



BETTER JUSTICE FOR FLORIDA

Improve Outcomes and Save Money Through Pre-Arrest Diversion

Year after year, the vast majority of arrests in Florida are made for misdemeanor offenses. Several municipalities have piloted adult civil citation programs that allow law enforcement to handle some misdemeanor offenses with citations that require community service and a fine, instead of an arrest and jail time. It's time for jurisdictions statewide to implement civil citation programs that reduce jail populations, provide people in their communities a second chance, and free up valuable law enforcement resources for more serious matters.

THE PROBLEM

Use of adult civil citation programs are not encouraged at a state level

- Adults are often arrested and enter the criminal justice system for low-level, nonviolent misdemeanor offenses.
- Florida statutes support the use of civil citations for juveniles, but fail to extend the same common-sense policy to adults.

Jailing people for minor offenses is ineffective and expensive

- Enforcing minor offenses through arrests and court proceedings diverts already scarce resources that would be better allocated to address more significant public safety issues.
- Individuals who cannot afford bail are warehoused in jails at taxpayer expense.

Arrests have long-term consequences

- Being jailed for a minor infraction can result in lost wages, job termination, diminished child support and housing insecurity.
- Having an arrest record can negatively impact future employment and educational prospects. Issuing a civil citation in lieu of an arrest is more consistent with state leaders' proclaimed priorities of job creation and getting people to work.
- Because of the impact of an arrest on a person's work, family, education and financial security, an arrest pulls a person deeper into the criminal justice system and increases the likelihood that he or she will reoffend and be caught up in the revolving door of incarceration.

THE SOLUTION

- **Implement pre-arrest diversion programs.** Legislation should encourage local communities and educational institutions to equip law enforcement officers to issue civil citations or similar notices to adults facing low-level first offenses.
- **Provide opportunity to make amends and correct behavior.** Diversion programs provide the opportunity for people to learn from their mistakes and change their behavior. Those receiving civil citations in lieu of being arrested will be required to perform community service, pay restitution, and complete pre-arrest diversion programming. In addition, they will undergo appropriate assessment and have access to educational as well as behavioral health care resources.
- **Reduce costs while improving public safety.** Diversion programs are proven to reduce crime and improve public safety. In Leon County, for instance, more than 1,100 adult civil citations were issued from March 2013 to August 2016, and 83 percent of participants successfully completed the program. Only 7 percent of those successful participants were arrested again, while 61 percent of those who did not complete the program re-offended and were re-arrested.¹

78%

of Floridians believe counties should be encouraged to create civil citation programs that would provide law enforcement officers an alternative to arrest.

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¹<http://www.flsenate.gov/Session/Bill/2017/448/Analyses/2017s00448.cj.PDF>