



## Civil Citation Program 13<sup>th</sup> Judicial Circuit

Administrative Office of the Courts  
Juvenile Diversion Programs (JDP)  
(Hillsborough County)

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## Introduction to the Juvenile Diversion Program (JDP) of the Administrative Office of the Courts

The Juvenile Diversion Program offers a community based alternative to formal court processing of eligible juvenile criminal referrals.

### History

- The Law Enforcement Assistance Administration grant late 1970s
- 1979 13<sup>th</sup> Judicial Circuit assumed responsibility to implement program

### Role

- Diversion
- Accountability
- Reduce Recidivism
- Resources

### Process

- Referral sources
- Intake and sanctioning process
- High risk youth

## Civil Citation Process

### BACKGROUND:

The first Civil Citation Program in Florida was established at the Miami- Dade County Juvenile Services Department, Juvenile Assessment Center, in 2007. Ms. Wansley Walters was Director of the Miami-Dade Juvenile Services Department.

Ms. Walters was appointed Secretary of the Florida Department of Juvenile Justice in January 2011 by Governor Rick Scott. As Secretary of DJJ, Ms. Walters was a driving force behind legislation, reflected in Florida Statute 985.12, authorizing local governments to establish Civil Citation programs.

I have brought copies of this legislation.

Ms. Walters retired as Florida DJJ Secretary in June 2014.

## Evolution of Civil Citation Program

### School Based Civil Citation Program Pilot (SBCC)

- In 2004-2005 fiscal year, Hillsborough County had the highest number of juvenile arrests in Florida
- A Pilot Project began in the later part of the 2005-2006 school year with school-based, Tampa Police Department School Resource Officers
- Included 9 offenses: Petit Theft, Battery, Affray, Criminal Mischief, Trespassing, Disorderly Conduct, Disruption of a School Function, Simple Possession of Alcohol and Violation of City, and County Ordinances

### School Based Program Expands County Wide

- In the 2006-2007 school year, the school based Civil Citation program was taken county wide.
- The Florida DJJ monitored the community service hours
- Program received funding in summer of 2007 through a 3 year State Advisory Group (SAG) Grant.
- The SAG grant expired in July 2010 and supervision of the program was assumed by the Circuit 13, Juvenile Diversion Program, to avoid the loss of the school based Civil Citation program.

## Evolution of Civil Citation, continued

### Juvenile Arrest Avoidance Program (JAAP) Pilot

- In August 2010, the Hillsborough County Sheriff's Office began sending direct referrals to JDP for youth committing Petit Theft offenses in HCSO District 4
- In November 2010, the pilot expanded to all HCSO districts

### JAAP Expansion

- In March 2011, Juvenile Justice Stakeholders met and agreed to expand the JAAP pilot model countywide
- On June 2011, the JAAP expanded countywide and an MOU was created between the juvenile justice partners
- The SBCC and JAAP evolved into one service model managed by the Circuit 13, Administrative Office of the Courts/JDP

## Eligibility Criteria

- **Limited to 1<sup>st</sup> time, non-violent misdemeanors**
  - Officer may contact the Juvenile Assessment Center 936-9099 to verify eligibility
- **Juvenile Justice Stakeholders agreed to issue civil citation for:**

Petit theft	Simple battery/assault	Affray
Criminal Mischief	Disorderly conduct	Possession of alcohol
Trespassing	Disruption of school function	City/County ordinance
- **The juvenile's guardian must agree to the intervention, sign a Criminal Report Affidavit (CRA) and JAAP form**
- **The juvenile must accept responsibility and agree to participate**

## Procedure

- Each law enforcement agency has developed standard operating procedures outlining policy on the Juvenile Arrest Avoidance Program
- In general, when a juvenile is found eligible for JAAP:
  - Officer contacts the guardian
  - Officer completes the CRA and the JAAP form
  - Copy of JAAP form is provided to guardian
  - CRA and the JAAP forms are turned in to designated staff in the department who scans and enters each case in tracking log
  - The original CRA and the yellow copy of JAAP form is delivered to main clerk's office or JDP

