

ADULT CIVIL CITATIONS WITH INTERVENTION SERVICES:

A "PRE-ARREST" MODEL

There is a growing recognition within the criminal justice system and among community leaders that we cannot arrest our way out of the social problems faced by most communities. As this realization spread, so did the calls to reform how law enforcement agencies handle low-level misdemeanor offenses. This is especially true for first-time offenders who are not a threat to public safety and for those offenses involving possession of small amounts of marijuana. Some of the increasing calls for reform result from community-based reactions to "zero-tolerance" policing strategies; while others are seeking ways to improve community oriented policing programs and neighborhood/police relationships.

Combining the calls for reform that come from multiple professional and community sectors with the emerging body of research that documents the negative consequences of arresting individuals for minor offenses it's become clear fundamental change is needed. Groups such as the American Bar Association and the President's Task Force on 21st Century Policing both recommend law enforcement create alternatives to criminal arrest for minor infractions. It is from this point that the Tallahassee/Leon community launched its Adult Civil Citation (ACC) program.

COMMUNITY COLLABORATION

During the mid-1990's Tallahassee/Leon County was one of the first communities in Florida to implement a juvenile civil citation program. Seeing firsthand the positive results that effective assessment and intervention services had reducing recidivism for juvenile offenders there was a natural progression to expand the approach to adults. The first step was building support and collaboration among key stakeholders:

- Social services agencies - DISC Village as lead provider
- Law enforcement agencies - Tallahassee Police Department, Leon County Sheriff's Office
- Criminal justice agencies - State Attorney's Office, Public Defender's Office, Chief Circuit Judge
- Local elected officials - Tallahassee City Commission, Leon County Board of County Commissioners
- Community advocate groups - Tallahassee Branch of the NAACP

Through a series of one-on-one meetings with key leaders, group meetings to build consensus, and public commission meetings to obtain public input, the framework for an adult civil citation program was developed and approved for implementation. The core concepts included:

- Implement as a three-year pilot project to determine effectiveness.
- No-cost to government is incurred facilitating long-term financial sustainability of the program through fees paid by ACC participants to the service provider.
- Fees paid by participants will be approximately the same as fines and court fees paid if the case were to be prosecuted in court and no one is denied services for inability to pay.
- Pre-arrest diversion results in the participants receiving a biopsychosocial assessment along with drug screening and individualized intervention services based on assessment results.
- Participation is voluntary and those who successfully complete the program will not have an arrest record and those who fail the program will be criminally charged for the original offense.

- A steering committee made up of participating law enforcement agencies is responsible for change management processes, policy implementation, and program oversight.

LAW ENFORCEMENT STEERING COMMITTEE

Law enforcement officers have inherent risks any time they confront someone for committing a crime - no matter how serious or minor the crime. They also have a duty to victims to ensure offenders are held accountable. Because of this, most law enforcement officers who perceive that a diversion program lacks an appropriate level of accountability for the offender will opt for traditional criminal prosecution. The success of the ACC program depends upon law enforcement officers on the street and the details of implementation rests with the participating law enforcement agencies. Representatives from the agencies developed detailed program criteria:

- Eligibility criteria
 - Person resides in the 2nd Judicial Circuit and is cooperative
 - Does not have a previous arrest or civil citation
 - Admits to committing the offense, but, to ensure due process, participation in the program is voluntary
 - Misdemeanor committed is an eligible offense (offenses determined by steering committee)
 - Non-domestic simple battery/assault
 - Petit theft - restitution under \$50
 - Possession of alcohol by person under 21
 - Trespass
 - Disorderly conduct
 - Possession of marijuana less than 20 grams
 - House party
 - Selling/providing alcoholic beverage to a minor
- Specific fee rate for participants
- Participant failure will result in the person being criminally prosecuted for original offense either through a notice-to-appear or through an arrest warrant.

INTERVENTION SERVICES

One of the primary goals of the ACC program is to reduce recidivism of those who participate in the program. As the service provider for the Tallahassee/Leon program, DISC Village uses a combination of behavioral therapy, substance abuse treatment, and on-line educational modules to accomplish this goal.

