

**INTERAGENCY AGREEMENT BETWEEN THE DEPARTMENT OF JUVENILE JUSTICE AND THE DEPARTMENT OF CORRECTIONS FOR THE TRANSFER OF JUVENILE INMATES**

**AUTHORITY:** Section 985.57, Florida Statutes, 2010

Interagency Agreement between the Department of Juvenile Justice and the Department of Corrections

Rules or Regulations – None

The following procedures are issued for the purpose of processing transfer requests of juvenile inmates under the age of 18 from the Department of Corrections to the Department of Juvenile Justice pursuant to Section 985.57, Florida Statutes.

The request for the transfer of inmates to the Department of Juvenile Justice from the Department of Corrections should be for those offenders deemed appropriate for successful program participation and amenable to treatment.

Inmates may be returned to the Department of Corrections for completion of their sentence, prior to becoming 18.6 years of age, if the Department of Juvenile Justice ascertains he or she has completed all treatment services available.

I. The Department of Juvenile Justice may transfer an inmate from the Department of Corrections or the Department of Corrections may recommend the transfer of selected inmates to the Department of Juvenile Justice. In either case, the following procedures will be followed.

- A. A letter of recommendation, from the Department of Corrections to the Department of Juvenile Justice, will accompany each transfer request, providing written justification to support the appropriateness for such request.
- B. Documentation to be included in the referral shall include but not be limited to:
  - 1. One copy of the inmate's sentencing order.
  - 2. One copy of the State Attorney's information or indictment.
  - 3. The inmate's file with a current admission summary.
  - 4. One copy of the Department of Corrections pre-sentence investigation.
  - 5. One copy of the Department of Juvenile Justice pre-disposition or waiver report.
  - 6. Confirmation the inmate has been interviewed by the Department of Corrections and agrees to the transfer if approved.
  - 7. Any psychological or psychiatric information available to the Department of Corrections.
- C. All transfer requests and supporting documentation will be sent to the Department of Juvenile Justice, Residential Services, Classification and Placement Administration.
- D. Classification and Placement Administration staff will review all case material and supporting documentation for completeness and insure all requests are within the criteria and requirements specified.

II. Transfer requests received by the Office of Residential Services will be processed in the following manner:

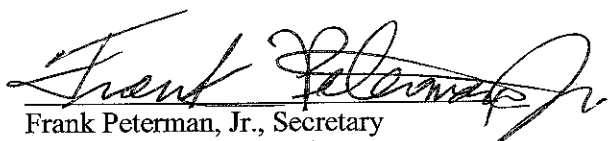
- A. Upon receipt of each transfer request the Department of Juvenile Justice, Classification and Placement staff will contact the sentencing judge, by letter, requesting a written recommendation from the court concerning the proposed transfer.
- B. Prior to approval or denial by the Secretary of Juvenile Justice, Classification and Placement Administration staff located in the region in which the inmate is incarcerated will interview the inmate and explain the Department of Juvenile Justice available options, expectations, consequences of noncompliance and obtain a signed understanding of the conditions of placement if the transfer were approved.
- C. With all requirements completed, Classification and Placement Administration staff will prepare a summary for the Secretary.
- D. If the Secretary of the Department of Juvenile Justice approves the transfer, the department's Classification and Placement Administration staff will contact the Department of Corrections Bureau of Classification and Central Records, the sentencing judge and any other individuals deemed appropriate. If the transfer is denied, the Department of Juvenile Justice, Classification and Placement Administration will notify all individuals contacted.
- E. Upon approval of the transfer request, the parent or guardian of the inmate will be contacted by the regional Juvenile Justice staff and consent for medical treatment will be obtained.
- F. Upon approval of the transfer request, and a suitable placement identified, all relevant information will be sent to the appropriate facility in which the inmate will receive treatment.
- G. Following notification of transfer, the Department of Corrections Bureau of Classification and Central Records will be responsible for the transportation of the inmate to the Department of Juvenile Justice commitment program on a date and time agreeable to both agencies. All personal possessions, the inmate's medical record and any pertinent information or behavioral summaries will accompany the inmate at the time of transfer.

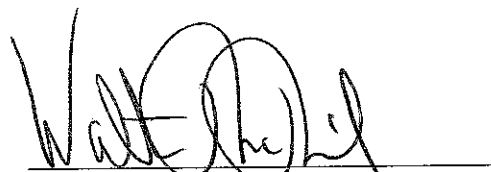
III. GENERAL PROVISIONS

- A. All inmates transferred to the Department of Juvenile Justice are subject to Department of Juvenile Justice rules, regulations, policies, and services relevant to all other committed youth at the facility in which transfer placement is made.
- B. The Department of Juvenile Justice will notify the Department of Corrections thirty (30) days prior to release of any inmate or immediately of the death of an inmate while in the custody of the Department.
- C. If, such inmate becomes 18.6 years of age and the sentence has not expired, the inmate must be transferred back to the Department of Corrections for placement in a youthful offender program, for the remainder of the sentence.
- D. The Department of Corrections shall grant gain-time for good conduct or may declare forfeiture thereof, as described in Sections 944.275 and 944.28, Florida Statutes. If the inmate was sentenced

pursuant to Section 921.18, Florida Statutes, is transferred to the department, the department may determine the exact sentence of the child, but the sentence may not be longer than the maximum sentence that was imposed by the court pursuant to 921.18, Florida Statutes. All time spent in the custody of the Department of Juvenile Justice shall count toward the expiration of sentence. The Department of Corrections will assist the Department of Juvenile Justice in determining the gain-time earned.


- E. Any inmate transferred from the Department of Corrections who fails to respond to the treatment provided by the Department of Juvenile Justice may, at the discretion of the Secretary of Juvenile Justice, be returned to the Department of Corrections.
- F. If an inmate successfully completes his/her juvenile justice commitment program and the Department of Juvenile Justice determines additional treatment in a juvenile institution will be of limited or no benefit to the inmate, the inmate will be returned to the Department of Corrections.
- G. Following notification, the Department of Corrections, Bureau of Classification and Central Records, will be responsible for the transportation of the inmate to the appropriate Department of Corrections facility. The Department of Juvenile Justice, Classification and Placement Administration will assist with coordinating the transfer.

  
 Frank Peterman, Jr., Secretary  
 Department of Juvenile Justice

  
 Walter A. McNeil, Secretary  
 Department of Corrections

Date 10/25/10

Date 11/05/10

DEPARTMENT OF CORRECTIONS  
 APPROVED AS TO FORM AND LEGALITY  
 10/27/10  
 GENERAL COUNSEL