



Florida's Statewide Civil Citation

***Part of the Community,
Part of the Solution***

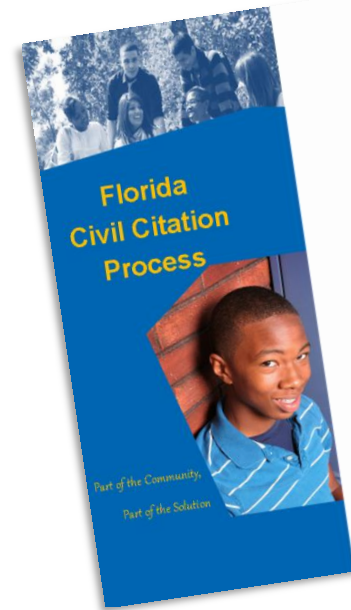
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Civil Citation Coordinator*

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What is Civil Citation?

The statewide civil citation process is designed to provide an alternative to formal judicial handling for juveniles committing their first misdemeanor offense¹. The purpose of Civil Citation is two-fold. First, the process aims to prevent further delinquency. Second, the process ensures that the youth's offense is appropriately addressed without creating a criminal record. Eligible youth must admit to committing the offense and agree to participate in the civil citation process.

Florida Statutes requires this process to be implemented at the local level.² Further, statutes specify that the process includes both an assessment of the needs of each participating youth and the provision of services to address the youth's identified needs. The Florida Department of Juvenile Justice (Department) is tasked with encouraging and assisting Florida communities as they implement and improve this process. In addition, the Department maintains information on participating youth.

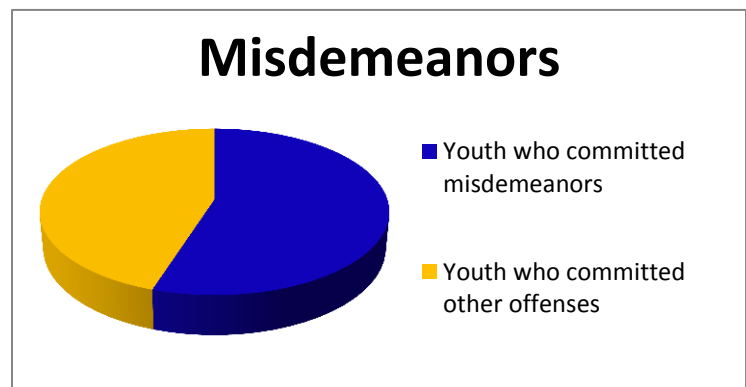


Benefits of Civil Citation

During Florida's 2011-2012 fiscal year, a total of **58,173** distinct youth were referred to the Florida Department of Juvenile Justice. Of those youth, **30,715 (53%)** committed misdemeanors.

Getting smart on juvenile crime requires a simple but dramatic shift in current practices from an arrest model to early intervention and diversion by:

