize, collect, preserve, transport, and store electronic evidence. Almost every law enforcement officer could potentially be the first responder at a scene involving electronic evidence. *The officer must understand the fragile nature of electronic evidence and the principles and procedures associated with its collection and preservation.* The courts may question and scrutinize an officer's actions that have the potential to alter, damage, or destroy original evidence.

Handling Electronic Evidence at the Crime Scene

Precautions must be taken in the collection, preservation, and examination of electronic evidence. Handling electronic evidence at the crime scene normally consists of the following steps:

- Recognition and identification of the evidence.
- Documentation of the crime scene.
- Collection and preservation of the evidence.
- Packaging and transportation of the evidence.

Note: First responders should use caution when seizing electronic devices. Because of the fragile nature of electronic evidence, examination should be done by appropriately trained personnel.

Types of Electronic Devices

The types of devices and/or storage media that may contain evidence and that may be encountered vary. These may include, but are not limited to:

- Computer systems
- USB drives
- Floppy disks
- DVDs
- CDs
- Memory cards (Secure Digital, Compact Flash, etc)
- Digital cameras
- Camcorders
- PDAs (personal digital assistants; Palm Pilots, etc)
- Cell phones and/or answering machines
- Printers

Although not a device, another potential evidence storage location is online storage sites. These, many of which are free, have been known to store child pornography.

An Enhanced Tool Kit

The first responder should possess the standard crime scene processing tools (for example, cameras, notepads, sketchpads, evidence forms, crime scene tape, gloves, and markers). The following are additional items that may be useful at a crime scene involving electronic evidence, and should be available to the responder.

Documentation Tools

- Indelible felt tip markers
- Stick-on labels/tags
 - For computer ports/slots
 - For cables

Disassembly and Removal Tools

A variety of nonmagnetic sizes and types of:

- Flat-blade and Philips-type screwdrivers
- Hex-nut drivers
- Needle-nose pliers
- Secure-bit drivers
- Small tweezers
- Specialized screwdrivers (manufacturer-specific: Compaq, Macintosh, etc)
- Standard pliers
- Star-type nut drivers
- Wire cutters

Package and Transport Supplies

- Antistatic bags
- Antistatic bubble wrap
- Cable ties
- Evidence bags
- Evidence tape
- Packing materials (avoid materials that can produce static electricity such as styrofoam or styrofoam peanuts)
- Packing tape

- Sturdy boxes of various sizes

Other Items

Items that also should be included within a department's tool kit are:

- Hand truck
- Large rubber bands
- List of contact telephone numbers for assistance
- Magnifying glass
- Printer paper
- Small flashlight

Securing and Evaluating the Scene

- Follow jurisdictional policy for securing the crime scene. This includes ensuring that all persons are removed from the immediate area from which evidence is to be collected. At this point in the investigation, do not alter the condition of any electronic devices: If it is off, leave it off. If it is on, leave it on.
 - Note: If it appears there is a destructive program running on the computer, immediately pull the power cord from the back of the computer (on a laptop this may require removing the battery also).
- Identify telephone lines attached to devices such as modems and caller ID boxes. Document, disconnect, and label each telephone line from the wall rather than the device, when possible. There may also be other communications lines present for LAN/Ethernet connections, cable, satellite, and/or wireless. Disconnect and label all communication lines.
- Latent prints should be collected after electronic evidence recovery is complete. Chemicals used in processing latent prints can damage equipment and data.

Conduct preliminary interviews

- Consistent with departmental policy and applicable law, obtain from all individuals (suspects, witnesses, subjects) at the scene information such as:
 - Owners and/or users of electronic devices found at the scene, user names, and Internet service provider(s)
 - Passwords: Any passwords required to access the system, software, or data
 - Purpose of the system (what is its primary use)
 - Any unique security schemes or destructive devices
 - Any offsite data storage
 - Any documentation explaining the hardware or software installed on the system

Initial documentation of the physical scene

- Observe and document the physical scene.
- Document the condition and location of the computer system, including power status of the computer (on, off, or in sleep mode). Most computers have status lights that indicate the computer is on.
- Identify and document related electronic components that will not be collected.
- Photograph the entire scene to create a visual record as noted by the first responder. The complete room should be recorded with 360 degrees of coverage, when possible.
- Photograph the front of the computer as well as the monitor screen and other components. Also, take written notes on what appears on the monitor screen. Active programs may require videotaping or more extensive documentation of monitor screen activity.

Note: Movement of a computer system while the system is running may cause changes to system data. Therefore, the system should not be moved until it has been safely powered down.

Evidence Collection

REMINDER: The search for and collection of evidence may require a search warrant.

Computer evidence, like all other evidence, must be handled carefully and in a manner that preserves its evidentiary value. This relates not just to the physical integrity of an item or device, but also to the electronic data it contains. Certain types of computer evidence, therefore, require special collection, packaging, and transportation. Consideration should be given to protect data that may be susceptible to damage or alteration from electromagnetic fields such as those generated by static electricity, magnets, radio transmitters, and other devices.

Recognize that other types of evidence such as trace, biological, or latent prints may exist. Follow your agency's protocol regarding evidence collection. **Destructive techniques (for example, use of fingerprint processing chemicals) should be postponed until after electronic evidence recovery is done.**

Electronic evidence should be collected according to departmental guidelines. In the absence of departmental guidelines outlining procedures for electronic evidence collection, the following procedures are suggested.

Stand-alone or networked computer

- A "stand-alone" personal computer is a computer not connected to a network or other computer. Stand-alones may be desktop machines or laptops.
- A network is an interconnected system of computers

CAUTION: Multiple computers may indicate a computer network (a computer network is two or more computers linked together by one or more means). More and more homes are featuring both wired and wireless networks. Likewise, computers located at businesses are often networked. In these situations, specialized knowledge about the system is required to effectively recover evidence and reduce your potential for civil liability. ***When a computer network is encountered, contact the forensic computer expert in your department, the business system administrator, or an outside consultant identified by your department for assistance.***

If the computer is on, document existing conditions and call your expert or consultant. If an expert or consultant is not available, continue using the following recommendations for a “stand-alone” or laptop.

After securing the scene, read all the following steps before taking any action or evidentiary data might be altered or lost.

- A.** Record in notes all actions you take and any changes that you observe in the monitor, computer, printer, or other peripherals that result from your actions.
- B.** Observe the monitor and determine if it is on, off, or in sleep mode. The safest step, regardless of the monitor's state, is to record exactly what you observe on the monitor and then remove the power cord from the back of the computer. However, under some circumstances, for example, a missing child case, there may be critical evidence on the screen that would be lost when the plug is pulled (maybe the suspect was discussing the abduction in a chat room). Under those circumstances, decide which of the following situations applies and follow the steps for that situation.

Situation 1: Monitor is on and work product and/or desktop is visible.

- 1. Photograph the monitor screen and record the information displayed.
- 2. If what is on the screen is evidence (for example, a chat room conversation), call an expert for guidance.
- 3. Proceed to step c.

Situation 2: Monitor is on and screen is blank (sleep mode) or screen saver (picture) is visible.

- 1. Move the mouse slightly (without pushing mouse buttons). The screen should change and show work product or request a password.
- 2. If mouse movement does not cause a change in the screen, DO NOT perform any other keystrokes or mouse operations.
- 3. Photograph the screen and record the information displayed.
- 4. If what is on the screen is evidence (for example, a chat room conversation), call an expert for guidance.
- 5. Proceed to step c.

Situation 3: Monitor is off.

1. Make a note of “off” status.
 2. Turn the monitor on (NOT the computer if it is off), then determine if the monitor status is as described in either situation 1 or 2 above and follow those steps.
- C.** Regardless of the power state of the computer (on, off, or sleep mode), remove the power source cable from the back of the computer— NOT from the wall outlet. If dealing with a laptop, in addition to removing the power cord, remove the battery pack. The battery is removed to prevent further power to the system. Some laptops have a second battery in the multipurpose bay instead of a floppy drive or CD drive. Check for this possibility and remove that battery as well.
- D.** To avoid damage to potential evidence, remove any floppy disks that are present, package the disks separately, and label the package. Do NOT remove CDs or touch the CD drive.
- E.** Record the make, model, and serial numbers.
- F.** Photograph and diagram the connections of the computer and the corresponding cables.
- G.** Label all connectors and cable ends (including connections to peripheral devices) to allow for exact reassembly at a later time. Label unused connection ports as “unused.” Identify laptop computer docking stations in an effort to identify other storage media.
- H.** Place computer case into anti-static evidence bag or place evidence tape over all the drive slots and over the power connector.
- I.** Record or log evidence according to departmental procedures.
- J.** If transport is required, package the components as fragile cargo.

Packaging, Transportation, and Storage

Computers are fragile electronic instruments that are sensitive to temperature, humidity, physical shock, static electricity, and magnetic sources. Therefore, special precautions should be taken when packaging, transporting, and storing electronic evidence. Follow your agency's chain of custody procedures.

Packaging

- A.** Ensure that all collected electronic evidence is properly documented, labeled, and inventoried before packaging.
- B.** Pay special attention to latent or trace evidence and take actions to preserve it.
- C.** Pack magnetic media in antistatic packaging (paper or antistatic plastic bags). Avoid using materials that can produce static electricity, such as standard plastic bags.
- D.** Avoid folding, bending, or scratching computer media such as diskettes, CD-ROMs, and tapes.
- E.** Ensure that all containers used to hold evidence are properly labeled.

Note: If multiple computer systems are collected, label each system so that it can be reassembled as found (for example, System A—mouse, keyboard, monitor, main base unit; System B—mouse, keyboard, monitor, main base unit).

Transportation

- A.** Keep electronic evidence away from magnetic sources. Radio transmitters, speaker magnets, and heated seats are examples of items that can damage electronic evidence.
- B.** Avoid storing electronic evidence in vehicles for prolonged periods. Conditions of excessive heat, cold, or humidity can damage electronic evidence.
- C.** Ensure that computers and other components that are not packaged in containers are secured in the vehicle to avoid shock and excessive vibrations. For example, computers may be placed

on the vehicle floor and monitors placed on the seat with the screen down and secured by a seat belt.

- D.** Maintain the chain of custody on all evidence transported.

Storage procedure

- A.** Ensure that evidence is inventoried in accordance with departmental policies.
- B.** Store evidence in a secure area away from temperature and humidity extremes. Protect it from magnetic sources, moisture, dust, and other harmful particles or contaminants.

Note: Be aware that potential evidence such as the system's date, time, and configurations may be lost because of prolonged storage. Since batteries have a limited life, data could be lost if they fail. Therefore, appropriate personnel (for example, evidence custodian, lab chief, forensic examiner) should be informed that a device powered by batteries is in need of immediate attention.

F. NATIONAL STANDARDS FOR ONLINE UNDERCOVER INVESTIGATIONS

Law enforcement officers may consider opening an undercover online investigation into a sexual predator that targets children. It is essential that the investigator take actions while online that adhere to all legal standards, and can successfully lead to arrest and conviction.

Officers should be aware that standards have been established by the Internet Crimes Against Children (ICAC) task forces. These standards cover such issues as:

- Appropriate computers to use
- How to communicate while online
- Necessary management and documentation
- Evidence collection
- Information sharing.

Below is a section from the ICAC standards--

“The following *minimum* standards apply to ICAC investigations:

- a) **“Only sworn, on-duty ICAC personnel shall conduct ICAC investigations in an undercover capacity. Private citizens shall not be asked to seek out investigative targets, nor shall they be authorized to act as police agents in an online undercover capacity.**
- b) **“ICAC personnel shall not, electronically upload, transmit, or forward pornographic or sexually explicit images.**
- c) **“Other than photographs of law enforcement officers who have provided their informed written consent, no actual human images shall be uploaded, transmitted, or forwarded by ICAC personnel.**
- d) **“During online dialogue, undercover officers should allow the investigative target to set the tone, pace, and subject matter of the online conversation. Image transfer shall be initiated by the target.**
- e) **“Undercover online activity shall be recorded and documented. Any departures from this policy due to unusual circumstances shall be documented in the relevant case file and reviewed by an ICAC supervisor.”**

Investigators are urged to become aware of all these standards before conducting any online undercover investigations. The complete standards—*ICAC Program Operational and Investigative Standards*—can be obtained from any of the ICAC Task Forces listed in Section G.

G. RESOURCES

Florida Computer Crime Center

(850) 410-7052

<http://www.fdle.state.fl.us/FC3>

computercrimecenter@fdle.state.fl.us

FDLE Computer Evidence Recovery

(850) 410-7484 – Tallahassee

1-800-226-1140 – Tampa

FDLE Regional Offices

Ft. Myers Region: 1-800-407-4880

Manatee, Sarasota, Desoto, Highlands, Okeechobee, Charlotte, Glades, Lee, Hendry, Collier

Jacksonville Region: 1-800-226-6481

Nassau, Baker, Duval Union, Bradford, Clay, St. Johns, Alachua, Gilchrist, Putnam, Flagler, Levy, Marion

Miami Region: 1-800-226-3023

Palm Beach, Broward, Dade, Monroe

Orlando Region: 1-800-226-8521

Volusia, Lake, Seminole, Orange, Osceola, Brevard, Indian River, St. Lucie, Martin

Pensacola Region: 1-800-226-8574

Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Gulf

Tallahassee Region: 1-800-342-0820

Gadsden, Liberty, Franklin, Leon, Wakulla, Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia

Tampa Bay Region: 1-800-226-1140

Citrus, Sumter, Hernando, Pasco, Pinellas, Hillsborough, Polk, Hardee

Florida ICAC Task Forces

FDLE ICAC Initiative: 850-410-7052

Tallahassee

Law Enforcement Against Child Harm (L.E.A.C.H.): 954-888-5256

Broward County Sheriff's Office

North Florida ICAC: 352-334-2365

Gainesville Police Department

For complete Internet Crimes Against Children task force contact information, please visit:

<http://www.flcjn.net/fc3/ICAC.htm>.

Other Web Resources

National Center for Missing and Exploited Children

<http://www.missingkids.com>

Information on cyber-security

<http://www.secureflorida.org>

X. CHILD DEATH REVIEW TEAM

A. CHILD DEATHS

WHOSE PROBLEM IS IT?

Children are not supposed to die; yet numerous child fatalities are recorded regularly. Listed below is statistical information on this subject:

1. The National Child Abuse and Neglect Data system (NCANDS) reported and estimated 1,490 child fatalities in 2004.
2. According to vital statistics in Florida there were 2,924 child deaths.
3. 305 child deaths were reported to Department of Children and Families (DCF) in 2005.
4. 146 child deaths were verified or some indicators of findings.

HISTORY

Over the years, a number of groups/task forces have been formed to study the death of children. Some of those task forces include the following.

- 1985 - HRS Task force subsequent to the death of Cory Greer
- 1987 - Protecting Florida's Children Task Force: A Blue Print for the next decade
- 1990 - Child Welfare League of America Salary Study subsequent to the death of Bradley McGee
- 1991- Study commission on Child Welfare (Barkett Commission)
- 1995 - Governor's Panel on Child Protection Issues: A Review of the Lucas Clambrone Case
- 1996 - Task Force on Family Safety
- 1997 - Governor's Child Abuse Task Force
- 1998 - Department of Children and Families (DCF) QA Review subsequent to the death of Kayla Mckean
- 1999 - District 7 Child Safety Strike Force
- 2002 - Blue Ribbon Task Force (Rilya Wilson)
- 2002 - Jamie Cotter Death Review
- 2003 - I-75 Child Death (Alfonzo Montes)
- 2005 - Hillsborough Kids Inc (Ronnie Parrish)

B. CHILD ABUSE DEATH REVIEW (CADR)

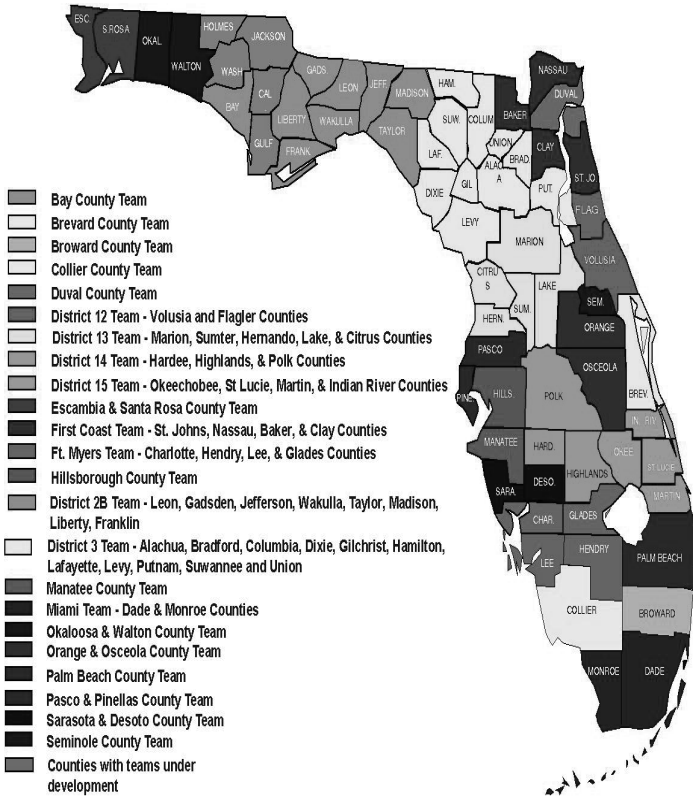
How does it work?

The CADR is a group formed to review child deaths. It is a simple process of sharing data on the surface; but a complex process of “Group Thinking” and a shared responsibility to get the proper results. The mission is to reduce preventable child abuse and neglect deaths. The death of a child is a community problem. The circumstances involved in most child deaths are too multi-dimensional for responsibility to rest in any one place. On the website, www.flcadr.org, you will find our guidelines, forms, annual reports, and a roster of State Team members and local Chairpersons posted for your convenience. Since 1999, we have been working diligently with a multitude of partners to make every effort to reduce child abuse deaths in Florida.

1. The group involves people from many perspectives.
 - a. Local concerned citizens
 - b. Government Agencies
 - c. Professionals
2. They all share a belief that the impact on the investigation of the child's death can be due to:
 - a. Social environment
 - b. Economic environment
 - c. Behavioral environment
 - d. Health
3. It is important to have a public health approach. Further incidences may be prevented by taking proper steps to determine where and how the deaths occurred, and to understand who is most at risk and why. Create effective interventions, and immunize other children from harm. The purpose for this approach serves to protect children, as well as, determine agency needs.
 - a. Preventing further risk to siblings.
 - b. Educating the public.
 - c. Training needs for agencies.
 - d. Legislative changes.
 - e. Policy changes.
 - f. Accurate identification and uniform reporting of the cause and manner of child abuse deaths.

