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Report: Youthful offenders likely to get arrested in Hillsborough, cited in Pinellas



Kristen M. Clark, Times/Herald Tallahassee Bureau

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My Edition



Teens attend a class at the Hillsborough County Juvenile Detention Center East. Hillsborough used civil citations over arrests in only 32 percent of eligible cases, a new report says. SKIP O'ROURKE | Times

TALLAHASSEE — Hillsborough County lags far behind Pinellas in the use of juvenile civil citations — an alternative that experts praise as a more effective and beneficial option to arrest for misdemeanor crimes, according to a new independent study released Wednesday.

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Hillsborough used civil citations over arrests in only 32 percent of eligible cases for 2014-15. By comparison, Pinellas gave citations 82 percent of the time, the second highest rate in Florida.

Elsewhere in Tampa Bay, 53 percent of eligible youths in Pasco and Hernando counties were issued citations.

The nonpartisan "Stepping Up 2016" report — the second-annual of its kind by the Children's Campaign and several other state and national advocacy groups — builds upon previous findings that juvenile civil citations are preferable because they improve youth

outcomes, increase public safety and save potentially millions in taxpayer money.

With a civil citation, child offenders are typically assigned to community service and intervention programs, rather than being arrested and getting a criminal record.

"We are unable to find any data that shows arresting youth for common youth misbehavior instead of issuing civil citations is a good idea," Dewey Caruthers, the study's author, said in a statement.

Pinellas Sheriff Bob Gualtieri said the study's numbers reflect the success of the county's juvenile diversion program, which steers minors who committed low-level crimes, like retail theft and criminal mischief, toward completing community service hours to avoid an arrest record.

Law enforcement officers across Pinellas are trained to refer juveniles to the program if they are eligible, but the Sheriff's Office also employs one staffer who visits the juvenile assessment center every day to determine if any minors there would qualify.

"There's overall a consistent stakeholder and a criminal justice system in Pinellas County that supports it and you don't always have that in every place," Gualtieri said.

It's the second time this week that Hillsborough was flagged for how juveniles navigate the criminal justice system. A study by Faith in Florida, an interdenominational activist group, found Hillsborough led the state in the number of young people incarcerated in adult prisons.

The Children's Campaign study shows how inconsistently juvenile justice is applied throughout Florida.

Hillsborough, Duval and Orange counties made up 24 percent of all arrests — totaling 2,860 juveniles in Florida — for common youth misbehavior in 2014-15. Those three counties make up 18 percent of the state's population.

By comparison, Miami-Dade, Broward and Palm Beach counties — which represent 30 percent of the state's population — altogether represented only 9 percent of citation-eligible juvenile arrests in the same time, the study said. Miami-Dade led the state in sending child offenders to diversion programs, with 91 percent getting citations rather than getting arrested for misdemeanor crimes.

"(Hillsborough, Duval and Orange) counties represent the single biggest opportunity for the state to dramatically increase utilization rates," the study said.

Mark Cox, a Hillsborough State Attorney's Office spokesman, said the civil citations are issued at the street level, by officers, and that prosecutors rely on their discretion to do so. He did say that the state attorney's office has advised officers in establishing "parameters" for issuing citations.

Child advocacy groups in recent years have pushed for expanding the use of juvenile civil citations in Florida; a measure proposed in the Florida Legislature this year to force the use of civil citations for more first-time offenders died in a House committee.

Caruthers' study found progress between 2013-14 and 2014-15 to be "sluggish" and the number of counties and school districts using juvenile civil citations actually dropped slightly. Statewide, the use of juvenile civil citations was up 5 percent on the year, to a 43 percent usage rate from 38 percent, the report found.

Statewide in 2014-15, 11,872 children were arrested for "common youth misbehavior," compared to 8,961 who were issued civil citations.

The study recommends nearly doubling the use of juvenile civil citations — to 75 percent statewide — by January 2017. The study estimates that doing so would save law enforcement agencies between \$19.8 million and \$62.4 million.

The statewide report found that counties, cities, school districts and even law enforcement agencies don't have a uniform standard as to which crimes are eligible for civil citations.

"Far too often, whether youth are arrested or issued a civil citation depends on the county or city where a youth is located when committing the offense, as well as the law enforcement agency that confronts her/him," the study says.

Times staff writers Laura Morel and Anastasia Dawson contributed to this story. Times/Herald reporter Kristen M. Clark can be reached at kclark@miamiherald.com. Follow @ByKristenMClark.

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