1. Keeping youth that pose no real threats to public safety out of the juvenile justice system



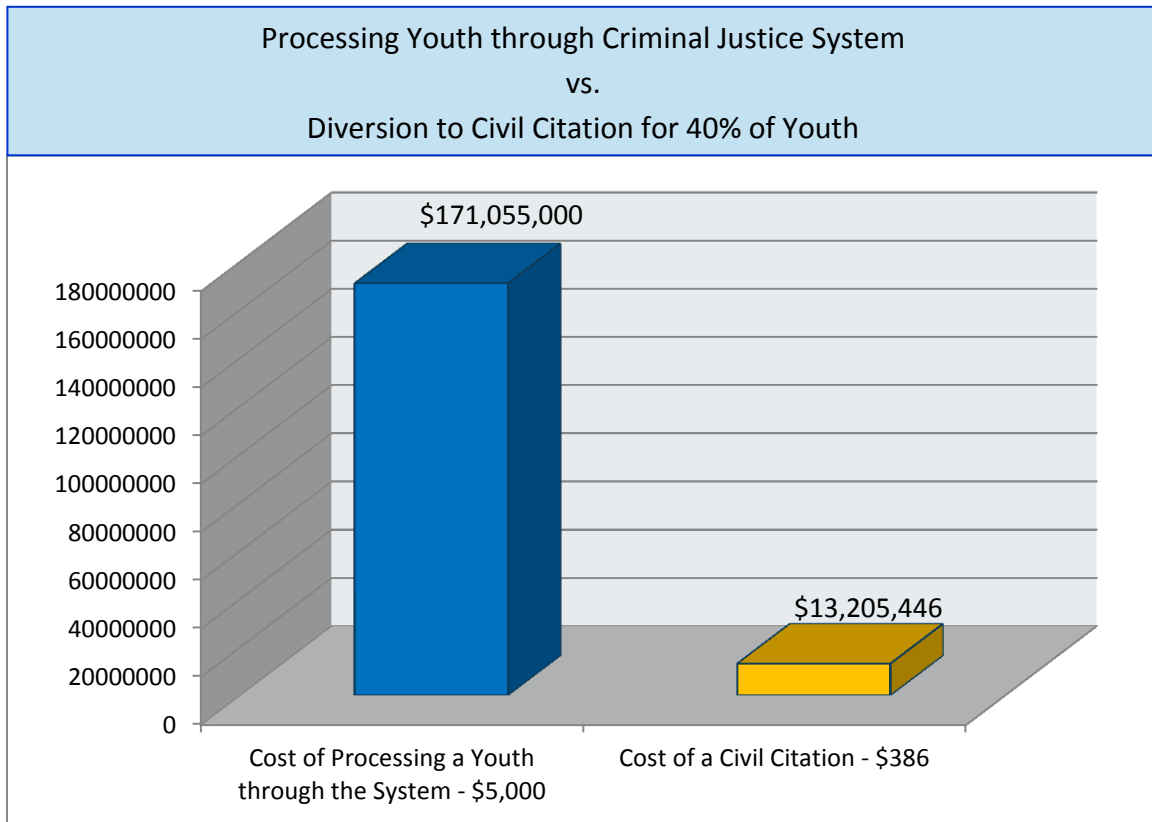
¹ Section 985.12 Florida Statutes

² *Id.*

2. Reducing the costs of processing youth for misdemeanors that take time and resources away from the juvenile justice system including: law enforcement, state attorneys, public defenders, probation, court personnel
3. Freeing up limited resources to focus on more serious and violent offenders thus improving public safety

Cost Savings of Civil Citation

In 2010, it was reported that the number of juveniles processed through the system would be reduced by 40% on a statewide basis. Given cost estimates of \$5,000 versus \$386, this alternative would save Florida taxpayers \$157,849,554.³



³ [Getting Smart on Juvenile Crime in Florida: Taking It to the Next Level](#), Associated Industries of Florida

Advantages of Civil Citation

There are many advantages to a Civil Citation program. Not only is it a cost savings and a better use of resources, but more importantly, it provides a means for the state of Florida to better serve its youth. Specific advantages to the Civil Citation program are listed below.

◆ ***Enhances Public Safety***

Civil Citation enhances public safety by encouraging youth to stay out of trouble. The process identifies and assesses the behavioral needs of youth after their first misdemeanor encounter with law enforcement and helps them to change the conduct that leads to delinquency.

◆ ***Avoids Costs***

It also avoids significant costs to the state and local governments by decreasing the likelihood that youth will reoffend.



◆ ***Services Based on Needs Assessment***

Civil Citation requires youth to participate in intervention services based on a needs assessment. It may also include other obligations such as performing community service, providing restitution, participating in school progress monitoring or prevocational services and writing letters of apology to the victim(s).

◆ ***Better Use of Resources***

Civil Citation allows law enforcement to remain on the streets to be available for more serious or violent crimes, rather than transporting first-time misdemeanor offenders to an intake unit or juvenile assessment center.

It reduces the burden at all levels of the juvenile justice system by allowing limited resources to be applied to violent and serious offenders. Processing youth through the juvenile system for minor offenses takes time and resources away from law enforcement, the state attorney's office and probation officers that could be spent on more serious offenses.

◆ ***Reduces Disproportionate Representation***

Civil Citation helps reduce the disproportionate number of minorities and females involved with the juvenile justice system.

In Leon County, 60% of program participants are minorities and 45% are females. In Miami-Dade County, 93% of program participants are minorities and 39% are females.⁴ Providing swift and appropriate sanctions and services has the potential to keep them from entering the juvenile justice system which already has a disproportionate representation of these populations.

