

OVERVIEW OF THE JUVENILE JUSTICE SYSTEM

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for the **Fourth Judicial Circuit**

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Serving Clay, Duval and Nassau Counties

YOUTH IN THE JUVENILE JUSTICE SYSTEM



CIVIL CITATION

- What qualifies for a civil citation?

Most misdemeanors and municipal ordinance violations (except for offenses associated with the use and/or possession of firearms, or certain traffic offenses).
Section 985.12, Florida Statutes.

- Who qualifies for a civil citation? A youth under age 18 who commits a qualifying offense and
 - (1) has two or fewer prior Citations;
 - (2) does not have a pending Citation or warrant or custody order;
 - (3) has never been adjudicated delinquent for a felony or been convicted as an adult; and
 - (4) is not a gang member as defined by section 874.03(3), Florida Statutes.

CIVIL CITATION

Why are civil citations so important?

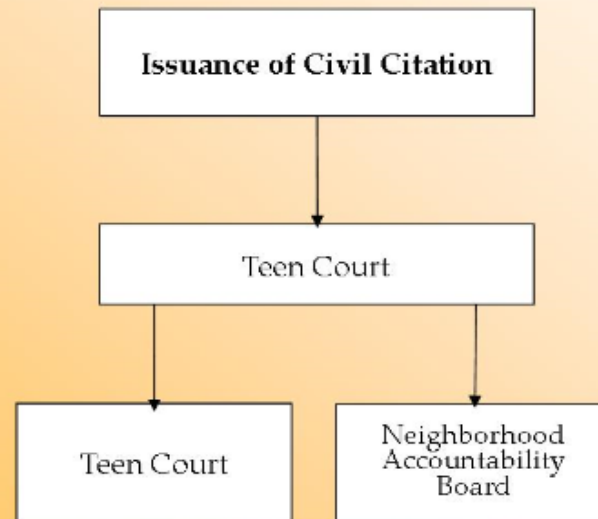
- Promote accountability and immediate intervention;
- Provide swift consequences;
- Increase public safety by assessing and referring “at-risk” youth to intervention programs with the goal of reducing recidivism;
- Prevent life-long consequences associated with an arrest, adjudication, or conviction;
- Reduce the number of juvenile offender referrals to and pending cases in the justice system; and
- Reduce costs associated with administration of the criminal juvenile justice system.

CIVIL CITATION

- Our 4th Circuit interagency Memorandum of Understanding gives law enforcement the broadest discretion possible to issue in situations they deem appropriate.
- Recently included offenses:
 - simple battery
 - petit theft
 - resisting without violence
- Also, can be issued over victim objection, but appeals process in place.
- Eligible youth can receive up to 3 citations.
- MOU rolled out in May 2017.

