

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Justice Appropriations
 2 Subcommittee

3 Representative Clarke-Reed offered the following:

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Amendment (with title amendment)

Remove lines 30-71 and insert:

(1) There is established a juvenile civil citation process for the purpose of providing an efficient and innovative alternative to custody by the Department of Juvenile Justice for children who commit nonserious delinquent acts and to ensure swift and appropriate consequences. The department shall encourage and assist in the implementation and improvement of civil citation programs or other similar diversion programs around the state. The civil citation or similar diversion program shall be established at the local level with the concurrence of the chief judge of the circuit, state attorney,

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17 public defender, and the head of each local law enforcement
18 agency involved. The program may be operated by an entity such
19 as a law enforcement agency, the department, a juvenile
20 assessment center, the county or municipality, or another ~~some~~
21 ~~other~~ entity selected by the county or municipality. An entity
22 operating the civil citation or similar diversion program must
23 do so in consultation and agreement with the state attorney and
24 local law enforcement agencies. Under such a juvenile civil
25 citation or similar diversion program, a ~~any~~ law enforcement
26 officer, upon making contact with a juvenile who admits having
27 committed a misdemeanor, may choose to issue a simple warning or
28 inform the child's guardian or parent of the child's infraction,
29 or may issue a civil citation or require participation in a
30 similar diversion program, and assess up to ~~not more than~~ 50
31 community service hours, and require participation in
32 intervention services as indicated by an assessment of the needs
33 of the juvenile, including family counseling, urinalysis
34 monitoring, and substance abuse and mental health treatment
35 services. A copy of each citation issued under this section
36 shall be provided to the department, and the department shall
37 enter appropriate information into the juvenile offender
38 information system. Use of the civil citation or similar
39 diversion program is not limited to first-time misdemeanors and
40 may be used in a second or subsequent misdemeanor. If an arrest
41 is made, a law enforcement officer must provide written

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42 documentation as to why an arrest was warranted. ~~Only first-time~~
43 ~~misdemeanor offenders are eligible for the civil citation or~~
44 ~~similar diversion program.~~ At the conclusion of a juvenile's
45 civil citation program or similar diversion program, the agency
46 operating the

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T I T L E A M E N D M E N T

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Remove lines 5-22 and insert:

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committed a misdemeanor or to inform the child's parent or
52 guardian of the child's infraction; allowing a law enforcement
53 officer who does not exercise one of these options to issue a
54 civil citation or require participation in a similar diversion
55 program; requiring a law enforcement officer to provide written
56 documentation in certain circumstances; providing that repeat
57 misdemeanor offenders may participate in the civil citation
58 program or a similar diversion program under certain
59 circumstances; reenacting ss. 943.051(3)(b) and 985.11(1)(b),
60 F.S., relating to the issuance of a civil citation, and the
61 issuance of a civil citation or similar diversion program,
62 respectively, to incorporate the amendments made to s. 985.12,
63 F.S., in