◆ ***Addresses Zero-tolerance Policies***

Civil Citation addresses the zero-tolerance policies in schools by providing more appropriate and productive alternative responses, rather than suspension or arrest. It further enhances the Florida Legislature's 2009 refinement of the state's zero-tolerance law by offering an option for schools that allows for a graduated approach to the consequences of misbehaviors.

◆ ***No Criminal Record***

Allowing youth to avoid a criminal record that can hinder eligibility for employment, scholarships and other opportunities.

Civil citation allows juveniles the opportunity to fulfill their debt to society without limiting future growth and success.



⁴ PPI Dashboard Civil Citation Data – November 2011 to October 2012

Eligibility

The civil citation program is available to juveniles who have:

- ◆ Committed their first misdemeanor offense.
- ◆ No prior criminal history as determined by a search of the Biometric Information System (formerly the Automated Fingerprint Information System) and JJIS.

It is critical that a fingerprint search of the Biometric Information System be accomplished without submitting an arrest transaction (without formally submitting fingerprints to FDLE). An arrest transaction will create a criminal history for the youth and, under current law, FDLE may not remove an arrest record for a civil citation youth once the arrest transaction is submitted.

- ◆ Not been issued a prior civil citation as determined through the JJIS Prevention Web.

Requirements

In order to complete and comply with the civil citation process a youth can be required to perform the following:

- ◆ **Community Service**
Community service hours of at least 5 hours a week and not to exceed 50 hours
- ◆ **Intervention Services**
Youth must participate in intervention services based on an assessment of the youth's needs, which may include family counseling, drug screening, urinalysis testing, substance abuse treatment, and/or mental health treatment.

- ◆ **Other Sanctions or Services**

Additional sanctions or services considered at the local level could include:

- A letter of apology to the victim
- Restitution
- School progress monitoring
- Prevocational skill service
- Graffiti and criminal mischief will require 40 hours of community service and restitution to the victim



Responsible Agencies

Civil citation will be implemented through coordination and agreement between the state attorney and local law enforcement agencies and with the concurrence of the chief circuit judge and the public defender.

The agency that operates the civil citation process may be:

- ◆ Law enforcement
- ◆ Department of Juvenile Justice (DJJ)
- ◆ Juvenile assessment center
- ◆ County or municipality
- ◆ An entity selected by the county or municipality