CIVIL CITATION PROCESS

YOUTH IN CONTACT WITH THE JUVENILE JUSTICE SYSTEM



CIVIL CITATION

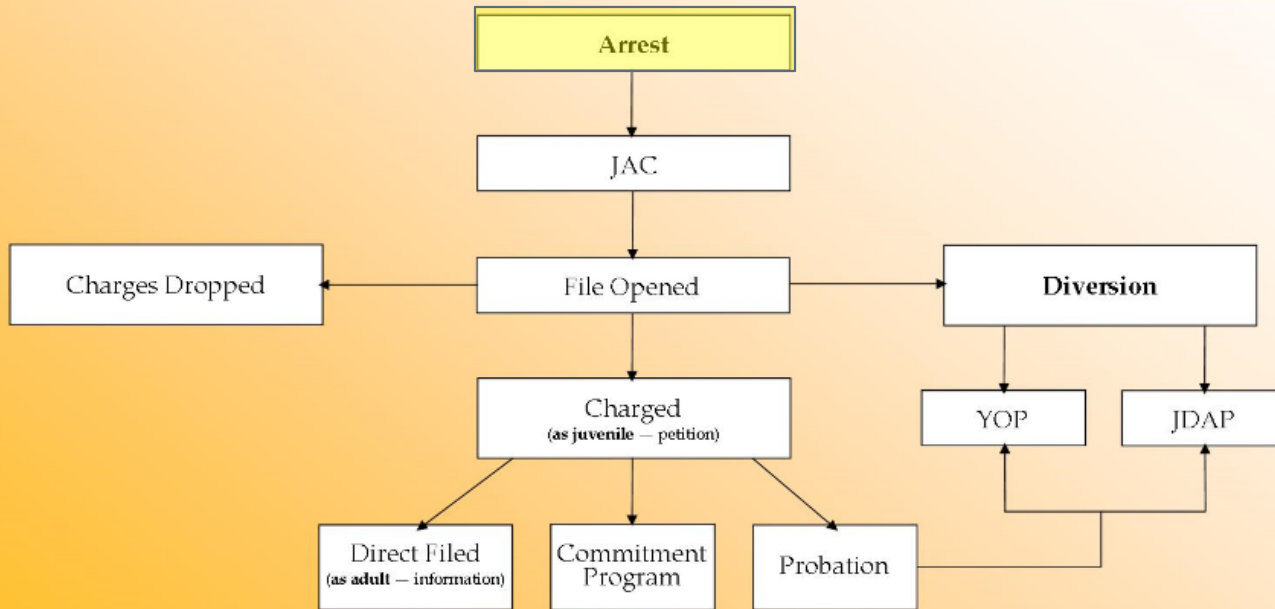
- Sanctions generally include a combination of the following:
 - Community service hours
 - Reflective essays on behavior that led to issuance of citation
 - Book report
 - Thank you letter to the officer for sending them to program
 - Workbook assignments on relevant subject-matter
 - Drug testing and drug abuse counseling
 - Mental health counseling
- On average, it takes a youth approximately 4 months to complete program.
- Since January 2015, approximately 80% successful completion rate.

CIVIL CITATION STATISTICS

Month	2016	2017
April	24 (32% of eligible)	23 (39% of eligible)
May	19 (30% of eligible)	45 (52% of eligible)
June	8 (14% of eligible)	36 (69% of eligible)
July	8 (24% of eligible)	28
August	5 (10% of eligible)	37

JUVENILE ARREST

YOUTH IN CONTACT WITH THE JUVENILE JUSTICE SYSTEM



JUVENILE ARRESTS STATISTICS



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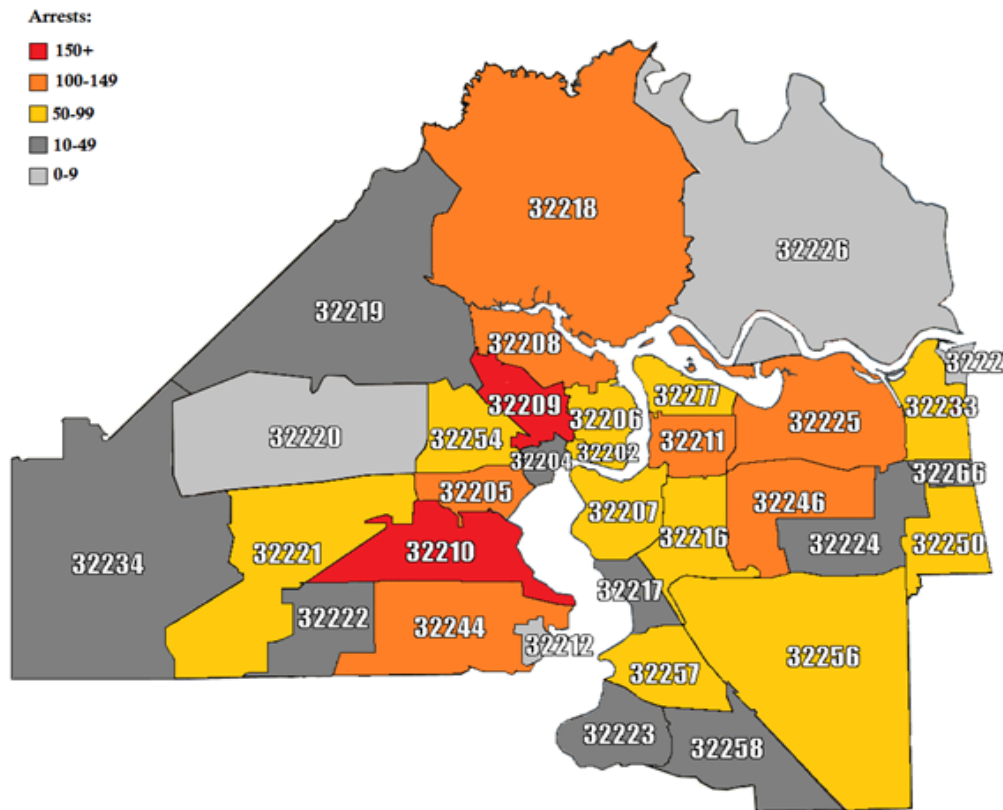
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JUVENILE ARREST CASES BY ZIP CODE

