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Direct File of Children to Adult Court Is Decreasing; Better Data Needed to Assess Sanctions

at a glance

Most children in Florida who are charged with committing an offense have their cases handled by the juvenile court system. However, Florida also has statutory procedures to transfer children from the juvenile court system to the adult criminal court system if they were charged with committing certain offenses or were older at the time of the alleged offense. The most common type of transfer to adult court in Florida is direct file, whereby the state attorney files the case directly in adult criminal court.

Multiple entities collect data on direct-filed children. Data shows the average age of children direct filed for the first time in Fiscal Year 2015-16 was 16.4 years of age and the most common alleged offense was burglary. While the number of direct-filed children in Florida varies by judicial circuit, it has been decreasing statewide.

Limited information on the adult sanctions of direct-filed children shows that many receive adult probation. The Legislature could consider options to improve data quality on adult outcomes of direct-filed children.

Scope

As directed by the Legislature, OPPAGA collected and analyzed data and information regarding the transfer of children charged with offenses to adult court by direct file and identified options for improving data collection on direct file cases.

Our review answered four questions.

- What are Florida's policies for transferring children to adult court?
- What does data show about direct-filed children?
- What information can be used to determine judicial sanctions for direct-filed children?
- What improvements could be made to data on direct-filed children?

Background

Most children in Florida who are charged with committing offenses have their cases handled by the juvenile court system. Juvenile courts, first established in Florida in 1914, are designed to focus on treatment and rehabilitation rather than punishment. Juvenile courts have historically recognized that since children lack the mature decision-making capabilities of adults, their treatment by the criminal justice system should reflect this diminished culpability. Children also have been viewed by the courts as more receptive to rehabilitation. As the U.S. Supreme Court said in *Kent v. United States* (1966), "The objectives are to provide measures of guidance and rehabilitation for the child and protection for society, not to fix criminal responsibility, guilt, and punishment." As such, juvenile court sanctions include diversion programs intended to keep the child from entering the juvenile justice system at all as well as probation, non-residential, and residential programs.

However, in the 1980s and 1990s, Florida and many other states began to expand methods of transferring children to adult court. As a result, states passed statutory procedures to transfer children from the juvenile court system to the adult criminal court system if they are charged with committing certain offenses or are older at the time of the alleged offense. Of the states with processes for transferring children to adult court in certain circumstances, 15 states, including Florida, designate some cases in which both juvenile and adult criminal courts have jurisdiction and prosecutors may choose where to file.

Findings

What are Florida's policies for transferring children to adult court?

Most children charged with an offense will have their cases heard in juvenile court. When a law enforcement officer alleges a child has violated the law, the child may be detained or given a civil citation.¹ According to the Department of Juvenile Justice (DJJ), 38,267 children went through intake in Fiscal Year 2015-16.²

Detained children will, in most instances, be taken to one of the 23 juvenile assessment centers (JAC) throughout the state, which are central receiving and intake facilities. At the JAC, juvenile probation officers conduct assessments to determine if the child must remain in detention or can be released to parents or guardians pending a juvenile court hearing date.³ Children kept in detention must

have a detention hearing within 24 hours of being taken into custody to determine if there is probable cause that the child committed the delinquent act.⁴ Within 21 days of the detention hearing, an adjudicatory hearing must be held for the juvenile court judge to determine if the child has committed a delinquent act.

If the child is found delinquent, he or she may receive juvenile sanctions such as probation or commitment to the custody of the Department of Juvenile Justice (DJJ).⁵ Children committed to DJJ will be placed in the residential program determined most appropriate for their needs and the delinquent act committed. The child remains in DJJ commitment until he or she is determined to have successfully completed the assigned program or until his or her 19th birthday.

As discussed above, some children have their cases heard in adult court. The adult criminal court system differs from the juvenile court system in several ways, including terminology and procedures, timeframes, and sanctions. In juvenile court, for example, the fact-finding hearing is referred to as an adjudicatory hearing rather than a trial and the sentencing phase is called a disposition hearing. The juvenile court system also differs from the adult system in the strict deadlines required for certain types of hearings to be held once a child is arrested.

