

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 13.4

DIVERSION PROGRAMS

ACCREDITATION STANDARDS: CALEA – 1.1.3

EFFECTIVE DATE: June 8, 1995

RESCINDS: G.O.13.4, January 5, 2018 and all applicable Amended/Temporary Orders prior to February 5, 2018

LAST REVISED DATE: February 5, 2018

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This general order contains the following numbered sections:

- I. Diversions
- II. Definitions

POLICY

It shall be the policy of the department to utilize social service programs available to citizens, participate in the Pre-Trial Release Program as directed by the courts, and utilize the juvenile criminal justice diversion program as administered by the appropriate agency.

PURPOSE

The purpose of this order is to describe and define the department's role in social service programs, criminal justice diversion programs, and the pre-trial release of arrested persons. (CALEA 1.1.3)

SCOPE

This General Order shall apply to all department members.

PROCEDURE

I. Diversions

- A. All members shall offer social service program referrals to persons who are in need of such programs. All members shall have access to the Quick Guide to Polk Community Resources which contains a listing of available social service programs. This directory

will be available in the report writing room and the Records Division of the department. (CALEA 1.1.3)

- B.** Officers shall assist and be responsible in assuring that a person, whether an adult or a juvenile, is delivered to the appropriate mental facility, alcohol treatment facility or drug treatment facility as directed by, but not limited to, the following circumstances: (CALEA 1.1.3)
 - 1.** When a person with whom the officer is in contact requests transportation to treatment facility for voluntary admission;
 - 2.** When an officer has reason to believe a person meets the criteria for involuntary admission to a treatment facility as defined in the following Florida Statutes:
 - a.** Chapter 394, F.S., known as the Baker Act, defines criteria for involuntary admission due to mental illness.
 - b.** Chapter 397, F.S., known as the Marchman Act defines criteria for involuntary admission due to alcohol-related problems.
- C.** Juvenile referrals to criminal justice diversion programs shall be done through the State Attorney's Office and the Department of Children and Families.
- D.** An officer may use a Notice to Appear to release an adult arrestee. The criteria for issuance of a Notice to Appear are explained in G.O. 1.3, Limits of Authority.
- E.** The Board of County Commissioners, through the County Court Administrator, is responsible for the day-to-day operation of the Pre-Trial Release Program. Officers may contact Pre-Trial Release to make a recommendation as to the release of an arrestee. This recommendation is non-binding and is given at the discretion of the officer.

II. Definitions

- A.** *Pre Trial Release* – The release of a defendant from incarceration pending the completion of the judicial process.

APPROVED 

Charles E. Bird
CHIEF OF POLICE