

Knowledge is Power!



**KNOW
the Law**

Foreword

We dedicate this guide to the young people of Florida. We hope that it will be of value to both you and your parents or guardians. If you know the laws that apply to you, you can make good decisions about your education, your job, or your behavior. So take time to consider the law and weigh all of the consequences before you act.

As a member of society, you need to know your rights, privileges, and responsibilities. Knowing the law enables you to understand your rights, meet your responsibilities, and respect yourself and others, making your life more meaningful and trouble free. Always remember, “ignorance of the law is no excuse!” You must accept responsibility for your actions, and you must not blame your friends or your family for your own behavior.

The law is complex. We have tried to translate the law into a form that is easy for you to read and understand, but you will want to check with law enforcement officials or attorneys for more specifics and clarifications. The law changes constantly. While we have tried to write what’s current in the Florida statutes, federal statutes, and the Santa Rosa District School’s Code of Student Conduct, we cannot guarantee that the information will be current when you read it. You will want to check with local law enforcement or school officials to stay current. The law is complex and voluminous. We haven’t covered it all, but we hope the information in this guide will start you on the road to knowing the law.

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Santa Rosa County Sheriff’s Office
Crime Prevention Unit



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To view or print a copy of this guide, go to one of the following:

www.santarosasheriff.org

Click on crime prevention Click on Know the Law

www.santarosa.k12.fl.us/stuserv

CRIME



There are three basic types of crimes:

- 1) **Infractions:** the least serious law violations. They can result in a loss of liberty or a fine (for example, you receive a traffic ticket and you must pay a fine or attend traffic school).
- 2) **Misdemeanors:** less serious than felonies. They can result in juvenile commitment (residential placement out of your home) for up to 1 year.
- 3) **Felonies:** the most serious crimes. They can result in juvenile commitment for more than 1 year.

CONSEQUENCES

- College applications may ask if you’ve been arrested.
- The military may deny your enlistment if you’ve committed a crime, a felony, or domestic violence.
- Your insurance rates may be affected by drug or alcohol offenses.
- Your application for a driver license may be denied or delayed if you have been convicted of drug or alcohol offenses.

PERSONAL CRIMES



Battery is an intentional and unwanted touching; most batteries involve hitting, pushing, or shoving (Chap. 784).

- Battery is a misdemeanor. If you commit a battery against someone living in your home, a judge may place you in secure detention for domestic violence. (Note: Some branches of the military will not take you if you commit domestic violence.)
- If you commit a second battery, you can be charged with a felony. If you use a weapon (even a pencil or pen) or seriously injure the victim, you may be charged with a felony.

- If you commit battery on a law enforcement officer, a school employee (including teachers and deans), a pregnant person, or a person over the age of 65, the battery is a felony.
- Note: A victim of battery doesn't have to be harmed or injured. Any nonconsensual touching is sufficient to be considered battery.

Assault is a physical or verbal threat to do violence to someone (Chap. 784). If you have the ability to carry out the threat and you create fear in the person you threatened, you have committed misdemeanor assault. If a weapon is involved, you have committed aggravated assault, which is a felony.

Stalking is maliciously and repeatedly following or harassing another person, causing substantive emotional distress. To intend to place a person in fear of bodily harm constitutes a felony.

Affray is being involved in a fight in a public place, such as a school. It is a misdemeanor, like battery, but unlike battery, an affray implies mutual combat.

PROPERTY CRIMES



Criminal Mischief occurs when you damage someone's property on purpose or by being extremely reckless (Chap. 806). If the damage is more than \$1000, it is a felony. For example, egging a car may damage the paint, and a good paint job easily can exceed \$1000. Spray-painting graffiti, even on a roadway, is also criminal mischief.

Grand Theft Auto (GTA) includes stealing a car OR driving a stolen car.

Burglary, a felony, occurs when you enter someone's house, storage shed, business, or vehicle without his or her permission, intending to commit another crime inside, such as theft, criminal mischief, assault, or battery (Chap. 810). If you steal a weapon while you're in the house, the crime is treated just as though you had the weapon when you

entered the house. That's armed burglary of a home, a first-degree felony. If you cause more than \$1,000 worth of damage it is a first degree felony.

Dealing in stolen property means buying, selling, or possessing any item that has been stolen, whether you know it was stolen or should have known it was stolen (Chap. 812). If you possess recently stolen property and cannot satisfactorily explain why, the law assumes that you knew or should have known it was stolen.

Theft occurs when you take someone's property without his or her permission, even if you're just borrowing it (Chap. 812). If the item is worth \$299 or less, the crime is petit (Petty) theft, or a misdemeanor; if the item is worth \$300 or more, the crime is grand theft, or a felony. Your third conviction for theft is automatically a felony grand theft.

ALCOHOL



What is an Alcoholic Beverage?

- Any drink that has at least $\frac{1}{2}$ of one percent alcohol is an alcoholic beverage.
- Ethyl alcohol, the active ingredient in alcoholic drinks, acts as a depressant.
- There are four types of alcoholic beverages: beer, wine, fortified wine, and liquor. Each contains different amounts of alcohol.

When Can I purchase or Drink an Alcoholic Beverage?

- You must be 21 years of age to purchase, possess, or drink alcohol.

If you try to buy an alcoholic beverage in a store or a bar, you will be asked to show proof of your age. If you are under 21, no one can

DRINKING ALCOHOL IS DANGEROUS

because it can

- Damage your liver, mouth, esophagus, stomach, pancreas, brain, and heart.
- Cause Fetal Alcohol Syndrome in an unborn child, which can create mental retardation.
- Impair the brain, cause memory loss, and lower the ability of the brain to control behavior.
- Impair your ability to perform motor skills such as driving a car.

sell you an alcoholic beverage. (s.562.11). If you are 18 years of age or older and it is your first offense, you could be fined up to \$500, confined for up to 60 days or receive 6 months probation. If you are under 18 years of age, you will face juvenile delinquency sanctions (s.775.082(3)(b)).

- If you are under 21 and you possess alcohol or try to buy it, you could lose your driver license for up to 6 months for the first offense. For a second violation, you could lose your license for up to 2 years, in addition to other legal punishment, including remaining on probation until your 19th birthday.

Other Consequences:

- You cannot be drunk or under the influence of drugs in a public place or on a public conveyance, and cause a public disturbance (s.856.011)
- You cannot possess, drink, sell, or give liquor to any person in or at any public school or school grounds. You can be suspended or expelled for this in addition to facing criminal charges.
- **Note:** No one can have an open container of an alcoholic beverage in a car, whether you are drinking or not, or drink while driving, or drive a car under the influence of an alcoholic beverage (s.316.193).

What if I drink and drive?

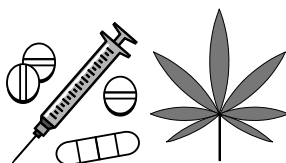
If you drink and drive (or are in actual physical control of a vehicle), here are some of the consequences:

NOTE:
Alcohol is considered
a drug.

- You may be issued a Driving Under the Influence (DUI) citation, which can cost up to thousands of dollars each time, and your driver license may be suspended for 6 months to 1 year.
- If your blood or breath alcohol level is 0.02% or higher, your driver license will be suspended for 6 months.
- If your blood or breath alcohol level is 0.05% or higher, your driver license will remain suspended until you complete a substance abuse course offered by a DUI program licensed by the Department of Motor Vehicles (DMV). These programs cost approximately \$200.

- If you refuse to submit to an alcohol test, your driver license will be suspended.
- **Note:** You cannot lend, borrow, or falsify a driver license.

DRUGS AND NARCOTICS



You cannot possess, use, sell, transport, offer, or be under the influence of any drug that is not prescribed to you by a doctor. If you drive a friend who has illegal drugs or alcohol on him or her, and you know he or she does, you may also be guilty of possession. If you possess, buy, or sell drugs within 1000 feet of a church, school, public housing facility, or childcare facility, the penalties are more serious (Chap. 893).

It is also illegal for you to

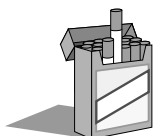
- Make or use a false or changed prescription (Chap. 831).
- Possession of a prescription medication without a prescription for it is a second degree misdemeanor. This includes antibiotics, headache or stomach medication. It is illegal to possess or share someone else's prescription medication.
- **Note:** Giving one pill to someone is a second-degree felony.

MARIJUANA contains

- THC — a mind-altering ingredient.
- Benzopyrene — causes cancer (70% more in marijuana than in cigarettes).
- Carbon monoxide — highly poisonous.
- Hydrocyanic acid — poison gas.
- Acetaldehyde — a solvent.
- Tar — causes lung cancer (50% more in marijuana than in a strong cigarette).

