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Study says civil citations under utilized

September 14th, 2016 by Mike Vasilinda



Hillsborough and Duval Counties are being singled out as two of the worst in Florida when it comes to issuing civil citations to juveniles committing petty crimes. As Mike Vasilinda tells us, experts say the underutilization comes with a cost both now and later.





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Police in Florida arrested nearly 12 thousand juveniles for minor offenses last year even though all were eligible for a civil citation. A new study by Dewey Caruthers commissioned by the Children's Campaign shows using criminal sanctions results in more repeat offenders.

"For vandalism, the civil citation recidivism rate is three percent. For post arrest diversion is nine percent. Triple the rate" says Caruthers.

The use of civil citations was up 5 percent last year, but two counties, Duval and Hillsborough says Caruthers, saw a significant drop.

"Duval has an average rate of 29 percent, Hillsborough 29 percent, which is an actual drop from the previous year."

The way the system works right now is police may have jurisdiction on this side of the street and use civil citations. The Sheriff may have jurisdiction across the street and not.

Howard Simon, ACLU Florida executive Director says the optional nature of the citations leads to unequal justice.

"You can't have a system in which things vary from county to county, from law enforcement agency to law enforcement agency, or from community to community within the same county" says Simon.

The study estimates at least 20 million and maybe three times that much is spent prosecuting kids. Sal Nuzzo from the conservative James Madison Institute says that doesn't include significant long term costs.

"They pay more taxes as opposed to using the social services safety net. They are more likely to get student loans to be able to go to higher education institutions. they are less likely to be incarcerated down the road" say Nuzzo.

Use of the non criminal citations are optional for police. Advocates say requiring an officer to justify an arrest in writing to a supervisor is the single most important thing that could lead to fewer criminal sanctions and more second chances for kids.