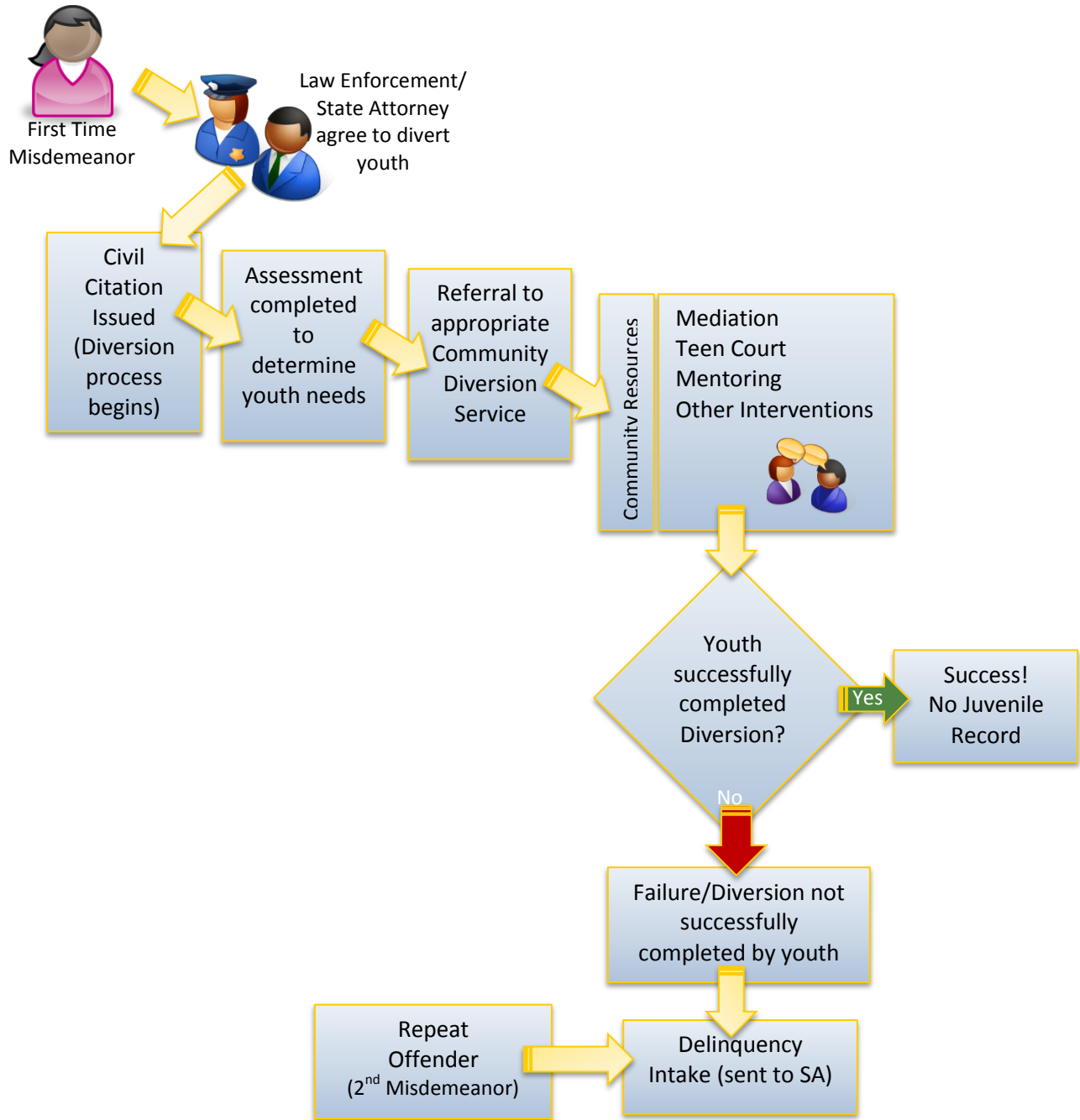
The Department of Juvenile Justice will assist to implement or improve programs, collect and analyze data, and develop guidelines for implementation.

Law enforcement officers that do not issue a civil citation for an eligible youth shall provide justification to the head of the local law enforcement agency.

Available resources within the community to serve civil citation youth are identified in the DJJ Community Resource Guide, which lists community services providers for each county. The guide is available online at:

www.djj.state.fl.us/Probation/tableau/community-resource-guide.html

The Civil Citation Process



Civil Citation Process Steps

Step 1

Youth taken to
Civil Citation
Operating
Entity

Law Enforcement Officer (LEO) brings the youth to juvenile assessment center, the juvenile probation officer (JPO), or the civil citation operating entity for possible civil citation referral and identification process. Or the LEO will issue a field citation. Later, the youth will have to report to the civil citation entity or JPO for intake.

Step 2

Operating
Entity will:

- Conduct search
- Explain program
- Enter information in JJIS

The juvenile assessment center, the juvenile probation officer, or the civil citation operating entity will:

- ◆ Conduct a preliminary search on the youth in the Criminal Justice Information System (CJIS) and National Crime Information Center (NCIC) and will inform the officer if the youth qualifies for the civil citation process.

Conduct a search of Juvenile Justice Information Search (JJIS) to confirm if the youth has no prior delinquency within the state of Florida and the JJIS Prevention Web to ensure the youth has not received a previous civil citation. If there is no history in CJIS, NCIC, and JJIS, the youth is eligible for civil citation. The juvenile assessment center, the juvenile probation officer, or the civil citation operating entity terminates the booking process and eliminates any demographic or identifiable information entry into CJIS.

- ◆ Explain the civil citation to the youth and the officer and obtain approval for issuing the civil citation. The officer signs the civil citation and takes the arrest form to the Office of the State Attorney (SAO). A copy of the arrest form is retained by the juvenile assessment center, the juvenile probation officer, or the civil citation operating entity.
- ◆ The youth's information is entered into the Juvenile Justice Information System (JJIS) Prevention Web and the youth's guardian is contacted to obtain approval for the youth's participation in the civil citation process.

Step 3

Case manager
completes
assessment
and assigns
services

The civil citation entity completes the assessment process and assigns the service and/or sanctions.

