



**STATE OF FLORIDA
DEPARTMENT OF JUVENILE JUSTICE**

**JUVENILE JUSTICE INFORMATION SYSTEM
BUSINESS RULE**

SUBJECT: VIOLATION OF PROBATION

PROCEDURE NUMBER: 00-007

EFFECTIVE DATE: August 9, 2000

**REVISED DATE: June 22, 2001; January 6, 2005; January 25, 2013;
February 11, 2014; June 2015; December 2016; July 2020**

PROGRAM AREA(S): INTAKE, PROBATION, POST COMMITMENT PROBATION

POLICY/PROCEDURE

This rule establishes the procedure for creating new referrals as a result of youth violating probation supervision. These rules are applicable to youth on probation or post commitment probation.

1. A separate referral will be created for each case/docket number.
2. Only one count of VOP needs to be entered for each case number the youth is on supervision for; using the most serious offense.
3. The assigned JPO with jurisdiction of the case is responsible for creating the new referral.
4. The referral indicating the violation of probation shall be entered in JJIS at the time the Affidavit/Petition for Violation of Probation is submitted to the court.
5. The admission and offense date equal the date the paperwork is submitted to the court.

Possible violations of supervision:

- a) New law violations
- b) Technical violations
- c) Absconding

New-Law Violation of Probation

When a youth who is on supervision violates the court order by incurring a new law violation.

Non-Law Violation of Probation (Technical)

- a) When a youth who is on supervision is not compliant with court-ordered sanctions, such as not reporting to the JPO as directed, failing to complete community service, failing to follow through with a referral, truancy, or failing to make restitution payments.

- b) For the youth to meet the criteria for absconding,
 - a. the JPO shall have cause to believe that the youth is deliberately avoiding supervision or has removed himself or herself from the home or community.
 - b. The mere absence or not appearing for appointments is not absconding but may constitute a technical violation of supervision.
 - c. A youth reported by family to have run away is considered an absconder.
 - d. Upon receipt of the signed Order to Take Into Custody from the court, the Abscond Placement is to be entered in JJIS. The Abscond alert is automated.

LEO- Law Enforcement Violation of Probation.

- a) When a law enforcement officer takes a child into custody for violating conditions of probation.
- b) This violation is most commonly entered by JAC/Screening staff.
- c) If the alleged violation is outside area of jurisdiction, no referral is to be created. The incident should be documented in case note book and assigned JPO/JPOS notified.

Amended VOP

Amended VOP refers to notifying the court of additions/updates to the violation that has previously been submitted to the court.

- a) The JPO will edit the JJIS WEB FORM- Affidavit/Petition for Violation of Probation that was previously submitted.
- b) The JPO will NOT create additional referrals.
- c) The JPO will not EDIT existing referrals.

REFERENCES

F. A. C. 63D-13.0042 Violations of Supervision
F.S.S. 985.439 Violation of probation or post commitment probation