4. History and laws determines which cases qualify for a review from 1999 to 2003, the average number of child deaths that qualified for a review was approximately 35. The criteria stated there had to be a prior with the Department of Children and Families as well as a verified death. In 2004 the Legislator and Governor expanded the review authority to include all verified child deaths. There are clear patterns and trends noted for the state that are consistent with national data: however, because of the limited population there are variations, which are reflected in this report. It is widely acknowledged that many child abuse and neglect deaths were underreported and/or misclassified. Scholars, professionals and officials around the nation agree that a system of comprehensive Child Death review teams could make a difference. The data nationally reflect different systems, state laws, definitions, practices, policies and how the data is collected and reported
5. CADR Teams are located throughout the state of Florida.
 - a. There are 23 sanctioned committees in Florida.
 - b. There is one area with five counties under development.
6. A breakdown CADR locations in Florida and child deaths for 2004 and 2005 can be seen on the following charts:

CADR Teams In Florida



Number of Deaths by County							
County	Year		Total Deaths	County	Year		Total Deaths
	2004	2005			2004	2005	
Alachua	1	3	4	Lee	5	4	9
Baker	1	1	2	Leon	2	0	2
Bay	0	1	1	Manatee	1	0	1
Bradford	0	1	1	Marion	4	5	9
Brevard	7	5	12	Orange	5	9	14
Broward	13	9	22	Osceola	1	1	2
Charlotte	2	0	2	Palm Beach	6	6	12
Citrus	4	0	4	Pasco	2	0	2
Clay	1	0	1	Pinellas	2	5	7
Dade	13	5	18	Polk	7	8	15
Duval	16	9	25	Santa Rosa	2	2	4
Escambia	1	0	1	Sarasota	1	1	2
Gadsden	0	1	1	Seminole	0	1	1
Glades	1	0	1	St. John	2	1	3
Hernando	1	2	3	Sumter	0	2	2
Highlands	0	1	1	Suwannee	1	0	1
Hillsborough	2	6	8	Union	0	1	1
Indian River	2	0	2	Volusia	1	2	3
Jackson	1	1	2	Walton	0	2	2

7. Physical Abuse

- It is reported that over 2,000 children die in the U.S. each year from physical abuse and neglect
- Most deaths result from children receiving injuries to their head
- The second common abuse is punching or kicking the abdomen
- Improvement has been made in the ability to diagnose abusive head trauma

- e. It is now widely known that falls from short heights rarely causes extensive and severe head injuries

8. Drowning

Florida is a peninsula saturated by lakes, rivers, ponds, and swimming pools in addition to bathtubs that pose a risk for drowning. Florida has the highest unintentional drowning death rate of toddlers ages 1-4 in the United States in the 5 years between 1999 and 2003 according to Center for Disease Control. The Office of Vital Statistics data revealed the following information.

- a. 2005 shows that 353 deaths ages 0-85 were related to drowning.
- b. 80 of those were between the ages of 0-10
- c. 71 were ages 0-4,

C. Distinguishing SIDS from Child Abuse Fatalities

1. The American Academy of Pediatrics recommended the following:
 - a. Accurate history taking by emergency responders and medical personnel at the time of death and made available to the Medical Examiner.
 - b. Prompt death scene investigation where the infant was found lifeless and careful interviews of household members by knowledgeable individuals.
 - c. Examination of the dead infant at a hospital emergency department by a child Specialist.
2. SIDS vs. Child Fatalities
 - a. Postmortem examination following established protocol within 24 hours of death, including radiographic skeletal survey, toxicological and metabolic screening.
 - b. Collection of medical history through interviews of caretakers, interviews of key medical providers and review of previous medical records.
 - c. Maintenance of a supportive approach to parents during the death review process.
 - c. Consideration of intentional asphyxiation in cases of unexpected infant death with a history of apnea, witnessed only by a single caretaker or in a family with a previous SIDS.

- d. Use of accepted diagnostic categories on death certificates.
 - e. Local based infant death review teams.
- 3. Co-Sleeping/Unsafe Environment
 - a. The State Team reviewed 14 cases of sleep environment deaths, nine of which were children 2 months and younger.
 - b. National statistics point to the need for training and/or education to parents, hospitals, pediatricians, LEO and ME's investigating these deaths.
- 4. The risk factors in child deaths involve:
 - a. Young parents
 - b. Criminal history
 - c. Substance abuse
 - d. Child in home 4 or younger
 - e. Domestic Violence in the home
 - f. Pattern or frequency of abuse/neglect
 - g. Child has limited visibility to the community
 - h. Living conditions were a hazard

D. Abuse vs. Neglect

- 1. Abuse vs. Neglect

Use your review team to understand why the child died and to take action to prevent other deaths. Child death review teams have identified specific "triggers" that occur just before the fatal assaults.

 - An infant inconsolable crying.
 - Feeding difficulties.
 - A toddler's failed toilet training.
 - Exaggerated parental perceptions of acts of "disobedience".
- 2. Age at Death
 - National research indicates very young children (4 years and younger) are the most frequent victims of fatalities.
 - In Florida for 2005, children younger than 5 years accounted for 80% of fatalities.

- Children younger than 4 years accounted for 76% of fatalities.

E. Child Deaths

1. This population of children is the most vulnerable
 - a. Small size of child
 - b. Inability to defend themselves
 - c. Dependent on adults for their needs
2. Intervention Options
 - a. Involve others.....Engagement
 - b. Change Behaviors.....Education
 - c. Change Technology.....Engineering
 - d. Change Systems.....Enactment
 - e. Change Laws.....Enforcement

F. Effective Reviews

1. Records Needed at Review
 - Autopsy Reports
 - Scene investigation reports and photos
 - Department of Children and Families Reports
 - Child Protection Team Reports
 - Community Based Care Reports
 - Prenatal, birth and health records
 - Interviews with family members
 - Day Care Licensing investigative reports
 - EMS run reports
 - Emergency Department reports
 - Prior CPS history on the child, caregivers and person supervising child at time of death
 - Criminal background checks on person supervising the child at time of death
 - Reports of home visits from public health or other services
 - Any information on prior deaths of children in family

2. Improvements to Agency Practices

- Investigations coordinated with medical examiners, law enforcement and Child Protective Services (CPS)
- Autopsy protocols in place, which include a process for sending scene investigation materials to the pathologist performing the autopsy
- Comprehensive scene investigations conducted at the place of death, as soon as possible, including doll scene re-enactments and interviews
- Referrals made for bereavement services
- High-risk families with newborns and young infants provided prevention services
- A process in place to contact the Consumer Product Safety Commission when faulty products could be involved in causing a death
- Specific messages targeted to families and childcare providers who traditionally practice stomach sleep positions.
- Education to health care providers on giving guidance on SIDS risk reduction to parents and caregivers.
- Licensing requirements for daycare providers on safe sleep environments and infant sleep positions.

For more information

- The National SIDS resource center
<http://sidcenter.org/>
- The American Academy of Pediatrics
<http://www.aap.org/>
- Consumer Product Safety Commission
<http://www.cpsc.gov/>
- 2005 Child Abuse Death Report:
<http://www.flcadr.org>
- Child Death Injury Interview and Documentation Guide listed below.

"May their deaths bring a small measure of the meaning to other children at risk."
-T. Covington

G. CHILD DEATH / INJURY INTERVIEW AND DOCUMENTATION GUIDE

These guidelines were developed for use in cases involving a child death or injury. In addition to the items listed on this guide, please make a note of any other relevant information.

In child death cases, there are many risk factors to be considered. A child death inquiry will include clues such as the age of the child, criminal history of the parent/caregiver, history of domestic violence in the household, prior abuse history, hazardous housing conditions, substance abuse in the parent/ caregivers, and other factors. Some child fatalities are due to neglect which may mean the child died either because of the caregiver's actions, or because the caregiver failed to act. Neglect covers a broad spectrum of child deaths that may include drowning, suffocation, heat stroke, and medical neglect. Neglect cases may result in outward signs on the child's body. Other child deaths such as those from abuse may not always show outward signs. These deaths may occur from internal injuries to the body. All observations should be documented; however, Red Flag items should ensure a complete and comprehensive investigation. In child death cases, always contact the local Medical Examiner, the State Attorney's office, and the Department of Children and Families.

For additional resources and training information, please contact the State Child Death Review Team at 850-245-4200. These guidelines were originally produced in 1997 by the Oklahoma Child Death Review Board. Modifications were made for use in Florida. Printing costs were paid through funds from the Florida Department of Law Enforcement Crimes Against Children Program.

For more information visit: www.flcadr.org or www.fdle.state.fl.us

CHILD DEATH / INJURY INTERVIEW AND DOCUMENTATION GUIDE

THIS IS JUST A GUIDE. THESE GUIDELINES ARE NOT A SUBSTITUTE FOR YOUR AGENCY'S POLICIES AND PROCEDURES. FOLLOW YOUR AGENCY'S PROCEDURES AND MEDICAL DIRECTION.

THINGS TO OBSERVE	
POLICE DEPARTMENT ON SCENE? IF NOT, CALL! PRESERVE THE SCENE!	
<div style="background-color: #333; color: white; text-align: center; padding: 2px; font-weight: bold; margin-bottom: 5px;">CHILD/VICTIM OBSERVATIONS</div> <ul style="list-style-type: none"> • Appearance in general? • Bed Sharing? • Body position/placed where found? • Cleanliness and type of clothing? • Cleanliness of the child? • Diaper? • Face position? • Head injuries? • Neck injuries? • Objects in bed? • Rigor/stiffness of body? • Sweaty body? • Temperature of body: cold, cool, warm? 	<div style="background-color: #333; color: white; text-align: center; padding: 2px; font-weight: bold; margin-bottom: 5px;">HOME OBSERVATIONS</div> <ul style="list-style-type: none"> • Adequate food available? • Bedding? • Crib conditions? • Heating/Cooling? • Insect Infestation? • Medications in the home? • Odors/toxins? • Outside temperature? • Pets/where do they sleep? • Room temperature? • Siblings/Status? • Smoking by caregiver? • Ventilation? • Waste can evidence check? • Water supply? • Weapons?
<div style="background-color: #333; color: white; text-align: center; padding: 2px; font-weight: bold; margin-bottom: 5px;">PARENT/CAREGIVER OBSERVATIONS (or anyone in the home)</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <ul style="list-style-type: none"> <input type="checkbox"/> BEDDING OVER/ UNDER CHILD? <input type="checkbox"/> BODY MOVED? <input type="checkbox"/> DISCOLORATION? <input type="checkbox"/> INJURIES/MARKS? <input type="checkbox"/> LACK OF BED FOR INFANT? </div> <div style="width: 45%;"> <ul style="list-style-type: none"> • Frequent calls to the home by police department, fire department or emergency room visits • Indications of domestic violence • Past medical history • Physical appearance • Resuscitative efforts </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <ul style="list-style-type: none"> <input type="checkbox"/> ALCOHOL/DRUGS PRESENT? <input type="checkbox"/> UNSANITARY CONDITIONS? </div> </div>	

THE INTERVIEW
<div style="background-color: #333; color: white; text-align: center; padding: 2px; font-weight: bold; margin-bottom: 5px;">GUIDELINES</div> <p>Conduct a mini interview at the scene with the caregiver. Be non-judgmental, non-confrontational, compassionate, observant and composed.</p> <p>Explain the purpose of the interview by saying:</p> <p><i>"These questions will help evaluate what led to your loss."</i></p> <p><i>"The history you provide helps evaluate the cause of your loss."</i></p>
<div style="background-color: #333; color: white; text-align: center; padding: 2px; font-weight: bold; margin-bottom: 5px;">INTERVIEW QUESTIONS</div> <div style="display: flex;"> <div style="width: 45%;"> <ul style="list-style-type: none"> • What is the address of the parents/caregiver? • How long has the child been at this address? • Are the parents married? • What time was the child found? • When was the last time the child was seen alive? • Does the child have a disability? • Who found the child? • Who was the caregiver at the time of death? • What were the circumstances of the child's death? • When was the child last fed? • How much breast or bottled milk? • Was there a history of breathing difficulties? • Had the child been crying or fussy? • Had the child been ill recently? • Has there been an ER or doctor visit in the last few weeks? </div> <div style="width: 45%;"> <ul style="list-style-type: none"> • Who is the child's doctor? • Does the child take any medications /had vaccines? • What is the child's medical history? • What type of prenatal care was provided? • Where there any labor problems? • Was the child premature or part of a multiple birth? • Did the mother smoke/use drugs during the prenatal period? • What was the child's birth weight? • Are the child's growth charts available? </div> </div> <div style="margin-top: 10px;"> <ul style="list-style-type: none"> <input type="checkbox"/> Demeanor of Caregiver? <input type="checkbox"/> Delay in Seeking Treatment? <input type="checkbox"/> History of Other Infant Deaths? <input type="checkbox"/> History Inconsistent with Death or Injury? </div>

CHILD DEATH / INJURY INTERVIEW AND DOCUMENTATION GUIDE - Page 2

FATALITY INVESTIGATIONS

- Investigation should be based on physical and/or circumstantial evidence, establishing a timeline, and the possible confession.
- Must prove that the suspect had care, custody and control over the child victim.
- Must establish that the suspect was the person with the child at the time the injuries occurred.
- Must establish that the injuries were not accidental.
- In cases of "accidental deaths" law enforcement and child protective services must conduct a complete and thorough investigation.
- Consider tools such as re-enactment dolls: have the suspect demonstrate how the injuries occurred.
- Involve the medical community in establishing accidental versus intentional, as well as the timeline.
- Many abuse injuries are not visible without the aid of X-Rays, CT Scans, MRI's, or by a Forensic Autopsy.

HOW DO CHILD FATALITIES DIFFER FROM OTHER HOMICIDES?

- These cases generally involve brain trauma, internal injuries to the chest or abdomen or severe burns.
- The child often develops infection, or other complications arising from injuries and dies from the complications.
- Most abuse and homicides of children occur in a private location such as the family's home and eyewitnesses are rare.
- Homicides of children rarely involve weapons; most child murders are accomplished by the offender using his/her hands.
- Often very small children are violently shaken, resulting in death.
- Older children are often struck by a fist or other blunt force object.
- These cases often involve the presence of identifiable and patterned injuries such as bite marks, circumferential tie marks or belt buckle marks.

The Medical Examiner will play a pivotal role.
Be prepared to attend all autopsies.

Characteristics of Sudden Infant Death Syndrome (SIDS)

	<u>Consistent with SIDS</u>	<u>Red Flags</u>
History of death	Healthy infant; fed; put to bed; silent death	Unclear history; prolonged interval between bedtime and discovery
Age at death	2-4 months old most common; 90% of cases the child is 1-12 months old	Child older than 12 months
Physical exam at death	Pink watery frothy fluid from nose/mouth; post mortem dependent discoloration; no skin trauma; well cared for	Injuries; trauma; bruises; indications of malnutrition; neglect; fractures
History of pregnancy	Cigarette use by parents; premature or low birth weight; multiple births; illness requiring hospitalization	Unwanted pregnancy; no health checks; drug/alcohol use during pregnancy
Death scene	Crib in good condition; firm sleep surface; no dangers or toxins; good ventilation	Appearances of chaotic, unsanitary, crowded living conditions; drugs/alcohol; struggle in crib; blood-stained bedclothes; hostility by caretakers; discord; accusations
Previous deaths	First unexplained infant death	More than one unexplained infant death
Previous child protective services or law enforcement involvement	None	Prior child protective services calls; family members arrested for violent behavior Previous sudden unexpected infant death

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XI. OTHER JUVENILE ISSUES

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/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 wanting 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 him 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 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 abuse 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:

Deputy David Fisher, M.A., *High School Suicide Crisis Intervention* (FBI Law Enforcement Bulletin, Vol 59, No, 5).

Guetzloe, Eleanor, C. (1989). *Youth Suicide: What the Educator Should Know*. Reston, VA. Council for Exceptional Children.

Telephone Counseling and Referral Service, Tallahassee, Florida (850) 224-6333 (*web site: <http://www.applicom.com/tcrs/>*).

American Association of Suicidology, Washington, D.C., (202) 237-2280.

American Psychiatric Association (APA). (1994) *Diagnostic and Statistical Manual of Mental Disorders: DSM-IV* (4th ed.). Pg. 354. Washington, D.C: Author.

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 the child's development. Some of the effects on children witnessing violence include withdrawal, abnormal fears, regression, and decline in school performance, learning problems, truancy, and 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:

Hurley, D., Jaffe, P. (1990). "Children's Observations of Violence: II. Clinical Implications of Children's Mental Health Professionals. " *Canadian Journal of Psychiatry* 35 (6): 471-476.

Jaffe, P., Hurley, D., and Wolfe, D. (1990). "Children's Observations of Violence: I. Critical Issues in Child Development and Intervention Planning. " *Canadian Journal of Psychiatry* 35 (6): 466-470.

Jaffe, P., Wolfe, D., and Wilson, S. (1990). *Children of Battered Women*. Newbury Park, CA. Sage Publications.

Johnson, K. (1989). *Trauma in the Lives of Children: Crisis and Stress Management Techniques for Counselors and Other Professionals*. Alameda, CA. Hunter House.

Kaplan, T., Hendriks, J., Black, D., and Blizard, B. (1993). "Children Who Survive After One Parent Has Killed the Other: A Research Study." In *Children and Violence*. Chiland, C. and Young, G. (Eds) New Jersey; Jason Aronson Inc.

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. 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, tobacco, and other drugs. In addition, the researched based program focuses on promoting accurate normative beliefs, targets communication and refusal skills, supports positive peer influence, promotes high self-efficacy, teaches decision making skills, and offers a science-based education based on principles of prevention.

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) 410-7567. 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 ten 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 three (3) day recertification training during a regular scheduled D.A.R.E. Training. Contact the Training Center for dates and times. After completing the 80 hours D.A.R.E. Officer Training, each newly trained D.A.R.E. 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. Upon completion of the course, the officer will be certified as a School Resource Officer by the International Association Chief of Police.

E. CONSIDERATIONS AND GUIDELINES FOR RESPONDING TO CHILDREN MISSING FROM FOSTER CARE

Materials from the New York Division of Criminal Justice Services, Miami Police Department, Miami-Dade Police Department, Orlando Police Department, the National Center for Missing and Exploited Children, Florida Department of Children and Families and the Florida Department of Law Enforcement were incorporated in this document.

When A Foster Child Is Missing

“It is imperative for law enforcement to evaluate and take appropriate action in every missing child case, regardless of classification.”

