

Civil Citation Utilization Rates in Florida

Official Position Statement of The Children's Campaign

The Children's Campaign believes increasing the utilization rates of civil citation is one of Florida's most important opportunities for furthering juvenile justice system reform. Arrests hurt kids' chances for jobs both in the short-term and in the future, educational opportunities and scholarships, housing and more. In addition, youth arrested for civil citation-eligible offenses have higher rates of reoffending. Punishing children for youthful misbehavior stresses law and order resources and leads to poor outcomes. The current use of civil citation is woefully inconsistent across jurisdictions as is the list of offenses.

The Children's Campaign supports:

- **Increasing utilization rates immediately.**
- **Full written documentation for not issuing a civil citation and requiring supervisory approval:** This was a key recommendation of the 2016 Stepping Up for Kids Study supported by a broad coalition of advocacy organizations.
- **Requiring civil citation/diversion programs in each county:** Not all counties in Florida currently offer civil citation and similar diversion programs.
- **Standardizing eligible offenses for juvenile civil citations across jurisdictions:** Currently, eligible offenses for juvenile civil citations vary widely creating situations for unequal justice.
- **Keeping the list of eligible offenses as broad as possible, inclusive of battery and possession of small amounts of marijuana.** This is especially important to stem the school to detention center pipeline.
- **Increasing the number of days a youth has to report to a civil citation program from 7 to 10.**
- **Continuing to allow use of civil citation for first, second and third time misdemeanor offenders provided the youth does not have arrests for more serious crimes.** Continue officer discretion to issue a simple warning.

The Children's Campaign has concerns about:

- **Fully removing law enforcement discretion:** Some law enforcement departments utilize civil citation close to or greater than 90% of the time. Their discretion should be continued. Reform legislation should consider:
 - **Child safety:** Situations exist where leaving children in volatile home environments could lead to domestic violence and other negative outcomes.
 - **Upcharging:** Testimony has suggested fully removing officer discretion may lead to the unintended consequence of charging the youth with a more serious offense in order to promote public safety or handle chaotic situations.
- **Impacts on fiscally constrained counties:** Running successful civil citation or similar diversion programs requires resources.
- **Need for statewide training and networking:** Civil citation training is inconsistent and best practices are not routinely shared across jurisdictions.

For more information, please contact Roy Miller (850-425-2600) or Colleen Mackin (727-244-1032).