There also are differences in the types and consequences of sanctions imposed in the two systems. The transfer of a child results in the child being tried as an adult. The adult court may impose adult judicial sanctions (such as adult probation, jail, or prison) or juvenile

¹ Civil citation is an alternative to judicial handling for non-serious misdemeanor offenses that is intended to prevent further delinquency. Children issued a civil citation may be required to do community service, pay restitution, and be subject to school progress monitoring or other sanctions or services. According to DJJ, from October 2015 to September 2016, 9,295 (51%) of eligible children were issued a civil citation.

² According to DJJ, intake is "the screening and assessment of a youth who is alleged to have violated the law or a court order." This represents a 34% decline from Fiscal Year 2011-12.

³ Intake activities at JACs may also be conducted by law enforcement or social service professionals.

⁴ Additionally, the hearing determines if the court will order

continued detention based on risk assessment scores and factors in statute. Per s. [985.255\(1\)](#), *F.S.*, these factors include if the child is charged with the illegal possession of a firearm or a capital felony, life felony, or a first degree felony.

⁵ Children can only be placed in DJJ residential programs by a judge for an adjudication of delinquency. Children committed to the department are placed in one of four levels of programs: minimum-risk nonresidential, non-secure residential, high-risk residential, and maximum-risk residential. A child may also be placed on probation under the supervision of a juvenile probation officer. The role of the juvenile probation officer is to monitor the child in the community and assist the child in meeting with service providers.

judicial sanctions (such as juvenile probation or commitment to DJJ); however, the court cannot impose both adult and juvenile judicial sanctions.⁶ Adult sanctions focus on punishment rather than rehabilitation. Adult sanctions can be more severe; for example, a child who receives adult probation faces serious consequences, such as a jail or prison sentence if he or she violates probation.⁷ If the same child receives a sanction of juvenile probation, a violation could result in commitment to a DJJ residential program with the goal of rehabilitation.

Children who commit certain serious offenses and older children may be transferred to adult court instead of going through the juvenile court process. If a child's criminal case meets certain statutory criteria involving age at the time of offense, type of current offense, and prior offenses, the child may be transferred to adult court for prosecution. Transfer to adult court can occur in three ways: judicial waiver, indictment by a grand jury, or direct file. For all three, the transfer results in any other open felony cases for the child being transferred to adult court as well.⁸ In Fiscal Year 2015-16, a total of 1,199 children were transferred to adult court, with direct file being the most common method of transfer.⁹

A *judicial waiver* is a request by the state attorney that the child be transferred to adult court.¹⁰ This request must be reviewed in a hearing where a juvenile court judge considers factors such as the seriousness of the alleged offense to the community and whether the alleged offense was committed in an aggressive,

violent, premeditated, or willful manner.¹¹ If the juvenile court judge grants the request, the juvenile court waives its jurisdiction and the case is transferred to adult court. In Fiscal Year 2015-16, less than 1% of transferred children were transferred to adult court through a judicial waiver.

Children may also be transferred to adult court through *indictment by a grand jury*. Unlike a trial jury, which determines guilt or innocence, a state attorney convenes a grand jury to determine whether there is probable cause that a crime has been committed and that the accused committed the crime. An indictment can occur when a child is charged with an offense punishable by death or life in prison.¹² Less than 1% of transferred children were sent to adult court by an indictment by a grand jury in Fiscal Year 2015-16.

In Florida, the most common method for transferring children to adult court is through *direct file*. In Fiscal Year 2015-16, 99% of transferred children were transferred by direct file.¹³ Direct file occurs when a state attorney files the case against the child directly in adult court.¹⁴ In this type of transfer, like in transfer by grand jury indictment, a juvenile court judge does not review the case. While Florida law establishes which offenses and at what minimum age a child's case may be considered for filing directly in adult court, the state attorney has discretion in most instances to decide whether to direct file a case.