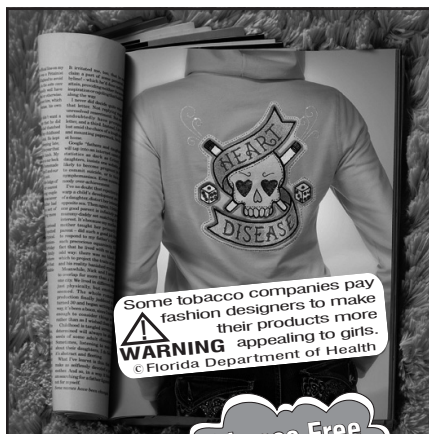
- Giving one pill that contains a substance controlled by section 893.03 is a first-degree felony if you are on school property or within 1,000 feet of any school property between the hours of 6:00 AM and 12:00 midnight.
- Possession of any narcotic (marijuana or cocaine for example) listed in Florida Statutes Section 893.03 or possession of alcohol by a person under 21 will result in a suspension of your driving privilege for at least 6 months for a first time offense. A second or subsequent offense requires a mandatory 2 year suspension of your driving privileges.
- Sniff, inhale, ingest, or possess with intent to inhale harmful chemical substances, for example, glue or gasoline (“huffing”) (s.877.111)

TOBACCO



If you are under 18 years of age, you may not possess, buy, chew or smoke tobacco products (s.569.11)

If you violate laws about tobacco, you can be assessed a fine, be required to perform community service work hours, attend a class, or have your driver license suspended.



Some tobacco companies pay fashion designers to make their products more appealing to girls.
WARNING appealing to girls.
 © Florida Department of Health

BE FREE

**Tobacco Free
Florida .com**

Santa Rosa County Health Department

5527 Stewart St. *Milton, FL 32570*

(850) 983-5200

SET YOUR OWN TREND. Who says looks can't kill? From advertising in fashion magazines to designer cigarette packs, many tobacco companies want you to light up more than just the runways. But smoking can lead to heart disease, an increased chance of developing breast cancer and other symptoms that are never in style.

WEAPONS



Can I carry or use a gun?

If you are under the age of 18, you CANNOT possess a firearm other than an unloaded one at your home, unless you are engaged in hunting or lawful marksmanship competition (Chap. 790).

You must be 21 years old or older to purchase ammunition.

If you are convicted of an offense that involves the possession or use of a firearm, law enforcement agencies may release your name for publication, even though you are a child (Chap. 790).

If the court finds you guilty of a felony delinquent act, you may not own or possess a firearm until you are 24 years old (Chap. 790).

10-20-LIFE

If you are 16 or 17 and use or possess a gun during the commission of a serious felony, the law requires that you be prosecuted as an adult.

The penalty can be

- 10 years in adult prison,
- 20 years if the gun is fired, or
- life in adult prison if someone is injured or killed. (10-20-life law, Chap. 2000)

Can someone give me a gun?

If you are under the age of 18, it is illegal for anyone to furnish you a firearm without your parents or guardians permission. No one can sell or transfer a firearm to you, unless they have your parents or guardians permission (Chap. 790).

Where can I shoot or not shoot?

In most areas, shooting is not permitted. In county areas, only certain portions are designated for shooting. Check with county law enforcement personnel to find out where you need owner permission and where you cannot shoot a firearm at all.

What other weapons should I know about?

- Any instrument or object deliberately used or intended for use to inflict harm upon another person or used to intimidate any person is considered a weapon (School District Student Rights and Responsibilities).

- You cannot make a blackjack, metal knuckles, or throwing stars, or carry explosives. You cannot have blackjacks, slingshots, billies, nunchakus, sandclubs, sandbags, or metal/brass knuckles. Authorities can take these away from you (Chap. 790).
- If you possess a weapon on school property, including any knife, you may be charged with a felony and expelled from school. If you discover a weapon that's been placed on your person or in your book bag by accident, contact a teacher, dean, or school resource officer immediately and turn the weapon in (Chap. 790).
- You cannot shoot a BB gun or any air rifle without adult supervision until you are 16. If you do, your parent can be charged with the crime (Chap. 790).
- If you throw a deadly missile, such as a stone, at a car or a house or at someone inside a car or a house, you can be charged with a felony punishable by up to 15 years.

Can I carry a weapon just to threaten or scare someone?

- It is unlawful to threaten anyone with a deadly weapon, even if it is unloaded, or to carry such a weapon if you intend to harm anyone (s790.10). If you threaten someone — place them in fear of harm, with or without a weapon — school officials may notify law enforcement, you may be suspended for between 1 and 10 days, and your parents or guardians may be notified.
- If you had the ability to carry out that threat and you placed others in fear by making it, you may be arrested and charged with assault (s784.011, 784.021).

FALSE REPORT



You commit a crime if you

- File a false police report or turn in a false fire alarm.

- File a false police report or turn in a false fire alarm.
- Lie to the police or the court when you are questioned as a witness (Chap. 817, 837).
- Make a false report of child abuse (Chap. 39).
- Make a false 911 call (Chap. 365).
- Plant a Hoax or bomb. Making a false report about planting a bomb or explosive is also unlawful (Chap. 790).

MORE ABOUT CRIME



It is also illegal to

- Buy, sell, receive, dispose of, hide, or possess articles from which serial numbers or manufacturers marks have been removed, damaged, or altered (Chap. 812).
- Set fire to or burn property such as woods or fields (unlawful burning, Chap. 590), or set fire to a dwelling or structure (arson, Chap. 806), or shoot off or take a fire extinguisher (Chap. 812).
- Refuse to disperse break up a group when asked by a police officer (Chap. 870).
- Use another persons personal information without his or her permission to get something of value or to harass them (Chap. 817).

IF A LAW ENFORCEMENT OFFICER

has cause to believe that you are under age 18, that you are skipping school, that you have run away from home, or that you are about to or have broken a law and are armed and dangerous, he or she can detain you briefly to investigate. An officer can pat you down for weapons and can use reasonable means to prevent your escape or resistance (Chap. 776, 901, 984).

SEXUAL ACTIVITY AND YOU



ADOLESCENT SEXUAL OFFENSE

What is an adolescent sexual offense?

- If a young person engages in sexual activity with another child through bribery/trickery, force or threats, or coaxing/flattery they are considered as having committed a sexual offense. This usually involves power over a weaker person. The sexual offender is any person who commits a sexual offense. Examples of these offenses are self exposure, sharing pornography, making obscene phone calls, and voyeurism which are considered non-physical offenses. Physical offense examples would be giving or receiving oral sex, fondling, inserting objects into a victim’s body and intercourse.
- If you are under the age of 16, it is illegal for you to have sex, even if you both consent. Sexual misconduct may include touching the private areas of another, whether clothed or unclothed. Not knowing your partner’s age is not a defense. If you are found delinquent for certain sex acts, your name will be placed on the sexual offender/predator registry (s.794 and 800).

Charges for Sexual Activity with Minors:

<u>Your Age</u>	<u>Partner’s Age: 16-17</u>	<u>12-15</u>	<u>Under 12</u>
24 or older	Felony, 2nd degree	Felony, 2nd degree	Capital felony
18 – 23	None	Felony, 2nd degree	Capital felony
16 – 17	None	Felony, 2nd degree	Life felony
13 – 15	None	Felony, 2nd degree	Life felony

Charges for Lewd or Lascivious Contact with Minors:

(All lewd or lascivious apply only to victims under the age of 16)

<u>Your Age</u>	<u>Partner’s Age: 16-17</u>	<u>12-15</u>	<u>Under 12</u>
24 or older	None	Felony, 2nd degree	Felony, 1st degree
18 – 23	None	Felony, 2nd degree	Felony, 1st degree
16 – 17	None	Felony, 3rd degree	Felony, 2nd degree
13 – 15	None	Felony, 3rd degree	Felony, 2nd degree

Example: If you are 16 and your girlfriend/boyfriend is 15, and you have consensual sex – even if it is oral sex – then you are guilty of lewd or lascivious battery, a 3rd degree felony; touching the breast, genital area, buttocks, or even the clothing covering them is considered lewd and lascivious molestation if your girlfriend/boyfriend is under 16. If you are under 18, that’s a 3rd degree felony.



SEX OR SEXUAL BATTERY

This is often referred to as “rape” and can occur in the following ways.

- Sex without a person’s consent (s.794.011)
- Sex with a person who is not legally able to give consent and under the age of 16
- It is unlawful for a person 16 and older to have sexual intercourse with any person under the age of 16 (s.800.04)
- Similarly, it is unlawful for a person 24 or older to have sexual intercourse with a person under the age of 18 (s.800.04)
- Any person 21 or older who impregnates a child under the age of 16 has committed a separate, additional felony (s.827.04)
- Touching the clothing above or the unclothed breast of a female under the age of 16, or touching the clothing above or the unclothed genital area or buttocks of a male or female under the age of 16 with any kind of sexual intent is a 3rd degree felony criminal offense (s.800.04)

Adam Walsh Act

This law was created in 2007 by the Florida Legislature (s.943.0435). It implements the Federal Adam Walsh Act and causes certain juvenile sex offenders who meet certain criteria to be treated just like their adult counterparts. Their crime, biographical, and residential data will become public information. It requires them to register as sex offenders with the local sheriff’s office. Changes of address must be

reported immediately. Failure to do so has delinquency/criminal penalties. Name, photograph, crime, and current residence will be accessible on the Internet and can be searched by everyone in the Sex Offender Search feature with FDLE. They will be required to maintain this status for life. One can apply after 25 years to be removed from this designation if they have not been arrested in the intervening years.