Step 4

Youth
participates in
civil citation

The youth will participate in civil citation process to complete all services assigned and/or sanctions.

Step 5

Successful
completion of
civil citation

If the youth completes the civil citation program successfully, the case manager closes the case.

Unsuccessful Completions

A youth that does not successfully complete the civil citation sanctions will be referred to the state attorney for formal processing. A youth will not successfully complete civil citation if the youth:

- ◆ Fails to report for a work assignment
- ◆ Fails to complete a work assignment
- ◆ Fails to comply with assigned intervention services
- ◆ Commits a subsequent delinquent act

Unsuccessful Case Procedures

1. Complete the booking process for the youth. Provide the state attorney a recommendation of final civil citation closure, a copy of the arrest form, the notice to appear release agreement, the recommended treatment plan, and the booking documents.



Florida's Statewide Civil Citation Initiative

Implementation Guide Appendix

- Law Enforcement Officer Procedures***
- Operating Entity Process***
- Definitions***
- Civil Citation Form***
- Notice to Appear Release Agreement***
- Civil Citation Social Data Information***

Civil Citation Law Enforcement Procedures

Youth who have committed their first misdemeanor offense are eligible for a civil citation. A law enforcement officer who issues a civil citation may follow one of the two sets of procedures listed below.

Transport an eligible Civil Citation juvenile to the JAC:

1. Transport the youth to the juvenile assessment center or civil citation operating entity for positive identification and Civil Citation processing, the officer will sign the Civil Citation form, and complete all of the required forms and paperwork for booking a juvenile into the JAC.
2. Provide a copy of the arrest form to the office of the State Attorney.
3. *If the child does not complete the program successfully for any reason, the booking process will be completed for the youth.*

To issue a Civil Citation in the field:

1. The Officer may issue the youth a Civil Citation in the field by completing the Department of Juvenile Justice Civil Citation form along with the original arrest form, and release agreement. The officer can then release the youth to a parent, relative, guardian, or other responsible adult.
2. The officer must positively identify the youth using a Florida ID card or driver's license, school picture ID, and/or parental confirmation.
3. After releasing the youth to a parent, guardian, or other responsible party, the officer will group the original arrest affidavit along with the Civil Citation form, and release agreement. The officer faxes a copy of the package to the juvenile assessment center, juvenile probation office, or the Civil Citation operating entity.
4. Forward the original package to the juvenile assessment center, the Civil Citation operating entity, or the juvenile probation officer within 48 hours.

Operating Entity Process

Intake and Screening

- Conduct a preliminary search on the youth in JJIS and NCIC/FCIC.
- Fingerprint the youth using Live Scan to confirm the youth's eligibility for civil citation. This is only a search of the Biometric Information System; no entry into the Florida Department of Law Enforcement is made. If the fingerprints come back with no hits, the case will be assigned for civil citation processing. If JJIS indicates open charges, probation, or a prior offense, the youth is ineligible for civil citation.
- Provide eligible youth the opportunity to participate in civil citation upon approval by the law enforcement officer.
- If the youth is eligible, complete the civil citation form, social data form, and a notice to appear release agreement.
- Work with law enforcement to obtain a copy of the Live Scan fingerprint cards and maintain the card in the case file.
- Request approval of the state attorney for the youth to participate in civil citation. Should the state attorney find that the youth is ineligible for civil citation at any point in the process, processing will discontinue and the arrest form will be forwarded to the state attorney.
- Enter the youth's information into JJIS Prevention Web and create a civil citation face sheet.
- Inform the youth and the youth's parents, relative, guardian or other responsible adult of the youth's eligibility for civil citation and that a meeting with the case manager must be scheduled within 7 days. Obtain the youth and parent signatures on the civil citation form and release agreement. If unable to reach the appropriate person(s), provide information by mail that the youth is eligible for civil citation and is required to schedule a meeting with the case manager within 7 days.
- Release the youth to the parent, guardian, responsible adult, or shelter.
- Enter civil citation into the JJIS Prevention Web.
- Document any calls made relative to the civil citation.
- File the arrest form and the fingerprint card.

Definitions

Biometric information system (formerly AFIS)

The statewide automated fingerprint identification system maintained by the Florida Department of Law Enforcement and available to criminal justice agencies.