⁶ Section [985.565](#), *F.S.*

⁷ Jails and prisons in Florida serve different purposes. Jails are most often run by sheriffs and hold people waiting for trial or serving short sentences. Prisons are state owned facilities operated by the Florida Department of Corrections and hold people serving sentences after convictions.

⁸ Pending felony cases are transferred to adult court under s. [985.557\(3\)\(b\)](#), *F.S.*, for direct file cases; s. [985.556\(5\)\(b\)](#), *F.S.*, for judicial waiver cases; and s. [985.56\(4\)\(b\)](#), *F.S.*, for indictment by a grand jury. If the adult court finds that the child committed any offense transferred to adult court, then all future law violations will be treated as though the child is an adult, unless the court imposes juvenile sanctions under s. [985.565](#), *F.S.* The "once an adult, always an adult" rule applies to all three methods of transfer including direct file under s. [985.557\(3\)\(a\)](#), *F.S.*;

judicial waiver under s. [985.556\(5\)\(a\)](#), *F.S.*; and indictment by a grand jury under s. [985.56\(4\)\(a\)](#), *F.S.*

⁹ We received data from the Department of Juvenile Justice that included all children who received a disposition from Fiscal Year 2011-12 through Fiscal Year 2015-16 as of July 31, 2016.

¹⁰ Sections [985.556\(2\)](#) and [\(3\)](#), *F.S.* A waiver can also be requested by the child. Section [985.556\(1\)](#), *F.S.*

¹¹ Section [985.556\(4\)](#), *F.S.*

¹² Section [985.56\(1\)](#), *F.S.*

¹³ In Fiscal Year 2015-16, five children were direct filed and also had another type of transfer during the year. The reported data counts the direct file as opposed to the other transfers, which included two indictments and three waivers.

¹⁴ This process is known as filing an information.

In Florida, there are two types of direct file, discretionary and mandatory. Discretionary direct file occurs when, according to the state attorney’s judgment and discretion, the interest of the public requires adult judicial sanctions to be considered or imposed and the case meets other conditions described in statute.¹⁵ Statutes include two types of discretionary direct file. (See Exhibit 1.) In the first type, any child who was 14 or 15 years old at the time of the alleged offense and is charged with the commission of, attempt to commit, or conspiracy to commit one of nineteen specified offenses can be direct filed. (See Appendix A.) The second type of discretionary direct file involves any child who was 16 or 17 years old at the time of the alleged offense for any offense. However, a child charged with a misdemeanor cannot be direct filed under this section unless he or she has had at least two previous adjudications or

adjudications withheld for delinquent acts, one of which must be a felony.

Mandatory direct file occurs when a case meets certain conditions described in statute.¹⁶ These include age at time of the offense or type of offense. There are four types of mandatory direct file; three involve children who are 16 or 17 years old and charged with a second violent crime against a person, a forcible felony with prior adjudications or adjudications withheld for three felonies, or causing great bodily harm or death while discharging a firearm during the commission of certain offenses. Finally, children of any age who are charged with causing serious bodily injury or death while possessing a stolen car must be direct filed. In both forcible felonies and firearm offenses, the state attorney can choose not to direct file the case if he or she believes exceptional circumstances exist.