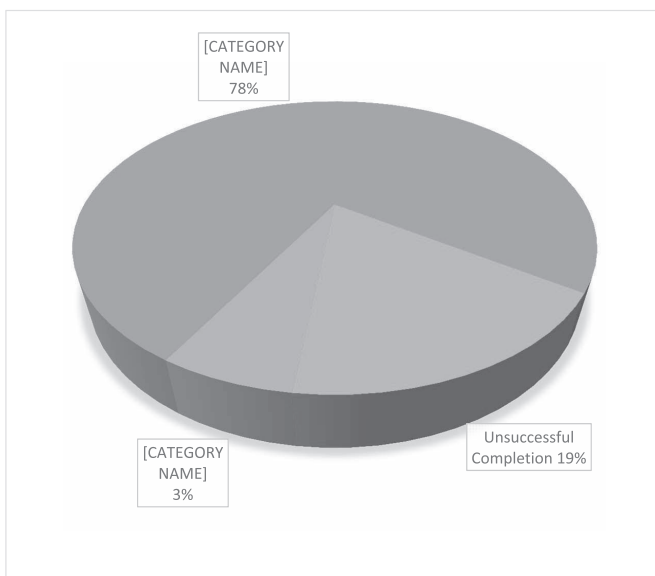
## Benefits of Civil Citation-1

- Keeps youth that pose no real threat to public safety out of the system
- Saves tax payers money
- Frees up limited resources to focus on more serious offenders
- Youth are expedited quickly and held accountable
- Risk assessment and referrals
- Individualized sanctions
- Enhances public safety
- Improves youth outcomes
- Helps strengthen family unit

## Benefits of Civil Citation-2

- Lowers referrals to JJ system for minor crimes
- Addresses minority overrepresentation
- **No criminal record**

### Juvenile Arrest Avoidance Program Cases Referred by Referral Date, June 2011 – October 2016



Active Cases	96
Unsuccessful Cases	523
Completed Cases	2199
<b>Total</b>	<b>2818</b>

"Unsuccessful" Reasons	
Denied Allegation	45
Failed to Complete	193
Ineligible	107
New Law Violation	52
No Show	53
Parent/Youth Decline	53
Refer Higher Supervision	4
Return Requested by SAO	7
Unable to Locate	9
<b>Total</b>	<b>523</b>

## Juvenile Arrest Avoidance Program Cases Referred by Referral Date, June 2011 – October 2016

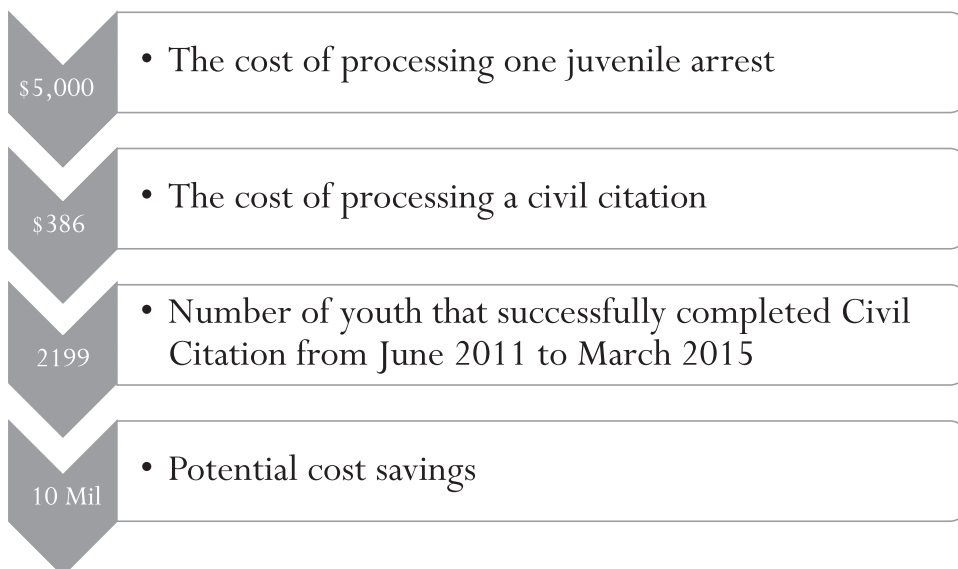
Citation Source	Frequency
Community-Based	2113
School-Based	705
Total	2818