There are several phases to the services:

- Assessment:
 - An evidence-based assessment tool is used to determine what intervention services are needed and appropriate for each participant.
- Intervention:
 - Three counseling sessions behavioral therapy specialist
 - Motivational interviewing
 - Substance abuse treatment including attendance at two NA or AA meetings
 - On-line courses created by The Change Companies®
 - Anger management education
 - Petit theft/shoplifting education

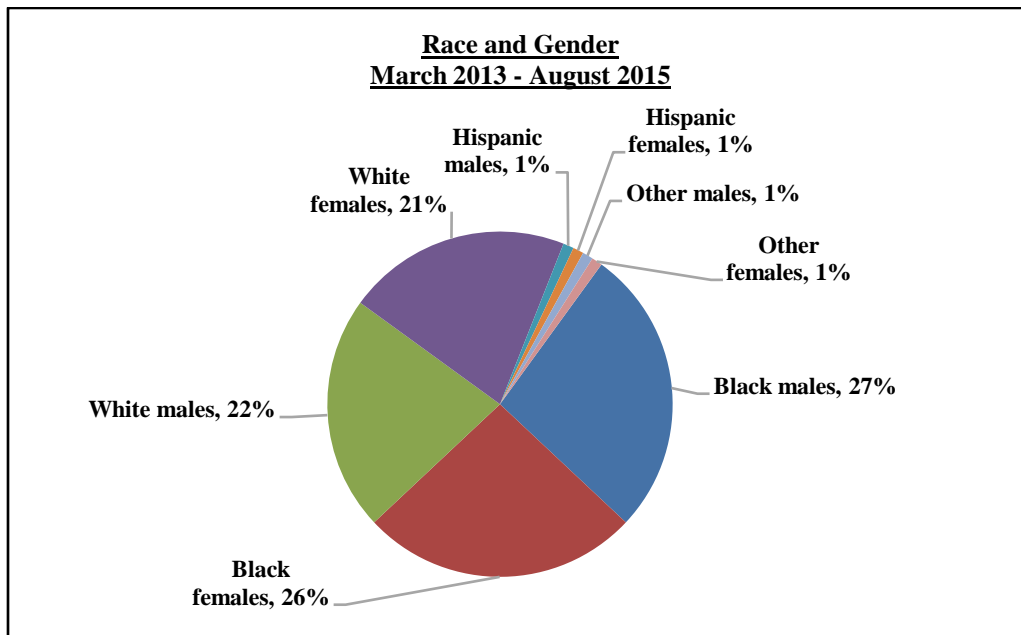
- Responsible decision making
- Life/job skills training
- Case management:
 - 25 hours community services
 - Payment of fees and restitution
 - Referral for other support services as needed
 - Coordination with referring law enforcement agency

OUTCOMES AND PROGRAM EVALUATION

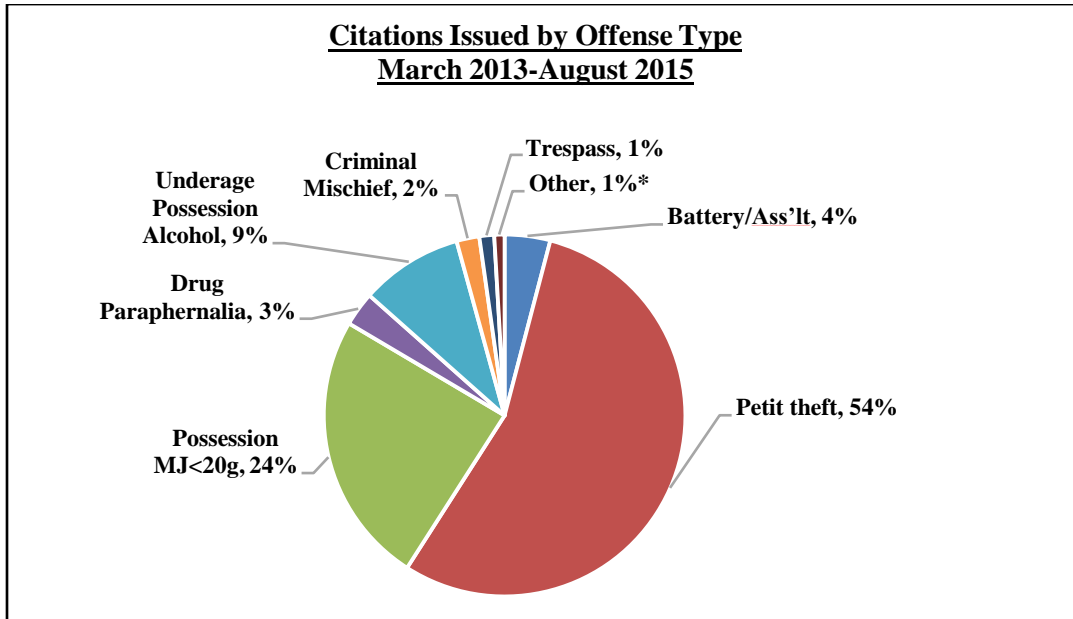
This first-in-the-nation "pre-arrest" diversion program was launched after building community and political support, and more importantly establishing expected outcomes. An essential part of the program is the on-going evaluation that not only tracks outcomes, but also allows for continuous improvement of the model. To ensure the evaluation is unbiased a researcher from Western Carolina University's Department of Criminology and Criminal Justice acts as the principal investigator. Dr. Albert Kopak is recognized for his work in the area of drug use, dependence, and substance use disorders among offenders in the criminal justice system. The comprehensive evaluation being conducted by Dr. Kopak includes both quantitative and qualitative analysis of the ACC program. The evaluation will determine the impact of adult civil citations on recidivism rates and the corresponding cost benefits to the public and the criminal justice system. Dr. Kopak may be contacted by email at amkopak@email.wcu.edu, or by calling 828-227-2328.