On any given day, there are more than 49,000 children in the care and/or custody of the Department of Children and Families (DCF). Several thousand episodes of missing DCF children will be reported each year. Most disappearances do not involve kidnapping; most involve runaways. However, a runaway designation does not mean that they are safe. Children who runaway are often lured or manipulated into flight by sexual offenders or persons who will harm them.

A combination of no witnesses to a disappearance and a lack of information about a child's missing episode often default to the category of “runaway” when in fact an abduction or foul play may have occurred. The security videotape showing the actual abduction of Carlie Brucia in Sarasota, Florida easily allowed sheriff deputies to categorize her case as abduction. What would she have been categorized if the video did not exist? Absent a video, how would your agency categorize similar case facts?

Regardless of the category associated with the disappearance of a child (i.e., runaway, familial abduction, non-familial abduction), the demands on law enforcement agencies are significant.

Missing foster children are defined as those who have either left care voluntarily (i.e., runaway) or involuntarily (i.e., abduction) and/or cannot be accounted for by the agency responsible for their care and placement (i.e., lost in care).

Runaway foster youth are often in unsafe situations, vulnerable to molestation and prostitution. Abducted foster children are often at

serious risk of harm because they are in the care of parents or relatives who may have abused or neglected them, or in the hands of strangers. Children and youth who are “lost” in the system, that is, the presence or absence in care is unaccounted for by the custodial agency, also face great risk because the child welfare system is not monitoring their whereabouts and not regularly assessing their safety and well-being.

Due to this heightened risk of harm, every case of a child or youth missing from or lost in care should prompt the child welfare, law enforcement, and other legal and social service professionals involved with and responsible for the child or youth should closely collaborate to ensure that the child is located and returned to a safe situation as quickly as possible. Once recovered, DCF, in consult with law enforcement, guardian ad litem and other service professionals can see that the child receives the support and services necessary to meet unmet needs and to prevent future runaway or abduction episodes.

Child welfare systems need to account for the whereabouts and safety of every child or youth for whom they are responsible. Factors that contribute to poor monitoring may include inadequate policies, training, and supervision; lack of effective decision-making tools and safety assessment protocols; and poor tracking systems, along with high caseloads that limit the time available for visiting with families and documenting cases.

Likewise, law enforcement agencies must be prepared to take appropriate investigative action whenever a child is reported missing by a child welfare provider.

Real Case Scenarios

Law enforcement is confronted with the below real case scenarios daily. Response protocols vary from jurisdiction to jurisdiction. This exemplifies the need to have policies in place for each scenario.

- *The Department of Children and Families have a child in their court-mandated care; during which the child is placed by the court, with the parent, pending further evaluation. The parent absconds with the child. What action would your agency take?*

If it is determined that the child’s life is in danger, the law enforcement agency at a minimum should assist in locating the child to determine his/her welfare, whether or not a missing child report is filed. Note: A child can be under the supervision of a child welfare agency, but not physically in their custody. A child may be placed with one parent, while

the child welfare agency investigates neglect or abuse complaint against the other parent. Too often, both parents will abscond with a child to prevent any further legal action against the abusing parent. It is these cases where the child ends up being further abused or killed.

- *Who can report a child as missing?*

Anyone responsible for the care or custody of a child, including the child welfare agency, should be able to report a child as missing. The law enforcement agency may need to verify who has actual custody to determine if the child is truly missing or with a custodial person.

- *The Department of Children and Families reports that a teenager ran away from a shelter possibly with an adult male. The child is believed to be in another state. What actions would your agency take?*

Before a child is removed from NCIC, law enforcement should determine if there are any court orders or NCIC entries mandating where the child should be returned. A forensic interview of the child should be conducted by law enforcement to determine if the child was victimized by the adult companion. In Florida and some other states, the Department of Juvenile Justice (or their equivalent) has procedures in place to return out-of-state runaways to their home states. Check with the Department of Juvenile Justice to coordinate the return of the child to his/her home state.

- *A child, who had been sheltered in a foster facility and who has been reported missing by DCF, has been located in another state living with a relative. What action would your agency take?*

A missing child should never be removed from NCIC until a visual verification has been made of his/her location by child welfare or law enforcement. The verification should always be documented in writing by the locating entity and made part of the law enforcement investigative file. Law enforcement should determine if the relative is authorized to have custody or has the relative violated any statutes such as Interference with Custody, Harboring a Runaway, Unlawful Flight to Avoid Prosecution, etc. Generally, the child welfare agency is responsible for traveling to the child's location and escorting him or her to the proper placement. As noted above, the Department of Juvenile Justice may be able to assist in returning the child home.

- *A child who has been reported as missing to your agency subsequently reaches the age of emancipation. The*

child welfare agency closes their case as statutorily they no longer have jurisdiction. What policies are in place to ensure that your agency does not close their case until the child, now turned adult, has been located and determined to be safe?

Law enforcement agencies should have policy mandating that all cases of missing children remain open and active until law enforcement can document that the child, now turned adult, is alive. Searching driver's license, Department of Labor, public assistance or other state databases are a good source of information when attempting to locate these persons. Unfortunately, there are thousands of unidentified juvenile remains in morgues. Newer technologies, such as DNA, can be applied and have in some jurisdictions resolved short and long-term disappearances.

Children who have left a caregiver, regardless of reasons, often become dependent upon risky behavior for survival. For example, they are manipulated or coerced by exploiters to engage in illicit activity, such as sale of illicit drugs, engaging in prostitution or theft.

Children may run to run "home" or to familiar surroundings, rather than running "away from home." Ironically, as they run back to familiar surroundings, these are often the same environments which they were removed from neglect, abuse and dysfunctional relationships with their families.

With regard to parental abductions, cases have shown again and again that children who have been taken by a non-custodial parent can be in significant danger. Desperate people sometimes do desperate things, including bringing harm to their own children. Even as this publication was being developed, this notion was demonstrated by a case from western New York State.

A one-year old child and her older brother were placed in foster care by Social Services, after she had been severely beaten on at least two occasions. In addition to other injuries, her skull had been fractured twice. While in the custody of the foster family, the biological father and mother orchestrated a plan to abduct the children. They hired a prostitute to pose as a social services case worker and during supervised visitation, succeeded in fooling the foster family and abducted both children. Unfortunately, after a diligent search by social services, the investigating police agency, the New York State Division of Criminal Justice Services Missing and Exploited Children Clearinghouse and NCMEC, the abducted parents managed to flee to Puerto Rico.

About forty-five days after the abduction, the child was beaten to death by her father.

Unfortunately, these types of cases occur more frequently than one might imagine. Even if harm is not brought to a child abducted from foster care, it is likely that life “on the run” with the abducting parent is unstable. Children frequently live with an altered name, appearance and lifestyle, experience physical or medical neglect, experience unstable schooling, experience frequent moves or even homelessness and/or are told lies about the left-behind parent.

Unfortunately, children removed from dangerous home settings can become lost while in government care. Perhaps the most well known case is that of Rilya Wilson, who was four when she disappeared in 2001. Rilya vanished from foster care in the State of Florida and despite national media coverage of the incident her whereabouts still remain a mystery. According to the foster guardian, in January 2001 a woman appeared at her home and explained that she was taking Rilya for a “psychiatric examination.” The woman indicated that she was a Social Services representative and seemed to know details about Rilya and her situation. Rilya never returned and has not been seen or heard from since. Obviously, other factors came into play contributing to Rilya being unaccounted for more than a year. Caseworkers failed her, caretakers failed her and the child welfare system failed her. Children missing from foster care are certainly at risk. Complicating matters, unlike a family-reported missing child case, foster children often do not have a loved one with a vested interest in the child’s return working with law enforcement to facilitate a quick and safe return.

One point that cannot be over-emphasized is that regardless of the reasons behind a disappearance, law enforcement agencies are statutorily and ethically responsible for taking appropriate investigative action when a child goes missing.

Statutory Requirements

Several Federal and state statutes prescribe legal requirements with respect to the handling of missing child cases by law enforcement agencies.

The Missing Children Act of 1982 (28 USC § 534) mandates that regardless of category or circumstances, each missing child reported to federal, state or local law enforcement must be immediately entered into state and National Crime Information Center (NCIC) missing person, even if an abductor has not been charged with a crime.

The National Child Search Assistance Act of 1990 (42 USC §§ 5779 and 5780)

Requires States reporting under this Act to: (1) ensure that no State law enforcement agency establishes a policy which requires a waiting period before accepting a missing child or unidentified person report; (2) provide that each such report and all necessary and available information is entered into the State law enforcement system and the NCIC computer networks and made available to the Missing Children Information Clearinghouse of other designated agency within the State; and (3) require the law enforcement agency that entered the report into the NCIC to **verify and update such record** with any additional information (including, where available, medical and dental records), **institute or assist with appropriate search and investigative procedures**, and maintain close liaison with the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases.

Jurisdiction

Across the state, police departments and sheriff's offices have a variety of policies for accepting reports from DCF. In some jurisdictions the law enforcement agency will not accept cases if a child ran from a shelter, they instead refer DCF to the jurisdiction of the child's home. The standard for law enforcement should be the report will be taken in the jurisdiction where the child disappeared. It is important that law enforcement officers in both the jurisdiction where a child was last seen and the jurisdiction where the child last resided collaborate during the subsequent investigation. Also, nothing precludes transfer of primary responsibility for an investigation, if warranted by information revealed during the investigation.

“Anyone can report a car missing anywhere; often the same doesn’t hold true for missing children. Everyone has a duty to report; everyone has a duty to take a report.”

FLORIDA STATE STATUTES	
<u>751.02</u>	DETERMINATION OF TEMPORARY CUSTODY PROCEEDINGS JURISDICTION
<u>787.03</u>	INTERFERENCE WITH CUSTODY
<u>937.021.</u>	MISSING CHILD REPORT
<u>751.03.</u>	PETITION FOR TEMPORARY CHILD CUSTODY
<u>61.536</u>	RECOGNITION OF OUT OF STATE CUSTODY DECREES
<u>61.528</u>	REGISTRY OF O/O STATE CUSTODY DECREES & PROC.
<u>61.516</u>	MODIFICATION OF CUSTODY DECREE FROM ANOTHER STATE
<u>985.211</u>	RELEASING OR DELIVERY FROM CUSTODY
<u>787.04</u>	REMOVING MINORS FROM STATE OR CONCEALING MINORS CONTRARY TO STATE AGENCY OR COURT ORDER
<u>984.085</u>	SHELTERING UNMARRIED MINORS; AIDING UNMARRIED MINOR RUNAWAYS
<u>39.401</u>	TAKING A CHILD ALLEGED TO BE DEPENDENT INTO CUSTODY
<u>914.22</u>	TAMPERING WITH A WITNESS
<u>984.15</u>	TAKING A CHILD INTO PROTECTIVE CUSTODY
<u>Chapter 61</u>	UNIFORM CHILD CUSTODY JURISDICTION ACT
<u>394.463</u>	BAKER ACT

<u>316.6135</u>	LEAVING CHILDREN UNATTENDED OR UNSUPERVISED IN A MOTOR VEHICLE
<u>984.13</u>	TAKING INTO CUSTODY A CHILD ALLEGED TO BE FROM A FAMILY IN NEED OF SERVICES OR TO BE A CHILD IN NEED OF SERVICES
<u>39.201</u>	MANDATORY REPORTS OF CHILD ABUSE, ABANDONMENT, OR NEGLECT; MANDATORY REPORTS OF DEATH; CENTRAL ABUSE HOTLINE
<u>810.097</u>	TRESPASS UPON GROUNDS OF FACILITIES OF PUBLIC SCHOOLS

Civil Liability

There are many legal precedents that highlight the duty of law enforcement to provide appropriate and adequate services to citizens. The failure of an agency to identify training needs and to set policy for matters which are foreseeable can create liability. Failure to appropriately handle a case pursuant to relevant statutes or generally accepted practices can create liability. Failure to act reasonably and/or in a timely manner can create liability.

Law enforcement and child welfare share mutual liability and responsibility when a child is reported as “missing from care” Unfortunately, it is evident that many cases are still not being reported, investigated and entered into NCIC.

Judgments against law enforcement agencies have been awarded to left behind parents or custodial family members when officers failed to accept missing child reports or improperly handled incidents by not reading court/custody documents properly, not advising vested parties correctly or arresting/detaining people improperly.

Deficiencies in the reporting, investigative, recovery or intervention processes by either law enforcement or DCF may go unnoticed; unless the child falls victim to foul play. Civil liability may surface and it may be very difficult to defend actions or lack of actions in a court of law. Resulting financial judgments against involved agencies can be significant.

Interference with Child Custody

It is a crime in all states to interfere with the custody of a child. A child who has been abducted by a parent or other family member is at risk. With the advent of Amber Alerts there have been many well publicized cases where a family member abducted and killed his or her children.

Be familiar with your local procedures for taking a child into custody and or recognizing court orders issued outside of your county or out of state. Most out of state court orders require “domestication”.

Family Abductions

It is incumbent on law enforcement agencies to investigate family abductions. Law enforcement officers who have advised a left behind parent that the child’s disappearance is a “civil matter” have been sued and penalized by the courts. Courts have held that law enforcement is responsible to make certain that the child is with the person who has lawful custody and must verify the validity of any court orders.

Children who are abducted by family members may face great risks. These children came into the care of DCF because the child was in significant danger in the home. If all efforts to locate the child fail, caseworkers will petition the courts to dismiss DCF’s supervision of the child. DCF caseworker may close their case and advise law enforcement that the case is closed but fail to state that the child has never been located. When this happens the child is still at risk, is still missing and the law enforcement agency may be the only entity responsible for recovering the child.

Children Under Child Welfare Supervision But Not In Care

Children who are under the supervision of the child welfare agency but are not in their care present unique problems to law enforcement. An example would be that a judge orders the child welfare agency to supervise the child’s welfare but allows the child to reside with his parent. Often times when the parent absconds with the child law enforcement will decline to file a missing child report unless a warrant has been issued for the absconding parent or there is a “take into custody” order for the child. The child may be at risk but absent a court order the parent may in fact have custodial rights to the child. If it is determined that the child’s life is in danger, at a minimum law enforcement should assist DCF in locating the child to determine his/her well being.

Review Current Procedures

Conducting a review of agency policies and procedures can be an eye-opening experience. If none exist, it is imperative that they are developed, implemented and understood by all staff members.

- Key points to consider in evaluating current procedures:
- An officer is dispatched on all missing child reports.
- Each report is checked for proper teletype entry and/or removal.
- The person reporting the case is contacted for initial case follow-up.
- The person reporting the case is provided case updates.
- When available, photographs are obtained and incorporated in missing child alerts or media releases.
- On all abduction and foul play missing child cases, the FDLE Missing Children Information Clearinghouse is contacted.
- Officers are knowledgeable in federal and state statutes laws pertaining to family abduction, Interference with Custody, Unlawful Flight to Avoid Prosecution (UFAP) warrants, the Uniform Child Custody Jurisdiction Act, the Parental Kidnapping Prevention Act, and other laws governing missing children and crimes against children investigations.
- Dental records of all children missing for more than 30 days are entered into NCIC.
- Recovery/return of each missing child is confirmed by sight and documented in writing.

- Reports of runaways or parental abductions are investigated and handled according to federal and state statutes.
- Once located, runaways are forensically interviewed to determine if additional criminal spin-off investigations are warranted when abuse is reported.
- The caseworker is notified about pertinent information concerning sub-standard living conditions or abuse for follow-up by the child welfare agency.
- Each recovered/returned missing child is immediately removed from NCIC.

Law Enforcement and DCF Response

Agreements that clearly delineate the distinct and shared responsibilities of law enforcement personnel and the child welfare staff improves efficient use of personnel and other resources. Consider establishing:

- Contact lists with the names and telephone numbers of key contact individuals from law enforcement, child welfare and other involved agencies.
- A case management system that will serve the needs of both agencies.
- Liaison to the FDLE Missing Children Information Clearinghouse which can provide analytical and investigative assistance, and other services to include mobilization of the Child Abduction Response Teams.
- Staffing sessions to review and triage cases.
- Standardized leads tracking forms.
- System to communicate case updates between DCF and law enforcement.
- Joint training sessions

- Develop a process and the forms necessary for interviewing each child who has returned from a missing episode.
- Provisions to pursue criminal charges with prosecutors, when warranted by case facts.
- Public Information Plan
- Procedures for requesting AMBER or Missing Child Alerts. **(See Appendix A).**
- Procedures to incorporate image in FCIC **(See Appendix C).**

Incorporated in this document is the Missing Person Checklist developed by the Miami Police Department. An investigative guide like this can assist in insuring all necessary resources are utilized when searching for a missing child. Please see below.



