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Florida counties fare poorly on juvenile civil citation rates with three-quarters earning an F

'Stepping Up: Florida's Top Juvenile Civil Citation Efforts 2017' reports nearly 9,000 arrests for common youth misbehavior, approximately 3,000 fewer than last year.

TALLAHASSEE, Fla.—Florida's third annual comprehensive study of alternatives to juvenile arrests for common youth misbehavior—called *Stepping Up: Florida's Top Juvenile Civil Citation Efforts 2017*—shows three-quarters of all counties earned an F grade. Although Florida's rate of issuing civil citations to juveniles instead of arresting them went up 10 percentage points over last year's study to 53 percent, the state still earned an overall F grade.

Only 4 percent of counties earned an A or B grade. Miami-Dade and Pinellas are the top-performing counties, each with a 94 percent utilization rate. The study, which uses data from calendar year 2016, also grades school districts and law enforcement agencies. Authored by one of Florida's top juvenile civil citation experts and supported by state and national juvenile justice reform and children's organizations, the study reports nearly 9,000 arrests for common youth misbehavior in calendar year 2016, which is approximately 3,000 fewer than last year.

"The data shows the state is moving in the right direction, but at a slow pace," said Dewey Caruthers, study author and president of The Caruthers Institute, the St. Petersburg-based think tank that conducts the annual study. "Many counties also are moving in the right direction, albeit sluggishly," said Caruthers, who noted 26 counties increased utilization by 10 percent or more, including nine that increased 25 percent or more, since the *Stepping Up 2016* study. "While moving in the right direction is good, it does nothing for the nearly 9,000 youth who were arrested," Caruthers said.

"The study strongly recommends using arrests of juveniles for minor offenses in only rare and exceptional circumstances," said Howard Simon, executive director of the ACLU of Florida. "Given the destructiveness and cost of sending juveniles through the criminal justice system, the use of civil citations for minor offenses should be the presumptive norm, with law enforcement required to document, justify and obtain supervisory approval to make an arrest."

For the second consecutive year, three counties—Duval, Hillsborough and Orange—accounted for approximately one-quarter of all arrests statewide. The three counties arrested more than 2,000 youth with utilization rates of 28 percent, 37 percent and 43 percent, respectively. Additionally, Duval County showed a notable racial disparity, arresting civil citation-eligible black youth at a rate of 15 percent higher than white youth in 2016—a pattern that has continued into 2017 with a high of 36 percent in June. (However, the authors note recent significant changes in the policies of the State Attorney's Office covering Duval County that should impact the results displayed in the 2017 report.)

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“In spite of all the evidence showing the benefits of civil citations as well as the detriments and high costs of arrests, we still see sluggish increases in utilization from year to year,” said Scott McCoy, senior policy counsel for the Southern Poverty Law Center in Florida, noting that the study revealed law enforcement uses civil citations more often on school grounds than off them.

The nonpartisan study is supported by the ACLU of Florida, Southern Poverty Law Center, Joseph W. & Terrell S. Clark, Project on Accountable Justice, James Madison Institute, Florida PTA, Florida League of Women Voters and Health Impact Partners. The study’s supporters—which span the ideological spectrum and also includes nonpartisan organizations—illustrate the wide, bipartisan support for higher utilization of juvenile civil citations.

School districts and law enforcement agencies also were graded. School districts fared better than counties, with nearly one-quarter (23 percent) earning an A or B grade. Law enforcement agencies had the highest percentage of A and B grades at 26 percent. Both districts and agencies had high numbers of F’s – 51 percent and 61 percent respectively. Miami-Dade and Pinellas were top performers in all three categories (counties, school districts and law enforcement agencies).

Florida earned an F grade with a statewide utilization rate of 53 percent, which the author noted is no reflection of the performance of the Florida Department of Juvenile Justice. “The state grade is a reflection of county performance, which is determined on a local level,” Caruthers said, noting that, “Florida is a national leader on civil citations, which is largely due to Florida DJJ.”

To date in Florida, *Stepping Up* has conducted three statewide studies, 201 county reports and a report to inform legislative decision-making. This year’s study provides a synopsis of its key findings from three years of research and studies. “The data overwhelmingly reveals juvenile civil citations increase public safety, improve youth opportunities, and save lots of taxpayer money, while conversely showing arrests for common youth misbehavior harm public safety, damage youth futures, and fleece taxpayers,” Caruthers said. During the period of the three *Stepping Up* studies, there have been nearly 40,000 arrests for common youth misbehavior, and more than 30,000 civil citations issued, according to Caruthers.

Stepping Up County Reports 2016, which provides reporting of the performance of each county, its school district and its law enforcement agencies, is available at www.caruthers.institute. Also available is an interactive map that illustrates county grades and utilization rates.