DUVAL COUNTY

SEPTEMBER 1, 2016—AUGUST 31, 2017



JUVENILE ARREST STATISTICS



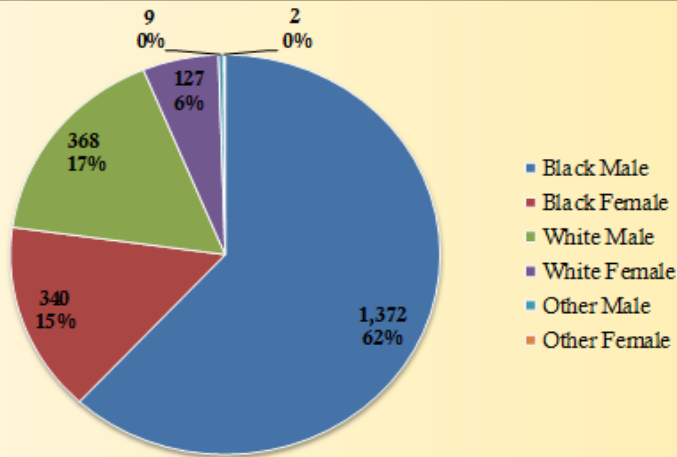
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JUVENILE ARREST DEMOGRAPHICS DUVAL COUNTY