Program data was reviewed from the start of the ACC program during March 2013 through August 2015. The following charts provide initial outcome data:

Participant Demographics:

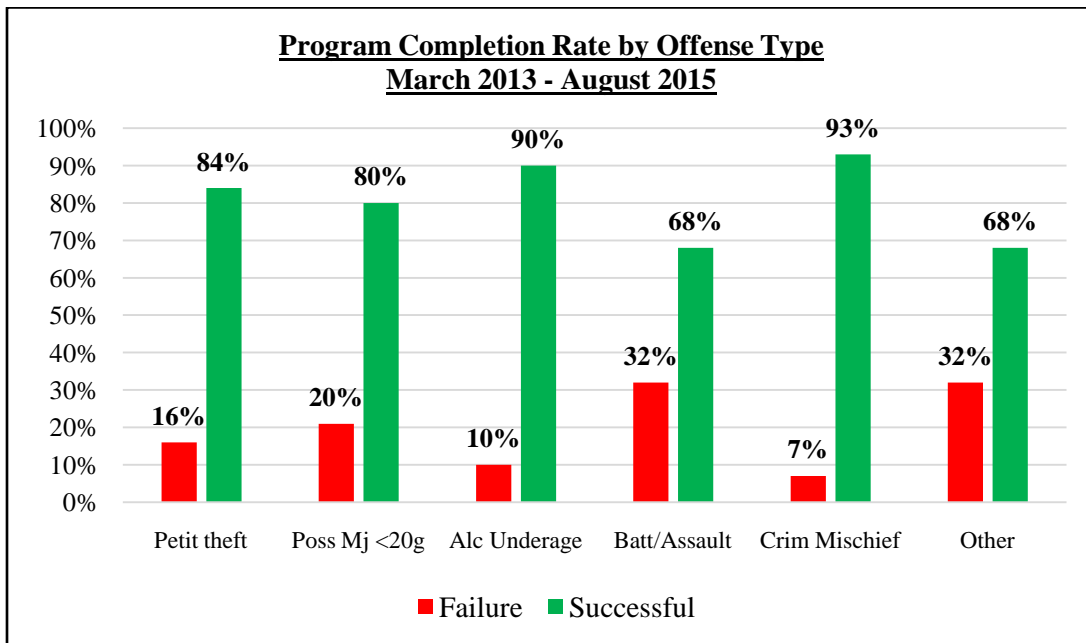