Gender	Frequency
Female	1482
Male	1336
Total	2818

Race	Frequency
African American	1223
Asian	33
Caucasian	1559
Other/Unknown	1
Native American	2
Total	2818

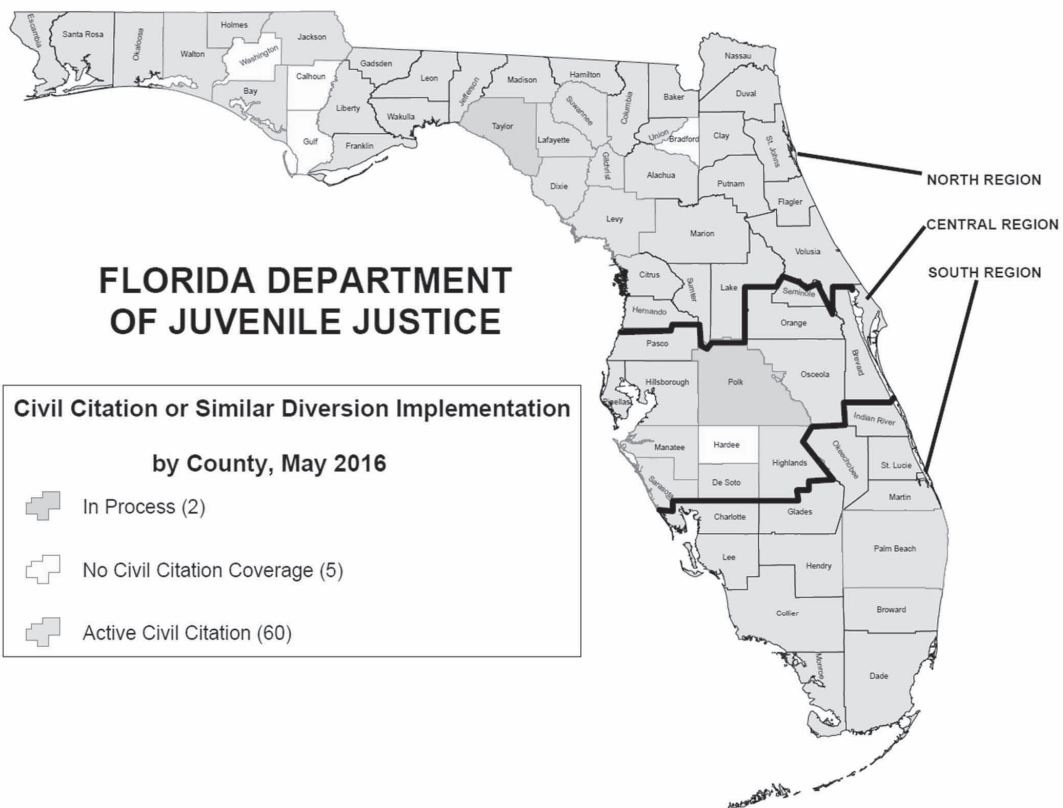
Age	Frequency
8	5
9	11
10	35
11	83
12	187
13	343
14	479
15	495
16	605
17	568
18	7
Total	2818

## Cost Savings



## Youth Outcomes

- Hillsborough County Civil Citation Program measures recidivism as any criminal act that results in a referral to the Department of Juvenile Justice within 12 months of exiting the program, regardless of outcome (i.e. no filed, adjudication withheld)
- 423 Civil Citation Youth completed the program in 2014
- 43 (10%) of the youth completing the program in 2014 reoffended
- 90% of youth completing the Civil Citation program in 2014 did *not* reoffend within one year of completion



## Recent Developments

Hillsborough County Juvenile Justice Stakeholders formed three workgroups in the Fall of 2015 to address opportunities for improvement of the Civil Citation process. The workgroups were tasked with the responsibility of developing goals and making recommendations on strategies to implement the goals.