RESPONSE CHECK LIST GUIDE (Incident Action Plan Flowchart)

First Responding Officer:	IBM #:	Unit #:	Radio Channel #:
Time of disappearance:	Time the report was called-in:		
Time of disappearance:	Time the report was called-in: 1 st		
Officer's arrival time:			
•Obtain preliminary information from the person reporting:			
•Ascertain who has legal custody of missing child / who is the case worker of elderly person:			
•Request and examine court orders, verify status through a records check, Court Clerk, FDCF:			
•Identify the PLIC (<i>Person Last In Contact</i>) with the child / elder:			
•Identify the PLS (<i>Place Last Seen</i>) and secure it:			
•Conduct a thorough check of the location (<i>prevent contamination of the scene</i>):			
•Classify the missing person:			
•If the missing person meets the Departmental Orders Endangerment Criteria, notify your supervisor and contact a missing persons' investigator: Note: THE CANINE BLOODHOUND RESCUE TEAM should be notified as soon as possible.			
•Complete the RF 210 FORM before the Incident Report (the form contains the following information):			

RESPONSE CHECK LIST GUIDE continued

Name of Person Reporting:		Relationship:		D.O.B:	
Phone:			Address:		
Missing Person's Information:					
Name:		Race/Sex:	Age:	D.O.B:	
Height:	Weight:	Hair Color:	Eyes Color:	Birth Place:	
Glasses:	Clothing:			Shoes:	
Tattoos:			Piercing:		
Scars:	Photo:	Video:	Location missing from (<i>Place Last Seen</i>):		
School Name:	Address:		Phone #:		
Teacher's Name	Grade:		After school activities:		
Attendance Record / Date last attended / Behavior:					
<ul style="list-style-type: none"> •Fax, E-Mail or Call the RF 210 FORM to the CIS Desk (24 Hours Desk) Immediately: 					
<ul style="list-style-type: none"> • Issue the B.O.L.O. county-wide: 					
<ul style="list-style-type: none"> •Call the CIS Desk (24 Hours Desk) to verify receipt of the RF 210 form and to request immediate entry into NCIC / FCIC: 					

RESPONSE CHECK LIST GUIDE *continued*

LEAD INVESTIGATOR		
<ul style="list-style-type: none"> Time of notification to Investigator: 		
<ul style="list-style-type: none"> Contact and debrief the first responding officer at the scene: 		
<ul style="list-style-type: none"> Ensure the B.O.L.O. has been aired county-wide. Obtain B.O.L.O number and update it if necessary: 		
<ul style="list-style-type: none"> Ensure the missing person's information has been entered correctly into NCIC/FCIC (check printout): 		
<ul style="list-style-type: none"> ACTIVATE THE CANINE BLOODHOUND RESCUE TEAM. (call the K-9 Supervisor and if the team is not available, call the Department of Corrections K-9 Team): REFER TO THE GRID SEARCH GUIDE* 		
<ul style="list-style-type: none"> Request an ID Unit to respond: 	Name:	ID Number:
<ul style="list-style-type: none"> Thoroughly check the residence (including the closets, attics, laundry room, cabinets, and under/behind/inside furniture: 		
<ul style="list-style-type: none"> Evaluate contents and appearance of home and child's room: 		
<ul style="list-style-type: none"> Secure the child's room as a crime scene: 		
<p>Inspect hairbrush, diary and book bag, items with the child's fingerprints, bed sheets, used clothes, and shoes for evidence. Also, request parents to extract information from the computer and recorded media.</p>		
Impounded Items:		Property Receipt Number:
<ul style="list-style-type: none"> Assign Officer/Interpreter to the family: 	Assign Spokesperson/Liaison with the media:	
<ul style="list-style-type: none"> Prepare & e-mail the flyer to the Public Information Office: REFER TO THE FLYER'S "HOW TO" PROGRAM* 		
<ul style="list-style-type: none"> Print flyers for personnel involved in the grid search and give them instructions on what to look for: 		
<ul style="list-style-type: none"> Prepare the mapping of the grid search area: REFER TO "HOW TO" STEPS PRESENTATION* 		
<ul style="list-style-type: none"> Coordinate the grid search with the Patrol Supervisor and the Canine Bloodhound Rescue Team. Determine POA (probability of area)* and POD (probability of detection)*. Check canals, bridges, alleys, dumpsters, yards, abandoned cars, condemned buildings, railroad right-of-way property, parks, empty lots, car dealership lots, construction sites, etc: REFER TO THE GRID SEARCH GUIDE* 		
<ul style="list-style-type: none"> Special care needs to be taken to protect the grid search scene from contamination. 		

RESPONSE CHECK LIST GUIDE *continued*

<ul style="list-style-type: none"> When organizing search groups, keep the number to a maximum of five with an assigned officer. 				
<ul style="list-style-type: none"> Ensure that everyone at the scene is identified, documented, and interviewed separately: (Use ICS form**) 				
<p>Check with family members, relatives, and friends - when was the last time they've seen the missing person? Ask each one, "What do you think happened to the child?" (Use ICS form**)</p>				
<ul style="list-style-type: none"> Inform the State Attorney's Office. Request the "Justice in Motion" Mobile Office to conduct the interviews. 				
<ul style="list-style-type: none"> Call hospitals, clinics, the JAC, jails, INS Office, Medical Examiner, Rapid Transit Bus, Metro-Rail, etc. REFER TO THE EMERGENCY CONTACTS DATABASE* 				
<table border="1" style="width: 100%;"> <tr> <td style="width: 25%; height: 30px;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				
<ul style="list-style-type: none"> Determine if there are suspicious persons (from interviews, grid search, and previous reports in C.A.R.E.): 				
<ul style="list-style-type: none"> Determine if a suspicious vehicle has been seen in the area (from interviews, grid search, and C.A.R.E.): 				
<ul style="list-style-type: none"> ACTIVATE "A CHILD IS MISSING INC" PHONE ALERT PROGRAM: FOR STEPS CLICK HERE 				
<ul style="list-style-type: none"> Evaluate the ACTIVATION OF THE AMBER ALERT: Contact FDLE 1-888-356-4774: 				
<ul style="list-style-type: none"> Prepare the "Locator" Poster for the Law Enforcement Network: 				
<ul style="list-style-type: none"> Evaluate requesting assistance from FDLE and the National Center For Missing And Exploited Children: 				
<ul style="list-style-type: none"> Post flyers on the missing persons bulletin boards located at the Miami Police Stations: 				
<ul style="list-style-type: none"> Activate the flyer distribution program to area supermarkets by Frito-Lay (e-mail flyer): 				
<ul style="list-style-type: none"> Post flyers at designated Web Sites: 				
<ul style="list-style-type: none"> Obtain a current list of sexual predators living in the area: PLOT ON GRID SEARCH MAP 				
<ul style="list-style-type: none"> Conduct registered sexual predators' home checks: 				
<ul style="list-style-type: none"> Activate the FBI-RAPID START / FDLE-LEADS DATABASE ANALYST TEAM 				
<ul style="list-style-type: none"> Contact the victim's advocate for assistance with counseling, re-unification, and as a family monitor to alert the investigator about unusual comments, phone calls, or strange behaviors: 				

•Doctor's Name:	Address:	Phone #:
•Dentist's Name:	Address:	Phone #:
QUESTIONS AND OBSERVATIONS DROP- DOWN LISTS:		
Child Sleeping Habits:		Child Study Habits:
Child Playing And Entertainment Habits:		After-School And Sport Activities:
Parents Behavior Style: Who Visits The Home? Who Takes Care Of The Child?		
*Included in the components CD		
**ICS Form: <u>Urban Interview Log</u> (included in the BASARC forms and instructions folder in the components CD)		
DEFINITIONS:		
POA: PROBABILITY OF AREA: POA- the probability that a subject is contained within an area, including the assigned grid search area and the areas not being searched.		
POD: PROBABILITY OF DETECTION: POD- the probability that a clue might have been seen or detected, given the application of a search resource (dogs, spaced search, helicopter, etc).		
PLIC: PERSON LAST IN CONTACT: PLIC is the person who was last talking, accompanying, supervising, and watching the missing person.		
PLS: PLACE LAST SEEN: PLS is determined from the person last in contact with the missing person (PLIC).		

Standardized Intake Forms and Missing Person Reports

To obtain a firm understanding of existing background dynamics and sufficient biographical information to act when a child runs or is abducted from out-of-home care, use of a comprehensive intake form by DCF is crucial.

It is also important to ensure that there is an understanding in place for child welfare staff to immediately make information available to investigating law enforcement officers. Any steps taken by DCF to locate the child should be communicated to law enforcement. The existence or the intention to obtain custody orders, pick-up orders, and termination of parental rights should be divulged to the investigating law enforcement officer.

At a minimum, child welfare agencies should be strongly encouraged to document the following on a standardized intake form.

- Child's full name, aliases and nicknames.
- Child's gender and race.
- Child's height and weight.
- Child's hair and eye color.
- Child's previous addresses.
- Child's age and date of birth.
- Child's place of birth.
- Child's physical characteristics, including detailed descriptions of scars, marks, tattoos (and locations).
- Child's Social Security Number.
- Child's e-mail addresses and cellular telephone number (if applicable.)
- Names and contact information for both biological parents and/or guardians (including the biological mother's maiden name.)
- Names and contact information for siblings, other relatives, romantic interests and friends.
- Name and location of the school attended or last school attended (including grade.)
- Medical information (including medical conditions, medications used, doctors visited, anomalies, deformities, and previous fractures.)
- Description of interests, hobbies, places frequented and places of interest.

- Existence of court orders or other custody orders.
- Names and contact information for all involved child welfare representatives.
- Prior placements and residences (include those residences prior to state custody.)

The immediate availability of a recent photograph of the child is also extremely important when a law enforcement agency is asked to take action in a missing child case.

During the DCF intake process each child is fingerprinted. It is recommended that law enforcement obtain a copy of the fingerprints for submission to the Automated Fingerprint Index System via the FDLE Missing Children Information Clearinghouse when the child goes missing.

Risk Assessment

In addition to utilizing standardized forms and reports, law enforcement agencies should encourage child welfare entities to adopt and consistently use a “risk assessment tool” during intake. This is crucial, as it will assist in determining flight and abduction risk and related preventative measures. Law enforcement agencies should use the same tool when commencing their missing child investigation.

Risk assessment should involve consideration of many factors, including those listed in the following chart:

RISK FACTORS – MISSING FROM CARE

Runaways - Does the child...	Family Abduction – Does the parent...
1. Have a history of running away?	1. Threaten abduction (or has there been a prior incidence of abduction)?
2. Demonstrate a desire to run?	2. Have ties to the area or have family/social support in another community?
3. Demonstrate independence, including an ability to survive on the streets?	3. Have a history of mental health issues?
4. Demonstrate limited social skills and/or peer relationships?	4. Feel alienated from the legal system?
5. Have weak bonds with siblings?	5. A history of child abuse/neglect?
6. Have a history of engaging in risky behavior?	6. A history of alcohol/substance abuse?
7. Have a history of out-of-home placements?	7. Suspect/believe that abuse has occurred?
8. Fall between the ages of 13 to 18?	8. Provide a stable home/family environment?
9. Have a record of school absences	9. Accept relevant court orders?
10. Have significant emotional issues?	10. Have a history of unlawful behavior and/or arrests?
11. Abuse alcohol/other substances?	11. Exhibit a desire to retaliate?
12. Have an unstable family/home environment?	12. Have a history if short-term employment or unemployment?
13. Seem to accept placement/custody?	13. Have other children to care for at home?
14. Have a history of juvenile referrals and/or arrests?	14. Have a stable relationship with the other parent?
15. Reported abuse or other victimization?	

Emancipation

The Department of Children and Families statutorily, in most instances, does not have jurisdiction of children once they have reached the age of 18. Following a child's emancipation, DCF will close their case on missing "emancipated" children.

However, they may or may not notify the investigating law enforcement agency. In some instances, the DCF caseworker notifies law enforcement that the case is closed, but fails to disclose that the child was never recovered. In those instances where a child reaches the age of emancipation, the DCF staff should make available their case files to law enforcement until such time law enforcement locates the child, who is now an adult. Some law enforcement agencies close their investigations once the child welfare agency closes their case. Child welfare agencies statutorily do not have jurisdiction over children who reach the age of emancipation.

Without specific and correct lines of communications and policies, the law enforcement agency may remove the child from the NCIC missing person database; eliminating the possibility for identification of the child, if found at a later time. The law enforcement agency of jurisdiction should keep the case active and the child entered into NCIC, until the location and safety of the child, now turned adult, is determined. Law enforcement agencies are encouraged to utilize "linked records" whenever possible. Weeks and miles away a law enforcement officer that comes in contact with a suspicious person, will more likely run a query on the adult rather than a child, therefore the two must be linked in order to facilitate recoveries. See Information Memorandum 2002-23 and Sample Link <http://www.flcjn.net/idt/techmemos/2002/sample-link2002-23.pdf> on linking NCIC/FCIC entries.

DNA and Fingerprints

Florida and some other states allow for the submission of DNA or secondary DNA standards to be entered into state and/or federal DNA databases. These are then searched against unidentified remains or other missing person indexes. In addition to these searches Florida allows for the DNA to be searched against incoming arrests and crime scene DNA submissions.

Also, inclusion of a child's fingerprints into the Automated Fingerprint Identification System (AFIS) allows at a minimum for the child's prints to be searched against unidentified remains and missing person indexes. In Florida, fingerprints can also be searched against incoming arrest fingerprints and crime scene latent prints.

DNA and fingerprints have resolved cases of children who have gone missing and would otherwise be entered as unidentified.

Law enforcement agencies should consider reviewing old, unsolved cases utilizing DNA technologies. Although the child's DNA may not be available, parents or sibling DNA might be easily obtainable. An example of how this can resolve disappearances involves a 1976 case, which was closed after the mother's DNA was submitted to the CODIS. The subsequent search in 2004 against unidentified remains positively identified an unidentified deceased child as the missing child thereby answering that one fateful question for the family.

Please see: FDLE MCIC/AFIS Database Missing Persons Fingerprint Project <http://www.flcjn.net/MissingPersonFingerprint/>

Other Database Searches

Factorial Analysis Crime Threat Solutions (FACTS) is a Windows based application created to allow a user to easily query multiple data sources. From publicly available data to unique government data, it all is available within this one application. The data sources that can be queried include Person Search, Florida Driver License, Motor Vehicle, Phone Lookup, Corporation, Mapping Option, Florida Corrections, Line-up Creation Screen, and Florida Criminal History.

Special capabilities that law enforcement has never been able to do quickly before have been included in FACTS. Users are able to do "wild card" queries in a geographic area for the smallest bits of data an investigator might have for a vehicle. Getting a list of vehicles back from the query, the user can then display all of the vehicles owners' driver license images. Taking this "wild card" query capability to its next logical step, a user can query for subjects with a unique type of criminal history and physical description, who have links to a known geographical area, and links to a known vehicle. With this query a user could query for a subject whose first name is Jeff and who was seen driving a white ford truck with a partial license tag of AB in a particular area offering ice cream to children at a school. The system would then display all the subjects who "scored" in the query so that the user could bring up their driver license images or further analysis on them. Additionally, with the optional mapping software, FACTS software users have the ability to map multiple addresses to look for relationships between any queried items that have an address. These maps can be saved and or printed for additional uses. The FDLE Missing Children Information Clearinghouse analysts are able to conduct FACTS queries for law enforcement officers who are investigating missing children, abductions or abduction attempts.

Public Assistance Databases - Often law enforcement will be able to locate a missing foster child by having DCF search their public assistance records related to the parents. DCF can check with the Office of Economic Self Sufficiency, Medicaid and other units within DCF for information related to the child and the child's family. These records and sources of information may provide leads as to family members who may be harboring the child or who may know the child's whereabouts.

Post Recovery Investigation

With regard to abduction by a family member, follow-up interviews with the recovered child can facilitate pursuing a criminal case and preventing further events.

The same holds true for children who run away. Interviewing a returned runaway can further protect the child and possibly other children who are placed at the same shelter particularly if abuse or criminal acts against the children are reported by the returned runaway.

Missing Child Runaway Debriefing Guide

Law Enforcement should determine if a missing child who has been recovered was a victim of a crime preceding and during the missing episode. A trained and skilled investigator should cover the below points in a forensic interview. Prior to conducting the interview insure that the child is not suffering from cold, hunger or some physical ailment that would hinder the child's participation.

While merely asking questions off a standardized form is not the preferred method for interviewing and establishing a rapport with a child, a debriefing template can be used to insure key issues are discussed.

1. Did child know that law enforcement considered him/her to be a missing person? If yes, did child consider notifying anyone? Who? If not, why not? Did the child not want to be returned home? Why not?
2. What led to child running away?
3. Did child consider himself/herself to be a runaway? What was going on in child's home at the time he/she decided to leave? The interviewer should determine if the child voluntarily left home or was forced to leave. Determine if a boyfriend, school or other activity influenced the decision to leave. Determine if child was told to leave by custodial parent.
4. Interviewer should determine if physical and/or mental abuse was a factor in the child's missing episode **prior** to running away?

5. Interviewer should determine if sexual abuse was a factor in the child's missing episode **prior** to running away?
6. Did physical or sexual abuse of siblings play a role in child's decision to runaway?
7. Did living conditions at home or at a shelter play a role in child's decision to run away?
8. Was child a victim of any other crime that led to the decision to run away?
9. Did child report the abuses or victimization to law enforcement?
10. Did child report the abuses or victimization to the child protective services/abuse hotline?
11. Did child report the abuses or victimization to anyone else? If yes, whom?
 - ___ Parent
 - ___ School personnel
 - ___ Friend
 - ___ Relative other than parent
 - ___ DCF caseworker or staff
 - ___ Physician or medical
 - ___ Other (explain)
12. What became of the abuse report(s)? Was there an investigation?
13. Was child a victim of any crime **during** the missing episode? What type of crime?
 - ___ Physical abuse
 - ___ Sexual abuse/prostitution
 - ___ Abandonment/Neglect
 - ___ False Imprisonment/Kidnapping (Was the child held against their will?)
 - ___ Other (explain)
14. Did anyone help the child run away? Who:
 - ___ Family member
 - ___ Personal friend
 - ___ Adult Friend or Acquaintance of family
 - ___ Other (explain)

15. Where did the child live during your missing episode?
16. Did relatives allow the child to live with them? If yes, For how long? Who/relationship?
17. What form of transportation did the child have to leave home?
18. What did the child do for food? Shelter? Money?
19. Did the child use drugs or consume alcohol?
20. Did the child meet people on the Internet? Did the child physically meet with persons that he/she met on the Internet? Did that have a role in child's disappearance? What are the child's e-mail addresses/screen names?
21. Is child involved in any gangs?
22. Is child taking any medication?
23. Is child ill? Is child tired? (Determine if there are any factors from eliciting straightforward responses.)
24. Was the child in contact with other runaways? If so, were the runaways being held against their will?
25. Did child come across any locations/persons that illegally harbored runaways?

For the Law Enforcement Officer Conducting the Interview
After the interview: In your professional opinion was the Missing Child correctly categorized in NCIC? (Runaway, Parental Abduction, Endangered, Involuntarily, Disability) If no, what category should have been used?

How would you access the subject's willingness to answer your questions? Check one.

Very Willing____
 Reluctant but answered some questions____
 Refused to answer questions____
 Other__ (explain)

The majority (more than 90%) of missing children cases involve runaways, with many children being habitual or chronic runaways.

Agencies that employ post runaway debriefing sessions with runaways have learned that a majority of runaways ran to a parent, friend or relative. Typically when a child is categorized as a runaway and law enforcement or the child welfare agency recovers the child, no further action is taken other than to return the child to his or her residential facility or shelter. Agencies that have employed methods to ascertain what has caused a child to run have had success in accessing proper placement and thereby reducing the child's desire to run in the future. The fact that a majority of runaway children run to a parent, friend or relative suggests that some of these children are not necessarily running away, but rather seeking to find their own alternative placements. When asked as to why they have repeatedly run away from shelters or foster homes, some children complained of poor or abusive living conditions. Many of the abuses reported fall within the jurisdiction of law enforcement, yet are solely investigated by DCF. These cases should be jointly investigated by both DCF and the police agency of jurisdiction. This information should be collated and acted upon when analysis reveals a particular shelter/home may be contributing to the children running away or there are indications of risk factors present in the home or shelter.

Who Searches for a Missing Foster Child?