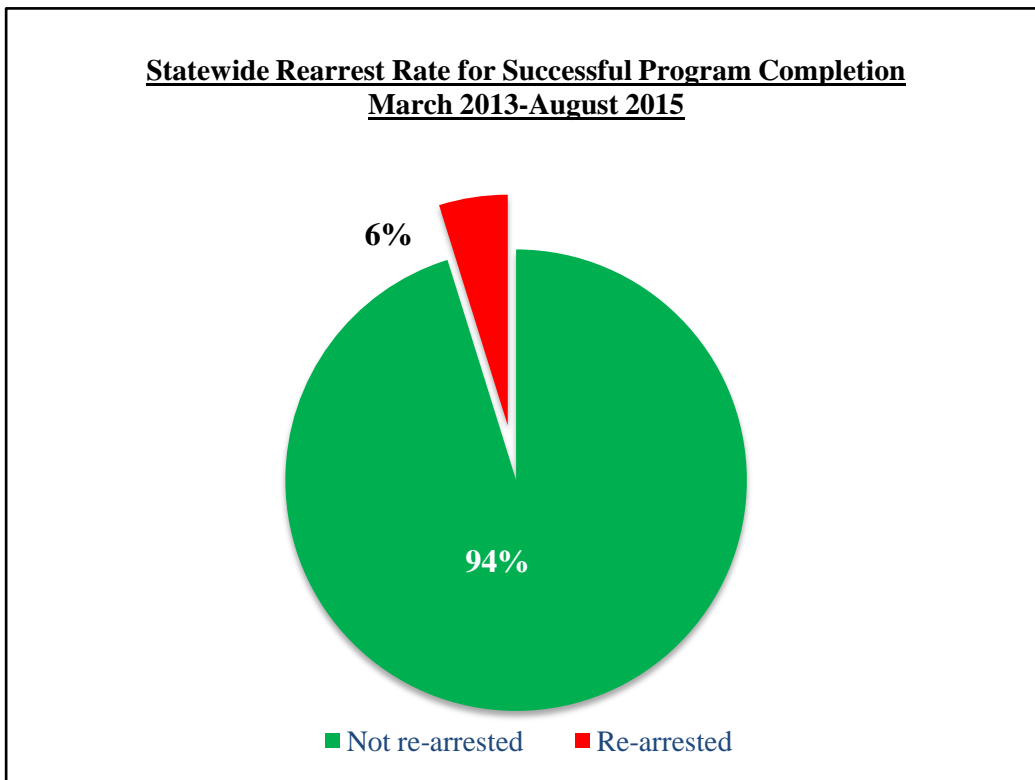
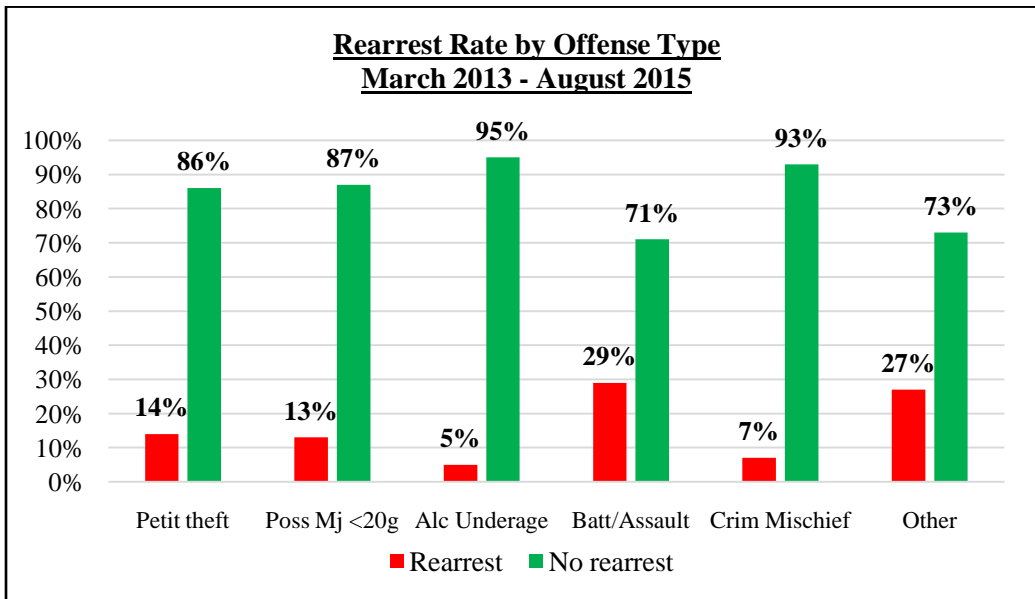
Offense Categories:



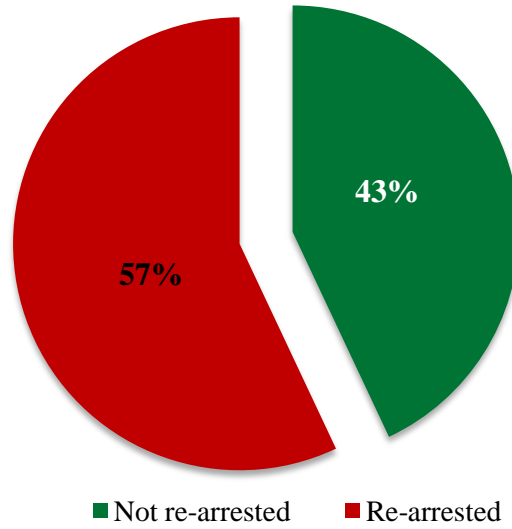
* "Other" category includes disorderly conduct, open-house party, serving alcohol to minor

