

RE: DETENTION OF JUVENILES

It has been brought to the attention of the undersigned that Florida Statutes 39.03(3)(b)2. provides in part :

"...Under no circumstances shall the intake officer authorize the detention of any child in a jail or other facility intended or used for the detention of adults. Except when a child is charged with a felony in the first degree, a life felony or a capital felony, provided however no child shall be placed in the same cell with any other adult or child alleged to have committed a crime..."

Florida Statute 39.03(5)(a) further provides as follows :

"...The judge shall not make any order directing the delivery of a child to a jail unless neither a detention home or a licensed child caring institution exists within the county, or neither is able to receive the child; or neither is the proper place therefor in the opinion of the judge; and the chief judge, or where a specialized division to exercise the jurisdiction given by this act has been created, the presiding judge thereof, shall, at monthly intervals, inform the board of county commissioners or other governing body of the county in writing of the number of and the reasons for deliveries of children to jail, identifying children by initials and court case numbers but not names..."

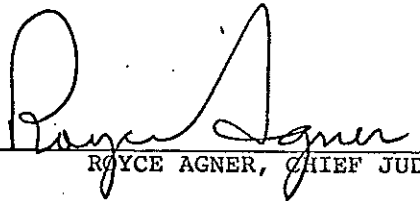
It is understood that "...neither a detention home nor a licensed child caring institution exists within (any of) the..." counties in this Third Circuit and that such facilities will not be provided by the State of Florida before January 1, 1974. It is upon consideration, nunc pro tunc as of July 1, 1973,

ORDERED that the proper juvenile proceeding intake officers be and are hereby granted authority to initially deliver a child to a jail and to authorize said child's detention there until a detention hearing according to RJP 8.110 has been held and the

Court has entered an appropriate order pursuant thereto. It is further

ORDERED that the several Boards of County Commissioners take such planning steps as may be necessary to provide for extended detention of juveniles pursuant to order of the Court in homes located in nearby counties as Madison and Taylor Counties have previously done with respect to the Leon County Detention facility prior to the date of this Order.

DONE AND ORDERED in Chambers of the Taylor County Courthouse and distributed by mail as indicated below all on this September 27, 1973.

  
ROYCE AGNER, CHIEF JUDGE

Hon. W. A. Drury  
Hon. Samuel S. Smith  
Hon. Alva Duncan  
Hon. Ike C. Harmon  
Hon. John Peach  
Hon. Foye O'Steen  
Hon. Don Davis  
Hon. Thomas J. Kennon, Jr.  
Hon. Declan O'Grady  
Hon. Harry Spradley  
Hon. Al Parker  
Hon. Charles Rhoden  
Hon. Stanley Cannon  
Hon. Joe Peavy  
Hon. Robert Leonard  
Hon. Maurice Linton  
Hon. W. E. Crews  
Hon. Cauley C. Copeland  
Hon. J. R. Miller  
Hon. Paul Trawick  
Hon. Dale M. Leslie  
Hon. Charles Ralph Carlton  
Mr. Linwood Colson  
Mr. Joseph Jackson  
Hon. Jerry Scarborough