

1 RESOLUTION NO. 2021-

2 A RESOLUTION OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
4 URGING ALL MUNICIPALITIES AND LAW ENFORCEMENT  
5 AGENCIES IN BROWARD COUNTY TO PARTICIPATE IN  
6 THE BROWARD COUNTY JUVENILE CIVIL CITATION  
PROGRAM; AUTHORIZING TRANSMISSION OF THIS  
RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN;  
AND PROVIDING FOR SEVERABILITY AND AN  
EFFECTIVE DATE.

7 (Sponsored by Commissioner Dale V.C. Holness)

8  
9 WHEREAS, the Florida Legislature passed legislation pertaining to juvenile civil  
10 citations establishing a civil citation or similar prearrest diversion program for  
11 misdemeanor offenses in each judicial circuit in the State of Florida ("Civil Citation  
12 Program"), which was codified in Section 985.12, Florida Statutes;

13 WHEREAS, the Civil Citation Program was developed to provide a statewide civil  
14 alternative to the formal arrest and criminal prosecution of youth aged 17 or younger who  
15 commit eligible misdemeanor offenses;

16 WHEREAS, the Civil Citation Program is designed to expeditiously address a  
17 youth's behavior and needs and is aimed at preventing further acts of delinquency by  
18 holding the youth accountable without creating a criminal record;

19 WHEREAS, the Civil Citation Program provides an efficient and innovative  
20 alternative to arresting youth, reduces the number of youth in jails and recidivism in the  
21 state, and conserves scarce judicial resources;

22 WHEREAS, the Broward County Juvenile Civil Citation Program is the Civil  
23 Citation Program in Broward County as prescribed by the Seventeenth Judicial Circuit  
24 citation plan;

1           WHEREAS, the State of Florida Department of Juvenile Justice developed and  
2 provided best practice models for operating a Civil Citation Program, and the Broward  
3 Sheriff's Office is creating model juvenile civil citation procedures based on the best  
4 practice models;

5           WHEREAS, the Broward County Juvenile Civil Citation Program has operated  
6 since 2012 and has served over 5,500 youths at no cost to participants;

7           WHEREAS, Broward County invests Four Hundred Twenty-five Thousand One  
8 Hundred Ten Dollars (\$425,110) annually to support the Broward County Juvenile Civil  
9 Citation Program and has avoided over Twenty-six Million Five Hundred Thousand  
10 Dollars (\$26,500,000) in costs to taxpayers related to, *inter alia*, the costs of arrest  
11 processing and incarceration;

12           WHEREAS, the Children's Services Council of Broward County has supported the  
13 Broward County Juvenile Civil Citation Program by funding intervention services for  
14 youth;

15           WHEREAS, the Broward County Juvenile Civil Citation Program has a  
16 ninety percent (90%) success rate and a less than three percent (3%) recidivism rate;

17           WHEREAS, the arrest of civil citation eligible youth results in missed opportunities  
18 and creates a criminal record, and such arrest data is tracked and reported by the State  
19 of Florida Department of Juvenile Justice;

20           WHEREAS, Broward County has been identified as the third-worst county in the  
21 State of Florida for issuing juvenile civil citations under its Civil Citation Program due to  
22 lack of utilization, with a utilization rate of approximately forty-two percent (42%), in  
23 contrast to Miami-Dade County which has a utilization rate of ninety percent (90%) for its  
24 Civil Citation Program; and

1 WHEREAS, participation in the Broward County Juvenile Civil Citation Program by  
2 all municipalities and law enforcement agencies in Broward County will, among other  
3 benefits, promote interagency cooperation and increase public safety for Broward County  
4 citizens, NOW, THEREFORE,

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6 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
7 BROWARD COUNTY, FLORIDA:

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9 Section 1. The Board of County Commissioners of Broward County, Florida  
10 (“Board”), urges all municipalities and all law enforcement agencies in Broward County to  
11 participate in the Broward County Juvenile Civil Citation Program.

12 Section 2. The Board urges all law enforcement agencies in Broward County to  
13 update their current Standard Operating Procedures (SOPs) to be in compliance with  
14 Section 985.12, Florida Statutes, utilize the model juvenile civil citation procedures being  
15 created by the Broward Sheriff’s Office, and adopt the Seventeenth Judicial Circuit  
16 citation plan established by the Broward County State Attorney, Broward County Public  
17 Defender, and Clerk of Courts of the Seventeenth Judicial Circuit.

18 Section 3. The Board finds that participation in the Broward County Juvenile  
19 Civil Citation Program by the County and all municipalities and all law enforcement  
20 agencies in Broward County will ensure that youth throughout Broward County will have  
21 access to a Civil Citation Program and positively affect the criminal justice system by  
22 providing an efficient and innovative alternative to arresting youth, reducing the number  
23 of youth in jails and the rate of recidivism, conserving scarce judicial resources, and  
24 increasing public safety for Broward County citizens.

1 Section 4. The Board affirms its continued support of the Broward County  
2 Juvenile Civil Citation Program.

3 Section 5. The Board authorizes transmission of this Resolution to the  
4 Executive Director of the Broward League of Cities and the mayor of each municipality  
5 within Broward County.

6 Section 6. Severability.

7 If any portion of this Resolution is determined by any court to be invalid, the invalid  
8 portion will be stricken, and such striking will not affect the validity of the remainder of this  
9 Resolution. If any court determines that this Resolution, in whole or in part, cannot be  
10 legally applied to any individual, group, entity, property, or circumstance, such  
11 determination will not affect the applicability of this Resolution to any other individual,  
12 group, entity, property, or circumstance.

13 Section 7. Effective Date.

14 This Resolution is effective upon adoption.

15  
16 ADOPTED this day of , 2021.

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18 Approved as to form and legal sufficiency:  
19 Andrew J. Meyers, County Attorney

20 By /s/ Christina A. Blythe 05/20/2021  
21 Christina A. Blythe (date)  
22 Assistant County Attorney

23 By /s/ Annika E. Ashton 05/20/2021  
24 Annika E. Ashton (date)  
25 Deputy County Attorney

26 CAB/dp  
27 Civil Citation Program Reso.doc  
28 05/20/2021