

CRIME

Miami-Dade leads in alternatives to youth arrests

BY MARY ELLEN KLAS HERALD/TIMES TALLAHASSEE BUREAU

TALLAHASSEE — Miami-Dade, Monroe and Pinellas counties lead the state in using a new program that aims to keep young people who commit minor crimes out of the juvenile justice system by allowing police to issue “civil citations” and prescribe community service or intervention programs, rather than arresting them, a new study has found.

The study by Tampa-based Dewey & Associates, on behalf of a broad-based group of advocacy organizations, concluded that the civil citation program can increase community safety by reducing the chances of the young people re-offending, as well as save taxpayer money.

“The difference between children with an arrest record and those without an arrest record is some children get caught,” said Roy Miller, president of the Children’s Campaign, which supported the study. He noted that people often muse about their childhood mistakes, “but having an arrest record is no laughing matter.”

The program, which was championed by former Department of Juvenile Justice Secretary Wansley Walters, is used aggressively only 38 percent of the time in Florida, the study found.

Of 21,349 youth eligible for a civil citation from law enforcement in 2013-2014, only 8,059 were given a citation, while the remainder 13,290 — 62 percent — were arrested.

Miami-Dade County used civil citations 91 percent of the time youth were eligible, the study found. Monroe County used it 83 percent of time and Pinellas County 80 percent.

In addition, municipalities in Miami-Dade led the state in relying on civil citations when youth were eligible, the study found.

The study concluded that if the state were to increase the number of civil citations issued by 25 percent, it would see a 40 percent reduction in arrests for common youth misbehavior and would save taxpayers \$18 million to \$61 million a year.

“Civil citation is not a get-out-of-jail free card by any means,” said Dewey Caruthers, who conducted the study. “It is a structured intervention to put youth on the right track.”

The civil citation process often requires the youth to take responsibility for their actions, write letters of apology to the victim or law enforcement and do community service.

Youth are assessed to determine if they are likely to re-offend, and those considered at risk are provided intervention services such as anger management, rehabilitation for drug and alcohol abuse and general mental health counseling.

Meanwhile, the consequences for youth not given a second chance are significant, Caruthers said.

For example, a kid caught stealing a T-shirt can face obstacles when leasing a college apartment. Another arrested for an assault and battery misdemeanor for being in a fight without injury could face trouble getting a part-time job.

A young person applying to join the military could be rejected because of a misdemeanor drug charge, such as being caught with a marijuana joint.

In addition to helping kids get a second chance, the civil citation program saves tax money, the study noted.

A 2010 study by Associated Industries of Florida found that the cost of issuing a civil citation was about \$386, while the cost of processing a youth through the criminal justice system was \$5,000.

Studies by Florida TaxWatch found that communities that use civil citations to avoid arrest save \$1,500 to \$4,600 per incident — estimated at \$44 million to \$139 million annually and reduce prison populations by 10 percent, saving up to \$72 million a year.

In addition to the Children’s Campaign, the study was supported by Florida State University’s Project on Accountable Justice, the James Madison Institute, the Southern Poverty Law Center and Joseph W. and Terrell S. Clark.

Data collected by the Florida Department of Juvenile Justice found that by issuing civil citations, communities can increase public safety by halting the revolving door of offenders returning to commit crimes.

For example, the number of youth who received civil citations who were caught a second time committing an offense was 4 percent, compared to a 42 percent recidivism rate for juveniles going to jail, 17 percent for those on probation and 13 percent for those in post-arrest diversion programs.

“Futures for children shouldn’t be altered due to random luck and geography. A level understanding and compassionate playing field is needed at all times when youthful misbehavior is involved,” said Miller of the Children’s Campaign.

Florida legislators passed a law last session to increase the number of youth eligible to be cited instead of arrested by allowing law

enforcement the discretion to issue citations up to three times and to young people who had already been in trouble.

The measure also enables officers to issue a warning, or call a parent or guardian. Previously, police could only issue civil citations to first-time misdemeanor offenders.

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