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## Children's advocates urge local prosecutors to choose an alternative to arresting juveniles

By Tessa Duvall and Tia Mitchell Wed, Sep 14, 2016 @ 3:07 pm | updated Wed, Sep 14, 2016 @ 3:15 pm



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**TALLAHASSEE** | A new study highlights that Duval is one of three Florida counties accounting for almost a quarter of the state’s youth misdemeanor arrests, opting for arrest over a proven alternative.

Duval, Hillsborough and Orange counties together arrested nearly 3,000 juveniles instead of offering them civil citations, a non-arrest alternative that sanctions mistakes through community service, counseling and other restorative techniques. The citations have a recidivism rate at least half that of arrest for each of the seven most common offenses, data shows.

Roy Miller, president of the advocacy group The Children’s Campaign, which supported the study, said the study shows clear results that civil citation leads to better outcomes for everyone.

“Increasing the utilization of civil citations is one of the most important juvenile justice reforms that we can make in this state,” he said.

Miller said increasing civil citations in these three counties will require a consensus among the sheriffs, chief judges and state attorneys.

“In two of those counties we’re going to have a new state attorney,” Miller said referring to Duval and Orange counties. “We, as an advocacy coalition, are going to be reaching out to those new state attorneys and see if they will get on board with using civil citations. We’re very hopeful that might be the case.”

The State Attorney’s Office for the Fourth Judicial Circuit, which includes Duval, Clay and Nassau, does not allow law enforcement to issue civil citations in misdemeanor battery cases, which in part accounts for the lower rate locally. State Attorney-Elect Melissa Nelson has said she will allow misdemeanor batteries to receive citations.

Dewey Caruthers, the author of the study, said based on the findings of the study, he recommends using arrests in only “rare and exceptional circumstances.”

“I think looking at those offenses with younger children its a given that they are issued a civil citation, and I think we have got to look at the three counties — Duval, Hillsborough and Orange — they’ve got to increase them,” Caruthers said.

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A reform that would have standardized civil citation usage died in the legislature this past session. Advocates argued the measure was needed because the current county-by-county adoption of civil citation leads to disparate outcomes based on where a child commits an offense.

Howard Simon, executive director of the ACLU Florida, said the legislature should be "concerned about uneven justice."

"Two kids who commit the same offense should not be treated differently without a reason that has something to do with geographic accident," he said. "That's a concern for the Legislature. As the use of civil citation grows, I do think the Legislature needs to study and look at and figure out how we can make justice across the state more even."

If civil citation usage was increased to 75 percent statewide, between \$20 million and \$62 million could be freed up in the judicial system to address more serious offenses, according to the study. The statewide rate for 2014-15 was 43 percent.

The study shows that Duval ranks 20th out of the 35 counties that had 100 or more youth eligible for civil citations. Using Department of Juvenile Justice data, the report found that Duval county only issues the citations in 32 percent of eligible cases.

Duval County School Police, Jacksonville Beach police and Neptune Beach police issued civil citations in more than 50 percent of eligible cases, whereas Atlantic Beach police and the Jacksonville Sheriff's Office arrested youthful offenders for misdemeanors in a majority of cases.

The Fourth Judicial Circuit as a whole has a 28 percent civil citation rate. Nassau County is at 44 percent, and Clay County is at 12 percent.

The study was conducted by Dewey & Associates, with support from advocacy groups that include The Children's Campaign, the Southern Poverty Law Center and the American Civil Liberties Union.

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**HAPPY JACK**

Thursday, September 15, 2016 @ 8:13 am

I wonder how many times bleeding heart liberal Dewey Caruthers has been the victim of juvenile crime? So his plan is to let the thugs and hoodlums do what they want, but not arrest them, because it may make them feel badly.



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