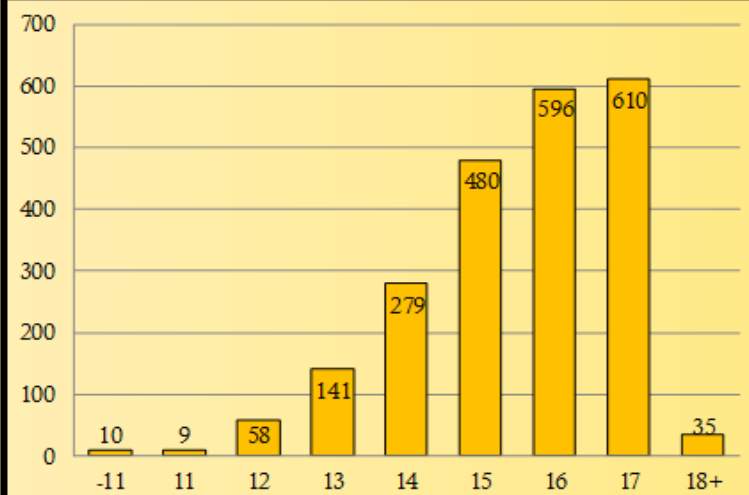
SEPTEMBER 1, 2016—AUGUST 31, 2017

Total Arrests: 2,218

Race/Sex of Juvenile Arrested



Age of Juvenile Arrested



JUVENILE ARREST STATISTICS

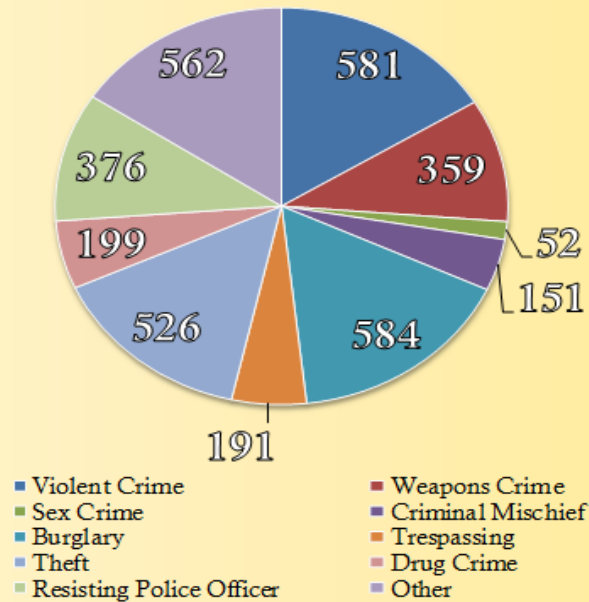


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CHARGES IMPOSED ON JUVENILES ARRESTED
DUVAL COUNTY
SEPTEMBER 1, 2016—AUGUST 31, 2017

Total Charges: 3,581

**Arrestee may have more than one charge*

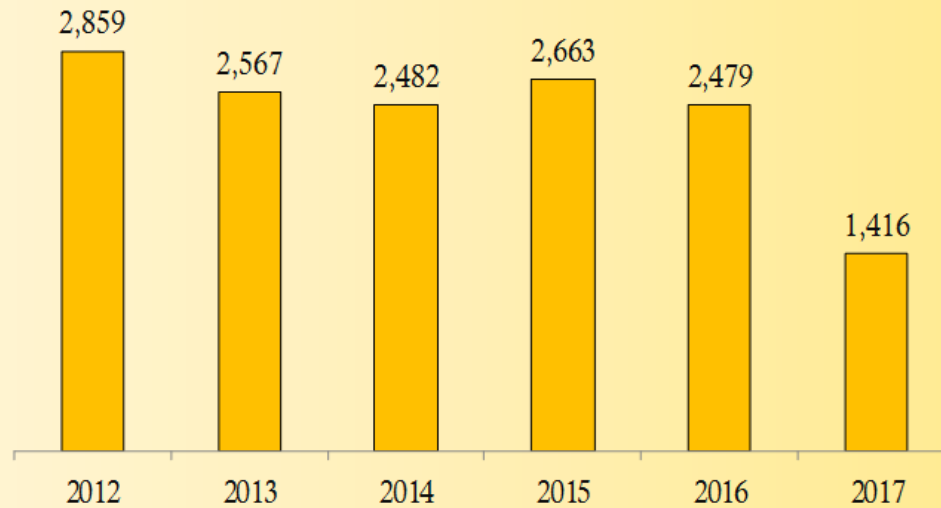


JUVENILE ARREST STATISTICS



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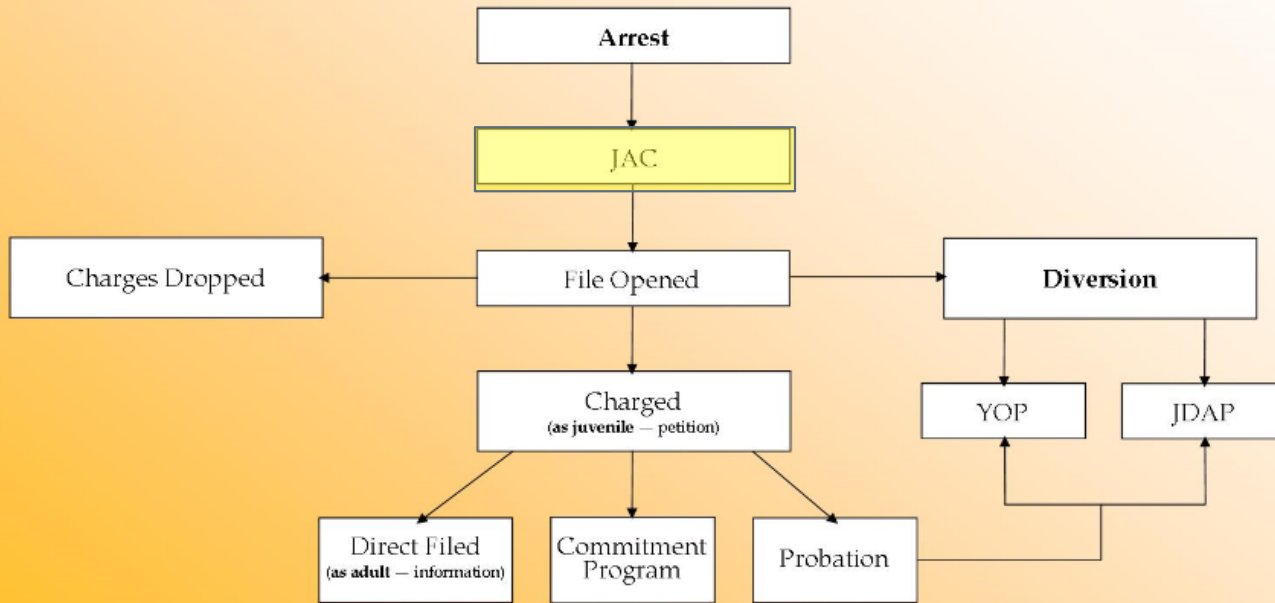
JUVENILE ARRESTS PER YEAR
DUVAL COUNTY
2012—2017



