



ADULT CIVIL CITATIONS

What does Gainesville want to pursue?

1. **Diversion Program:** All pre-arrest Diversions are handled by the State Attorney's Office?
2. **Pre-Arrest Deflection:** Law Enforcement has discretion (or policy) that deflects individuals from criminal justice system? Run by City of Gainesville, requiring staff.
3. **Adult Civil Citation Combination/Collaboration:** Court Services becomes "assessment" point of contact for services? Gainesville contributes funding and/or staffing.

Adult Civil Citations – recent activity

- In August of this year the City of Gainesville was selected by the National League of Cities as one (1) of five (5) Cities for a *Technical Assistance* Grant to help implement and navigate Pre-Arrest Diversion for Adults.
- Cross-Site Meeting held in Washington DC October 30th-November 1st. Participants included City Manager Anthony Lyons, State Attorney Bill Cervone, Captain Jorge Campos, ASO Sgt. Paul Pardue, and myself.
- Recently the Court Services and the State Attorneys Office presented adult diversion programming options to this Commission and the County Commission.

Adult Civil Citations

- Pre-Arrest Deflection models that shift low level misdemeanor arrests away from the Criminal Justice System while still providing accountability OR Deferred Prosecution model (See State Attorney for details).
- Reduces Jail population.
- Some individuals will NOT have an arrest record.
- Embraces services that address behavior, mental health and substance abuse.

Data

2016 – Alachua County Jail received 2196 individuals with no prior arrest record (*from State Attorney's Office*).

Gainesville Police Data

Year

2016- 945 Misd. Notice To Appear (NTAs) were issued by GPD.
400 Retail Theft NTAs
278 Poss.of<20grams/poss.of drug paraphernalia
84 Possession of Alcohol under 21.

Adult Civil Citations – handled by the State Attorney’s Office

Pre-Arrest Diversion(deferred prosecution)

- **Refer to State Attorney Bill Cervone for program.**
- **Criminal Charges would likely be attached to arrest affidavit (similar to Juvenile Citation), but would bypass charges being clerked (triggering FCIC record).**
- **State Attorney would review charges and decide whether to divert or file.**

Adult Civil Citations

- ***Referral would be issued in the field by Officer during key decision encounter:***
 1. **In lieu of a Misdemeanor Arrest (with some exceptions).**
 2. **When officer believes substance abuse or mental health issues would be better addressed through intervention.**
 3. **Policy driven with some discretion.**

Adult Civil Citations Collaboration

ADULT CIVIL CITATION COMBINATION/COLLABORATION

- Run through *Court Services*
- Centralized Coordination of services and case management.
- Co-funded by City and County.

Eligibility

- **No prior Criminal Record, first time offenders.**
- **Prior criminal record that reflects need for services.**
- **Obvious intervention services needed (mental health, substance abuse).**
- **Subjects are allowed 1,2,3 + Adult Civil Citations?**

Non-compliance/Failure to complete program

- **Forward referral mittimus to State Attorney for review (Pre-Arrest Deflection). By Clerk's Office or GPD.**
- **Allow offense to drop off radar regardless of whether individual complies/completes diversion (not supported by GPD).**
- **State Attorney – handles all diversions and will file if failure to comply.**
- **Build into system a county or city ordinance that charges individuals with “failure to complete Adult Civil Citation Program”, not with the original charge.**

Diversion Services

- **Mental Health counseling**
- **Substance abuse programs**
- **Education**
- **Fine \$**
- **Community Service**
- **Promise of no further criminal involvement.**
- **Restorative Justice Model:**
 1. **Misdemeanor that involves victim.**
 2. **River Phoenix Center for PeaceBuilding.**