



State of Florida  
Department of Children and Families

Rick Scott  
Governor

David E. Wilkins  
Secretary

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**DATE:** June 19, 2012

**TO:** Regional Managing Directors

**THROUGH:** *John Cooper*  
John Cooper, Assistant Secretary for Operations

**FROM:** *Mary Cagle*  
Mary Cagle, Director of Children's Legal Services  
*Patricia Armstrong*  
Patricia Armstrong, Director Office of Child Welfare

**SUBJECT:** Establishment of Uniform Process for Take into Custody Orders (TICO)

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**PURPOSE:** The purpose of this memorandum is to establish uniform processes for Take Into Custody Orders (TICOs) requested by Department and Community-Based Care staff.

**BACKGROUND:** On April 27, 2012, the Florida Department of Law Enforcement (FDLE) contacted the Department with concerns that TICOs were processed differently in the various jurisdictions in Florida. Additionally, in some areas, there was confusion as to the circumstances and conditions under which a TICO may be entered into the Florida Crime Information Center (FCIC) and the National Crime Information Center (NCIC). TICOs are issued for a variety of reasons, e.g., missing child, runaway, truancy. In many cases law enforcement is unable to confirm the orders. For example, the child may have returned to the foster home, but the TICO may not have been withdrawn.

On May 22, 2012, the Department and the FDLE agreed that a uniform process should be established in each county. Children's Legal Services has since developed a template for the "Affidavit for Order to Take into Custody" and "Order to Take into Custody." The Florida Department of Law Enforcement will create a technical memorandum for law enforcement and will issue a Missing Endangered Persons Information Clearinghouse (MEPIC) memorandum to all users.

**ACTION REQUESTED:** The following practice should be implemented immediately in each county.

1. When a child is missing, child protective investigators (CPI) or case managers will file a missing person report with the appropriate law enforcement agency. When requesting a TICO, protective investigators or case managers will include the missing person report # in their affidavit that is sent to Children's Legal Services. The CPI or case manager is not required to obtain a TICO before law enforcement will accept a missing person report. The TICO must be linked to a missing person report and will be attached in the miscellaneous section of the report. Clarification of this point will be communicated to law enforcement through FDLE.

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Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

2. All circuits must immediately begin to use the new templates developed by Children's Legal Services (attached). Electronic copies can be obtained through the Department's intranet website.

It will be important to include the law enforcement agency's missing person case # and make sure the "Copies to" portion of the order reflects that it should be sent to the law enforcement agency that received the missing person report. The practice of sending all TICOs only to the Sheriff should be discontinued.

When sending the TICO to law enforcement, DCF should request that law enforcement confirm the existence of a current/active missing person report and add the TICO as an attachment in the miscellaneous field of FCIC to reflect the existence of the TICO. It will not be necessary to establish a method for validation of the TICO since the presence of a missing person report in FCIC suffices.

3. DCF policies require protective investigators and case managers to promptly notify law enforcement that a child has been located so the missing person report can be promptly cleared from the system. DCF must continue providing timely notifications. CPI's and case managers must also promptly notify CLS if a child is located by means other than law enforcement so that an order quashing the outstanding TICO may be obtained.
4. On the rare occasion when law enforcement receives a TICO but a missing person report has not been filed, DCF must promptly complete the missing person report so information can be input into the FCIC and once the report is filed request the TICO be added to the miscellaneous field.
5. If current local processes indicate that it takes several days for the clerk of court to deliver the TICO to law enforcement, the Regional Managing Director or designee, working with the Children's Legal Services Regional Director or designee should meet with the respective Clerk of Court or designee to discuss ways to improve the processing of TICO orders to help ensure timely delivery to the relevant law enforcement agency.
6. DCF will make sure TICOs include a specific point of contact (name of person) and telephone number for a law enforcement officer to call when a child is recovered so the officer can deliver the child to the appropriate location at any hour of the day or night or otherwise make arrangements for the child to be picked up.