(Through 8/31/2017)

JUVENILE ARREST

YOUTH IN CONTACT WITH THE JUVENILE JUSTICE SYSTEM

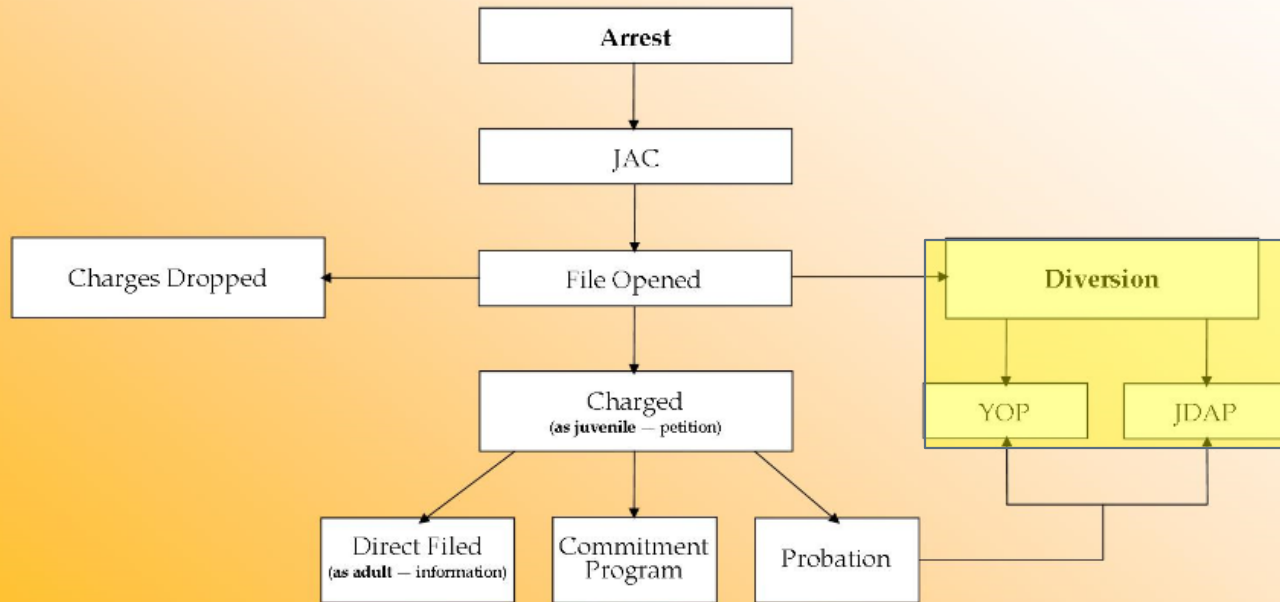


JUVENILE ARREST

- After a youth is arrested, they are taken to the Pretrial Detention Facility where they are processed and fingerprinted.
- The youth is then taken to the Juvenile Assessment Center (JAC), where they are given several assessments to better understand their overall physical state and personal history in an effort to determine what services are needed. Important to note, however, that most assessments are self-report.
- Detention Risk Assessment (DRAI): determines whether youth should be detained or released.
 - If released, released to responsible adult.
 - Or they stay in detention until first appearance. Then, the judge determines whether to detain or release.
- Without a waiver, youth may only be held in pre-trial detention for 21 days.
- Juvenile speedy trial is 90 days, so depending upon the complexity and development of case, some youth are released before their adjudicatory hearing.

