

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Proposed Rule Hearing (if requested)

July 20, 2020

**CHAPTER 63F-13
DIVERSION DATA**

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|------------|----------------------------------|
| 63F-13.001 | Definitions |
| 63F-13.002 | Submission Diversion Data |
| 63F-13.003 | Publication Diversion Usage Data |

63F-13.002 Submission Diversion Data.

(1) Each diversion program shall ~~enter submit quarterly to the Department's Director of Research and Data Integrity, a data spreadsheet in excel format with~~ the following information into the Juvenile Justice Information System Prevention Web on each participating youth within 7 days of the youth's admission to the program:

(a) Identifying information, including the referred youth's name, address, race, ethnicity, gender and date of birth;

(b) Referred offense, including the statute establishing the offense, and the degree;

(c) Judicial circuit and county where the offense was committed;

(d) Law enforcement agency that had contact with the youth;

(e) Parent/Guardian contact information including name/address/telephone; and

(f) Youth's School status and information as applicable such as: School Name/Grade.

(2) Each law enforcement agency shall submit the diversion, pre-arrest diversion or civil citation affidavit to their local processing entity such as Juvenile Assessment Center/Screening Unit for data input into the Juvenile Justice Information System Prevention Web. The form submitted must include the following information on each eligible youth at the time the youth is referred to the department, arrested or issued a notice to appear:

(a) All of the information in subsection (1) above;

(b) Whether the youth was offered the opportunity to participate in a pre-arrest diversion program. If the youth was not offered participation, designation of one of the following reasons why the otherwise eligible youth was not given a diversion option:

1. Officer has knowledge that youth was previously served by Prearrest Diversion
2. Youth declined/refused to participate
3. LEO suspects gang association
4. Offense involved weapons or firearms
5. Parent declined/refused to participate
6. Not eligible based on local policy: Youth refused to admit guilt
7. Civil citation or alternative diversion program not available
8. Not eligible based on local policy: Ineligible offense type
9. Not eligible based on local policy: Offense involved domestic violence
10. Not eligible based on local policy: Offense involved drugs/narcotics
11. Not eligible based on local policy: Youth charged with multiple misdemeanor offenses
12. Not eligible based on local policy: Offense involved resisting arrest
13. Not eligible based on local policy: Victim requested formal arrest processing
14. Reason not available or provided by LEO
15. Offense involved cruelty to animals
16. Subsequent charge presented that does not qualify for diversion.