**CONTACT INFORMATION:** If you have any questions, or for additional information please contact Eleese Davis, Office of Child Welfare, at (850) 717-4650, [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us) or Karlene Cole-Palmer, Children's Legal Services at (407) 317-7081.

cc: Community-Based Care Lead Agencies  
Donna Uzzell, Florida Department of Law Enforcement

**IN THE CIRCUIT COURT OF THE  
[insert the Circuit #] JUDICIAL  
CIRCUIT, IN AND FOR [insert county  
name] COUNTY, FLORIDA  
DIVISION:  
CASE NUMBER:**

**IN THE INTEREST OF**

\_\_\_\_\_ **DOB:**

**A CHILD**  
\_\_\_\_\_ /

**ORDER TO TAKE INTO CUSTODY**  
**Emergency Execute Immediately**

**TO: ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA  
OR OTHER LAW ENFORCEMENT AGENCIES:**

A Verified Petition or Affidavit having been duly filed by the State of Florida/Department of Children and Families pursuant to Fla. R. of Juv. P. 8.300 and having been reviewed by the Court, which Verified Petition or Affidavit alleges facts which under existing law are determined to be sufficient to authorize taking into custody the below named and/or identified child, who is of an age subject to the juvenile jurisdiction of the Circuit Court, therefore:

**YOU ARE COMMANDED TO TAKE INTO CUSTODY:**

<b>CHILD'S NAME:</b>	<b>DOB:</b>
<b>AGE:</b>	<b>SEX:</b>
<b>HEIGHT:</b>	<b>WEIGHT:</b>
<b>EYE COLOR:</b>	<b>HAIR COLOR:</b>
<b>PLACE OF BIRTH:</b>	<b>IDENTIFYING MARKS:</b>
<b>POSSIBLE ADDRESS OR LOCATION:</b>	

**THE CHILD'S PARENTS ARE AS FOLLOWS:**

Mother:	DOB:
Age:	Weight:
Height:	Hair Color:
Eye Color:	Identifying Marks:
Place of Birth:	Phone:
Vehicle: [Make and model or N/A]	DL#:
Possible Address or Location:	

Father:  
Age:  
Height:  
Eye Color:  
Place of Birth:  
Vehicle: [Make and model or N/A]  
Possible Address or Location:

DOB:  
Weight:  
Hair Color:  
Identifying Marks:  
Phone:  
DL#:

**LAST KNOWN CUSTODIAN (IF OTHER THAN A PARENT):**

Custodian:  
Age:  
Height:  
Eye Color:  
Place of Birth:  
Vehicle: [Make and model or N/A]  
Possible Address or Location:

DOB:  
Sex:  
Weight:  
Hair Color:  
Identifying Marks:  
DL#:  
Phone:

**LAST KNOWN ADDRESS/LOCATION OF THE CHILD:**

(Please indicate last known address where child was located)

**The child is to be taken into custody for the following reasons:** The facts and circumstances contained in the State of Florida/Department of Children and Families' Verified Petition or Affidavit, hereby incorporated by reference, alleges sufficient facts under existing law that the child has been abused, abandoned or neglected; and/or is at substantial risk of imminent abuse, abandonment or neglect; and/or the child is in danger of harm because the child's whereabouts are unknown and the Department is unable to ensure the child's safety. **[A Missing Person's Report has been filed. OR A Missing Persons' Report has not been filed.]**

When located, the child should be held in a suitable place until transferred to the Department of Children and Families, Child Protective Investigations Division [CBC Case Management Organization] (please include complete address and phone number); and after locating the child any or all of the following Department of Children and Families personnel or authorized contract providers should be immediately contacted so as to complete the transfer:

Child Protective Investigator:	(name) (valid contact number)
Child Protective Investigator Supervisor:	(name) (valid contact number)
Family Case Manager	(name) (valid contact number)
Family Case Manager Supervisor	(name) (valid contact number)
Other	(name) (valid contact number)

**OR**

Notify the Florida Abuse Hotline at **1-800-962-2873** in the event that none of the above persons can be reached to take possession of the child.

**NOTIFY THE [insert the correct law enforcement agency] WARRANTS  
DIVISION OR COMMUNICATIONS OFFICER IMMEDIATELY UPON  
EXECUTION OF THIS ORDER.**

**ORDERED** in the Circuit Court in and for Orange County, Florida this \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Circuit Court Judge**

Copies to:

**Warrants Division – Missing Persons’ Section**, [insert the correct address/fax and  
phone number for the appropriate law enforcement agency].

**Children’s Legal Services**, [insert correct address].

**Department of Children and Families**, Child Protective Investigator, [insert CPI name  
or unit number and address].

**Department of Children and Families**, Sue Aboul-Hosn, Central Region Criminal  
Justice Coordinator, Missing Children/Human Trafficking Advocate, 400 W. Robinson,  
South Tower 915G, Orlando, FL 32801.