- Friendly Door Workgroup
- Optimal Utilization Workgroup
- Expanded Eligibility Workgroup

## Friendly Door Workgroup

The primary goal identified by this workgroup is to review and make recommendations on the steps that can be put into place to establish a “friendly door” at the Juvenile Assessment Center (JAC). This would enable law enforcement to drop off Civil Citation eligible youth at the JAC without having to process the youth as an arrest.

The JAC leadership has identified a potential process for implementation. The work of this group is ongoing. There have been a series of meetings to review each step of the identified process and to address concerns and potential challenges.

The coordinating agency for the JAC, ACTS, Inc., plans to build an extension to the existing JAC building to serve Civil Citation eligible youth.



## Optimal Utilization Workgroup

Hillsborough County stakeholders entered into a Memorandum of Understanding (MOU) in June of 2011 to expand the use of Civil Citation countywide. The task of the Optimal Utilization Workgroup is to make recommendations on action that can be taken to increase the utilization rate of Civil Citation as outlined in the current MOU. The Civil Citation utilization rate in Hillsborough County was 43% in 2015 (SOURCE: Florida Department of Juvenile Justice 2015 data).

## Optimal Utilization Workgroup

CONTINUED

The workgroup has made five recommendations to the Juvenile Justice Board, which are to be discussed at the Juvenile Justice Board Executive Board meeting in January 2017:

- All agencies adopt a policy statement as part of their Civil Citation policy recognizing that the impetus of law enforcement with respect to juveniles should be rehabilitative and not punitive; efforts should be made to divert juveniles from juvenile justice system when appropriate.
- Supervisory approval shall be obtained if a law enforcement officer declines to issue a civil citation to an eligible youth.
- Each agency shall capture on the Criminal Report Affidavit (CRA) the reason why an eligible youth did not receive a civil citation.
- Law enforcement agencies report on a quarterly basis detailing the number of youth that were eligible for Civil Citation who did not receive a civil citation and document the reasons.
- The Juvenile Justice Board should create a subcommittee to conduct periodic internal, systemic quality assurance and effectiveness evaluation no less than on an annual basis.

## Expanded Eligibility Workgroup

The Expanded Eligibility Workgroup developed three goals to expand the use of Civil Citation in Circuit 13:

- Expand civil citation eligibility to include Possession of Marijuana.
- Expand civil citation eligibility to include other misdemeanor offenses.
- Expand civil citation eligibility to include 2<sup>nd</sup> and 3<sup>rd</sup> misdemeanor offenses.

## Expanded Eligibility Workgroup CONTINUED

The work of this group is ongoing:

--Discussion regarding the inclusion of Possession of Marijuana as a Civil Citation eligible offense has been set aside.

--Independent of this workgroup, a pilot program allowing the use of Civil Citation was implemented by the civil citation stakeholders in the circuit. The workgroup will monitor this pilot and will make recommendations after the pilot is concluded. This Pilot is discussed on the next slide.

--The workgroup reviewed the 216 misdemeanor offenses. The workgroup is making recommendations to the Juvenile Justice Board to include all but 12 of the misdemeanor offenses as Civil Citation eligible.

--New Civil Citation legislation permits youth with minor infractions to receive Civil Citation for a 2<sup>nd</sup> or 3<sup>rd</sup> offense. However, the workgroup agreed unanimously that it is pre-mature to take on the issue of 2<sup>nd</sup> and 3<sup>rd</sup> offense eligibility. The workgroup determined it is more practical to work on the successful implementation of the other goals before taking on additional tasks.

## Delinquent Act Citation (DAC) Pilot

The 13<sup>th</sup> Judicial Circuit Civil Citation stakeholders are collaborating on a pilot, involving the Tampa Police Department, to allow the use of Civil Citation for possession of marijuana (20 grams or less) or possession of drug paraphernalia. The Delinquent Act Citation pilot was launched in August of 2016.