CASE DISPOSITION: DIVERSION

YOUTH IN CONTACT WITH THE JUVENILE JUSTICE SYSTEM



DIVERSION

- What is Diversion?

Diversion uses alternative programs to the traditional juvenile justice system for youth that have been charged with some lower-level offenses. The goal of diversion is to provide early intervention to the youth to prevent further criminal activity or interaction with the juvenile justice system.

- Who qualifies for Diversion?

- (1) A youth under the age of 18 at the time of the offense;
- (2) Who is a first time offender, or was previously convicted of not more than one nonviolent misdemeanor; and
- (3) Who is charged with any misdemeanor or felony of the third degree.

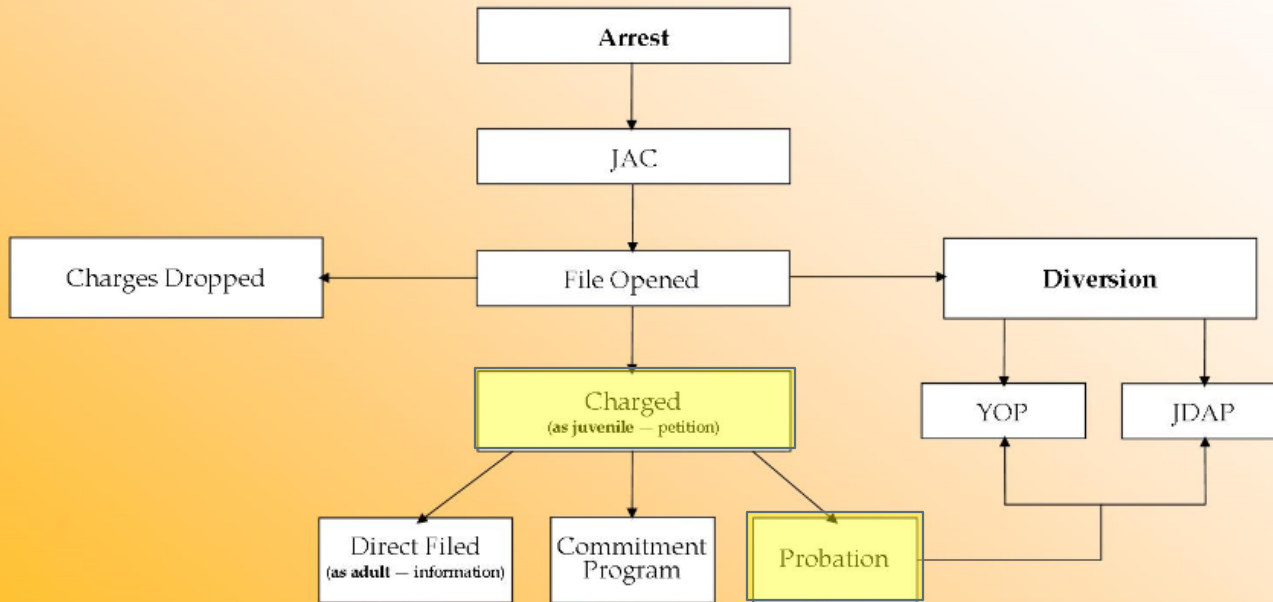
- How long does Diversion last?

Diversion typically lasts a minimum of 90 days, but is determined on a case by case basis.

Lisa and Alan will go into much greater detail on its importance and programming.