Generally, a child who is missing from a "traditional home" has parents and family members who work with law enforcement in the search for the child, doing whatever it takes until the child is safely home. Unfortunately, the primary concerns with regard to a child missing from foster care may only be liability, accountability or media impact. Law enforcement may be the only responsible entity searching for the child, particularly if the child reaches the age of emancipation or the court rules that the child welfare agency no longer has jurisdiction of the child while he or she is missing.

Every missing child deserves to know someone is looking for them. Most missing children are runaways, but this is the one category that law enforcement dedicates the fewest, if any, resources. Yet we know that the runaways and throwaways are the children that have a significant socio-economic impact on society due to their repeated victimization, likelihood to engage in criminal activities (now and as adults) and dependence throughout their lives on welfare services. Addressing habitual runaways has proven to reduce crime, as well as, benefit the would-be runner. Limited manpower and constrained budgets are common issues confronting police agency administrators. Through the efforts of the Department of Justice, other federally funded programs, NCMEC, the

Child Welfare League of America, State Missing Children Clearinghouses and others, there are significant resources and qualified individuals available to assist in the investigation and management of missing children cases.

Your response to runaways, abductions and children lost in the system may make all the difference in the lives of many children for years to come.

Appendix A

FLORIDA AMBER PLAN

Criteria For Activation

To activate the alert the following five (5) criteria must be met.

1. The child must be under 18 years of age.
2. There must be a clear indication of abduction.
3. The law enforcement agency's investigation must conclude that the child's life is in danger.
4. There must be a detailed description of child and/or abductor/vehicle to broadcast to the public (photo when available).
5. The activation must be recommended by the local law enforcement agency of jurisdiction.

Steps For Activation

- The Amber alert can only be activated by law enforcement.
- The local law enforcement agency will call the FDLE Missing Children Information Clearinghouse (MCIC) at 1-888-356-4774.
- The FDLE will work in conjunction with the local law enforcement agency of jurisdiction to determine if information is to be broadcast on a regional or statewide basis.
- The FDLE working in conjunction with the local law enforcement agency of jurisdiction will prepare information (i.e., child, suspect and/or vehicle, contact information) for public distribution.
- The FDLE will ensure that the information is broadcast through the Emergency Alert System, Dynamic Message Signs, lottery machines, <http://www.missingchildrenalert.com> , and other resources.

Make Use Of All Available Resources

- Local media outlets
- Local Crime Stoppers
- National Center for Missing and Exploited Children 1-800-843-5678 (Florida Branch 1-561-848-1900)
- Jimmy Ryce Center for Victims of Predatory Abductions 1-800-JIM-RYCE (546-7923)

- A Child is Missing, Inc. 1-888-875-2246
- FBI National Center for the Analysis of Violent Crime 1-800-634-4097

If you have any questions about the Florida Amber Plan, please contact the FDLE/MCIC at 1-888-356-4774 or <http://www.fdle.state.fl.us>

Appendix B

Analytical and Investigative Resources

Florida Department of Law Enforcement,
Missing Children Information Clearinghouse
2331 Phillips Road
Tallahassee, Florida 32308
(850) 410-8585
Toll-free (888) 356-4774

www.fdle.state.fl.us

www.missingchildrenalert.com (sign up to receive Amber or Missing child alert notifications via email, cell phone, and text paging)

The Missing Children Information Clearinghouse (MCIC) provides analytical and investigative support in the processing of leads associated with missing children cases. The MCIC staff will:

- Provide analytical and investigative assistance to law enforcement agencies
- Assist law enforcement agencies in developing leads and coordinating multiple agency follow-up
- Provide assistance for out- of- state, Interpol and Hague Country missing children cases
- Conduct private and public database searches
- Administer AMBER and missing child alerts
- Facilitate fingerprint submissions of missing children to AFIS
- Provide training to criminal justice partners, medical and social service professionals
- Serve as liaison to Florida's Child Abduction Response Teams
- Publishes and distributes emergency fliers containing names, photographs, and descriptions of missing children

- Serve as a liaison to other state missing children clearinghouses
- Serve as a liaison to the Florida Computer Crime Center when a computer is involved in missing child cases
- Assist with Off-line FCIC searches

A Child Is Missing, Inc.

500 S.E. 17th St, #101

Ft. Lauderdale, Fl. 33316

1-888-875-2246

The following steps are taken in using ACIM's Missing Program:

A person calls the police department to report a missing child, elderly or disabled person.

The police department then calls A Child Is Missing on a toll-free number.

A Child Is Missing also requests a cell or beeper number to reach the officer on the scene for additional information.

ACIM then makes a recorded message with the information that has been supplied.

The location last seen is entered into the computer and a database of phone numbers of the residents/businesses is gathered. The message is then sent out to the community.

When a child is reported missing near water, the immediate area is canvassed with the message, then the search area is expanded if the child has not been found.

ACIM continues to work with the officer on the scene and/or the communications department until the missing person has been found.

Florida Network of Youth and Family Services

2728 Pablo Avenue

Tallahassee, Florida 32309

(850) 922-4324

www.floridanetwork.org

The Florida Network of Youth and Family Services is a private, not-for-profit association of 24 community-based agencies. These agencies operate 32 youth crisis shelters and more than 150 sites for child and family counseling throughout Florida. Every judicial circuit has at least one Network service provider.

The Network provides round-the-clock crisis counseling and shelter for runaway, ungovernable, homeless, troubled and/or habitually truant children (ages 10-17) and their families. Chapter 984, F.S. defines and mandates services to Children in Need of Services (CINS) and Families

in Need of Services (FINS); and Chapter 228.041, F.S., establishes services to habitually truant children. The Florida Network and its 24 agencies are the primary providers of CINS/FINS services through a single contract with the Department of Juvenile Justice (DJJ).

The CINS/FINS continuum of services is designed to divert children from entry into the child welfare and juvenile justice systems, and to maximize the strengths of youth and family systems. The Florida Network supports the missions of three state agencies:

1. **Department of Juvenile Justice (DJJ):** The Network helps reduce juvenile crime by serving homeless, runaway, truant and ungovernable children who have multiple risk factors that frequently lead to crime.
2. **Department of Children & Families (DCF):** The Network protects the most vulnerable by strengthening families at risk of child abuse and neglect and by providing crisis services and safe havens to troubled children.
3. **Department of Education (DOE):** The Network supports student achievement and accountability by working with families to improve the school attendance of habitually truant children and by carrying out court orders for Children in Need of Services.

Essential strategies for supporting these missions include:

- Targeting resources to high risk children, families, schools and communities
- Maintaining children in their own homes when it is safe to do so
- Returning children to their own homes after shelter placement when it is safe to do so
- Providing the opportunities and support that all young people need to build upon their strengths and interests, be safe and healthy, finish their educations, and become productive, happy and law-abiding adults
- Stabilizing and strengthening families through collaborative planning, services and links to other community supports
- Working collaboratively at the local level with all partners

National Runaway Switchboard

1-800-621-4000

24 Hour Hot Line

www.nrs Crisisline.org

The National Runaway Switchboard operates a hot-line for teens to call when on the run. They facilitate relationships that ensure that youth and

families have access to resources in their communities; which includes child advocacy, runaway prevention training, teenage bulletin board, education and solution-focused intervention, non-sectarian and non judgmental support.

**Office of Juvenile Justice and Delinquency Prevention
Juvenile Justice Clearinghouse**

1-800-851-3420

www.ojjdp.ncjrs.org

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) provide national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds offenders accountable, and provides treatment and rehabilitative services tailored to the needs of juveniles and their families.

**National Center for Missing & Exploited Children (NCMEC)
Charles B. Wang International Children's Building**

699 Prince Street

Alexandria, VA 22314-3175

1-800-THE-LOST (1-800-843-5678)

24 Hour Hot Line

Florida Branch (561) 848-1900

www.missingkids.org

The NCMEC is law enforcements direct link to many investigative services including case management, case enhancement, information analysis, imagery and identification service, age progression and regression, photo distribution, web site postings, Project ALERT, Team ADAM, child advocacy, state clearinghouse liaisons.

Appendix C

The National Crime Information Center

As you may already know, the National Crime Information Center (NCIC) is a nationwide, online computer/telecommunications system maintained by the FBI. The system makes millions of records including files on wanted, missing, and unidentified persons instantly available to local, state, and federal criminal-justice agencies throughout the United States and Canada.

Inquiries and replies, available around the clock, every day of the year, are provided to authorized agencies through the use of an identifying NCIC-ORI number. Established in 1967, NCIC has since created a number of specialized information files and data retrieval programs that are of significant benefit to the law-enforcement officer. When investigating cases of missing or abducted children, officers will find the three NCIC resources listed below, along with the Wanted Person File (WPF), to be especially useful..

- Missing Person File (MPF)
- Unidentified Person File (UPF)
- Off-Line Search Procedure

The Missing Person File

Created in 1975, the NCIC Missing Person File is an automated database system that stores descriptive information about a missing person using a specific set of identifying factors. Since the Missing Person File is divided into 5 individual classifications, it is extremely important for the reporting officer to accurately assess each case and designate the proper category.

While certain, basic identifying information such as name, date of birth, sex, race, height, weight, and hair color are required for the original Missing Person File entry, NCIC has included many additional descriptive entry fields that can significantly enhance the likelihood of recovery or case resolution. With the assistance of parents and other caregivers, investigators can obtain specific information about the child's physical and medical characteristics as well as a complete description of jewelry worn and personal property carried. While most of these fields can be group searched for specific comparisons about the child, investigators should note that information entered in the miscellaneous information section, including comments about a possible

endangering companion, is not compatible with group search and will only be revealed if the specific entry is queried.

The Unidentified Person File

The Unidentified Person File was established by NCIC in 1983 to facilitate the identification of unknown deceased persons and living persons whose identity could not be positively ascertained.

Law enforcement officers and coroners who encounter such situations are able to use the Unidentified Person File reporting system to enter a complete description of the unknown body or individual using much the same entry format as the Missing Person File. Then, each night, NCIC cross-references one file against the other and determines those unidentified persons who significantly match descriptions of individuals reported as missing. When such a match takes place, NCIC immediately notifies both agencies through their ORI numbers. Current and proposed enhancements in this file will greatly aid law enforcement in this identification process including the addition of a mechanism to compile all descriptive information on deceased, unidentified cases in NCIC and the utilization of mitochondrial deoxyribonucleic acid (mtDNA) analysis.

Essential to the success of both the Missing and Unidentified Person Files is the entry of complete, up-to-date dental records. Since, in many cases, dental comparisons may be the only means to identify a recovered body, investigators should collect and enter complete records as an integral segment of their investigation.

To facilitate the gathering of these records NCIC and some state repositories have developed standardized data collection guides (i.e., missing person data collection guide; unidentified person data collection guide). Copies of these booklets are available through NCIC State Control Terminal Agencies or directly from NCIC at 304-625-4995.

The Off-Line Search

While most law enforcement officers are familiar with how NCIC files can be searched for timely and accurate information in the common "online" method, few are aware of the investigative benefit that can be found by using the "off-line" search format.

An example of how NCIC's off-line search capability was instrumental in solving a case can be found in its use by a Phoenix, Arizona detective

investigating the abduction of a small boy by his non-custodial mother. Since the mother left driving a car registered in Arizona, the description of the car and license plates was immediately entered into both the NCIC Missing (child) and Wanted (mother) Person Files. After months went by with little in the way of leads, the detective learned that the suspect's father, living in Florida, had been listed with the Arizona Department of Motor Vehicles as a co-owner of the vehicle just a few weeks before the abduction. After finding that the father had then registered the car in Florida, and may have mailed the new plates to the suspect, the detective decided to run an NCIC Off-Line Search using the Florida plates as the subject. Within a few days the detective was informed that the same car, with Florida plates, was the subject of a routine NCIC stolen vehicle inquiry by an officer in Houston, Texas, just one month after the abduction. The Houston officer was contacted and remembered not only where the inquiry was made, but also knew that the car was still in a local motel complex. As a result, the child was recovered and the suspect arrested and returned to Arizona.

In brief, the Off-Line Search is a special technique that can be used by investigators in a number of circumstances to obtain NCIC information not normally retrievable in the usual, online manner. Missing child investigators may wish to review active cases to evaluate the suitability of using this valuable investigative technique. Assistance about Off-Line Searches can be obtained by calling NCIC at 304-625-2000 or FCIC 1-800-292-3242.

NCIC Criteria

A missing person record may be entered into the National Crime Information Center databases for a person who meets any of the following criteria:

1. Disabled: A person of any age who is missing and under proven physical / mental disability or is senile, thereby subjecting himself / herself or others to personal and immediate danger.
2. Endangered: A person of any age who is missing and/or in the company of another person under circumstances indicating his / her physical safety may be in danger.
3. Involuntary: A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary (Abduction/kidnapping).
4. Juvenile: A person under the age of eighteen (18) who is missing and does not meet any of the criteria as set forth in 1, 2, 3, or 5.

5. Catastrophe Victim: A person of any age who is missing after presumed or known catastrophe.
6. Other: A person over the age of 21 not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his / her safety.)

Caution Indicators & Medical Conditions

NCIC also allows for “caution indicators” and “medical conditions” to be entered into the message key which will aid inquiring officers. This is where the reporting officer can indicate any of the following:

Armed and dangerous	Violent Tendencies	Martial Arts expert
Explosives Expertise	Known to Abuse Drugs	Escape Risk
Sexually Violent Predator	Heart Condition	Alcoholic
Allergies	Epilepsy	Suicidal Risk
Medication Required	Hemophiliac	Diabetic

When the Missing Person (MNP) is a child and they are also the victim of a Child Abduction (CA) these two codes, when entered into the NCIC database, will automatically trigger the FBI’s National Center for the Analysis of Violent Crime (NCAVC) and Strategic Information Center (SICOC), and the National Center for Missing and Exploited Children (NCMEC) a notification of urgent cases and enable them to provide immediate assistance.

NCIC requires that agencies entering a juvenile have “signed documentation that the child is un-emancipated” this usually take the form of a signed police report. The National Child Search Assistance Act also mandates that law enforcement agencies make entry into the NCIC system “without observance of any waiting period.”

Unless otherwise removed or located, NCIC records will be retained in the data file for an indefinite period of time until removed by the originating agency for Unidentified Person’s File entries and Missing Person File entries. It is essential that entered records are regularly confirmed through your agency’s validations process.

Linking NCIC Hot Files

The NCIC 2000 system also allows for the linking of files in state and national hot files. This process is accomplished by first entering the adult record using the Enter Wanted Person Message Key (EW) or the enter Missing Endangered Person Message Key (EME). Be sure to include as much information as possible (vehicle, license, child's image, information on the missing child). Next, enter the juvenile using the Enter Missing Juvenile Endangered Message Key (EMJE). Again, be sure to include as much information on the juvenile as well as the abducting adult. Once these files have been entered they should be linked to each other. When a field inquiry includes a linked record, the national (NCIC) response will return the linked records to the original query record. The record will be highlighted with ***RELATED RECORDS***. Moreover, if a law enforcement officer queries an entered vehicle in NCIC and the response indicates the vehicle is stolen, there will also be a link to the missing child which would indicate to the officer that a passenger in the vehicle might be an abducted or missing child.

Dual Entries-Missing and Wanted

In December 2002, the national policy for NCIC entry was modified to allow for the dual entry of a missing juvenile as both *missing* and *wanted* if the child is both wanted for a criminal offense and is missing.

FCIC/NCIC Imaging

An image record is a picture associated with another FCIC II/NCIC 2000 record. These image records can be pictures of vehicles, weapons, boats, mug shots, identify personal features (scars, marks or tattoos) or signatures that are directly related to FCICII/NCIC 2000 records on file. The images are required to be configured as JPEG (Compressed), 256 X 256 pixels, and 8-bit gray scale. The maximum image size is 16,000 bytes.

Criteria for Entry of Images

After an agency receives the FCIC II Process Control Number (PCN) and/or NCIC 2000 Number (NIC) for a record entry, the agency can enter the new image as a separate record using the PCN/NIC. Every image record in FCIC II must have a PCN, even though a single PCN may have several images. FCIC II will return an FCIC II Image Number

(FIN) to identify the new image record. NCIC 2000 will return an NCIC 2000 Image Number (IMN) to identify the new image. *

*This information was taken from the *FCIC 2005 Operations Manual*.

F. Strategies and Available Resources for Use in Solving Unidentified Deceased Person Cases

1. FBI's National Crime Information Center (NCIC)

NCIC is a law enforcement database maintained by the FBI which searches the missing person files against the unidentified person files. All unidentified deceased person cases should be listed in NCIC/FCIC. NCIC automatically cross-searches UP records that are entered or modified with Missing Person records on a daily basis and provide the agency of record with potential matches. It is envisioned that by increasing the number of records in the NCIC UP File, it could potentially result in helping to solve future and past missing and unidentified person cases.

To obtain a hard copy or interactive CD of the new **2006 NCIC III Unidentified Person Data Entry Guide**, please contact the FBI Communications Unit at 304-625-4995 or Email: cjis_comm@leo.gov. Also available online on the CJNet website at the following address under the "CJIS Forms and Publications" link: www.flcjn.net/idx/

Florida Statute §406.145 states:

Unidentified persons; reporting requirements.—

"... If the body is not immediately identified, the law enforcement agency responsible for investigating the death shall complete an Unidentified Person Report and enter the data, through the Florida Crime Information Center, into the Unidentified Person File of the National Crime Information Center."

2. Fingerprints

Fingerprints of unidentified decedents may be submitted to FDLE. FDLE will conduct a search of state (FDLE) files, unsolved latent fingerprint files, and national (FBI) fingerprint files. FDLE will prioritize processing of these requests, and if identification is made, the submitting agency will be contacted via telephone immediately. Original fingerprint cards are preferred. If an original card is not available, a photographic copy should be submitted. Please ensure that the National Crime Information Center Number, Medical Examiner Case Number, and Agency Case Number are included on the cards. All fingerprint cards will be returned to the submitting agency. Cards should be mailed with the submission form to FDLE at the **Florida Department of Law Enforcement, Quality**

**Control and Compromised Identity Section, P.O. Box 1489,
Tallahassee, FL 32302.**

Should you have any questions, please contact 850-410-7896.

3. Dental Records coded and entered into NCIC

The purpose of entering dental codes into NCIC is to aid in cross matching missing persons and unidentified person entries. Dental x-rays can be submitted to a trained dentist or to a Forensic Odontologist to be coded and entered into NCIC. Dental records encoded in the old NCIC format should be re-entered and recoded into the new format by these same trained individuals. See the enclosed reference guide for an updated list of those trained individuals in your district.

4. DNA Analysis

Blood, tissue, or bone samples may be submitted directly to the FBI Laboratory by ME offices. Please call the FBI's National Missing Person DNA Database prior to submitting unidentified human remains. Contact: National Missing Person DNA Database, 703-632-7582.

