

Hometown News

'Zero Tolerance for Crime' bill is anything but

Some Florida legislators are putting forth a bill in the Senate and the House that will prevent school officials from reporting crimes at schools to local law enforcement.

Crimes committed by teens consisting of battery, drug possession and exposure of sexual organs are included.

The new law would direct that teachers, principals and other school employees are no longer permitted to contact law enforcement officers about any misdemeanor crime committed on school property by a student.

Further, it directs that no juvenile who has victimized a child in school can be arrested or prosecuted for any misdemeanor crime.

Senate Bill 1886 by Sen. Stephen Wise (Jacksonville) and House Bill 1445 by Rep. Daniel Davis (Jacksonville) have been titled ironically "Zero Tolerance for Crime and Victimization in Schools."

Many law enforcement officers are expressing concerns that the actual result of the bill will be just the opposite of the bill's name if it is allowed to become law.

The bill is most likely well intended and seems to be designed to prevent the unnecessary criminalization of our young people and encour-



**BREVARD
COUNTY
SHERIFF**
JACK PARKER

ages other, less severe, alternatives to arrest.

I would certainly agree with the bill sponsors that the arrest of a young person should be the very last resort, and every effort needs to be made to avoid putting handcuffs on a teenager. It is a very traumatic event which should be avoided at all costs.

However, with that said, SB 1886 and HB 1445 are too sweeping and will have unintended consequences.

To create a law that lawfully and forcefully prevents law enforcement officers from being told about criminal acts taking place in our schools and to prevent the enforcement of state laws on school property sets a confusing and dangerous double standard for young people.

The fact that the bill includes all misdemeanors is particularly concerning as there are several fairly serious misdemeanor crimes to include battery on other children, exposure of sexual organs and attempted third degree felonies.

If this law passes, parents of children victimized by these criminal acts are going to be furious that their rights as a victim in the state of Florida have been eroded and that their child will not receive justice.

As an example, if this bill were to become law, a 17-year-old boy who assaulted and battered a 12-year-old girl would not be able to be arrested or prosecuted for his crimes, nor would school officials even be allowed to contact the police.

I am sure this type of example is not the legislators' intent, but it serves as an example of the unintended consequences that will occur.

The new law may actually encourage more violence and drug use in our schools as it will exempt criminal assault and battery and drug possession from criminal prosecution on school property.

As a result, schools may actually start to experience more violence and drug use on school campuses as word spreads about the new law. Teens who have a tendency to engage in criminal behavior may start to think of school property as an "island of immunity" where they can conduct their activities free from the threat of arrest.

Brevard County has successfully implemented the Civil

Citation program, which gives law enforcement officers and prosecutors one more tool to use for young people in lieu of arrest.

The discretionary use of juvenile civil citations would be a much better alternative than decriminalizing criminal acts in schools. It allows a diversion from the criminal justice system for these types of criminal offenses both on and off of school property. The civil citation takes place on the front end of a situation even before an arrest is made.

As a result, the child never gets formally arrested or has to contend with a juvenile arrest record. The Civil Citation process seems to be a much more thorough and evaluative process than simply creating criminal immunity on all school properties.

Please let Sen. Wise, at (850) 487-5027, and Rep. Davis, at (850) 488-5102, know that although you appreciate their efforts to stop the unnecessary arrests of young people, decriminalizing crime and stopping school officials from speaking with police is not the answer.

It is an honor and a pleasure to serve you.

Jack Parker is the sheriff of Brevard County.

— This column was printed February 3, 2012.