

Dear Secretary Marsteller, Chief Merrithew, and Sheriff Chitwood,

As a citizen of Volusia County and member of FAITH, I applaud each of your office's longstanding commitment to stop branding children for life with criminal records and instead issue juvenile civil citations. We are asking you to implement three changes that we believe support this commitment.

In 2018 the FL legislature passed a law requiring law enforcement officers to issue a civil citation to all eligible children or submit in writing why they felt an arrest was needed. The most recent data available shows that last year, 5,886 children were eligible for civil citations but instead were arrested. The reason given in 4,259 of those 5,886 cases was "no reason available." "No reason available" is not an acceptable reason according to the law.

Having "no reason available" as an option allows those in our juvenile justice system to ignore the law that was passed. If law enforcement, or those entering data into the computer system, do not know the reason for the arrest, the arrest should automatically be changed to a civil citation. Therefore our first ask is that DJJ Secretary Marsteller remove "no reason available" from the drop down menu on the DJJ Dashboard.

Our next concern pertains to data entry procedures. When we read last year's redacted 707s we found that the officer often gave no reason or an unclear reason for issuing an arrest or a reason that was not on the drop down list. We found, however, that a reason was often apparent in the narrative. One example involved a child charged for battery that was eligible for a civil citation, except that the offense was sexual in nature making it ineligible for a civil citation. That case showed up as an arrest that could have been a civil citation even though legally it had to be an arrest. Cases like that one make the data unreliable. Chief Merrithew explained to us that his Volusia DJJ staff do not read the narratives before they enter information into the DJJ Dashboard. But accurate data is necessary to track progress and maintain accountability. Therefore our second ask is that all DJJ staff be trained to read the narrative so that they can appropriately report the reason that the eligible child did not receive a civil citation.

Sheriff Chitwood has stated numerous times that his goal is for 100% of eligible children in Volusia County to receive a civil citation. We are only at 44%. After reading the 707s, we noticed that the majority of arrests that could have been civil citations did not have a specific or legitimate reason stated in the narrative as to why an arrest was made instead of a civil citation. Therefore our third ask is that Sheriff Chitwood require all the officers in his department to provide a written, legitimate reason for not giving a civil citation to any eligible juvenile per the MOU that he signed.

No child or youth eligible for a civil citation should be burdened for life with an unnecessary arrest record. Surely all of us can agree with that statement and affirm it as a worthy goal. Accurate data will help all of us measure our progress and identify areas for improvement as we move towards this goal together. Thank you for implementing these changes as soon as possible.

We look forward to meeting with you all soon.