5. Forensic Composites

It is recommended that an artist's composite or skull reconstruction be created for each unidentified deceased person before releasing image for public viewing.

6. Florida Unidentified Decedents Database (www.fluiddb.com)

This is a widely used, online interactive clearinghouse for Florida's unidentified deceased cases.

7. Forensic Anthropologist

It is recommended that an anthropologic analysis be performed on unidentified deceased remains for a more accurate analysis of the person's height, weight, ethnicity, and any other details that may help the investigation.

XII. LEGISLATION

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
Child stalking ("The Jennifer Act")	748.048
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
Florida Missing Children's Day	683.23

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 AMBER/Missing Child Alerts 937.021(3)(a)

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

R Cont.

Regular school attendance	232.02
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
751.01	Petition for temporary custody
751.02	Determination of temporary custody proceedings, jurisdiction
752.03	Grandparental visitation rights
775.15	Time limitations; general penalties
775.21	Florida Sexual Predators Act; legislative findings and intent
784.048	Stalking; definitions and penalties
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
800.04	Lewd, lascivious, or indecent assault or act upon or in presence of child
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
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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
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914.16	Interview limits of child abuse and sexual abuse of victims under age 16 or with mental retardation
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921.0012	Sentencing guidelines offense levels
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937.021	Missing child reports/ 937.021 (3)(a) Immunity Clause
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
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960.001	Fair treatment of victims and witnesses guidelines
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984.085	Sheltering unmarried minors; aiding unmarried minor runaways
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C. NEW/AMENDED LEGISLATION

2007 LEGISLATION

Sexual Offender/Predator Proposed Legislation
At the time of this printing, the following 3 bills were pending:

- SB 1604 – Adam Walsh Act relating to Sexual Predators Offenders
- SB 0988 – High-Risk Offenders
- SB 1004 – Cyber Crimes Against Children Act of 2007

2006 LEGISLATION

Sexual Offender/Predator

The applicable Florida statutory provisions *{F.S.943.0435(1)(6)}* made changes to the definition of the terms Permanent and Temporary Residence as follows:

“Permanent residence”:

- A place where the person abides, lodges, or resides for a period of 5 or more consecutive days

“Temporary residence”:

- A place where the person abides, lodges, or resides for a period of 5 or more days in the aggregate during any calendar year and which is not the person's permanent address; or for a person whose permanent residence is not in the state.

Missing Children Legislation

AMBER/Missing Child Immunity Clause

F.S. 937.021(3)(a) - Upon receiving a request to record, report, transmit, display, or release Amber Alert or Missing Child Alert information from the law enforcement agency having jurisdiction over the missing or endangered child, the Department of Law Enforcement as the state Amber Alert coordinator; any state or

local law enforcement agency and the personnel of these agencies; any radio or television network, broadcaster, or other media representative; any dealer of communications services as defined in s. 202.11; or any agency, employee, individual, or entity is immune from civil liability for damages for complying in good faith with the request and is presumed to have acted in good faith in recording, reporting, transmitting, displaying, or releasing Amber Alert or Missing Child Alert information pertaining to such child.

2005 LEGISLATION

Jessica Lunsford Act/Criminal History Checks

The Jessica Lunsford Act became effective September 1, 2005. The act requires background checks for individuals with access to school district campuses. FDLE facilitated a meeting on July 15, 2005, with representatives from the Department of Education, the Florida School Boards Association, the Florida Association of District School Superintendents, the Florida High School Athletic Association, and legislative committee staff to address issues regarding the criminal history record checks for contractors who work in multiple school districts. The Department of Education (DOE) recently released guidelines to assist the school districts in understanding the background check provisions of the new law. The Technical Assistance Paper may be accessed at http://info.fldoe.org/docushare/dsweb/Get/Document-3151/k12_05-107a.pdf.

The school districts are responsible for conducting the fingerprinting/background screening of no instructional or contractual personnel at a location designated by the district. A concern has been raised about the fiscal impact on certain service providers such as sports officials, vendors, etc. who provide services in multiple school districts. FDLE has advised school districts that they are allowed to share criminal history information with other school districts. If a school district elects to share the information with another district, they are required to keep a log of those criminal record disseminations. Fingerprints processed by school districts are retained by FDLE so that

incoming arrests may be searched against the stored prints. In instances where a new arrest occurs, FDLE will electronically notify the original submitting school district, and that district will then be responsible for forwarding the arrest information to any other school districts with which they have shared the criminal record.

Additionally, there has been some confusion regarding the cost for fingerprinting and background checks and the time it takes for processing. The cost of the criminal history information is \$47 (\$23 state fee and \$24 national fee). Any additional charges go to the DOE vendor and/or the school district for processing fees. Processing time is minimal as FDLE receives the fingerprint submissions from school districts in an electronic format. Within two to three working days of this receipt, FDLE provides notification that the results of the criminal history check are available. These results include both the state and the national criminal history information on the individual, as well as any other information relating to the person of inquiry. A point that we like to stress is that FDLE reports the criminal history information to the schools; we do not evaluate the results of criminal history background checks or make determinations regarding employment. Each school district must make its own case-by-case determination as to whether the result of the background check disqualifies an individual from employment.

You may access a summary of the Jessica Lunsford Act (HB 1877) by visiting www.leg.state.fl.us.

Jessica Lunsford Act - Criminal History Sharing Among School Districts

FDLE Shared School Results System

FDLE was asked by the Legislature to implement a system to allow for criminal history information provided to a school district to be shared with other school districts. This system has been developed by FDLE and was made available to school districts on September 30. The system was

developed in order to give the districts an automated option for sharing criminal history information with other school districts. However, school districts are not mandated to use this system and may have other local policies that apply.

The Law: Under provisions of the Jessica Lunsford Act passed during the 2005 Legislative Session, school districts are required to conduct level 2 background screenings on instructional and non-instructional personnel and contractors who have direct contact with students or have access to school grounds when children are present. Section 1012.465, Florida Statutes.

Issue Raised: The main issue raised has related to the portion of the legislation that pertains to “contractors” who have access to school grounds when children are present. Many contractors work at multiple school districts concurrently and it was cost prohibitive and logistically difficult to have to submit fingerprints to each district within a contemporaneous timeframe.

FDLE Solution: FDLE developed the Florida Shared School Results system (FSSR).

- The FSSR is a secondary site where criminal history record results requested via submission of a fingerprint by one school district will be posted and will be available to all public schools including university schools.
- The FSSR has criminal history results posted from September 20th forward.
- Upon request, criminal history results posted between August 1, 2005 and September 20, 2005 will be reposted manually by the FDLE to the FSSR.
- The criminal history results will be posted for 90 days. School districts can still share the criminal history record manually if after 90 days old.

- The school districts maintain the ability to make hiring decisions, but the FSSR provides them the option of utilizing a previously run criminal history record rather than submitting a new fingerprint and receiving another criminal history record.
- School districts that do not submit prints to FDLE and use the FSSR for hiring decisions will not receive notice of any subsequent Florida arrests. Only the school district that submitted the fingerprint which this record is based on will receive subsequent arrest hit notifications.

2004 LEGISLATION

CASES OCCURRING OR INVESTIGATED OUTSIDE THE HOME (SCHOOL).

Pursuant to HB 7173, Public schools are **not** exempt from DCFS investigations. Previously, subsection 39.301(18), F.S., excluded public schools from DCFS investigations of child abuse alleged to have been perpetrated by public school employees. (Private school employees are also subject to regular investigative procedures.)

1999 LEGISLATION

Kayla McKean Child Protection Act

Chapter 99-168 (SB 338):

- requires that a judge report known or suspected child abuse
- creates the State Child Abuse Death Review Committee and specifies the duties of the committee
- authorizes the central abuse hotline to record incoming wire communications; amending s. 39.823, F.S.
- provides for counties to establish local child abuse death review committees and authorizes the review

committees to have access to information pertaining to the death of a child

- requires notification of the appropriate law enforcement agency of reports provided to the department's district staff
- requires that law enforcement agencies participating in an investigation take photographs of the child's living environment which shall be part of the investigative file
- requires that photographs be taken of visible trauma on a child which shall be part of the investigative file; amending s. 39.306, F.S.;
- increases the penalties imposed for failing to report child abuse or preventing the reporting of child abuse, unless the court finds the offender is a victim of domestic violence; amending s. 39.301, F.S.;
- increases the penalties imposed for the offense of aggravated child abuse; amending s. 921.0022, F.S.;
- authorizes the department to conduct unannounced visits and interviews;
- provides additional requirements for the department with respect to recording calls on the central abuse hotline
- provides for a child protection team to include a representative of the school district
- provides for medical evaluations in certain cases of child abuse, abandonment, and neglect
- specifies local criminal history information that a law enforcement entity is authorized to share; amending s. 39.402, F.S.
- authorizes the court to order that a child remain in the department's custody for an additional period in order for the court to determine risk to the child
- requires the Department of Children and Family Services to contract with an independent entity to evaluate the central abuse hotline.

XIII. FREQUENTLY USED NUMBERS

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

2331 Phillips Road
Tallahassee, Florida 32308

Missing Children Information Clearinghouse

P.O. Box 1489
Tallahassee, Florida 32303
(850)410-8585
Toll Free Nationwide
1-888-FL-MISSING
1-888-356-4774

Crimes Against Children Program (CACP)

(850) 410-8369

Child Abduction Response Teams (CART)

Contact the FDLE regional
offices. (See next page)

Career Offender Program

(850) 410-8780

Drug Abuse Resistance Education (DARE)

(850) 410-7645

Sexual Offender/ Predators Program (SOPU)

(850) 410-8572
1-888-357-7332
1-888-FL PREDATOR

Additional FDLE Assistance

FDLE Regional Offices - Statewide assistance in other criminal matters may also be obtained through one of FDLE's 7 regional offices and field offices throughout Florida listed below.

Fort Myers Regional Operations Center

4700 Terminal Drive, Suite 1
Fort Myers, Florida 33907
1-800-407-4880

Counties Served: Manatee,
Sarasota, Desoto, Highlands,
Okeechobee, Charlotte, Glades,
Lee, Hendry, Collier

Pensacola Regional Operations Center

1301 North Palafox Street
Pensacola, Florida 32501-2640
1-800-226-8574

Counties Served: Escambia, Santa
Rosa, Okaloosa, Walton, Holmes,
Washington, Bay, Jackson,
Calhoun, Gulf

Jacksonville Regional Operations Center

921 North Davis Street,
Building E
Jacksonville, Florida 32209
1-800-226-6481

Counties Served: Nassau, Baker,
Duval Union, Bradford, Clay, St.
Johns, Alachua, Gilchrist, Putnam,
Flagler, Levy, Marion

Tallahassee Regional Operations Center

2331 Phillips Road
Tallahassee, FL 32308
1-800-342-0820

Counties Served: Gadsden, Liberty,
Franklin, Leon, Wakulla, Jefferson,
Madison, Taylor, Hamilton,
Suwannee, Lafayette, Dixie,
Columbia

Miami Regional Operations Center

1030 NW 111th Avenue
Miami, Florida 33172
1-800-226-3023

Counties served: Palm Beach,
Broward, Dade, Monroe

Tampa Bay Regional Operations Center

1030 NW 111th Avenue
Miami, Florida 33172
1-800-226-1140

Counties Served: Citrus, Sumter,
Hernando, Pasco, Pinellas,
Hillsborough, Polk, Hardee

Orlando Regional Operations Center

500 W. Robinson Street
Orlando, Florida 32801
1-800-226-8521

Counties Served: Volusia, Lake,
Seminole, Orange, Osceola,
Brevard, Indian River, St. Lucie,
Martin

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. Palafax St.
P. O. Box 8010
Pensacola, FL 32505
Ofc: (850) 595-8236/SC 693
Fax: (850) 595-8550/SC 693

Ofc: (904) 390-4669/SC 870
Fax: (904) 390-4679/SC 870

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 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 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 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 4

2050 Art Museum Drive
Flagler Building, Suite 205
Jacksonville, FL 32207

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. 27TH 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

FLORIDA DEPARTMENT OF JUVENILE JUSTICE DETENTION CENTERS

NORTH REGION

Alachua Regional JDC
3440 Northeast 39th Avenue
Gainesville, Florida 32609
Phone: (352) 955-2105
FAX (352) 955-2092

Bay Regional JDC
450 East 11th Street
Panama City, Florida 32401
Phone: (850) 872-4706
FAX: (850) 873-7099

Duval Regional JDC
1241 East 8th Street
Jacksonville, Florida 32206-4099
Phone: (904) 798-4820
FAX (904) 798-4825

Escambia Regional JDC
1800 St. Mary's Street
Pensacola, Florida 32501
Phone: (850) 595-8820
FAX: (850) 595-8410

Leon Regional JDC
2303 Ronellis Drive
Tallahassee, Florida 32310
Phone: (850) 488-7672
FAX: (850) 414-8780

Marion Regional JDC
3040 N.W. 10th Street
Ocala, FL 34475
Phone: (352) 732-1450
FAX: (352) 732-1457

Okaloosa Regional JDC
4448 Straight Line Road
Crestview, FL 32539
Phone: (850) 689-7800
Fax: (850) 689-7970

NORTH REGION cont.

St. Johns JDC
4500 Avenue D
St. Augustine, FL 32095
Phone: (904) 823-4840

Volusia Regional JDC
3840 Old Deland Road
Daytona Beach, Florida 32124
Phone: (386) 238-4780
FAX (386) 947-1577

CENTRAL REGION

Brevard Regional JDC
5225 Dewitt Ave.
Cocoa, Florida 32927
Phone: (321) 690-3400
FAX: (407) 690-3412

Hillsborough Regional JDC East
9504 E. Columbus Drive
Tampa, Florida 33619
Phone: (813) 664-4100
FAX: (813) 664-4115

Hillsborough Regional JDC West
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

Orange Regional JDC
2800 South Bumby Avenue
Orlando, Florida 32806
Phone: (407) 897-2800
FAX (407) 897-2856

CENTRAL REGION cont.

Osceola Regional JDC
2330 New Beginning Road
Kissimmee, Florida 34744
Phone: (407) 943-3055
FAX: (407) 943-3064

Pasco Regional JDC
28534 State Road 52
San Antonio, Florida 33576
Phone: (352) 588-5900
FAX: (352) 588-5909

Pinellas Regional JDC
5255 140th Avenue North,
Clearwater, Florida 33760
Phone: (727) 538-7100
FAX (813) 538-7318

Polk Regional JDC
2155 Bob Phillips Road
Bartow, Florida 33830
Phone: (863) 534-7090
FAX (863) 534-7024

Seminole Regional JDC
200 Bush Boulevard
Sanford, Florida 32773
Phone: (407) 330-6750
FAX (407) 328-6757

SOUTH REGION

Broward Regional JDC
222 N. W. 22nd Avenue
Fort Lauderdale, Florida 33311
Phone: (954) 467-4563
FAX (954) 797-8506

Collier Regional JDC
3315 E. Tamiami Trail
Naples, Florida 34112
Phone: (239) 417-6277
FAX: (239) 417-6288

SOUTH REGION cont.

Dade Regional JDC
3300 N.W. 27th Avenue
Miami, Florida 33142
Phone: (305) 637-4500
FAX (305) 637-4669

Monroe Regional JDC
5503 College Road, Ste. 209
Key West, Florida 33040
Phone: (305) 293-1500
FAX: (305) 293-1735

Palm Beach Regional JDC
9860 Fairgrounds Road
West Palm Beach, Florida 33411
Phone: (561) 881-5020
FAX (561) 798-7062

St. Lucie Regional JDC
1301 Bell Avenue
Fort Pierce, Florida 34982
Phone: (772) 468-3940
FAX (561) 468-1302

SW Florida Regional JDC
2525 Ortiz Avenue,
Fort Myers, Florida 33905
Phone: (239) 332-6927
FAX (239) 332-6931

FLORIDA DEPARTMENT OF JUVENILE JUSTICE JUVENILE ASSESSMENT CENTERS

Circuit 1/Escambia

1800 St. Mary's Street
Pensacola, FL 32501
(850) 595-8820

Circuit 2/Leon

3333 W. Pensacola St. Bldg. 400
Tallahassee, FL 32304
(850) 921-1066

Circuit 3 – No JAC

Circuit 4/Duval

1283 East Eight Street
Jacksonville, FL 32206
(904) 726-0032

Circuit 5/Marion

948 NW 30 Avenue
Ocala, FL 34475
(352) 840-5840

Circuit 6/Pinellas

14500 49th Street North
Clearwater, FL 34622
(727) 464-7426

Circuit 6/Pasco

10200 Central Boulevard
Land O'Lakes, FL
1-800-854-2862

Circuit 7/Volusia

3840 Old Deland Road
Daytona Beach, FL 32124
(386) 226-0221

Circuit 8/Alachua

3436 NE 39th Avenue Suite 2
Gainesville, FL 32609
(352) 375-2125

Circuit 9/Orange

823 West Central Blvd
Orlando, FL 32805
(407) 836-8800

Circuit 10/Polk

1090 US Highway 17 South
Bartow, FL 33830
(863) 519-3655

Circuit 11/Dade

275 NW 2nd Street
Miami, FL 33128
(305) 755-6200

Circuit 12/Manatee

1803 Fifth Street West
Bradenton, FL 34205
(941) 749-0607

Circuit 12/Sarasota

2020 Main Street
Sarasota, FL 34237
(941) 955-7713

Circuit 13/Hillsborough

8605 North Branch Avenue
Tampa, FL 33604
(813) 936-2630

Circuit 14/No JAC

Circuit 15/Palm Beach

3400 Belvedere Road
West Palm Beach, FL 33406
(561) 682-0000

Circuit 16/NoJAC

Circuit 17/Broward

2600 Southwest Fourth Avenue
Fort Lauderdale, FL 33315
(954) 467-4306

Circuit 18/Brevard

1515 Sarno Road
Melbourne, FL 32922
(321) 637-7366

Circuit 18/Seminole

181 Bush Loop Blvd.
Sanford, FL 32773
(407) 665-2400

Circuit 19/St. Lucie

1215 Bell Avenue
Fort Pierce, FL 34982
(772) 467-1139

Circuit 20/Lee

2115 Dr. Martin Luther King Blvd.
Fort Myers, FL 33901
(239) 344-5101

Circuit 20/Collier

3315 East Tamiami Trail
Naples, FL 34112
(239) 263-4013

CINS/FINS SHELTER AND COUNSELING INFORMATION SITES

*** All bold lettering indicates a CINS/FINS shelter site**

**1ST Circuit: Escambia, Okaloosa,
Santa Rosa, Walton**

Lutheran Services Florida
4610 W. Fairfield Dr.
Pensacola., FL 32506
(850) 453-2772

**1. Currie House
4610 West Fairfield Drive
Pensacola, FL 32506
(850)453-2772**

*Serving Counties: Escambia,
Santa Rosa*

**2. HOPE House
5127 Eastland Street
Crestview, FL 32539
(850)682-2374**

*Serving Counties: Okaloosa,
Walton*

**2ND Circuit: Franklin, Gadsden,
Jefferson, Leon, Liberty,
Wakulla**

Capital City Youth Services
2407 Roberts Ave.
Tallahassee, FL 32310
(850) 576-6000

**3. Someplace Else Youth
Shelter
2407 Roberts Avenue
Tallahassee, FL 32310
(850)576-6000 ext. 314**

*Serving Counties: Franklin,
Gadsden, Jefferson, Leon, Liberty,
Wakulla*

**3RD Circuit: Columbia, Dixie,
Hamilton, Lafayette, Madison,
Suwannee**

Corner Drug Store, Inc.
3615 SW 13th St.
Gainesville, FL 32608
(352) 334-3800 ext. 3824

**4. Interface-Central
1400 Northwest 29th Road
Gainesville, FL 32605
(352)334-3833**

*Serving Counties: Alachua,
Columbia, Dixie, Lafayette,
Suwannee*

**5. Interface N.W.
1884 SW Grandview Street
Lake City, FL 32055
(386)758-5780**

*Serving Counties: Columbia,
Hamilton, Lafayette, Dixie,
Suwannee*

Capital City Youth Services
2407 Roberts Ave.
Tallahassee, FL 32310
(850) 576-6000

**(3.) Someplace Else Youth
Shelter
2407 Roberts Avenue
Tallahassee, FL 32310
(850)576-6000 ext. 314**

Serving Counties: Madison, Taylor

**4TH Circuit: Clay, Duval, Nassau
Youth Crisis Center Inc.
3015 Parental Home Road
Jacksonville, FL 32216
(904) 720-0002**

4th Circuit cont.