Exhibit 1
Criteria for Discretionary and Mandatory Juvenile Direct File Offenses

Statute Section	Type of Direct File	Age at Time of Offense	Current Alleged Offense	Criminal History/Other
985.557(1)(a)	Discretionary	14 or 15	One from a list of 19 offenses including robbery, aggravated assault, murder, and grand theft	
985.557(1)(b)	Discretionary	16 or 17	Any felony	A misdemeanor may be direct filed if child has at least two prior adjudications or adjudications withheld for delinquent acts, one of which was a felony
985.557(2)(a)	Mandatory	16 or 17	Second violent crime against a person	Prior adjudication for murder , sexual battery, armed or strong-armed robbery, carjacking, home-invasion robbery, aggravated battery, or aggravated assault
985.557(2)(b)	Mandatory unless state attorney believes exceptional circumstances exist	16 or 17	Forcible felony	Prior adjudication or adjudication withheld for 3 felonies at least 45 days apart
985.587(2)(c)	Mandatory	Any age	Causing serious bodily injury or death while in possessions of a stolen motor vehicle	
985.587(2)(d)	Mandatory unless state attorney believes exceptional circumstances exist	16 or 17	Causing great bodily harm or death while discharging a firearm or destructive device during the commission of certain offenses	

Source: Florida statutes.

¹⁵ Section [985.557\(1\)](#), F.S.

¹⁶ Section [985.557\(2\)](#), F.S.

What does data show about direct-filed children?

The Department of Juvenile Justice collects and maintains the majority of information on direct-filed children. Most children who are detained will be processed through a juvenile assessment center (JAC).¹⁷ At the JAC, juvenile probation officers or other staff collect information about the child such as name, address, and social security number, if available. The probation officer also conducts assessments to collect information about the child’s mental health, drug use, and prior criminal history.¹⁸ All of this information is entered into the department’s Juvenile Justice Information System (JJIS).¹⁹ The same type of information is

collected on all children, whether they are eventually transferred to adult court or not.

For those children who are transferred to adult court, the DJJ probation officer enters information about which method of transfer to adult court applies (direct file, indictment, or waiver) and the child’s current placement, such as county jail or a juvenile detention center. The case is kept open in JJIS until the adult court takes final action, at which time the juvenile probation office enters information about the disposition of the case.

In addition to DJJ, other entities collect information on children in the criminal justice system, including those who are transferred to adult court. Each of these entities has its own data system as described in Exhibit 2.

Exhibit 2 Information on Direct-Filed Children Is Maintained in Multiple Agencies’ Data Systems

Agency	Data System Name	Data System Description
Department of Juvenile Justice (DJJ)	Juvenile Justice Information System (JJIS)	Youth delinquency, placement, history, and outcomes data. Required under s. 20.316(4) , <i>Florida Statutes</i> .
Florida Department of Law Enforcement (FDLE)	Computerized Criminal History (CCH)	The repository for criminal record information, such as arrests, dispositions, and records of incarceration in Florida. These records include offender fingerprint identification. ¹ This system is currently going through a multiyear system upgrade.
Florida Department of Corrections (FDC)	Offender Based Information System (OBIS)	Offender information including type of state sanction for people who enter FDC.
Florida Court Clerks and Comptrollers (FCCC) Association	Comprehensive Case Information System (CCIS)	Provides case information and routes system users to court documents housed by county court clerks. CCIS receives data from the individual county clerks’ case management systems. CCIS was recently upgraded.
County Court Clerks	Individual Case Management Systems (CMSs)	Each county clerk maintains an electronic case management system (CMS). The type of system varies by county, but generally helps clerks perform their duties for the courts, the state (such as collecting court ordered child support, fines, and fees), and their counties (such as recording deeds and serving as clerk and accountant to the county commission).

¹ Fingerprints are usually collected from direct-filed children either by law enforcement at the JAC or at a jail. These prints are sent to the Florida Department of Law Enforcement (FDLE). When an individual is fingerprinted, FDLE assigns a unique number to that person’s fingerprints.

Note: The Office of the State Courts Administrator (OSCA) also has information in its Summary Reporting System (SRS) on the total number of direct files per county, which they receive from the clerks of court.

Source: OPPAGA analysis of interviews and information from entities.

¹⁷ In areas where a JAC is not available, children are interviewed by a juvenile probation officer from the regional office.

¹⁸ Since participation in these assessments is voluntary, DJJ collects only the information children, parents or guardians, and

defense counsel are willing to share.

¹⁹ DJJ receives information on any involvement the child has had with the Department of Children and Families.

