

Advocates Say Citations A Civil Approach To Crime

By JIM ASH • SEP 23, 2016

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This (LAST) week's survey by the James Madison Institute did more than show widespread support for criminal justice reform. It lends more ammunition to children's advocates pushing greater use of civil citations for juvenile offenders.

JUVENILE MISDEMEANOR CIVIL CITATION

ESCAMBIA COUNTY SHERIFF'S OFFICE
 PENSACOLA POLICE DEPARTMENT **E.S.S. 985.12**

Date _____ Complaint # _____

Name (Last, First, Middle) _____ Race/Sex _____ DOB _____ SSN _____

Address _____ City _____ State _____ Zip _____ School _____

Parent/Guardian _____ Home Phone _____ Work Phone _____

Offense _____ Statute # _____ 1st or 2nd Degree _____

Offense _____ Statute # _____ 1st or 2nd Degree _____

Witness To _____ Address _____ Home Phone _____ Work Phone _____

In Escambia County, Florida _____
 Statement of Probable Cause _____

ATTENTION: You have the right to refuse this citation and be referred to Juvenile Court. This option may be exercised at any time prior to completion of the work assignment. If you accept this citation, you must call the Civil Citation Coordinator at (850) 595-8820, ext. 8, between the hours of 8:30 AM and 4:30 PM Monday through Friday within **seven (7)** working days from the date the citation was issued. Participation in the Civil Citation Program is subject to the approval of the State Attorney

YOUTH'S CONSENT: Solely for the purpose of this program, I admit to the offense(s) cited above and waive my right to have a petition filed within 90 days. I hereby agree to have my case handled by Civil Citation. I have never been charged/ arrested with any other offense. I understand that if I do not comply with the Civil Citation Program, or if I have been found to be ineligible for any reason; a sworn affidavit may be filed.

I swear that the above statements are true and correct.

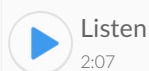
Youth's Signature _____ Printed Name _____ Date _____

Parent/Guardian Signature _____ Printed Name _____ Date _____

Officer's Signature _____ Printed Name _____ Date _____

WHITE- COORDINATOR YELLOW- STATE ATTORNEY GOLDEN ROD- SUSPECT

Civil citation use is up 5 percent in Florida, encouraging children's advocates who say their use is better than arresting juveniles for minor crimes.



Listen

2:07

Children's advocates were encouraged last legislative session when a House subcommittee tentatively agreed to require police to issue civil citations to juveniles instead of arresting them for minor crimes. If the bill passed, it would have been a big step. Civil citations are optional in Florida and not always popular with police. House Criminal Justice Chairman Carlos Trujillo, a Miami Republican, said mandating civil citations would level the playing field.

"The consequences of a crime or punishment that's administered should not be different by circuit and it should not be different by county. A child or an adult arrested in Duval County should be treated the same exact way under the law as a child that's arrested in Monroe County."

The bill died when a deal between Republican leaders and the Black Caucus fell apart. Now, Children's Campaign president Roy Miller is hoping a new study will rebuild momentum.

"We have superior data that using civil citations brings better results, public safety, use of taxpayer dollars, than making a youth arrest. This is one of the most important juvenile justice reforms that we could make."

Civil citations are the middle ground between looking the other way and slapping on the cuffs. Juveniles get them for misdemeanor infractions like tagging a building, shoplifting a T-shirt, or trespassing in a public park. Civil citations come with consequences, like community service and letters of apology.

Miller and others say civil citations are important in an age when even a minor arrest can haunt someone for life. Young people say they're being barred from college, student housing and military careers. Tampa-based consultant Dewey Caruthers says advocates are encouraged by the latest figures, but there's still a ways to go. Civil citation use in Florida rose 5 percent last year, but it peaked at a 42 percent utilization rate.

"So that's the good news. The bad news is that means in 58 percent of all of those instances where law enforcement confronts someone, and has the opportunity to issue a civil citation, an arrest was made."

Civil citations aren't being used uniformly. Miami-Dade leads the state with a 91 percent utilization rate. Leon County, with a 62 percent utilization rate, is in the top 13 counties. Orange County ranked near the bottom, with a 17 percent utilization rate. The study doesn't recommend mandatory use of civil citations. But ACLU Florida attorney Howard Simon warns without a mandate, juvenile offenders are being treated unfairly.

"From my point of view, the alarming thing about this report is that there are still too many communities that are jeopardizing the future of young people by saddling them with an arrest record for a non-violent minor offense."

That's not to mention the bottom line. The reports claims raising the statewide utilization rate for civil citations to 75 percent, police could save a combined \$62 million.

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