6. YCC

3015 Parental Home Road

Jacksonville, FL 32216

(904)725-6662

*Serving Counties: Clay, Duval,
Nassau*

**5TH Circuit: Citrus, Hernando,
Lake, Marion, Sumter**

Youth and Family Alternatives

7524 Plathe Rd.

New Port Richey, FL 34653

(727) 835-4184

**7. New Beginnings Youth
Shelter**

18377 Clinton Blvd.

Brooksville, FL 34601

(352)797-6199

*Serving Counties: Citrus,
Hernando, Sumter*

Arnette House

2310 N.E. 24th Street

Ocala, FL 34470

(352) 622-4432

8. Arnette house

2310 N.E. 24th Street

Ocala, FL 34470

Serving Counties: Lake, Marion

6th Circuit: Pasco, Pinellas

Youth and Family Alternatives

7524 Plathe Rd.

New Port Richey, FL 34653

(727) 835-4184

**9. Runaway Alternatives Project
(RAP House)**

7522 Plathe Road

New Port Richey, FL 34653

(727)835-1777

Serving Counties: Pasco

6th Circuit cont.

Family Resources, Inc.

5180 62nd Avenue North

Pinellas Park, FL 33781

(727) 521-5202

**10. Family Resources – St. Pete
Shleter**

3821 5th Ave. North

St. Petersburg, FL 33713

(727)384-8336

Serving Counties: Pinellas

**11. Family Resources –
Clearwater**

1715 East Bay Drive

Largo, FL 33771

(727)449-8336

Serving Counties: Pinellas

**7TH Circuit: Flagler, Putnam, St.
Johns, Volusia**

Act Corporation

1220 Willis Avenue

Daytona Beach, FL 32114

(386) 236-1669

12. BEACH HOUSE

1004 Big Tree Road

South Daytona, FL 32119

(386)236-3111

Serving Counties: Flagler, Volusia

Corner Drug Store, Inc.

3615 SW 13th St.

Gainesville, FL 32608

(352) 334-3800 ext. 3824

13. Interface-East

2919 Kennedy Street

Palatka, FL 32177

(386)312-2220

*Serving Counties: Putnam,
Bradford, Union*

7th Circuit cont.

Youth Crisis Center, Inc.
3015 Parental Home Road
Jacksonville, FL 32216
(904) 720-0002

(6.) YCC

**3015 Parental Home Road
Jacksonville, FL 32216
(904)725-6662**

*Serving Counties: Clay, Duval,
Nassau*

**Youth Crisis Center, Inc.
1955 U.S. 1 South
St. Augustine, Florida 32084
(904)720-0002**

Serving Counties: St. Johns

**8th Circuit: Alachua, Baker,
Bradford, Gilchrist, Levy, Union**

Corner Drug Store, Inc.
3615 SW 13th St.
Gainesville, FL 32608
(352) 334-3800 ext. 3824

**(4.) Interface-Central
1400 Northwest 29th Road
Gainesville, FL 32605
(352)334-3833**

*Serving Counties: Alachua,
Gilchrest, Levy*

**(5.) Interface N.W.
1884 SW Grandview Street
Lake City, FL 32055
(386)758-5780**

Serving Counties: Baker

**13. Interface-East
2919 Kennedy Street
Palatka, FL 32177
(386)312-2220**

Serving Counties: Bradford, Union

9th Circuit: Orange, Osceola

Orange County Youth and Family
Services Division
1718 East Michigan Street
Orlando, FL 32806
(407) 897-6360 ext. 268

**14. Orange County Youth
Shelter
1800 East Michigan Street
Orlando, FL 32806
(407)836-7626**

Serving Counties: Orange

**Orange County Family
Counseling
1060 Woodcock Road
Orlando, FL 32803
(407)897-6370**

Serving Counties: Orange

Osceola County Children's Home
2534 East Neptune Road
Kissimmee, FL 34744
(407) 847-6048

**15. Osceola Youth Shelter
2534 East Neptune Road
Kissimmee, FL 34744
(407)847-9985**

Serving Counties: Osceola

**10th Circuit: Hardee, Highlands,
Polk**

Youth and Family Alternatives, Inc
7524 Plathe Road
New Port Richey, FL 34653
(727) 835-4184

**16. Cornerstone Youth Shelter
5400 Bethlehem Road
Mulberry, FL 33860
(863)595-0220**

*Serving Counties: Hardee,
Highlands, Polk*

11th Circuit: Dade

Center for Family & child
Enrichment
1825 NW 167th Street, Suite 102
Miami, FL 33056
(305) 624-7450

17. Excel Shelter
11025 SW 84th Street
Miami, FL 33173
(305)270-7584

Serving Counties: Dade

Miami Bridge Youth and Family
Services
2810 NW South River Drive
Miami, FL 33125
(305) 636-3510

18. Miami Bridge - Central
2810 NW South River Dr.
Miami, FL 33125
(305) 635-8953

19. Miami Bridge –
Homestead/South Dade
326 NW 3rd Avenue
Homestead, FL 33030
(305)246-8956

12th Circuit: DeSoto, Manatee,
Sarasota

Sarasota Family YMCA, Inc.
1 South School Avenue
Sarasota, FL 34237
(941) 951-2916

20. Sarasota YMCA Youth
Shelter
1106 South Briggs
Sarasota, FL 34237
(941)365-7279
Serving Counties: DeSoto,
Sarasota

12th Circuit cont.

Family Resources
361 6th Avenue West
Bradenton, FL 34205
(941) 708-5900

21. Manatee Runaway/Youth
Crisis Shelter
1001 9th Avenue West
Brandenton, FL 34205
(941)708-5850
Serving County: Manatee

13th Circuit: Hillsborough
Hillsborough County Children's
Services
3110 Clay Mangum Lane
Tampa, FL 33618
(813) 264-3821

22. Haven W. Poe Runaway
Shelter
207 Beach Place
Tampa, FL 33606
(813)272-6606
Serving Counties: Hillsborough

14TH Circuit: Bay, Calhoun, Gulf,
Holmes, Jackson, Washington
Anchorage Children's Home of
Bay County, Inc.
2121 Lisenby Avenue
Panama City, FL 32405
(850) 763-7102

23. Hidle House
2121 Lisenby Avenue
Panama City, FL 32405
(850)784-1020
Serving Counties: Bay, Calhoun,
Gulf, Holmes, Jackson,
Washington

15th Circuit: Palm Beach

Children's Home Society of Florida
3333 Forest Hill Boulevard
West palm Beach, FL 33406
(561) 868-4300

**24. Safe Harbor Runaway Center
335 Forest Hill Boulevard
West Palm Beach, FL 33406
(561)868-4444**

Serving Counties: Palm Beach

16th Circuit: Monroe

Florida Keys Children's Shelter
73 High Point Rd.
Tavernier, FL 33070
(305) 852-4246

**25. Florida Keys Children's
Shelter
73 High Point Rd.
Tavernier, FL 33070
(305) 852-4246**

17th Circuit: Broward

Lutheran Services Florida Broward
Family Center
4675 N. State Road 7, Lakes
Town Center
Lauderdale Lakes, FL 33319
(954) 486-4222

**26. Lippman Youth Shelter
221 NW 43rd Ct.
Oakland Park, FL 33309
(954) 568-2801**

Serving Counties: Broward

Devereux of Florida
500 Barton Blvd., Suite 7
Rockledge, FL 32955
(321) 637-1897

17th Circuit cont.

**Devereux
4782 W. Commercial Blvd.
Tamarac, FL 33319
(954)739-9123**

Friends Of Children
7272 W. Oakland Park Blvd.
Lauderhill, FL 33313
(954) 578-8399

Mount Bethel Human Services
Corporation, Inc.
547 NW 9th Avenue, Suite 9
Fort Lauderdale, FL 33311
(954) 766-6058

18th Circuit: Brevard, Seminole

Crosswinds Youth Services, Inc.
1407 Dixon Blvd.
Cocoa, FL 32922
(321) 394-0375

**27. Crosswinds Youth Services,
Inc.
1407 Dixon Blvd.
Cocoa, FL 32922
(321)394-0345**

Girls & Boys Town of Central
Florida
37 Alafaya Woods Blvd.
Alafaya Square Shopping Ctr.
Oviedo, FL 32765
(407) 366-3667

**28. Boys Shelter
3500 South Sanford Avenue
Sanford, FL 32773
(407)323-6903**

Serving Counties: Seminole

29. Girls Shelter
975 Oklahoma Street
Oviedo, FL 32765
(407)323-6903

19th Circuit: Indian River, Martin,
Okeechobee, St. Lucie

Children's Home Society
415 Avenue A, Suite 101
Fort Pierce, FL 34950
(772) 489-5601

30. Wave C.R.E.S.T
4520 Selvitz Road
Ft. Pierce, FL 34981
(772)460-9452

*Serving Counties: Indian River,
Martin, Okeechobee, St. Lucie*

20th Circuit: Charlotte, Collier,
Glades, Hendry, Lee

Lutheran Services Florida/SW
3615 Central Avenue, Suite 3
Ft. Myers, FL 33901
(239) 278-1140

19th Circuit cont.

31. Oasis Youth Shelter
3634 Central Avenue
Ft. Myers, FL 33901
(239)278-1030

2006 CINS/FINS Emergency Services by County

Alachua	Corner Drug Store, Interface	(352) 334-3833
Baker	Corner Drug Store, Interface	(352) 758-5780
Bay	Anchorage Children's Home, Hidle House	(850) 784-1020
Bradford	Corner Drug Store, Interface	(386) 312-2220
Brevard	Crosswinds Youth Services	(321) 452-0800
Broward	Lutheran Services Florida, Lippman Youth Shelter	(954) 568-2801
Calhoun	Anchorage Children's Home, Hidle House	(850) 784-1020
Charlotte	Lutheran Services Florida, Oasis Youth Shelter	(800) 329-8336
Citrus	Youth & Family Alternatives, New Beginnings	(352) 797-7566
Clay	Youth Crisis Center - The Safe Place	(904) 725-6662
Collier	Lutheran Services Florida, Oasis Youth Shelter	(800) 329-8336
Columbia	Corner Drug Store, Interface	(352) 334-3833
Dade	Miami Bridge Youth & Family Svcs, Central	(305) 635-8953
	Miami Bridge Youth & Family Svcs, Homestead	(305) 246-8956
DeSoto	Sarasota Family YMCA	(941) 955-5596
Dixie	Corner Drug Store, Interface	(352) 334-3833
Duval	Youth Crisis Center - The Safe Place	(904) 725-6662
Escambia	Lutheran Services, Currie House	(850) 453-2772
Flager	Act Corporation, Beach House	(800) 539-4228
Franklin	Capital City Youth Services	(850) 576-6000
Gadsden	Capital City Youth Services	(850) 576-6000
Gilchrist	Corner Drug Store	(352) 334-3833
Glades	Lutheran Services Florida, Oasis Youth Shelter	(800) 329-8336
Gulf	Anchorage Children's Home, Hidle House	(850) 784-1020
Hamilton	Corner Drug Store, Interface	(352) 758-5780
Hardee	Youth & Family Alternatives, Cornerstone	(863) 595-0220
Hendry	Lutheran Services Florida, Oasis Youth Shelter	(800) 329-8336
Hernando	Youth & Family Alternatives, New Beginnings	(352) 797-7566
Highlands	Youth & Family Alternatives, Cornerstone	(863) 595-0220
Hillsborough	Hillsborough County, Haven Poe Runaway Center	(813) 272-6606
Holmes	Anchorage Children's Home, Hidle House	(850) 784-1020
Indian River	Children's Home Society, Wave C.R.E.S.T.	(772) 460-9752
Jackson	Anchorage Children's Home, Hidle House	(850) 784-1020
Jefferson	Capital City Youth Services	(850) 576-6000

LaFayette	Corner Drug Store, Interface	(352) 334-3833
Lake	Arnette House	(352) 622-4432
Lee	Lutheran Services Florida, Oasis Youth Shelter	(800) 329-8336
Leon	Capital City Youth Services	(850) 576-6000
Levy	Corner Drug Store	(352) 334-3833
Liberty	Capital City Youth Services	(850) 576-6000
Madison	Capital City Youth Services	(850) 576-6000
Manatee	Family Resources, Safe Place2B	(941) 708-5850
Marion	Arnette House	(352) 622-4432
Martin	Children's Home Society, Wave C.R.E.S.T.	(772) 460-9752
Monroe	Florida Key's Children's Shelter	(305) 852-4246
Nassau	Youth Crisis Center - The Safe Place	(904) 725-6662
Okaloosa	Lutheran Services, Hope House	(850) 682-2374
Okeechobee	Children's Home Society, Wave C.R.E.S.T.	(772) 460-9752
Orange	Orange County Youth & Family Services	(407) 836-7626
Osceola	Osceola County Children's Home	(407) 847-9985
Palm Beach	Children's Home Society, Safe Harbor	(561) 868-4300
Pasco	Youth & Family Alternatives, RAP House	(727) 835-1777
Pinellas	Family Resources, St. Petersburg	(727) 384-8336
	Family Resources, Clearwater	(727) 449-8336
Polk	Youth & Family Alternatives, Cornerstone	(863) 595-0220
Putnam	Corner Drug Store, Interface	(386) 312-2220
Santa Rosa	Lutheran Services, Currie House	(850) 453-2772
Sarasota	Sarasota Family YMCA	(941) 955-5596
Seminole	Father Flanagan's Girls and Boys Town, Boys Shelter	(407) 323-6903
	Father Flanagan's Girls and Boys Town, Girls Shelter	(407) 366-2885
St. Johns	Youth Crisis Center - The Safe Place	(904) 725-6662
St. Lucie	Children's Home Society, Wave C.R.E.S.T.	(772) 460-9752
Sumter	Youth & Family Alternatives, New Beginnings	(352) 797-7566
Suwannee	Corner Drug Store, Interface	(352) 334-3833
Taylor	Capital City Youth Services	(850) 576-6000
Union	Corner Drug Store, Interface	(386) 312-2220
Volusia	Act Corporation, Beach House	(800) 539-4228
Wakulla	Capital City Youth Services	(850) 576-6000
Walton	Lutheran Services, Hope House	(850) 682-2374
Washington	Anchorage Children's Home, Hidle House	(850) 784-1020

MISSING CHILDREN AGENCIES

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

699 Prince Street
Alexandria, 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
www.missingkids.com/

A CHILD IS MISSING, INC
500 S.E. 17th Street, Room 101
Fort Lauderdale, FL 33316
(954) 763-1288
1-888-US5-ACIM
www.achildismissing.org

AMANDA BROWN FOUNDATION
5470 Burch Blvd
Temple Terrace, Florida 33617
(813) 914-0171
1-866-909-1198
www.amandabrownfoundation.com

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

JIMMY RYCE CENTER FOR VICTIMS OF PREDATORY ABDUCTION

908 Coquina Lane
Vero Beach, FL 32963
(772) 492-6660
1-800-JIM RYCE (546-7923)
www.jimmyryce.org

MISSING CHILDREN CENTER 276 East Highway 434 Winter Springs, FL 32708 (407) 327-4403

Fax: (407) 327-4514
www.missingchildrencenterinc.org

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 Bureau of
Investigations/Missing Children
P.O. Box 1511
Montgomery, AL 36102
1-800-228-7688 (Nationwide)

ALASKA

Alaska 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)644-5942

ARKANSAS

Arkansas Office of the Attorney
General
Missing Children Services Program
323 Center Street, Suite 1100
Little Rock, AR 72201
(501)682-1020

CALIFORNIA

California Department of Justice
Missing/Unidentified Persons Unit
Post Office Box 903387
Sacramento, CA 94203
(916)227-3290
(800)222-3463

CANADA

Royal Canadian Mounted Police
National Missing Children's Services
1200 Vanier Parkway
Ottawa, Ontario, Canada K1A 0R2
(613)993-1525
(877)318-3576 (Toll Free)

COLORADO

Colorado Bureau of Investigation
Missing Person/ Children Unit
710 Kipling Street, Suite 200
Denver, CO 80215
(303)239-4251

CONNECTICUT

Connecticut State Police
Missing Persons
Post Office Box 2794
Middletown, CT 06457
(860) 685-8190

DELAWARE

Delaware State Police
State Bureau of Identification
1407 N. DuPont Hwy
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
Intelligence Unit
Post Office Box 370808
Decatur, GA 30037-0808
(404) 244-2554
1-800-282-6564 (Nationwide)

HAWAII

Missing Child Center of Hawaii
Department of the Attorney General
State Office Tower
235 S. Beretania Street, Suite 206
Honolulu, HI 96813
(808) 586-1449
(808) 753-9797 (Hotline)