The average age of children direct filed for the first time is 16.4 years and the most common direct-filed offense is burglary. Statute requires state attorneys to consider three main factors when deciding whether to direct file a case: age of the child at time of offense, type of offense committed, and prior offense record. We analyzed Fiscal Year 2015-16 data to compare these characteristics for two sets of children; those who were direct filed for the first time in Fiscal Year 2015-16 and those who were eligible to be direct filed, but were retained in the juvenile system.²⁰ (See Appendix B for a more detailed description of our methodology.)

The average age of the 1,084 children direct filed for the first time in Fiscal Year 2015-16 was 16.4 years of age, with a range of 12 years to 17 years of age.²¹ In comparison, the average age of the 12,254 children who were eligible for direct file, but retained in the juvenile system, was 16.1 years of age, with a range of 13 years to 17 years of age.

Statutes enumerate the offenses that make a child eligible for direct file. In Fiscal Year 2015-16, 42.8% (464) of children direct filed for the first time were charged with committing a capital, life, or first degree felony (4.8% were charged with a capital or life felony and 38% with a first degree felony). In comparison, only 10.5% (1,283) of eligible children retained in the juvenile system were charged with committing a capital, life, or first degree felony (1.4% were charged with a capital or life felony and 9.1% with a first degree felony). For both groups of children, burglary was the most common charge.

Finally, some of the direct file statutes require the consideration of prior adjudications or adjudications withheld.²² About 65.8% (713) of children direct filed for the first time had one or more prior adjudications or adjudications withheld. Of the comparison group of children

eligible for direct file, but retained in the juvenile system, 39.7% (4,859) had one or more prior adjudications or adjudications withheld.

Additional demographic information we compared between the two groups was gender and race/ethnicity. Males made up 93.5% (1,014) and females made up 6.5% (70) of children direct filed for the first time in Fiscal Year 2015-16. In the comparison group males made up 81.5% (9,987) and females made up 18.5% (2,267) of children. The race/ethnicity of children direct filed for the first time in this period included 67.7% (734) non-Hispanic African Americans, 20.8% (226) non-Hispanic Whites, 11.3% (123) Hispanics, and 0.1% (1) other. The comparison group of children was made up of 50.2% (6,150) non-Hispanic African Americans, 32.6% (4,000) non-Hispanic Whites, 16.7% (2,049) Hispanics, and 0.4% (55) other.

Other characteristics of children may inform a state attorney's decision to direct file. State attorneys may consider several factors when making a direct file decision.²³ For example, several state attorneys mentioned that they consider prior DJJ placements, such as juvenile probation or residential commitment. If the child continued to commit offenses during or after juvenile placements, the state attorney may determine that the juvenile interventions have not had the intended effect. Data show that 30.6% (332) of children direct filed for the first time had DJJ residential placement prior to their direct file. In comparison, 11.2% (1,368) of children eligible for direct file, but retained in the juvenile system had prior residential placement. Additionally, 61.7% (669) of children direct filed for the first time had juvenile probation begin prior to their direct file; whereas 36.1% (4,423) of eligible children had previous juvenile probation.²⁴

²⁰ In this section, our analysis is limited to children who received their first direct file in Fiscal Year 2015-16. The total number of direct files in Fiscal Year 2015-16 was 1,190 children with 1,084 children (91.1%) who received their first direct file. The remaining 106 children had a direct file prior to Fiscal Year 2015-16.

²¹ The lowest age enumerated in statute is 14 to 15 years old for offenses outlined in s. [985.557\(1\)\(a\)](#), *F.S.* However, s. [985.557\(2\)\(c\)](#), *F.S.*, does not contain a minimum age restriction for stealing a motor

vehicle and causing great bodily harm or death.

²² Sections [985.557\(1\)\(b\)](#) and [985.557\(2\)\(b\)](#), *F.S.*, require prior adjudications or adjudications withheld. Section [985.557\(2\)\(a\)](#), *F.S.*, requires a prior adjudication, but not an adjudication withheld.