Civil citation

A process whereby an alternative to formal processing and judicial handling is available for first time misdemeanants

Criminal justice information system (CJIS)

A system maintained by the Florida Department of Law Enforcement and used by the court and criminal justice agencies for the collection, processing, preservation, or dissemination of criminal justice information.

Intake process

The process for the department to assess a youth's risk and needs to determine the most appropriate recommendation for sanctions and services for civil citation youth.

Juvenile Assessment Center (JAC)

A center comprising community-operated facilities and programs which provide colocated central intake and screening services for youth referred to the department.

Juvenile Justice Information System (JJIS)

The official database for juvenile delinquency records in Florida including data and information related to screening, assessments, delinquency charges, dispositions and placements throughout the Juvenile Justice continuum.

Juvenile Justice Information System Prevention Web

The repository within JJIS for data pertaining to youth who receive prevention and civil citation services. This data is available only to department staff, contracted screeners or providers, and limited individuals as approved by the Secretary.

Juvenile probation officer (JPO)

For the purpose of civil citation, a juvenile probation officer is an employee of the Department of Juvenile Justice who is responsible for the intake, assessment and supervision of civil citation youth.

National Crime Information Center (NCIC)

Also: Florida Crime Information Center (FCIC)

A computerized index of criminal justice information available to federal, state, and local law enforcement and other criminal justice agencies.

Notice to Appear Release Agreement

A notice issued by law enforcement, the JAC, or the JPO directing the youth to report in court on a certain date unless written notice is received that the youth has been successfully completed civil citation sanctions and does not have to appear in court.

Operating Entity

The entity that provides intake, assessment, a treatment plan, monitoring, and case management of a civil citation youth. The operating entity may be a law enforcement agency, the department, a juvenile assessment center, a county or municipality, or an entity selected by a county or municipality.

Similar diversion program

An existing program capable of serving civil citation youth under Section 985.12, Florida Statutes and these guidelines.

**NOTICE TO APPEAR
RELEASE AGREEMENT**

Date: _____

CHILD'S NAME: _____ P.C. #: _____

You are hereby directed and agree to appear with the person named above, before the Circuit Court Juvenile Division, 3300 N.W. 27th Avenue, Miami, Florida, on _____ the _____ (date) _____, 20__ at 8:30 A.M. on the above mentioned case, pursuant to _____ (month) Administrative Order No. 94-20 and section 985.115(2)(a) Florida Statutes.

The State Attorney's office may refer your case to a special program. If this occurs, you will receive a notice by phone or by mail to bring the child named above to the program prior to the above date. If you appear with the child at the program, and the child is accepted into the program, you will be provided with a written notice that you do not have to appear in court on the above date and time. However, if at any time the child fails to comply with the terms of the program, the case will be returned to the State Attorney for filing in court. If you do not receive the written notice from the program, you must appear on the above date.

FAILURE TO APPEAR MAY RESULT IN AN ORDER BEING ISSUED TO TAKE THE ABOVE NAMED CHILD INTO CUSTODY AND YOUR BEING CITED FOR CONTEMPT OF COURT, WHICH COULD RESULT IN YOUR BEING PUNISHED BY A FINE OR JAIL OR BOTH.

You must notify the Clerk of the Court (Family Division Juvenile Section (305) 638-6227) any time your address changes. By signing this agreement you waive the necessity of serving you with a summons for the above date.

(ATTACHED IS THE ARREST AFFIDAVIT WHICH INDICATES THE CHARGES)

Child's signature

Parent's or other responsible adult's signature and relationship

Officer's signature
I swear the information in this release agreement is true and correct to the best of my knowledge and belief.

Address

Dept. I.D. Number

DEPT. OF Juvenile Justice Telephone # _____
Department of Juvenile Justice Intake Screener authorizing release

ATTACHED TO ARREST AFFIDAVIT

117.01-101 2/07

DISTRIBUTION: WHITE -- Parent GREEN—Respondent YELLOW—Court PINK—State Attorney GOLDENROD—Police Officer