## Delinquent Act Citation (DAC) Pilot

- **Criteria**
  - Youth ages 8-17 with no prior involvement in the Juvenile Justice System.
  - Youth must accept responsibility.
  - Youth and parent/guardian must agree to participate in the program.

## Delinquent Act Citation (DAC) Pilot

### Procedure

- Youth must appear at the Juvenile Diversion Program office the day following the offense for an interview, drug screen, and risk assessment.
- Youth will be referred to a treatment provider for a drug evaluation and treatment recommendation.
- Low risk youth will be monitored by the Juvenile Diversion Program.
- Youth needing a higher level of supervision will be monitored by Juvenile Drug Court

### Delinquent Act Citation (DAC) August 2016 – October 2016

	Aug-16	Sep-16	Oct-16	TOTAL
<b>STATUS</b>				
ACTIVE	6	10	14	30
COMPLETED SUCCESSFULLY	0	0	0	0
DECLINED PROGRAM- (PARENT)	0	0	1	1
DECLINED PROGRAM- (PARENT) FINANCIAL CONSTRAINT	0	0	0	0
DECLINED PROGRAM- (PARENT) TIME CONSTRAINT	2	0	0	2
DECLINED PROGRAM- (YOUTH)	0	1	0	1
DENIED ALLEGATION	1	0	0	1
FAILED TO COMPLETE	0	0	0	0
FAILURE TO REPORT ON TIME (NO SHOW)	0	0	1	1
INELIGIBLE	2	0	0	2
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>16</b>	<b>38</b>
<b>CHARGES*</b>				
POSSESSION OF DRUG PARAPHERNALIA	1	0	0	1
POSSESSION OF MARIJUANA	11	11	16	38
<b>GENDER</b>				
FEMALE	3	2	9	14
MALE	8	9	7	24
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>16</b>	<b>38</b>
<b>ETHNICITY</b>				
HISPANIC	1	5	9	15
NON-HISPANIC	10	6	6	22
UNKNOWN	0	0	1	1
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>16</b>	<b>38</b>
<b>RACE</b>				
AFRICAN AMERICAN	2	1	7	10
ASIAN	1	0	0	1
CAUCASIAN	7	9	8	24
NATIVE AMERICAN	0	0	0	0
OTHER	1	1	1	3
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>16</b>	<b>38</b>
<b>AGE</b>				
12	2	0	4	6
13	1	3	2	6
14	0	2	3	5
15	5	2	3	10
16	2	1	3	6
17	1	3	1	5
18	0	0	0	0
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>16</b>	<b>38</b>

## Delinquent Act Citation (DAC) Pilot

Information for youth that have accepted the program and received a risk assessment and urinalysis

	Community	School	Total
<b>DAC ADMISSIONS</b>			
August 2016	4	3	7
September 2016	2	9	11
October 2016	0	14	14
Total	6	26	32
<b>OFFENSE</b>			
Possession of Marijuana	6	26	32
Possession of Drug Paraphernalia	0	0	0
Total	6	26	32
<b>URINALYSIS RESULTS</b>			
Positive*	4	13	17
Negative	2	13	15
Total	6	26	32
<b>RISK ASSESSMENT RESULTS</b>			
Low	4	17	21
Moderate	1	8	9
High	1	1	2
Total	6	26	32
<b>SUPERVISION RECOMMENDATION</b>			
Juvenile Diversion Program	2	14	16
Juvenile Drug Court	2	12	14
Withdrew	2	0	2
Total	6	26	32
<b>OUTCOMES</b>			
Active	4	24	28
Completed Successfully	0	0	0
Unsuccessful**	2	2	4
Total	6	26	32

** Reasons cases were unsuccessful	Community	School	Total
Failure to Complete	0	0	0
Failure to Report on Time	0	1	1
Parent Declined to Participate (no specific reason)	0	1	1
Parent Declined to Participate-Financial Constraint	0	0	0
Parent Declined to Participate- Time Constraint	2	0	2
Youth Declined to Participate	0	0	0
Parent/ Youth Refused Services	0	0	0
Subsequent Law Violation	0	0	0
Totals:	2	2	4

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