²³ State attorneys were previously required under s. 985.557(4), *F.S.*, to submit direct file guidelines to the Legislature each year. This section was repealed in 2011.

²⁴ Section [985.03\(44\)](#), *F.S.*, defines four restrictiveness levels for

State attorneys may also take into consideration gang involvement. Using information from law enforcement or knowledge from other cases, state attorneys flag children they suspect of gang involvement. DJJ data shows that about 7.4% (80) of children had gang-involvement at the time of their first direct file.²⁵ As a comparison, 2.4% (289) of children who were eligible for direct file, but were retained in the juvenile system had gang-involvement. Other factors that state attorneys reported considering when determining whether to direct file include the use of a weapon during the offense, victim input, and school record.

The number of children direct filed to the adult court system varies by judicial circuit. As shown in Exhibit 3, there are differences throughout the state in the number of direct-filed children. The total number of direct-filed children across the state in Fiscal Year 2015-16 was 1,190, with a statewide average of 60

children per circuit. The judicial circuit with the fewest direct-filed children was the 16th Circuit with four direct files. The circuit with the most direct-filed children was the 13th Circuit with 131.

For all cases, including those involving children, state attorneys have the discretion to determine whether to file charges and what type of charges to file. State attorney discretion may contribute to variations in the number of direct files throughout the state. While statute outlines factors for direct file decisions and state attorneys report considering additional factors, the weight given to any factor may vary by circuit. For example, a state attorney in one circuit may put great weight on the severity of the current offense. On the other hand, a state attorney in another circuit with a high gang prevalence may put a greater weight on criminal history and gang involvement.

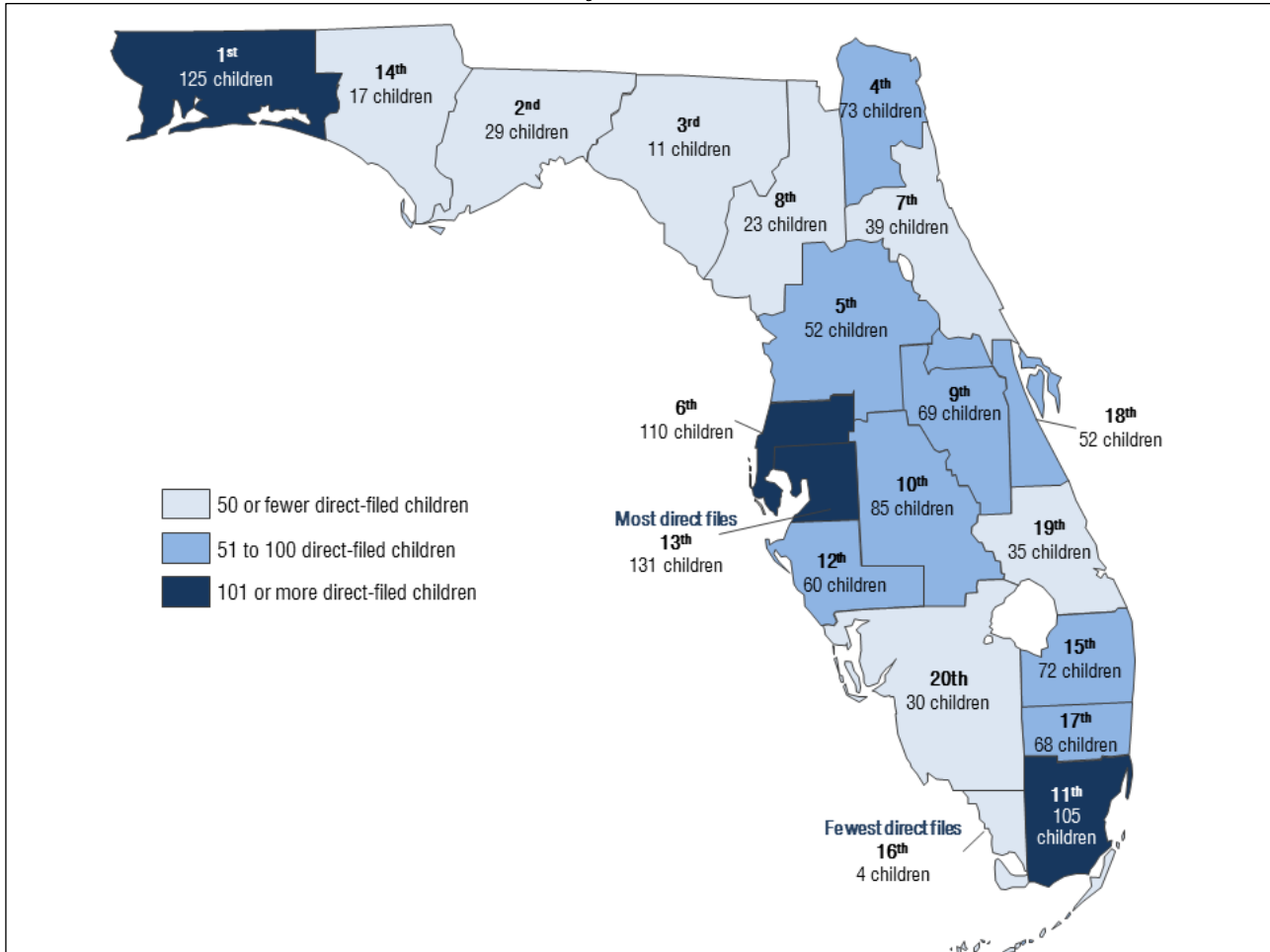
children in DJJ. The lowest risk commitment level is minimum-risk and children in this category are counted in probation.