Agency Case # —

**SECOND JUDICIAL CIRCUIT
NOTICE TO APPEAR / JUVENILE CIVIL CITATION**

Page ____ of ____

<input type="radio"/> ADULT <input type="radio"/> JUVENILE	DATE OF OFFENSE	SPN #	OBTS #	COURT CASE NUMBER	
DEFENDANT/JUVENILE NAME (LAST, FIRST, MIDDLE)		DOB	RACE	SEX	ADDRESS
OFFENSE DESCRIPTION #1			COUNTS	STATUTE/ORDINANCE #	
OFFENSE DESCRIPTION #2			COUNTS	STATUTE/ORDINANCE #	
OFFENSE DESCRIPTION #3			COUNTS	STATUTE/ORDINANCE #	
CODEFENDANT(S) – ONLY IF CHARGED AT SAME TIME					
NAME (LAST, FIRST MIDDLE)		NAME (LAST, FIRST MIDDLE)			
NAME (LAST, FIRST MIDDLE)		NAME (LAST, FIRST MIDDLE)			
NOTICE TO APPEAR ONLY					
AGENCY NAME AND NUMBER: Tallahassee Police Department FL0370300					
Based on the attached Probable Cause, the undersigned certifies and swears that he/she had just and reasonable grounds to believe, and does believe that the above names Defendant on the ____ day of _____, 20____, at approximately _____ am / pm, at _____ did commit a violation of law.					
AFFIANT SIGNATURE		PRINTED NAME AND ID #			
Sworn to and subscribed before me the ____ day of _____, 20____		Certifying Officer Signature			

MANDATORY COURT APPEARANCE

I UNDERSTAND THAT FAILURE TO COMPLY WITH THIS NOTICE TO APPEAR WILL CONSTITUTE A SEPARATE OFFENSE.

LOCATION	APPEARANCE DAY	APPEARANCE DATE	APPEARANCE TIME
Leon County Courthouse			
COURTHOUSE ADDRESS	COURTROOM #	SIGNATURE OF DEFENDANT	
301 South Monroe Street			

JUVENILE CIVIL CITATION ONLY

YOU HAVE SEVEN (7) DAYS TO CONTACT THE CIVIL CITATION CASE MANAGER AT (850) 575-4025. ADDITIONAL SANCTIONS/SERVICES MAY BE ASSIGNED BY CIVIL CITATION AND/OR PARTNER PROGRAM. I admit to the offense(s) cited and give up my right to appear in court. I agree to have my case handled by Civil Citation/JAC and agree to completed _____ community work service hours by the deadline assigned by the Civil Citation Case Manager. I understand I will be arrested and prosecuted for the offense(s) listed above if:

- | | |
|---|--|
| ♦ I fail to contact the Civil Citation Manager within seven (7) days | ♦ I fail to complete the work assignment |
| ♦ I fail to comply with the Community Service Agreement | ♦ I live outside of the 2nd Judicial Circuit |
| ♦ I am arrested for any other crime prior to completion of the Civil Citation Program | ♦ I have at least one (1) prior arrest of Civil Citation |
| | ♦ The offense (s) listed above require restitution |

JUVENILE'S SIGNATURE AND DATE	WAS PARENT/GUARDIAN CONTACTED? <input type="checkbox"/> Yes <input type="checkbox"/> No	
OFFICER'S SIGNATURE, ID AND DATE	SEE REVERSE FOR CITATION COMPLETION INSTRUCTIONS	RIGHT THUMB PRINT
OFFICER'S NAME (PRINT)		

MIAMI-DADE JUVENILE SERVICES DEPARTMENT (JSD)

275 NW 2nd STREET

MIAMI, FLORIDA 33128

CIVIL CITATION

Social Data Information

Date: _____

Civil Citation Coordinator: Karen Diazgranados 305-755-6239

Child's Full Legal Name: _____ Phone # _____

Address: _____ Apt. # _____

City: _____ State: _____ Zip code: _____

D. O. B. _____ Sex: _____ SSN: _____

Country of Birth: _____ Date of Entry into US: _____

Mother's Name: _____ Father's Name: _____

Address: _____ Address: _____

Home Phone No: _____ Home Phone No: _____

Place of Employment: _____ Place of Employment: _____

Work Phone No: _____ Work Phone No: _____

Family Income: _____ Household Language: _____

WAGES Recipient: Yes _____ No _____

Legal Guardian (If other than parents) _____

Relationship to child: _____ Address: _____

Phone: _____

Emergency Contact Phone No: _____ Relationship to Client: _____

Name of School Child is attending: _____ Grade: _____