Romeo and Juliet Law

Underage sex is a crime in Florida. Sex offender designation may be removed in cases where the victim is between the age of 14 and 17 and is a willing participant in the sexual activity and no more than 4 years younger than the offender. The offense must be the only sex crime in the offender's record. The offender can still be charged with a crime, but may not be considered as a registered sex offender. (s.794.011 and s.800.04)

THE RISK OF ORAL SEX



To some young people, oral sex preserves virginity – technically speaking – and allows for what is perceived as risk-free sexual intimacy. From a medical perspective, however, this is sex – and, generally unsafe sex. Sexually transmitted diseases like herpes, gonorrhea, HIV, etc. can take hold in parts of the oral cavity, during sex with infected partners. Safe sex applies to sex by mouth too.

SEXTING / CHILD PORNOGRAPHY

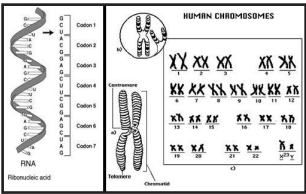


Sexting is the act of sending sexually explicit messages or photos electronically, frequently between cell phones. Selling or transmitting obscene materials to a minor or trying to solicit a minor all have their consequences. Teens or adults who engage in sexting can be subject to a criminal felony charge for sending, receiving, or creating a photo

involving someone under the age of 18 that looks sexually explicit or obscene. In some cases they can also become a registered sex offender. Sexting related consequences can also include humiliation and the thought that the photos can be forwarded and re-forwarded to anyone with a cell phone or email address. A “sext” can be easily uploaded to any website, including personal pages or social networking sites such as MySpace or Facebook (s.827 and 847)

DNA

DNA COLLECTION



Can my DNA be collected?

- If you commit a felony, 2 samples of your DNA will be collected and kept on file with the Florida Department of Law Enforcement (FDLE: Chap.984) for the rest of your life.
- Pursuant to Section 943.325, you will be required to submit a DNA sample if you are found guilty of committing the following offenses (This is not an exclusive list):

Sexual Battery

Lewdness; Indecent Act/Exposure

Carjacking

Aggravated Child Abuse

Robbery/Sudden Snatch

Aggravated Manslaughter

Any Forcible Felony (s.776.08)

Any Violent 3rd Degree Felony

Battery on School Staff

Aggravated Battery

Robbery

Homicide/Murder

Burglary

Manslaughter

Kidnapping/False Imprisonment

Aggravated Abuse (Elderly Abuse)

Battery: Law Enforcement Officer

All Felonies included in Chap. 812,

Such as Grand Theft or Dealing in Stolen Property

JUVENILE JUSTICE



The Juvenile Justice System is a group of people and organizations that deal with the problems of children and young people under the age of 18: the Department of Juvenile Justice (DJJ), the Department of Children and Families (DCF), the State Attorneys Office, the Public Defenders Office, and the Juvenile Division of the Circuit Court (Juvenile Court).

Juvenile law provides authority for protecting minors, for protecting the public from minors who commit criminal offenses, and for rehabilitating those minors. You may come under the jurisdiction of the Juvenile Court if you commit a delinquent act or if you are dependent. In either case, the court can offer you care, treatment, and guidance. If you are delinquent, the court is also authorized to punish you.

JUVENILE COURT



Juvenile Court is a special branch of the Circuit Court, whose judges act as the Juvenile Court judge. The Juvenile Court judge hears cases in which minors are believed to have violated the law (delinquency) or when they need help because of family or personal problems (dependency, or children or families in need of services [CINS/FINS]).

DEPENDENCY AND DELINQUENCY



What is dependency?

The Juvenile Court judge may declare you a dependent child (Chap. 985) if you

- Lack proper and effective parental control.
- Have no suitable place to live and inadequate necessities for living.

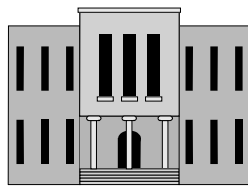
- Are physically dangerous to the public because of a mental or physical problem.
- Live in a home that is judged unfit because of physical, mental, or sexual abuse by parents or guardians.
- Have been freed for adoption but not formally adopted.

What is delinquency?

The Juvenile Court judge may declare you a delinquent child if you commit an illegal act.

JUVENILE DETENTION

Juvenile detention is a place where you may be held temporarily if you are a minor who has committed criminal acts and you are awaiting action by the Juvenile Court or if you violate an order of the court. You also may be held for a certain length of time after the court makes a judgment (or Adjudicates) your case, if the court commits you to a residential program.



What happens at juvenile detention?

When you arrive at juvenile detention, the intake screener must immediately investigate why you are there (Chap. 985).

Whether you remain in detention while you wait to appear before a judge depends on your score on a risk assessment instrument. The instruments scoring aligns with the severity of your offense and the degree of risk you pose to public safety. Your score will determine whether you are

- Detained.
- Released to your parents or guardians, with or without home detention.
- Released to a family services organization.

Whether you are released or detained, a probation officer from the DJJ will want to meet with you and your parents or guardians to discuss the possible alternatives for your case.

After meeting with you, the Juvenile Probation Officer may recommend to the State Attorney that

- No further action be taken.
- Your case be referred for nonjudicial handling (outside of court by diversionary supervision or through Teen Court).
- A delinquency petition be filed in your case.

The State Attorney may follow the recommendation of the DJJ or may take action independent of DJJ recommendation. The State Attorney may

- File a petition for delinquency.
- Transfer your case to Adult Court.
- Handle your case nonjudicially through diversionary services (Teen Court, mediation, etc.).
- Decline to file any charges in your case (Chap. 985).

What is Direct File?

The state attorney in his/her discretion could charge a juvenile as an adult (direct file) if:

- The juvenile is 14 years or older, and is charged with a violent felony.
- The juvenile is 16 years or older and charged with a felony. This can occur even if there is not a prior history.

What is the Principal Theory?

You do not have to be the primary or even the secondary participant in a crime to be equally guilty of the whole crime. You only have to help out in some small way (aid or abet). It's called a principal.

Principal in First Degree (s.777.011)

Whoever commits any criminal offense against the state, whether felony or misdemeanor, or aids, abets, counsels, hires, or otherwise procures such offense to be committed, and such offense is committed or is attempted to be committed, is a principal in the first degree and may be charged, convicted, and punished as such, whether he or she is or is not actually or constructively present at the commission of such offense. A lookout or a getaway car driver in a store robbery would be examples, even though neither person ever enters the store.

What is a nonjudicial case?

If the State Attorney elects to handle your case nonjudicially, he or she can refer you back to the DJJ, where you may be minimally supervised while you complete sanctions. You may also be referred to Teen Court. If your case was handled nonjudicially, you may be able to expunge (wipe out) your juvenile record. Ask the DJJ for the required form.

What is a judicial case?

If you plead guilty or are found guilty at trial, the Juvenile Court may decide on any of 3 dispositions for your case: commitment, probation, or alternative services. If you are in a high or maximum risk commitment program, the Juvenile Court can retain jurisdiction over your case until you reach age 21.

Commitment

The program you are committed to depends upon your prior record and the courts determination of your risk to re-offend. Commitment programs are categorized as low risk, moderate risk, high risk, or maximum risk.

NOTE:

In no case, can a juvenile be committed for more time than an adult would serve for the same crime.

Probation

If you are placed on probation, you must follow certain rules and conditions set by Juvenile Court. The court may set the terms of your probation to include where you may or may not go, who you may or may not associate with, what activities you may or may not participate in, and where you must reside. Your probation is supervised by a DJJ officer, who may be authorized to test you for alcohol or drugs. You will have to report to the officer and provide proof that you have paid fines, performed restitution, or completed any assigned community service. You also must abide by a curfew set by the court, unless your parents set an earlier curfew (Chap. 985).

Alternative Services

You may be required to complete community service hours, pay restitution, submit to random urine tests, and write letters of apology.

Flow Chart of the Juvenile Justice System

1

ARREST

You are arrested, taken into custody, and referred to the Department of Juvenile Justice (DJJ), or you are given a notice to appear in court.

2

INTAKE

You are interviewed by an Intake Counselor, who decides to release you to a responsible adult or place you in secure detention or home detention based upon your risk assessment score.

3

DJJ

RECOMMENDATION

DJJ recommends to the State Attorney that your case be handled
a) judicially or
b) nonjudicially.