²⁵ This percentage represents the children in DJJ's data system that had an active special alert indicating that they were a gang member or associate at the time of direct file. A gang associate

is described in s. [874.03\(2\)](#), *F.S.*, and a gang member is described in s. [874.03\(3\)](#), *F.S.* The gang involvement special alert in DJJ's data is validated by FDLE. The percentage of gang involved children serves as a proxy because, generally, state attorneys do not use DJJ data to determine if a child has gang involvement.

Exhibit 3

The Number of Children Direct Filed to Adult Court System in Fiscal Year 2015-16 Varied Across Judicial Circuits



Source: OPPAGA analysis of Department of Juvenile Justice data.

The number of direct-filed children has decreased in most judicial circuits. The total statewide number of direct-filed children decreased by 42.3% from 2,062 in Fiscal Year 2011-12 to 1,190 in Fiscal Year 2015-16. A contributing factor to this decrease may include fewer children coming into contact with DJJ. Intakes decreased by 34% from 57,597 in Fiscal Year 2011-12 to 38,267 in Fiscal Year 2015-16. In addition, changes in state attorney decision making that result in fewer direct-filed children may also contribute. For example, one representative from a state attorney’s office told us that they currently direct file fewer children than in the past because the community increasingly feels that children should be kept in the juvenile

court and the state attorney responds to the community in decisions about which cases to direct file.

The number of direct files in most of the 20 judicial circuits has also decreased. Eighteen circuits direct filed fewer children in Fiscal Year 2015-16 than in Fiscal Year 2011-12, as shown in Exhibit 4. The circuits with the largest percentage decrease were the 9th Circuit (66.7% decrease), the 15th Circuit (62.1% decrease), and the 17th Circuit (59.0% decrease). Two circuits had an increase over the past five years. Both the 1st Circuit and the 16th Circuit had a 33% increase in the number of direct-filed children; however, the 16th Circuit only increased by one child and has the lowest number of direct-filed children in the state.²⁶

²⁶ According to the state attorney’s office in the 1st Judicial Circuit, while the overall crime rate is down, there has been a recent

increase in crimes involving drugs and weapons resulting in an increase in direct files.

