



Criminal Justice Standards and Training Commission

P.O. Box 1489 | Tallahassee, FL 32302-1489 | (850) 410-8600

November 13, 2015

CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION TECHNICAL MEMORANDUM 2015-10

TO: Criminal Justice Agency Administrators
FROM: Director Dean Register *DR*
Criminal Justice Professionalism Division
SUBJECT: Issuance of Civil Citations in lieu of Arrest

Recently, several counties have adopted new county codes giving law enforcement the discretion to issue a civil citation rather than making an arrest for one of an identified list of misdemeanor crimes. Included in these offenses are violations which are part of the Commission's list of misdemeanor moral character violations such as Possession of Marijuana-Under 20 grams and Possession of Drug Paraphernalia.

While these changes may result in a certified officer receiving a citation rather than being arrested, the underlying charge may still rise to the level of a moral character violation and be subject to discipline by the Commission. As such, if an officer receives a citation for an offense that is classified as a violation of the Commission's moral character rule, the employing agency must conduct an internal investigation and report any sustained findings to the Commission, pursuant to Florida Statute 943.1395(5). Chapter 11B-27.0011, Florida Administrative Code, contains the list of misdemeanor offenses which are part of the Commission's moral character violations.

If you have any questions regarding these rule changes, please contact Stacy Lehman, Training and Research Manager in the Bureau of Standards at (850) 410-8645.

DR/si

cc: Criminal Justice Standards and Training Commission