Flow Chart of the Juvenile Justice System continued on page 22

Flow Chart of the Juvenile Justice System (continued)

4

NONJUDICIAL HANDLING -or-

If the State Attorney decides to handle your case nonjudicially, it may be heard in Teen Court or go to Juvenile Arbitration, or you may be sent to another diversionary program.

JUDICIAL HANDLING

If the State Attorney decides to handle your case judicially, it may be referred to Juvenile Court for an adjudicatory hearing (a non-jury trial). A delinquency petition will be filed and an arraignment hearing will be held. If you plead not guilty at the arraignment, an adjudicatory hearing will be held. If you meet the statutory criteria of a delinquency petition, the State Attorney may file charges in Adult Court.

5

ADJUDICATION

If you are found not guilty at the adjudicatory hearing, you will be released and you cannot be criminally re-charged with this offense. If you are found delinquent or if adjudication is withheld, your case will be disposed of in 1 of 3 ways:
a) commitment,
b) probation, or
c) other alternative judicial services.

6

COMMITMENT -or- PROBATION -or-

Includes low risk, moderate risk, high risk, and maximum risk commitments, from 2 months to 3 years.

ALTERNATIVE JUVENILE SERVICES

Includes restitution, community service, judicial warnings, and judicial advisements.

7

RELEASE

When you have successfully completed your commitment, probation, or alternative services, you are released from the juvenile justice system.

RECREATION



BOATING



Can I operate a boat?

If you are 21 or younger and you want to operate a boat with 10 or more horsepower, you must

1. Successfully complete a boaters education course offered by the Commission on Boater Safety.
2. Carry the boater safety ID card that shows you successfully completed the boaters education course.
3. Carry a photo ID.

Can I operate a personal watercraft?

If you want to operate a personal watercraft, you must be 14 years old or older. No person under the age of 14 can operate a personal watercraft in Florida (Chap. 327), and such craft cannot be operated after dark.

What laws apply to all watercraft?

No matter what your age, if you want to operate a boat or a personal watercraft, you must

- Know how to operate the boat or personal watercraft safely and NOT operate it negligently.
- NOT operate the boat or personal watercraft if you are intoxicated.

If you have an accident while you are boating, you could be sued. The penalties for boating under the influence of alcohol or drugs are almost the same as those for driving a car under the influence and they are severe (Chap. 327).

What's the law on life jackets?

All children under 6 years old must wear a personal flotation device (PFD) when they are aboard a motorboat, sailboat, or other vessel that is less than 26 feet in length and is underway (not anchored, moored, or aground). Check with the Florida Marine Patrol for guidelines on life jackets and other water safety requirements.

CAMPING



What are public areas?

You may camp in public areas marked for camping, including

- National parks.
- State parks.
- County parks.
- Areas set aside for camping in city parks.

What rules must I follow?

Check the rules before setting up camp, and follow the posted rules for that park. Such rules may include

- Hours of operation.
- Bicycle and vehicle rules.
- Rules about fires, littering, and loitering.
- Rules about pets.
- Rules about the use of drugs and alcohol.

Can I camp on private property?

Do not camp on private property without permission. That's called trespassing, and it's against the law.

FIREWORKS



Dangerous fireworks including firecrackers and bottle rockets are illegal.

Safe and sane fireworks are subject to the laws of your area. Check with your local law enforcement agency (Chap. 791).

FISHING



Must I have a license to fish in salt water?

You must have a saltwater fishing license if you take, attempt to take, or possess marine fish for noncommercial purposes UNLESS, for example

1. You are under 16 years of age.
2. You fish from land or a structure fixed to land (not from a boat), from a pier that has a valid pier saltwater fishing license, or from a boat that has a valid recreational vessel-fishing license.

These are not the only exceptions. To find out more, contact the Florida Marine Patrol.

What about fishing in fresh water?

You do NOT need a freshwater fishing license if

1. You are under the age of 16.
2. You are fishing on your own homestead.

3. You are fishing without a reel in your own county.

These are not the only exceptions. To find out more about freshwater licensing, contact the Florida Fish and Wildlife Conservation Commission (www.floridaconservation.org).

HUNTING



How do I get a license?

If you want to get a hunting license in Florida, you must

1. Be 16 years old or older.
2. Have a certificate from a hunter safety training course conducted in any state or Canadian Province approved by the Florida Fish and Wildlife Conservation Commission (Chap. 372) and proof that you hold such a license.

Or

Have a hunting license that indicates a hunter safety course on its face (Chap. 372) or a hunting license from a previous year.

Or

Have a certificate of competence from a class on hunter safety, conservation, and sportsmanship taught by a teacher selected by the Florida Fish and Wildlife Conservation Commission (Chap. 372).

Must I carry a license?

You must carry your hunting license with you and be prepared to show it when asked (Chap. 372). Licenses usually are valid for 12 months from the date of issue (Chap. 372).

PETS



What about vaccinations?

Dogs must be vaccinated for rabies every year and have a current dog license (Chap. 828).

What should I know about leashes and beaches?

When you take your dog out in public, you must put him or her on a leash or chain less than 6 feet long. You should not take a dog onto school property or to the beach (Chap. 828).

Am I responsible for care and feeding?

You are responsible for keeping pets safe from harm and for making sure they get proper care, including

- Providing your pets with food and water (Chap. 828).
- NOT abandoning an animal or intentionally getting a bird or animal into a fight with another bird or animal (Chap. 828).
- NOT capturing a bird, fish, reptile, or other wild animal in the wild and taking it for a pet.
- NOT abandoning, being cruel to, or neglecting an animal (Chap. 828).

SPECIAL PERMIT

You must have a special permit to keep certain animals as pets.

PARTIES



If you give a party or if you go to a party, these activities may be considered disturbing the peace (Chap. 877):

- Fighting.
- Loud music or excessive noise.

Use of drugs and alcohol comes under another set of laws (Chapters 562, 893).

Your parents or guardians may be held responsible for what goes on in their home even if they do not know you're having a party while they're away.

If an adult who has control of a residence allows minors to possess or consume alcohol or drugs in a party at that residence or fails to take reasonable steps to prevent such possession or consumption, the adult may be charged with a criminal offense (Chap. 827, 856).

DRIVING



GETTING A LEARNER LICENSE



- At age 15, you may get a learner driving license. You must be accompanied by a licensed driver who is at least 21 years of age and who occupies the closest seat to your right (Chap. 322). You may operate a vehicle only between the hours of 6 a.m. and 7 p.m.
- At age 16, you cannot drive between 11 p.m and 6 a.m. unless you are accompanied by a licensed driver who is at least 21 years old or you are driving to or from work (Chap. 322).
- At age 17, you cannot drive between 1 a.m. and 5 a.m. unless you are accompanied by a licensed driver who is at least 21 years old or you are driving to or from work.

DELAY OR DENIAL

Your application for a driver license can be delayed or denied if you are found guilty of a drug or alcohol offense.

Once you earn a regular driver license, there may be other restrictions, specified on the back of your license.

WEARING SEAT BELTS



When you drive, you must ensure that you and all your passengers wear seatbelts, whether they are seated in the front or the back. If the child is 5 years of age or younger, you must use an approved child safety seat (Chap. 316).

LOSING YOUR DRIVER LICENSE



You may lose your driver license if you

- Are stopped for a traffic violation and fail to have automobile insurance.
- Possess alcohol or illegal drugs (Chap. 322).
- Use a driver license to misrepresent or misstate your age to get someone to sell you alcohol (Chap. 562).
- Change your age on your license or ID card.
- Possess tobacco products.
- Refuse to submit to a test to determine your blood or breath alcohol level upon request of law enforcement personnel with probable cause to believe you have been drinking and driving (Chap. 322).
- Drive off without paying for your gas (Chap. 812).
- Commit any crime involving the use or possession of a firearm (Chap. 790).
- Steal (Chap. 812).

NOTE:

You cannot lend, borrow, or falsify a driver license (Chap. 322, 562).

- Drive with a blood or breath alcohol level of 0.02% or more (Chap. 322).
- Get 4 points or more on your driving record within a 12-month period.
- Are truant in your school attendance (Chap. 322).
- Commit a serious offense involving a motor vehicle (Chap. 322).
- Fail to properly stop and yield for a school bus (Chap. 322).
- Flee a pursuing law enforcement officer while you are driving.
- Vandalize with graffiti (Chap. 806).
- Drop out of school before you reach 18.

RESTRICTIONS

If you have a Florida driver license, read the back of it for any driving restrictions that pertain to age and hours of operation of a motor vehicle.

VIOLATING A TRAFFIC LAW



If you are found to have violated a traffic law, you can be reprimanded or receive one or more of the following penalties (Chap. 316, 322):

- Be ordered to attend traffic school.
- Pay a fine.
- Have your driving privileges suspended or restricted.
- Perform community service work under the supervision of a county probation officer.
- Be placed on county probation. If the charge is serious, you may have to appear in Juvenile Court.

