

HB 1439

2014

1 A bill to be entitled

2 An act relating to Broward County; requiring each law
3 enforcement agency within the county to implement a
4 juvenile civil citation process; requiring law
5 enforcement officers to issue civil citations to,
6 rather than arrest, certain juveniles under specified
7 circumstances; providing exceptions; requiring
8 agencies providing services pursuant to a civil
9 citation process to provide a report to the county;
10 providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Each law enforcement agency within Broward
15 County shall implement a civil citation process pursuant to s.
16 985.12, Florida Statutes. Any law enforcement officer within
17 Broward County, upon making contact with a juvenile who is a
18 first-time offender, admits having committed a misdemeanor, and
19 agrees to participate in the civil citation program, shall issue
20 a civil citation with approval of the juvenile's parent or
21 guardian. The approval of the parent or guardian may be attained
22 subsequent to an arrest, in which case the juvenile shall be
23 released to the custody of the parent or guardian. The civil
24 citation shall provide for such penalty and participation in
25 intervention services as are provided in s. 985.12, Florida
26 Statutes. Only a first-time juvenile misdemeanor offender with

27 no history of prior delinquency shall be eligible for the
28 issuance of a civil citation.

29 Section 2. Notwithstanding section 1, a law enforcement
30 officer within Broward County shall have the option not to issue
31 a civil citation; however, a law enforcement officer within
32 Broward County may not arrest a juvenile who is a first-time
33 misdemeanor offender with no history of prior delinquency and
34 has agreed to participate in a civil citation program for the
35 admitted misdemeanor offense. A law enforcement officer within
36 Broward County shall arrest a juvenile in the case of a domestic
37 violence incident and may arrest a juvenile in exceptional
38 circumstances articulated by the law enforcement officer that
39 make issuance of a civil citation inappropriate due to a risk of
40 the public safety.

41 Section 3. A provider agency accepting referrals of, or
42 providing intervention services to, juveniles pursuant to a
43 civil citation process shall report the participation and
44 performance progress of the juvenile to Broward County, as the
45 Department of Juvenile Justice's coordinating agency, in the
46 form and manner required by the county.

47 Section 4. This act shall take effect July 1, 2014.