Outcome Measures:

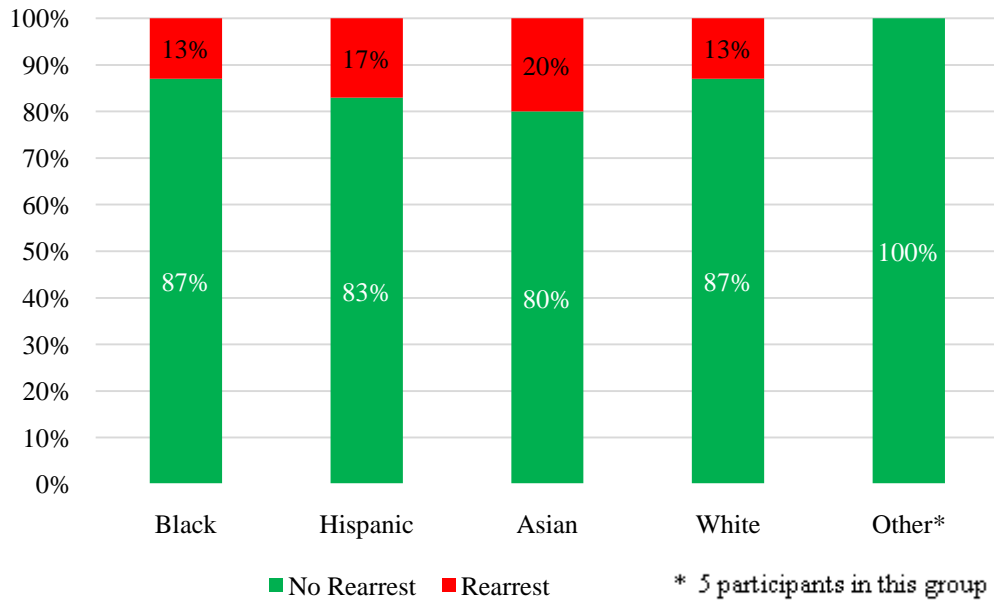




Statewide Rearrest Rate for Unsuccessful Program Termination
March 2013-August 2015



Rearrest status by Race/Ethnicity



WHAT ARE LAW ENFORCEMENT OFFICERS SAYING

"The Civil Citation program is a unique tool in our community to effectively enforce the law without permanently labeling an individual as a criminal."

Officer Jamey Martinez - Tallahassee Police Department

"I feel the Adult Civil Citation program is a great option. It allowed me to 'help' a young person out when they had a lack of judgment at that time."

Deputy Jon Etheridge - Leon County Sheriff's Office

"As an officer, it is nice to have a positive outcome option in my toolbox."

Officer Rachelle Denmark - Tallahassee Police Department

WHAT ARE PARTICIPANTS SAYING?

Individuals who complete the Civil Citation program are asked to fill out an exit survey. The survey results are very encouraging with 92% of participants reporting they were either satisfied or very satisfied with the program. The following are quotes from participants who completed the survey:

"I made a mistake hanging with wrong crowd and I learn from it so that's why I want to attend this program so I could get some help and advice."

"I have a bright future ahead of me and what I did was a huge mistake and I wanted to take the opportunity that would keep me out of jail."

"The Adult Civil Citation Program was an great option for first time offenders as myself. I chose this program instead of the justice system because it offered the help that I needed."

"...it offered me a second chance without actually letting me off the hook. It was a learning experience and I am very happy to have been offered this opportunity."

"That it helped guide in making the most out of the decisions you face during everyday life. It showed me how to correctly analyze situations to make the decision that would most benefit me."

The Civil Citation Network® is a non-profit organization created and supported through a private foundation. Our mission is to advocate the use of adult and juvenile civil citations with integrated intervention services. Communities across the country have access to the Network's research and evaluation services, integrated technology platform, extensive website information resources, and technical assistance related to implementation of civil citation programs. Through participating communities, civil citation programs improve public safety and reduce criminal justice system costs. Equally important, through the Civil Citation model, individuals are held accountable for committing a minor crime without the life-long negative consequences of being arrested.

[Contact Greg Frost, President, Civil Citation Network for additional information: greg@civilcitationnetwork.org or call 850-544-7350]