OPERATING A MOTORIZED SCOOTER

If you are under 16 years of age and operate a motorized scooter,

- You must wear a safety helmet.
- You must limit your use to private roadways and sidewalks.



You may NOT operate the scooter on or along other sidewalks or roadways or on public sidewalks or roadways unless you are crossing a street in a crosswalk (Chap. 316).

OPERATING A MOTORCYCLE



If you are under 21, you must have a regular driver license with an endorsement to operate a motorcycle.

To obtain an endorsement, you must complete a motorcycle safety course and pay a fee.

FAMILY



ABUSE AND NEGLECT



What is abuse? neglect?

You are considered abused if any person

- Inflicts or allows physical pain, mental suffering, or cruel or inhuman corporal punishment or injury that results in bodily harm.

- Physically injures you by non-accidental means.
- Permits your life, body, or health to be placed in danger.
- Commits sexual acts upon you or in your presence.
- Involves you in preparing, distributing, or selling obscene material.

You are considered to be neglected if:

- You have been abandoned or deserted by your parents or guardians.
- You have not been provided support, education, medical, or remedial care (Chap. 827).

What happens if my parents or guardians abuse or neglect me?

If you are abused or neglected and there is no one to care for you, you will be taken into custody and taken to a safe place. Under special circumstances, you may be taken by a social worker (Chap 39, 395). The Dependency Court will then decide what to do. If the court declares you dependent, then you will be placed in the care and custody of a responsible person, organization or group, family home, or private institution.

If you are being considered for foster home placement, the court may want to hear from you. The Dependency Court can provide care for you until you are 9 years of age (Chap. 39).

Who must report child abuse or neglect?

Anyone can and should report child abuse or neglect involving a minor to the police or the Child Abuse Registry (1-800-962-2873) as soon as possible. For your own protection, it is important to report any incident of neglect or abuse even though you may have been threatened by someone if you do so. No one should ever be subjected to neglect or abuse.

People in the jobs listed below are required to report observations, knowledge, or reasonable suspicions of child abuse:

- Childcare custodians: school employees, teachers, foster parents, and camp counselors.

- Medical practitioners: physicians, psychiatrists, dentists, nurses, psychologists, and others.
- Non-medical practitioners: counselors, religious practitioners who treat children, and others.
- Protective agency employees: police, probation officers, social workers, and others.

Others who want to report abuse or neglect should contact 1-800-962-2873.

BODY PIERCING AND TATTOOING



If you are a minor, you cannot have your body pierced or tattooed without the written, notarized consent of your parent or guardian. If you are under 16, your parent or guardian must accompany you (Chap. 381). Ear piercing is excluded from this law.

EARNINGS, GIFTS, AND PROPERTY



Your parents or guardians are entitled to your earnings because they take care of you, and your earnings can be used for your overall care and household expenses.

Your parents or guardians may

- Give up their rights to your earnings if they wish.

- Take back a gift that was given to you if they feel that the gift could be potentially harmful to you or if they are restricting the use of a gift as a form of discipline. You may still own the gift, but your parents or guardians can have possession of it.
- Limit access to your property but cannot take your property just because they are your parents or guardians.

EMANCIPATION

You are emancipated or free from your parents' or guardians' control when you

- Reach the age of 18.
- Enter the military.
- Marry.
- Have the Circuit Court declare you emancipated.



In order to have the Circuit Court declare you emancipated, you must apply for an emancipation hearing through an attorney or the Legal Aid Society. You must also be of a specific age, be willing to live apart from your parents or guardians with their consent, and have a legal source of income to support you in a stable living environment. Emancipation in the State of Florida is referred to as the Removal of Disability of Non-Ages.

MAIL



According to the U.S. Postal Service (Domestic Mail Regulations Section 153.22), parents or guardians have control over the delivery and acceptance of their children's mail.

MARRIAGE



You may marry if

- You are 18 years of age or older.
- You have the written consent of one or both of your parents or guardians.

PARENTAL RESPONSIBILITIES



Who's responsible for me?

Your parents or guardians are responsible for you until you reach the age of 18, marry, or enter the military. They have the right to custody and control over you.

What are my parents' or guardians' liabilities?

Your parents are liable for any tort or crime you commit until you reach 18 or are emancipated.

WEB SITES

Commercial web sites and online services must have parental consent to collect, use, or disclose personal information about children under the age of 13 (Children's Online Privacy Protection Act of 1998, U.S. Title XIII, Section 1303).

What if I'm the parent of a newborn?

If you abandon the baby at a hospital, fire station, or emergency medical service (EMS) facility within 3 days of its birth, you may do so anonymously unless child abuse is suspected. The courts assume that you consent to terminate your parental rights (Chapter 2000).

RESIDENCE AND RUNNING AWAY



Can my parents tell me where to live?

Your parents or guardians have the legal right to designate where you live.

What happens if I run away?

If you run away, your parents or guardians should report you to the local law enforcement agency. You will then be listed as a missing person, and a law enforcement officer may take you into custody (Chap. 984).

What if I help someone run away?

It is unlawful to aid an unmarried minor runaway (Chap. 39). If anyone who is not authorized by the DJJ or the DCF knowingly helps an unmarried child who has run away from home without the consent of his or her parents or guardians or without notifying law enforcement of the child's name and the fact that the child is being provided shelter, he or she may be charged with a criminal offense (Chap. 984, 985).

Taking or concealing a child from the custody of his or her parent or helping someone else take or conceal a child may be a felony (Chap. 787).

SPANKING



Your parents can spank you, as long as they do not inflict excessive physical or mental harm.

CONTRACTS & TORTS



CONTRACTS



What is a contract?

A contract is a set of promises, enforceable in civil court, in which two or more people agree to do or not to do something.

- Most contracts involve property or money and deal with buying or selling something such as a car, a house, or land.
- Contracts may be written or spoken.
- When you use a credit card to buy something, you enter into a contract.

Who can make contracts?

If you are 18 or older . . .	You can make a contract.
If you are under 18 . . .	You can make a contract to sell your bicycle or skateboard, for example. You can borrow money or purchase a car; however, business people rarely make contracts with minors because minors can cancel a contract if they return the item they purchased or return money if they sold an item. (But a minor cannot cancel a contract that was authorized by the court or one that deals with creative or artistic services, including music rights and literary or dramatic works.)
If you are under 18 and married . . .	You can make some contracts but not others. For example, you cannot make contracts about real property such as land, a lot, or a house, or for personal property or any other property that is not yours.
If you are under 18 and live away from home . . .	You can contract for things that you need to live, such as an apartment, clothing, medical care, and household items. Such a contract is binding, and you are responsible for medical bills or rent just as an adult would be. Once these services or goods have been provided to you, you cannot cancel the contract (Chap. 743).



What is a tort?

If you harm other people, their property, or even their reputation, you have committed a tort regardless of whether the harm was an accident, resulted from carelessness, or was done intentionally. A court may require you to pay damages or may fine you. Some torts are criminal offenses; others are not. Here are some examples.

- Defamation: attacking a person's reputation or good name, in writing or in speech.
- Assault: creating fear in a victim's mind that something harmful will happen to him or her, by word or by action.
- Battery: intentionally touching someone without his or her permission.
- Trespass: intentionally going onto a property, fishing or shooting on a property, or throwing things onto a property that you do not own or have permission to be on.
- False imprisonment: keeping someone in a room or vehicle or other place where he or she cannot get out.

If I'm under the age of 18, how do torts affect me?

Florida law doesn't differentiate between minors and adults when it comes to civil responsibility for torts. If you are old enough to know right from wrong, you may be sued in civil court for the damage caused by your tort.

Who pays for my torts?

If you are under 18, your parents are liable or responsible for every intentional injury you cause to persons or property. The liability can be costly if you use a firearm. If you hurt someone unintentionally through negligence, your parents are liable if they knew about it or

should have known that you were likely to cause damage and were negligent in not stopping it. Even though your parents may be liable, you can still be held primarily responsible for your action (Chap. 710).

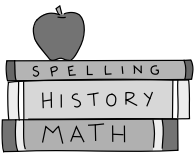
What if my action was an accident?

Even if your action is accidental, you are still responsible if your gross negligence caused the accident. If you should have been more careful, then you are responsible for the damages that result from your carelessness.

If someone commits a tort against me, what should I do?

If you are under 18, your parents can take legal action on your behalf, such as filing a lawsuit. When you reach the age of 18, you may take legal action yourself (Chap. 46).

SCHOOL



ATTENDANCE AND TRUANCY



Who must attend school?

You must attend school until you are 18 or have obtained your high school diploma or GED. If you fail to attend school, your driver license may be suspended (or you may not be issued a license if you do not already have one) and a lawsuit (legal charges) may be filed against you and/or your parents. Court petitions may be filed against you and/or your parents under Truancy Court statutes or child in need of services (CINS) statutes.