CASE DISPOSITION: PROBATION

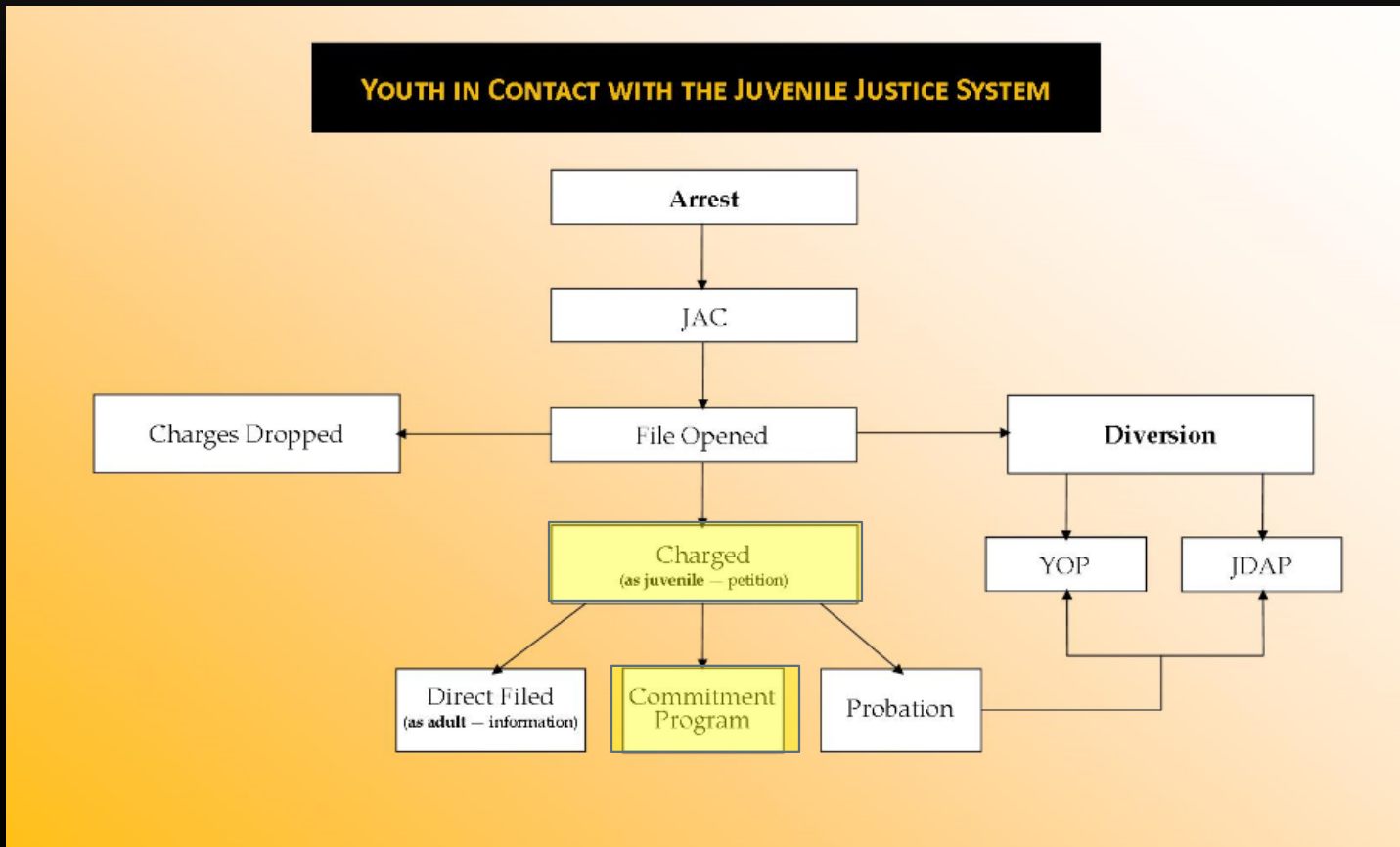
YOUTH IN CONTACT WITH THE JUVENILE JUSTICE SYSTEM



PROBATION

- A lot of flexibility with how we handle.
- DJJ monitors on how the youth complies with terms of probation.
- Sanctions:
 - Community service
 - Consequences of Crime class
 - Letter of Apology
 - Relevant Subject Matter Packet (ie...theft, anger management)
 - Counseling (drug abuse, behavior modification, family therapy)
 - Educational support
 - Curfew
- More thorough assessments would be helpful here. ASAs don't get much external guidance from providers or assessment instruments.

