

CS/SB 644 / HB 489: Juvenile Civil Citation and Similar Diversion Programs

Keep Florida's youth out of the juvenile justice system and adult courts.

What is the purpose of CS/SB 644 / HB 489?

- ▶ CS./SB 644 / HB 489 requires the establishment of civil citation or similar diversion programs for juveniles, etc. to provide an efficient and innovative alternative to custody by the department for juveniles who commit non-serious delinquent acts and to ensure swift and appropriate consequences.
- ▶ The civil citation or similar diversion program shall be established in each county and at least one of the programs must be run by the county.
- ▶ The types of crimes for which children can be sentenced as adults would be limited to the more major violent offenses.

Why is CS/SB 644 / HB 489 necessary?

- ▶ 2,853 children were in residential placement in 2015; 62% were Black, 9% were Hispanic and 29% were White
- ▶ Children as young as 12 have been tried as adults and in most cases do not understand adult court proceedings. Compounding this is the fact that their parents are not allowed to participate.
- ▶ An adult felony conviction brands a child for life, diminishing opportunities for education and future employment. Additionally, children convicted in adult court are more likely to reoffend because there's no education, rehabilitation services or treatment provided.
- ▶ 131 children were in adult jails or prisons in 2015
- ▶ From October 2016 to September 2017, there were 17,463 juveniles eligible to receive a civil citation. Of those eligible, 9,678 juveniles were issued a civil citation and the remaining 7,785 were arrested.

How would CS/SB 644 / HB 489 work?

- ▶ Under CS/SB 644 / HB 489, a law enforcement officer is to issue a civil citation or require the juvenile's participation in a similar diversion program when the juvenile admits to committing specific first-time misdemeanor offenses.
- ▶ A law enforcement officer must provide written documentation articulating why an arrest is warranted when he or she has the discretion to issue a civil citation but instead chooses to arrest the juvenile.