PRIVATE SCHOOLS
Private schools must meet certain state standards and have competent teachers.

You must attend school

- Full-time from the age of 6 to the age of 18 (Chap. 32). It is your parents' or guardians' responsibility to see that you attend.
- Full-time or part-time from the age of 16 to 18, unless you have been exempted (excused) or have graduated from high school or have taken and passed a special test called the GED (Chap. 322).

If you change your residency, your parents or guardians must enroll you in school in your new location.

Who does not have to attend a public school?

If you are 16 or 17 years old, you may formally withdraw from school, but you and your parents or guardians must sign a withdrawal form (Chap. 232).

If you are receiving full-time instruction at a private school, from a tutor, or in a home school setting, you may be exempt from attending public school (Chap. 232).

What is an excused absence?

Legally, all students must be in school unless they have

- A medical or dental appointment.
- An absence for religious holiday or ceremony observance.
- An absence requested in advance by parents or guardians and approved by the school.
- Any other justifiable reason.

What is truancy?

If you have 5 or more unexcused absences within 30 calendar days, or 10 or more unexcused absences within 90 days, you are considered truant (Chap. 232). After a specified number of unexcused absences, a letter from the School District may be delivered by a law enforcement officer, requesting a parent student conference.

What are the consequences of truancy?

Truancy Petition.

A truancy petition can be filed against your parents, and you and your parents will have to appear in Circuit Court (Chap. 984). Your parents may be fined, placed on probation, or jailed. The judge has the authority to order you to do a number of things:

- Submit to random urinalysis testing.
- Not leave home without your parent's permission.
- Be restricted from associating with certain friends.
- Perform community service.
- Secure daily progress reports from your teachers.
- Participate in counseling.
- Attend school with your parents.
- Complete written essays.

Child in need of services (CINS) Petition.

If you do not successfully complete the sanctions of the judges' court order under a truancy petition, a CINS Petition may be filed against you by the Department of Juvenile Justice (DJJ). If the court finds in favor of DJJ, the judge can place you in a shelter program for

- Five days on the first offense.
- Thirty days on the second offense.
- Up to 90 days for subsequent offenses.

Criminal Complaint.

If your parents or guardians do not compel you to attend school, they may be subject to prosecution.

- A criminal complaint can be filed against a parent or guardian who fails to comply with the order of the school or the court (Chap. 984).
- Penalties for violations include a fine of up to \$500 and 60 days in jail.

Parents or guardians who have refused to abide by the state's education laws or have failed to cooperate also have been prosecuted for neglect or for contributing to the delinquency of a minor (Chap. 827).

Suspended Driver License.

If you do not attend school, your driver license will be suspended until you reach the age of 18 (Chap. 232, 322).

DISABLED STUDENTS



How is Disabled defined?

A student with a disability is any student identified as disabled in accordance with Section 504 and/or the Individuals with Disabilities Education Act (105-17).

What programs are required?

Both the federal government and the State of Florida require school programs for those with oral communication disabilities, physical disabilities, learning disabilities, and severe disabilities (Chap. 228).

PARENTS' RESPONSIBILITIES



What rights do parents have with regard to school?

Parents or guardians have the right to

- Talk with teachers and school administrators about you and to see your school record.
- Disagree with teachers or administrators, but not to insult, abuse, or interfere with them (Chap. 23l, 877).
- Be notified and give their written permission before you can be given a questionnaire, survey, or examination regarding your parents or your personal beliefs, sex practices, family life, or religion.
- Decide whether or not you will attend sex education classes and see the films used in such classes (Chap. 233).
- Be consulted about your placement in special programs for educationally or physically disabled students (Chap. 230).

What responsibilities do parents have with regard to school?

Parents or guardians have the responsibility to

- See that you have a physical exam and current immunizations on your initial entry to school (Chap. 232).
- Ensure that you attend school daily and report or explain absences or tardiness (School District Code of Student Conduct).
- Maintain regular contact with the school about your progress.
- Provide you with resources you need to complete class work, and discuss report cards and work assignments with you.
- Expect and insist that you conform to reasonable standards of conduct.

What liabilities do parents have with regard to school?

You and your parents or guardians are liable for all damages caused by you to persons or property of the school district, and for all property such as books that have been lent to you and not returned (Chap. 233).

STUDENTS' RESPONSIBILITIES



What must I do in school?

While on school grounds or under school supervision, you are required to

- Obey the school rules and directions of your teachers and others in authority.
- Attend school regularly and on time.
- Maintain good behavior.
- Follow school rules.
- Respect teachers and others in authority.
- Be kind and courteous to other students.

What must I NOT do in school?

While on school grounds or under school supervision, you CANNOT engage in unlawful activity such as

- Sexual behavior.
- Using profanity.
- Drinking alcohol.
- Gambling.
- Possessing or using illegal drugs or tobacco.
- Causing damage or injury to persons or property. (You can be suspended or expelled for this, and you can be held financially responsible.)

- Possessing a weapon.
- Hitting, swearing at, or abusing school employees (Chap. 231, 232, 984).

TEACHERS' & ADMINISTRATORS' RESPONSIBILITIES



What are teachers responsible for?

Public school teachers must

- Enforce the course of study.
- Enforce the use of certain textbooks.
- Enforce the rules and regulations required by law.
- Hold students responsible for their conduct going to and from school and at any school activity (Chap. 231, 232).

What is corporal punishment?

The School Board has the authority to prohibit corporal punishment, but if the Board adopts a policy of corporal punishment, school officials are authorized to carry it out (Chap. 230, 232). Corporal punishment is the “moderate use of physical force or physical contact by a teacher or principal as may be necessary to maintain discipline or to enforce rules.” Paddles used must be of a specified size and made of wood. Corporal punishment is limited to two strokes or fewer for students in Kindergarten through Grade 3, three strokes or fewer for Grades 4 through 6, four strokes or fewer for Grades 7 through 12. A written explanation of the reason for the punishment will be provided to the parents or guardians (School District Code of Student Conduct).

What if a parent or guardian objects to corporal punishment?

If parents or guardians object to corporal punishment, they must notify the school in writing, each year, of that objection.

SEARCHES



Can school officials conduct searches?

Student searches by school officials on public school property or school buses and at school events must be based on reasonable suspicion of either criminal activity or a violation of school rules (School District Code of Student Conduct).

Can school officials question me?

School officials may ask you questions without informing you of your constitutional rights (Supreme Court decision *New Jersey v. T.L.O.* and subsequent cases).

Law enforcement officers may also question students at school. They will go through the school administration and the school resource officer if one is assigned to that school.

SUSPENSION AND EXPULSION



What is suspension from school?

Suspension means being temporarily removed from school, either by In-School Suspension or by Out-of School Suspension (Chap. 230).

- Sexual harassment.
- Incidents of hate, violence, or threats of intimidation.
- Committing a crime.
- Causing injury to another person or damage to school property.

- Purchasing, selling, possessing, or being under the influence of illegal drugs or alcohol.
- Unlawfully possessing, selling, using, or furnishing a firearm, knife, explosives, or other dangerous objects without written permission from a certified school employee.
- Habitually using profanity or vulgarity.
- Disrupting school activities or otherwise willfully defying the valid authority of any school personnel.
- Possessing electronic pagers or phones.
- Participating in other conduct that interferes with a positive teaching environment.
- Bullying or harassing any other student.
- Being habitually tardy.

If you are suspended from school because you violated a Florida statute, the school may notify law enforcement personnel of the act that led to your suspension.

If you commit a crime against another student, you may be prohibited from attending the same school or riding the same bus with that student.

What is expulsion from school?

Expulsion is the removal of the right and obligation of a student to attend public school for a period of time and under conditions set by the School Board, not to exceed the remainder of the school year and one additional year of attendance (School District Code of Student Conduct).

Many of the same rules that apply to suspension also apply to expulsion. Expulsion is deemed necessary when a student commits a serious breach of conduct.

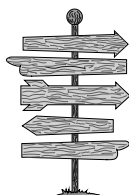
If you are recommended for expulsion,

- The Superintendent will notify your parents or guardians of the expulsion hearing, by certified mail.

- You are not allowed on any School Board property without permission from the schools administration. Otherwise, you will be considered to be trespassing, a violation of the law.
- You usually will be given the option of enrolling in an Alternative or Charter School (Chap. 228).
- You may or may not have the continuing right to alternative education.

HOMELESSNESS AND SCHOOLS

The Stewart B. McKinney Homeless Assistance Amendments Act of 1990 (Section 722(d)(2)) authorizes direct services that enable homeless children, including preschool-aged children and homeless youth, to enroll, attend, and achieve success in school.



INTERNET SAFETY



SAFE USAGE



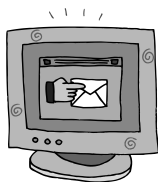
How can I use the Internet safely?

