

## FOR IMMEDIATE RELEASE

June 26, 2018

Contact:

Dewey Caruthers, The Caruthers Institute  
813-294-5612 / [dewey@caruthers.institute](mailto:dewey@caruthers.institute)  
Southern Poverty Law Center  
[mediacontact@splcenter.org](mailto:mediacontact@splcenter.org)  
ACLU of Florida  
[media@aclufl.org](mailto:media@aclufl.org) / (786) 363-2737

### **Before July 1 law requiring pre-arrest diversion programs for juveniles, new study provides roadmap for successful programs**

*'Stepping Up: Florida's Top Juvenile Pre-Arrest Diversion Efforts 2018' reports continued reduction in arrests, increase in diversion for common youth misbehavior*

*Nonpartisan organizations send letters to local circuits with recommendations on how to best implement new statutory requirement for pre-arrest diversion, or civil citations*

TALLAHASSEE, Fla. – The fourth annual study on alternatives to arrests for common youth misbehavior – *Stepping Up: Florida's Top Juvenile Pre-Arrest Diversion Efforts 2018* – was released today. The report documents youth arrest and diversion rates across Florida, examines policies in the top-performing jurisdictions, and makes recommendations for successful programs. Under a new state law that goes into effect July 1, 2018, each of Florida's 20 judicial circuits must create a circuit-wide pre-arrest diversion program, such as civil citations. Many existing programs may also revamp their requirements in light of the new law.

The organizations supporting the study have sent a letter and the report to stakeholders in each judicial circuit, explaining how they can effectively implement or improve their pre-arrest diversion or youth civil citation program based on the study's findings.

"Policymakers and advocates who are creating or revamping youth pre-arrest diversion programs to meet the requirements of the new law should recognize that these programs can help youth succeed, save tax dollars and make communities safer," said Dewey Caruthers, study author and president of The Caruthers Institute, the St. Petersburg-based think tank that conducts the annual study. "I have structured this year's *Stepping Up* study as a how-to guide to distill the best practices in the state so that all jurisdictions can maximize the benefits of their pre-arrest diversion programs."

Although diversion rates continued to trend upward in 2017, the year's 6-percent statewide increase is smaller than previous years' growth. Of the 18,533 youth eligible for pre-arrest

diversion programs, 41 percent – more than 7,500 – were arrested. Disparities in eligibility across county lines persist.

The number of diversions should continue to increase as a result of SB 1392, requiring all judicial circuits to implement a pre-arrest diversion program in July and begin reporting the results in October. Currently, seven Florida counties in four circuits do not have a pre-arrest diversion program.

The study reviewed programs throughout the state to find common barriers to effective implementation and examined the state's three top-performing counties: Monroe, Miami-Dade and Pinellas – all with diversion rates above 90 percent – to identify best practices for pre-arrest diversion programs.

In those counties, law enforcement officers presume that pre-arrest diversion should be used in all eligible instances. If an arrest is made, the officer must justify the basis for the arrest in writing, and that justification is reviewed. At least once a year, law enforcement officers in those counties receive in-person training on pre-arrest diversion. Youth are not charged a fee to participate in diversion programs. Stakeholders routinely meet to discuss the program results, which are regularly reported at public meetings to allow for public feedback and transparency. The study also recommends that programs include a broad list of eligible offenses, multiple chances for pre-arrest diversion, and meaningful youth assessment and intervention programming.

“This new law provides a unique opportunity to create pre-arrest diversion programs that will help children avoid the criminal justice system and the lasting, negative effects of an arrest,” said Scott McCoy, senior policy counsel for the Southern Poverty Law Center. “Prosecutors, public defenders, law enforcement officials and school administrators should capitalize on this chance to take evidence-based practices and mold those into policies that will set our children and our communities up for success.”

As in years past, the report also provides data from counties, law enforcement jurisdictions and school districts across the state. Among the most notable changes:

- Monroe County increased its diversion rate from 87 percent to 97 percent to become the best county in the state;
- Pre-arrest diversion agreements in Duval and Hillsborough counties were revised under the leadership of new state attorneys, resulting in fewer arrests of youth. Duval County's utilization increased to 59% from 27% and Hillsborough County's utilization increased to 50% from 37%.

“The study reveals there is a steady growth in the use of civil citations and fewer youth have been arrested in Florida, but there is still room for improvement,” said Howard Simon, executive director of the ACLU of Florida. “The fewer lives of young people destroyed by an arrest record

through the consistent use of diversion programs, the more constructive futures we can foster for our youth and our society at large.”

The nonpartisan study is supported by the ACLU of Florida, Southern Poverty Law Center, Joseph W. & Terrell S. Clark, Project on Accountable Justice, Florida Juvenile Justice Association, Florida PTA, The Children’s Campaign, James Madison Institute, and League of Women Voters of Florida.

Stepping Up is available at [www.caruthers.institute](http://www.caruthers.institute).

A copy of the letter to local circuits can be found here:  
[www.acluf.org/en/pre-arrest-diversion-coalition-letter-circuits](http://www.acluf.org/en/pre-arrest-diversion-coalition-letter-circuits)

###

*The Southern Poverty Law Center, based in Alabama with offices in Florida, Georgia, Louisiana and Mississippi, is a nonprofit civil rights organization dedicated to fighting hate and bigotry, and to seeking justice for the most vulnerable members of society. For more information, see [www.splcenter.org](http://www.splcenter.org).*

*The ACLU of Florida is freedom's watchdog, working daily in the courts, legislatures and communities to defend individual rights and personal freedoms guaranteed by the Constitution and the Bill of Rights. For additional information, visit our website at: [www.acluf.org](http://www.acluf.org)*

**OTHER BOILERPLATES**