CASE DISPOSITION: COMMITMENT

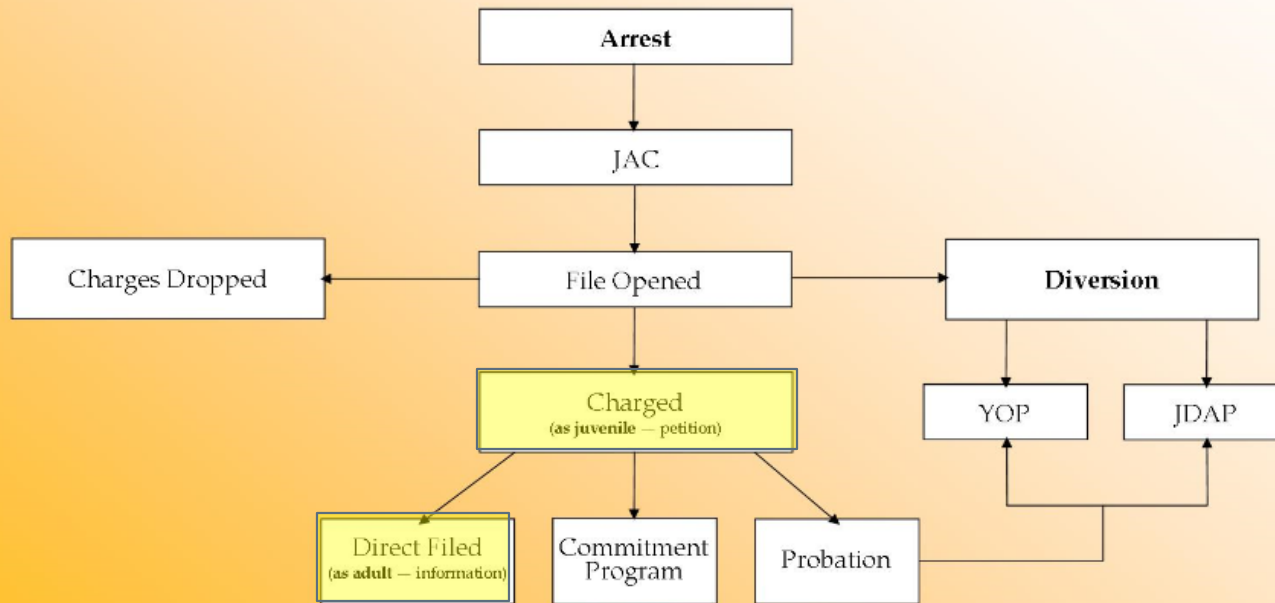


COMMITMENT PROGRAMS

- Non-residential:
 - AMI: minimum risk day program
 - Not longer than one year.
- Residential:
 - Non-secure: More in-line with school-type residential program. Don't secure movement.
 - Program usually 6-9 months.
 - High risk: Movement is monitored, more intensive restrictions on activities and socialization.
 - Program usually 12-18 months.
 - Maximum: Movement is intensely monitored. Similar to adult incarceration. Cannot keep past 21 years of age.
 - Program usually 18 months or more.
- Many times followed by period of post-commitment supervision (like probation).
 - Post-commitment probation (Court can retain jurisdiction until 19).
 - Conditional release (Courts can retain jurisdiction until 21).

CASE DISPOSITION: DIRECT FILE

YOUTH IN CONTACT WITH THE JUVENILE JUSTICE SYSTEM



DIRECT FILE

- What is a direct file?
 - Pursuant to Section 985.557 of the Florida Statutes, the State may file an information in adult court for a crime allegedly committed by a juvenile defendant. Although there are some cases that must be direct filed, the statute provides for a wide range of discretion by the State in determining who to charge as an adult.
- Before filing, these cases are reviewed by the highest levels of the State Attorney's Office with Chief Assistant Leh Hutton making the final decision.
- In addition to age and charge, we consider criminal history, educational background, mental health, and other social and physical factors. We give defense opportunity to provide any mitigation evidence before a final decision is made.
- If direct filed, a youth can receive adult sentence, juvenile sanctions, or hybrid sentences.
- Once direct filed as an adult, any subsequent crime committed by youth is filed in adult court.

DIRECT FILES

2016	2017 (through August)
94	17