The Internet can be a wonderful tool for communicating, entertainment,

and education, but the Internet can also be dangerous! Follow these rules to be safe online:

- Don't respond to messages that don't seem okay or that are from strangers.
- Never agree to meet face to face with someone you met online.
- Never give out your personal information (name, address, school, etc.) to people you don't know.
- Never send a picture of yourself to people you don't know.
- Don't respond to mean, offensive, threatening or unwanted e-mail or instant messages.
- Choose a screen name that doesn't identify you as a boy or girl or your age.
- Don't share your password with anyone – not even your best friend.
- Remember, people online may or may not be who they say they are.

CYBERBULLYING



What is cyberbullying?

Bullying online is done by spreading rumors or sending messages that threaten or make fun of someone or exclude others. This is done by e-mail, voicemails, texts, instant messaging, chat rooms, etc. It can also include stealing passwords and sending threatening messages using a false identity and building a web site to target specific people. Kids are usually bullied by someone they know. If you are a victim of bullying, do the following:

- Say “Stop it” or “Leave me alone”

- Tell an adult and talk it out
- If you receive threatening e-mails or pornographic material, save the offensive material and contact that user’s Internet Service provider and your local law enforcement agency
- Avoid contact with a bully both in person or online

COMPUTER CRIMES



1. Sending a letter or any inscribed communication to anyone threatening death or bodily injury to that person or any member of their family is a 2nd degree felony.

In the 21st century this includes e-mail, instant messaging, phone text messaging, a MySpace account, and other forms of electronic text transfer. A later claim that “I didn’t really mean it” will have little effect on the outcome in court.

2. If you hack into someone else’s computer or use their password and then commit a criminal act or damage their computer, it is a 3rd degree felony.

BULLYING



What is bullying?

A person is being bullied when another person or persons say mean or hurtful things, make fun of them, call them names, ignore or exclude them from a group, hit/kick/push/shove around or lock them inside a room, or spread false rumors about them. When we talk about bullying, these things happen repeatedly and it is difficult for the person being bullied to defend themselves.

WAYS TO STAY BULLY FREE



Ways to stay bully free:

- Avoid Bullies – Act Confident – Look Confident – Be Observant
- Tell A Friend – Tell An Adult – Be Assertive – Stay Calm – Walk Away
- Keep A Safe Distance – Say “Stop It” – Say “Leave Me Alone”
- Travel In A Group – Join A Group – Use “I Messages”
- If you are in danger, RUN

If you see someone being bullied, report it to an adult right away

GANGS



Why shouldn't I join a criminal gang?

A “gang” is a group of people who want to be seen as different from others and want others to perceive them as a distinct group. The group is organized, has leadership, and is committing criminal and/or delinquent acts in the community.

Criminal street gangs are dangerous and often use peer pressure or fear and intimidation tactics to get others to join their gang. Kids are often confronted by gang members in their neighborhoods or in school and are asked to join the gang. Young people are told “big lies” about all the good things that happen when they join such as earning lots of money, making friends, going to parties, and belonging to a close “family” that will care for and “love” them. Joining a gang can lead to harm or even death.

GANG ENHANCEMENT



If the court finds that the defendant committed the charged offense for the purpose of benefiting, promoting, or furthering the interests of a criminal street gang, the penalty may be enhanced by one level or as follows (s.874.04):

- 2nd degree misdemeanor punished as if it was a 1st degree misdemeanor
- 1st degree misdemeanor punished as if it was a 3rd degree felony
- 3rd degree felony punished as if it was a 2nd degree felony
- 2nd degree felony punished as if it was a 1st degree felony
- 1st degree felony punished as if it was a life felony

HATE CRIMES



What is a hate crime?

A hate crime is a crime done by extremist people who use hate symbols to intimidate and frighten others. They spread racist and anti-semitic propaganda in an attempt to distinguish their individual group from others with similar ideologies. They create their own symbols. Some hate groups are the Aryan Nations, Hammerskins, Ku Klux Klan, and Skinheads. They commit violent crimes both on the streets and in the prison system. They often recruit young people to join and promote their cause.

HATE CRIMES ENHANCEMENT



If the court finds that the defendant committed the charged offense based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim the penalty may be enhanced by one level or as follows (Chap. 775.085):

- 2nd degree misdemeanor punished as if it was a 1st degree misdemeanor
- 1st degree misdemeanor punished as if it was a 3rd degree felony
- 3rd degree felony punished as if it was a 2nd degree felony
- 2nd degree felony punished as if it was a 1st degree felony
- 1st degree felony punished as if it was a life felony

VIOLENT FELONIES



What crimes are considered violent felonies?

Some of the more violent felonies are arson, armed burglary, all sex crimes, robbery, aggravated assault and aggravated battery. All carry a stiff penalty. Example: Lighting paper towels and throwing them in a waste basket in the restroom at school can be ARSON, a 1st degree felony (s.806.01(1)(b)).

FUTURE CONSEQUENCES . .



An arrest or a conviction can affect your application process to future jobs/careers. For example:

Armed Forces:

- **USMC:** any misdemeanor or felony requires a waiver which can result in limited MOS options also affecting money.
- **ARMY:** use own guidelines with misdemeanors depending on nature of the charge. Two or more misdemeanors require a waiver which can result in a loss of MOS options. All felonies require a waiver limiting MOS options.
- **National Guard:** same as the Army
- **NAVY:** all felonies require a waiver. More than 6 misdemeanor charges or convictions also require a waiver.
- **AIR FORCE:** all applicants go through the National Crime Center. No felonies are accepted. Also, no adverse adjudication is accepted. All misdemeanors require a waiver. A shoplifting charge will keep you out of the Air Force.

University of South Florida (USF): Depending on circumstances, applicant is referred to a process of “Prior Conduct: to determine if restrictions are needed or denial is warranted. Seriousness of the crime/appropriateness/danger to the community determines personal interview before a final decision is made.

University of Florida: each student is evaluated on an individual basis. If there are discipline questions, an investigation/clarification follows and an interview may be scheduled. Acceptance is based on seriousness of the crime, frequency and what affect the applicant would have on the safety of the community.

Florida State University: dishonest answers to disciplinary questions are hard to overcome. As a rule, applicants with a history of drug dealing and sexual crimes are not accepted.

TERRORISM



What can I do to fight terrorism?

- Report suspicious persons and activities to local law enforcement
- Do not open mail that looks suspicious
- Look for antigovernment/special-interest tattoos
- Get your neighborhood to form a Neighborhood Watch program
- Identify ways you can assist, during a disaster and in protection for your neighborhood.

PEER PRESSURE

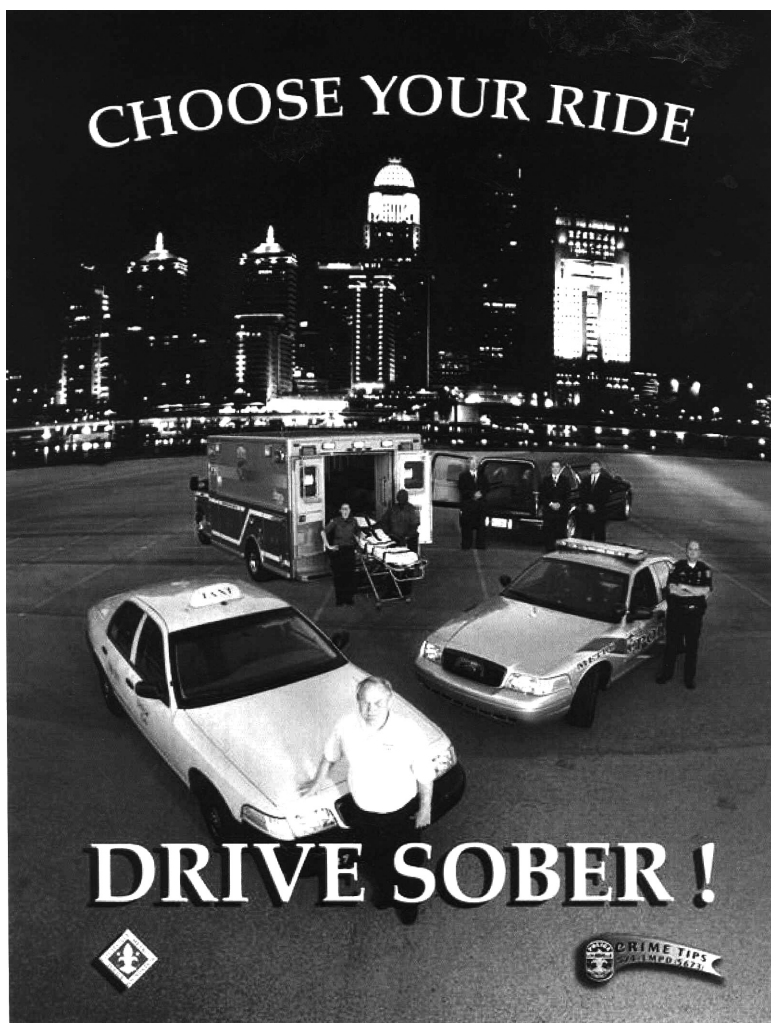


How Do I handle Peer Pressure?