IDAHO

Idaho Bureau of Criminal Identification
Missing Persons Clearinghouse
Post Office Box 700
Meridian, ID 83680
(208)884-7154

ILLINOIS

Illinois State Police
500 Iles Park Place, Suite 104
Springfield, IL 62703
(217)785-4341
1-800- 843-5763 (Nationwide)

INDIANA

Indiana State Police
Indiana Missing Children
Clearinghouse
100 N. Senate Avenue, Third Floor
Indianapolis, IN 46204-2259
(317)232-8310
1-800-831-8953 (Nationwide)

IOWA

Missing Person Information
Clearinghouse
Division of Criminal Investigation
2006 South Ankeny Blvd.
Conference Center Building #7
Ankeny, IA 50021
(515)965-7401
1-800-346-5507 (Nationwide)

KANSAS

Kansas Bureau of Investigation
Missing Persons Clearinghouse
1620 S.W. Tyler Street
Topeka, KS 66612
(785)296-8200
1-800-572-7463 (Nationwide)

KENTUCKY

Kentucky Intelligence & Information
Fusion Center
200 Mero Street, Suite T505
Frankfort, KY 40601
(502)564-1020
1-800- 543-7723 (Nationwide)

LOUISIANA

Clearinghouse for Missing and
Exploited Children
Post Office Box 3318
Baton Rouge, LA 70812
(225)342-8631

MAINE

Maine State Police
Missing Children Clearinghouse
1 Darcie Street, Suite 208
Houlton, ME 04730
(207)532-5404

MARYLAND

Maryland Center for Missing Children
Maryland State Police – Computer
Crimes Unit
7155 Columbia Gateway Drive, Ste. C
Columbia, MD 21046
(410)290-1620
1-800-637-5437 (Nationwide)

MASSACHUSETTS

Massachusetts State Police
Missing Persons Unit
470 Worchester Road
Framingham, MA 01702
(508)820-2129

MICHIGAN

Michigan State Police Prevention
Services Unit
714 South Harrison Road
East Lansing, MI 48823
(517)333-4006

MINNESOTA

Minnesota State Clearinghouse
Bureau of Criminal Apprehension
1430 Maryland Avenue
St. Paul, MN 55106
(651)793-1106

MISSISSIPPI

Mississippi Highway Patrol
Criminal Information Center
3891 Highway 486 West
Pearl, MS 39208
(601)933-2657

MISSOURI

Missouri State Highway Patrol
Missing Persons Unit
Post Office Box 568
Jefferson City, MO 65102
(573) 526-6178
1-800-877-3452 (Nationwide)

MONTANA

Montana Department of Justice
Missing/Unidentified Persons
303 N. Roberts Street, Room 471
Helena, MT 59620
(406)444-2800

NEBRASKA

Nebraska State Patrol
Criminal Records & ID
Post Office Box 94907
Lincoln, NE 68509-4907
(402)479-4981

NEVADA

Nevada Office of the Attorney General
Missing Children Clearinghouse
555 E. Washington Ave., Suite 3900
Las Vegas, NV 89101
(702)486-3539

NEW HAMPSHIRE

New Hampshire State Police
Major Crimes Unit
91 Airport Road
Concord, NH 03301
(603)271-2663

NEW JERSEY

New Jersey State Police
Unidentified Persons Unit
Post Office Box 7068
West Trenton, NJ 08628
(609)882-2000
(800) 709-7090 (Nationwide)

NEW MEXICO

New Mexico Department of Public
Safety
Attn: Law Enforcement Records
Post Office Box 1628
Santa Fe, NM 87504
(505)827-9191

NEW YORK

New York Division of Criminal Justice
Services
Missing and Exploited Children
4 Tower Place
Albany, NY 12203
(518)457-6326
1-800-346-3543 (Nationwide)

NORTH CAROLINA

North Carolina Center for Missing
Persons
4706 Mail Service Center
Raleigh, NC 27699
(919)733-3914
1-800-522-5437 (Nationwide)

NORTH DAKOTA

North Dakota Bureau of Criminal
Investigation
Post Office Box 1054
Bismarck, ND 58502
(701)328-5500

OHIO

Missing Children Clearinghouse
Attorney Generals Office
Crime Victims Services Section
150 East Gay Street, 25th Floor
Columbus, OH 43215
(614)466-5610
1-800-325-5604 (Nationwide)

OKLAHOMA

Oklahoma State Bureau of
Investigation
Criminal Intelligence Office
6600 N. Harvey
Oklahoma City, OK 73116
(405)879-2645

OREGON

Oregon State Police
Missing Children Clearinghouse
400 Public Service Building
Salem, OR 97310
(503)378-3720

PENNSYLVANIA

Pennsylvania State Police
Bureau of Criminal Investigation
1800 Elmerton Avenue
Harrisburg, PA 17110
(717)783-0960

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 Intelligence Unit
901 R.S. Gass Blvd.
Nashville, TN 37206
(615)744-4000

TEXAS

Texas Department of Public Safety
Special Crimes Services
Missing Persons Clearinghouse
Post Office Box 4087
Austin, TX 78773-0422
(512)424-5074

UTAH

Utah Department of Public Safety
Bureau of Criminal Identification
Box 148280
Salt Lake City, UT 84114
1-888-770-6477 (Nationwide)

VERMONT

Vermont State Police
103 South Main Street
Waterbury, VT 05671
(802)241-5352

VIRGINIA

Missing Children's
Clearinghouse
Virginia State Police
Post Office Box 27472
Richmond, VA 23261
(804)674-2026
1-800-822-4453

**National Center for Missing and
Exploited Children**

Charles B. Wang International
Children's Building
699 Prince Street
Alexandria, VA 22314
(703)274-3900
1-800-843-5678 (Nationwide)

WASHINGTON, D.C.

Metropolitan Police Department
Missing Persons/Youth Division
1700 Rhode Island Avenue NE
Washington, D.C. 20018
(202)576-6768

WASHINGTON

Missing Children's Clearinghouse
Washington State Patrol
Post Office Box 2347
Olympia, WA 98507
1-800-543-5678 (Nationwide)

WEST VIRGINIA

West Virginia State Police
Missing Children Clearinghouse
725 Jefferson Road
South Charleston, WV 25309
(304)558-1467
1-800-352-0927 (Nationwide)

WISCONSIN

Wisconsin Department of Justice
Division of Criminal Investigation
Post Office Box 7857
Madison, WI 53701-2718
(608)266-1671

WYOMING

Wyoming Office of Attorney General
Division of Criminal Investigation
316 West 22nd St.
Cheyenne, WY 82002
(307)777-7537

FLORIDA CLERK OF CIRCUIT COURTS

Alachua County

201 East University Ave.
Gainesville, Florida 32602
352-374-3636

Bay County

300 East 4th Street
Panama City, Florida 32401
850-763-9061

Brevard County

Post Office Box 999
Titusville, Florida 32781
321-637-2000

Calhoun County

20859 Central Ave. E, Room 130
Blountstown, Florida 32424
850-674-4545

Citrus County

110 North Apopka Avenue
Iverness, Florida 34450
352-341-6400

Collier County

3301 Tamiami Trail East
Naples, Florida 34112
239-732-2646

Dade County

73 West Flagler Street
Miami, Florida 33130
305-275-1111

Dixie County

Post Office Box 1206
Cross City, Florida 32628
352-498-1200

Baker County

339 East Macclenny Avenue
Macclenny, Florida 32063
904-259-8113

Bradford County

945 North Temple Avenue
Starke, Florida 32091
904-964-6280

Broward County

201 Southeast 6th Street
Fort Lauderdale, Florida 33301
954-831-6565

Charlotte County

350 East Marion Avenue
Punta Gorda, Florida 33951
941-637-2199

Clay County

825 North Orange Avenue
Green Cove Spgs, FL 32043
904-284-6317

Columbia County

173 North East Hernando Avenue
Lake City, Florida 32056
386-758-1342

DeSoto County

115 E. Oak Street Room 101
Arcadia, Florida 34266
863-993-4876

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 Costin Blvd
Port St. Joe, Florida 32456
850-229-6112

Hardee County

Post Office Drawer 1749
Wauchula, Florida 33873
863-773-4174

Hernando County

20 North Main Street,
Brooksville, Florida 34601
352-754-4201

Hillsborough County

Post Office Box 3450
Tampa, Florida 33601
813-276-8100

Indian River County

2000 16th Avenue
Vero Beach, Florida 32960
772-770-5185

Flagler County

201 East Moody Blvd. Room 101
Bunnell, Florida 32110
386-437-7414

Gadsden County

10 East Jefferson Street
Quincy, Florida 32351
850-875-8601

Glades County

Post Office Box 10
Moore Haven, Florida 33471
863-946-6010

Hamilton County

207 NE 1st Street, Rm 106
Jasper, Florida 32052
386-792-1288

Hendry County

Post Office Box 1760
LaBelle, Florida 33975
863-675-5217

Highlands County

590 South Commerce Avenue
Sebring, Florida 33870
863-402-6564

Holmes County

Post Office Box 397
Bonifay, Florida 32425
850-547-1100

Jackson County

Post Office Box 510
Marianna, Florida 32447
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
386-294-1600

Lake County

550 West Main Street
Tavares, Florida 32778
352-742-4100

Lee County

1700 Monroe Street
Fort Myers, Florida 33901
239-533-5000

Leon County

301 South Monroe Street
Tallahassee, Florida 32301
850-577-4000

Levy County

355 South Court Street
Bronson, Florida 32621
352-486-5229

Liberty County

Post Office Box 399
Bristol, Florida 32321
850-643-2215

Madison County

125 South West Range Avenue
Madison, Florida 32341
850-973-1500

Manatee County

1115 Manatee Avenue West
Bradenton, Florida 34206
941-749-1800

Marion County

110 Northwest 1st Avenue
Ocala, Florida 34475
352-620-3904

Martin County

100 East Ocean Blvd Ste.200
Stuart, Florida 34994
772-288-5576

Monroe County

500 Whitehead Street
Key West, Florida 33040
305-292-3550

Nassau County

Post Office Box 456
Fernandina Beach, Florida 32035
904-548-4600

Okaloosa County

101 E. James Lee Blvd.
Crestview, Florida 32536
850-689-5000

Okeechobee County

304 Northwest 2nd Street
Okeechobee, Florida 34972
863-763-2131

Orange County

425 North Orange Avenue
Orlando, Florida 32801
407-836-2060

FLORIDA CLERK OF THE COURTS Cont.

Osceola County

2 Courthouse Square, Suite 2000
Kissimmee, Florida 34741
407-343-3500

Palm Beach County

301 North Olive Avenue
West Palm Beach, Fl. 33401
561-355-2996

Pasco County

38053 Live Oak Avenue
Dade City, Florida 33523
352-521-4542

Pinellas County

315 Court Street,
Clearwater, Florida 33756
727-464-3267

Polk County

255 North Broadway
Bartow, Florida 33830
863-534-4540

Putnam County

410 St. Johns Avenue
Palatka, Florida 32177
386-329-0361

St. Johns County

4010 Lewis Speedway
St. Augustine, Fl. 32084
904-819-3600

St. Lucie County

212 South Depot Drive
Fort Pierce, Florida 34950
772-462-6900

Santa Rosa County

Post Office Box 472
Milton, Florida 32572
850-623-0135

Sarasota County

2000 Main Street
Sarasota, Florida 34237
941-362-4066

Seminole County

301 North Park Avenue
Sanford, Florida 32771
407-665-4330

Sumter County

209 North Florida Street
Bushnell, Florida 33513
352-793-0215

Suwanee County

200 South Ohio Avenue
Live Oak, Florida 32064
386-362-0500

Taylor County

Post Office Box 620
Perry, Florida 32347
850-838-3506

Union County

55 West Main Street
Lake Butler, Florida 32054
386-496-3711

Volusia County

101 N. Alabama Street
Deland, Florida 32724
386-736-5915

FLORIDA CLERK OF THE COURTS Cont.

Wakulla County

3056 Crawfordville Highway
Crawfordville, FL 32327
850-926-0300

Washington County

Post Office Box 647
Chipley, Florida 32428
850-638-6289

Walton County

571 U.S. Highway 90 East
Defuniak Springs, Florida 32435
850-892-8115

FLORIDA SHERIFF'S OFFICES

Alachua County

2621 S.E. Hawthorne Road
Gainesville, Florida 32641
352-367-4000

Bay County

3421 North Highway 77
Panama City, Florida 32405
850-747-4700

Brevard County

700 South Park Avenue, Bldg J
Titusville, Florida 32780
321-264-5201

Calhoun County

20776 Central Avenue East, Ste 2
Blountstown, Florida 32424
850-674-5049

Citrus County

1 Dr. Martin Luther King Jr. Avenue
Inverness, Florida 34450
352-726-4488

Collier County

3301 Tamiami Trail, Bldg J
Naples, Florida 34112
239-793-9300

Dade County (Miami-Dade)

9105 NW 25 Street
Miami, Florida 33172
305-471-2100

Dixie County

Post Office Box 470
Cross City, Florida 32628
352-498-1220

Baker County

56 N. Second Street
MacClenny, Florida 32063
904-259-2231

Bradford County

Post Office Box 400
Starke, Florida 32091
904-966-2276

Broward County

Post Office Box 9507
Fort Lauderdale, Florida 33312
954-831-8900

Charlotte County

7474 Utilities Road
Punta Gorda, Florida 33982
941-639-2101

Clay County

Post Office Box 548
Green Cove Spgs, Fl. 32043
904-284-7575

Columbia County

Post Office Box 650
Lake City, Florida 32056
386-752-9212

DeSoto County

208 East Cypress Street
Arcadia, Florida 34226
863-993-4700

Duval County

501 E. Bay Street
Jacksonville, Florida 32202
904-630-2120

FLORIDA SHERIFF'S OFFICES (Continued)

Escambia County

Post Office Box 18770
Pensacola, Florida 32523
850-436-9630

Franklin County

270 State Road 65
East Point, Florida 32328
850-670-8519

Gilchrist County

9239 South U.S. Highway 129
Trenton, Florida 32693
352-463-3181

Gulf County

Post Office Box 970
Port St. Joe, Florida 32456
850-227-1115

Hardee County

900 East Summit Street
Wauchula, Florida 33873
863-773-0304

Hernando County

Post Office Box 10070
Brooksville, Florida 34603
352-754-6830

Hillsborough County

Post Office Box 3371
Tampa, Florida 33601
813-247-8000

Indian River County

4055 41st Avenue
Vero Beach, Florida 32960
772-569-6700

Flagler County

1001 Justice Lane
Bunnell, Florida 32110
386-437-4116

Gadsden County

Post Office Box 1709
Quincy, Florida 32353
850-627-9233

Glades County

Post Office Box 39
Moore Haven, Florida 33471
863-946-0100

Hamilton County

Post Office Drawer A
Jasper, Florida 32052
386-792-1001

Hendry County

Post Office Box 579
LaBelle, Florida 33975
863-674-4060

Highlands County

434 Fernleaf Avenue
Sebring, Florida 33870
863-402-7200

Holmes County

211 North Oklahoma Street
Bonifay, Florida 32425
850-547-3681

Jackson County

Post Office Box 919
Marianna, Florida 32446
850-482-9624

FLORIDA SHERIFF'S OFFICES (Continued)

Jefferson County

171 Industrial Park
Monticello, Florida 32344
850-997-2523

Lake County

360 West Ruby Street
Tavares, Florida 32778
352-343-2101

Leon County

2825 Municipal Way
Tallahassee, Florida 32304
850-992-3300

Liberty County

Post Office Box 67
Bristol, Florida 32321
850-643-5615

Manatee County

515 11th Street West
Bradenton, Florida 34205
941-747-3011

Martin County

800 Southeast Monterey Road
Stuart, Florida 34994
772-220-7000

Nassau County

76001 Bobby Moore Circle
Yulee, Fl. 32097
904-225-0331

Okeechobee County

Post Office Drawer 1397
Okeechobee, Florida 34973
863-763-3117

Lafayette County

Post Office Box 227
Mayo, Florida 32066
904-294-1222

Lee County

14750 Six Mile Cypress Parkway
Fort Myers, Florida 33912
239-477-1200

Levy County

Post Office Box 1719
Bronson, Florida 32621
352-486-5111

Madison County

125 S.W. Range Avenue
Madison, Florida 32340
850-973-4151

Marion County

Post Office Box 1987
Ocala, Florida 34478
352-732-8181

Monroe County

5525 College Road
Key West, Florida 33040
305-296-2424

Okaloosa County

1250 N. Eglin Parkway
Shalimar, Florida 32579
850-651-7400

Orange County

Post Office Box 1440
Orlando, Florida 32802
407-254-7000

FLORIDA SHERRIFF'S OFFICES (Continued)

Osceola County

2601 E. Irlo Bronson Memorial Hwy
Kissimmee, Florida 34744
407-348-2222

Palm Beach County

3228 Gun Club Road
West Palm Beach, Fl. 33406
561-688-4151

Pasco County

8700 Citizens Drive
New Port Richey, Florida 34654
727-847-5878

Pinellas County

Post Office Box 2500
Largo, Florida 33779
727-582-6200

Polk County

455 North Broadway Avenue
Bartow, Florida 33830
863-499-2400

Putnam County

Post Office Drawer 1578
Palatka, Florida 32178
386-329-0800

St. Johns County

4015 Lewis Speedway
St. Augustine, Fl. 32084
904-824-8304

St. Lucie County

4700 W. Midway Road
Fort Pierce, Florida 34981
772-462-7300

Santa Rosa County

Post Office Box 7129
Milton, Florida 32572
850-983-1193

Sarasota County

Post Office Box 4115
Sarasota, Florida 34230
941-951-5800

Seminole County

100 Bush Boulevard
Sanford, Florida 32773
407-665-6600

Sumter County

Post Office Box 188
Bushnell, Florida 33513
352-793-0222

Suwanee County

200 South Ohio Avenue
Live Oak, Florida 32064
386-362-2222

Taylor County

108 North Jefferson Street , 103
Perry, Florida 32347
850-584-4225

Union County

55 West Main Street, Room 102
Lake Butler, Florida 32054
386-496-2501

Volusia County

Post Office Box 569
Deland, Florida 32721
386-736-5961

FLORIDA SHERRIFF'S OFFICES (Continued)

Wakulla County

15 Oak Street
Crawfordville, Fl 32327
850-926-7171

Washington County

1293 Jackson Avenue, Bldg 400
Chipley, Florida 32428
850-638-6111

Walton County Sheriff's Office

72 North 6th Street
DeFuniak Springs, Florida 32433-1944
850-892-8111

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]

XIV. DEPARTMENT PROCEDURES AND NOTES

[illegible]

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