Peer pressure can play a big role in how we behave and what choices we make. Some peer pressure is positive and some is not. Here are some safety rules to follow when someone is pressuring you to do something illegal or unsafe.

- We all know the difference between right and wrong. If something feels wrong or like a bad situation, it probably is. If you can anticipate pressures that you may face in certain situations, you can plan ahead as to how you would handle them.
- People will tell you to “just say NO!” If someone offers you alcohol, drugs, or sex say “NO!” If needed, repeat it until they get the message. Speak firmly and be confident.
- Attempt to get out of a potentially dangerous situation. This may mean that you’ll have to leave a party early or refuse to ride with someone who has been drinking or doing drugs.
- If needed, use your parents or someone else as an excuse as to why you have to leave the party early or give your own reasons.
- Decide who your real friends are – they are people who share your same values. Spend time with them rather than with others who try to pressure you into doing something you shouldn’t.
- If you find yourself in a bad or dangerous situation call people you know who can help.
- Learn about the dangers of “date rape” drugs i.e. GHB. Protect your beverage, when at a party. Don’t leave it unattended.
- Avoid spending time along with someone who may pressure you to have sex. Think about the consequences of an unwanted disease or pregnancy.

- Be aware that alcohol and drug use increases the number of accidents caused by drinking and driving. It can also increase the chance for sexual assault.
- Know your limits, be careful who you “hang” with and resist high-risk activities.



HOME ALONE



Are You at Home On Your Own?

Sometimes you may find yourself home alone, after school or on weekends. Follow these simple rules to ensure your safety:

- When you first get home, before entering the house, make sure everything looks normal. If there is an open or broken door or window, or a ladder leading to the second floor, go to a neighbor's right away and call your parents or police.
- House Keys: Parents should leave an extra house key with a trusted neighbor or relative in case you lose or can't find yours. DO NOT leave one under a door mat or above the door frame. If you hide one on the property, make sure it is not located in direct access to the front entry point of the home.
- Check in with a parent at work as soon as you get home or with a neighbor or relative.
- If a stranger knocks at the door, DO NOT OPEN IT. Ask their name through a closed door. Don't say you are home alone. Say something like, "My mom/dad can't come to the door right now. Can you call them later?"
- If someone says they have a package to deliver, tell them to leave it by the door or with a neighbor or reschedule to have it delivered at another time.
- If someone comes to the door and says they want to use your phone, tell them to go to a neighbor's house instead.
- Keep all doors locked at all times including the garage door.
- If a stranger calls ask who they wish to speak to, but don't give out your name. Tell them your parents are busy and they should call later. If the caller threatens you or is obscene, hang up and tell your parents about the call.

- If you have an emergency, dial 911. Speak slowly and give your name, address and phone number. Stay on the line and listen to any instructions you are given. **DO NOT HANG UP** until the operator/dispatcher tells you to. Learn basic first aid and CPR if possible and what to do.
- Talk with your parents about what to do in case of natural disasters that may strike i.e. hurricanes, tornadoes, floods.
- If a fire breaks out, leave immediately! Call 911. Follow the practice of “Stop, Drop, and Roll” if your clothes catch fire. Practice fire drills with your family and have an escape plan and safe meeting place already in mind.

If a stranger knocks at the door, DO NOT OPEN IT. Ask their name through a closed door. Don't say you are home alone.



If you are frightened by a call or knock on the door, go to the phone and dial: 9-1-1

Santa Rosa County Telephone Numbers for Teens

General Counseling: Mental health, drugs, alcohol problems

Avalon Center	437-8900
Crisis Line	623-6363
Rape Crisis/Trauma Recovery	433-7273

Substance Abuse

Alcohol Anonymous	433-4191
Alateen 24 Hrs.	474-5177
Narcotics Anonymous	723-4813
Drug & Alcohol Counseling(Lakeview)	469-3730
Twelve Oaks Treatment Center	1-800-622-1255 / 939-1200

Chemical Dependency

The Friary	1-800-332-2271 / 932-9375
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Domestic Violence

Favor House	434-1177
Crisis Line	434-6600

Runaway Shelter

Lutheran Services	453-2772
Safe Place	Same

Santa Rosa County

Telephone Numbers for Teens (continued)

Family Services/Teen Pregnancy

Abuse Hotline	1-800-962-2873
Dept. of Children & Families	
Services to Assist Families in Need	626-2054
Pregnancy Resource Center	983-2730
Healthy Start	626-6751
First Call for Help	983-7200
Missing Endangered Children Info.	1-888-356-4774
Suicide Prevention	438-1617
Teen Line	433-8336
Center for Independent Living	595-5566
Children's Home Society	266-2700
Children & Adults	
w/Attention Deficit Disorder	932-7585

Miscellaneous/Government

Department of Juvenile Justice	626-3041
Santa Rosa Co. Sheriff's Office	983-1100
Milton Police Department	983-5420
Gulf Breeze Police Department	934-5121

Escambia County Telephone Numbers for Teens

General Counseling: Mental health, drugs, alcohol problems

Alanon/Alateen	474-5177
Alcoholics Anonymous	433-4191
Community Drug and Alcohol (CDAC)	434-2724
First Call for Help	595-5905
Helpline – Crisis 24/7	438-1617
Lakeview Center	432-1222
Narcotics Anonymous	723-4813
Teen Crisis Line	433-8336

Abuse/Domestic Violence

Florida Abuse Hotline	1-800-962-2873
Favor House Domestic Violence	434-1177
Crisis Line	434-6600
Rape Line	433-7273

AIDS/HIV Services

Appetite for Life	470-9111
Community Information Network	470-9155
Lutheran Services of Florida	497-7157

Escambia County Telephone Numbers for Teens (continued)

Dropout Prevention

Alternative Education	595-6085
Communities in Schools of NWFL	433-6893
Pace Center for Girls	478-7060

Eating Disorders

Baptist Hospital	469-5811
Children's Home Society	266-2700
Lakeview Center	432-1222

Family Services

Agency for Persons with Disabilities	595-8351
Catholic Charities	436-6425
Children's Home Society	266-2700
Families Count	474-9713
Lutheran Services of Florida	453-2772
United Cerebral Palsy of NWFL	432-1596

Homeless Issues

EscaRosa Coalition on the Homeless	439-3009
Loaves and Fishes	438-7616
Salvation Army	432-1501
Waterfront Mission	478-4027

Escambia County

Telephone Numbers for Teens (continued)

Pregnancy

Alpha Center	479-4391
Catholic Charities	436-6411
Children's Home Society	266-2700
Healthy Families	437-1450
Healthy Start	595-6641
Hope Center for Teens	434-1340
Pregnancy Resource Center	479-7685

Runaways

Lutheran Services Currie House	453-2772
National Runaway Switchboard	1-800-786-2929

Miscellaneous/Government

Escambia County Sheriff's Office	436-9630
Pensacola Police Dept.	435-1845

Websites

Informed Families	www.InformedFamilies.org
CDAC (Community Drug & Alcohol Council)	www.CDAC.Info

Operation SAFE BEACH

BEACH SAFETY PLAN

WARNING FLAG CODES



Green: Go Low Hazard -
Swimming conditions favorable.



Yellow: Caution Medium Hazard -
Strong current or other hazards
for swimming.



Red: Stop High Hazard -
Avoid any contact with the water.

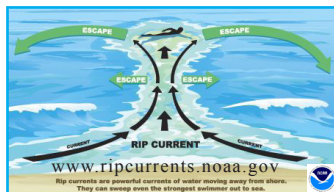


**Two Red: Water
Closed To Public.**



**Purple: Marine
Pests Present.**

HOW TO ESCAPE A RIP CURRENT



NOTE: Do not panic or swim
against rip currents.
Swim parallel to the
shore until you are out
of the rip current.

1. Supervise children **at all times** even when lifeguards are present. Don't allow children to go in the water alone, always swim together. Swim near a lifeguard. For your safety always pay attention to and **obey the warning flags** flown at beach facilities.
2. Stay away from breaking waves **they are dangerous**, they can push you underwater, knock you into another swimmer, render you unconscious, cause physical harm or death.
3. In the case of a thunderstorm stay away from the water, **seek shelter at once** (building or car).
4. Use a water resistant sunscreen of **no less than SPF 15**, (we recommend a higher SPF 35 - 50+) use even on cloudy days.



A Beach Safety Program From The:



American Youth
Association

501(c)(3) Not For Profit Org.

We want a
**safe, clean
and fun beach
for all to
ENJOY!**



REMEMBER:

**It is your
responsibility to
“Know the Law.”**



**Ignorance
of the law
is no excuse!**