Exhibit 4
Over the Past Five Fiscal Years, the Number of Direct-Filed Children Decreased in Most Judicial Circuits

Circuit	Trend: Fiscal Year 2011-12 Through Fiscal Year 2015-16		Percent Change
1 st	94	125	33.0%
2 nd	42	29	-31.0%
3 rd	26	11	-57.7%
4 th	122	73	-40.2%
5 th	75	52	-30.7%
6 th	139	110	-20.9%
7 th	80	39	-51.3%
8 th	34	23	-32.4%
9 th	207	69	-66.7%
10 th	159	85	-46.5%
11 th	210	105	-50.0%
12 th	73	60	-17.8%
13 th	242	131	-45.9%
14 th	27	17	-37.0%
15 th	190	72	-62.1%
16 th	3	4	33.3%
17 th	166	68	-59.0%
18 th	71	52	-26.8%
19 th	65	35	-46.2%
20 th	37	30	-18.9%
Statewide	2,062	1,190	-42.3%

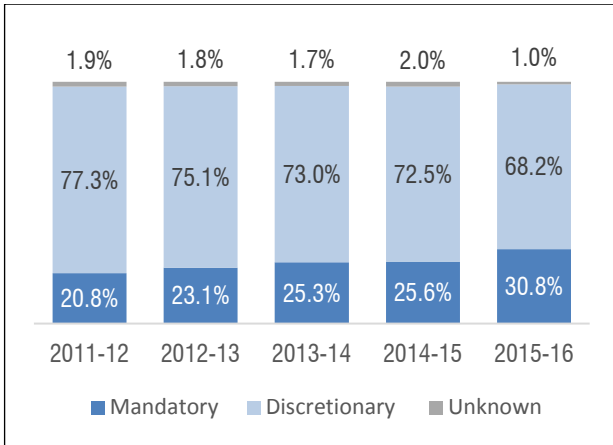
Note: Of the children included in Exhibit 4, 27% had more than one direct file. If a child received two or more direct files during one fiscal year, that child was only counted once for the fiscal year. If a child received direct files in more than one year, then a direct file is counted in each year. In addition our analysis does not include children who were 18 years of age or older at time of offense.

Source: OPPAGA analysis of Department of Juvenile Justice data.

The estimated percentage of mandatory direct files has increased. As shown in Exhibit 5, according to our analysis, the makeup of mandatory and discretionary direct files changed over the past five years. Currently, some attorneys report the statute that the child was charged under; however, DJJ does not receive and record this information. In order to make this estimate we conducted an analysis that applied the statutory criteria to criminal charges found in the direct file data. (See Appendix B for a more detailed description of our methodology.)

We found that the estimated percentage of mandatory direct-filed children has increased over the five years of data. In Fiscal Year 2011-12, the estimated percentage of mandatory direct files was 20.8% of total direct files and in Fiscal Year 2015-16, the estimated percentage was 30.8%. Thus, the discretionary direct file statutes are being used less frequently to direct file children to adult court; the percentage of discretionary direct files has decreased from 77.3% in Fiscal Year 2011-12 to 68.2% in Fiscal Year 2015-16.

Exhibit 5
OPPAGA Analysis Shows That the Estimated Percentage of Mandatory Direct Files Has Increased Over Time



Note: If a child was eligible to be direct filed as a mandatory or discretionary direct file during each fiscal year, we reported that child as a mandatory direct file. Because we estimated the number of mandatory and discretionary direct files, there were some children who did not fit into either category and were categorized as unknown. In Fiscal Year 2015-16, only 1% of direct-filed children did not meet our requirements for inclusion as mandatory or discretionary. Fiscal Year 2014-15 does not add to 100% due to rounding.

Source: OPPAGA analysis of Department of Juvenile Justice data.

The estimated percentage of direct-filed children compared to those eligible to be direct filed decreased. There are children in Florida who meet the statutory criteria for direct file, but instead they are retained in juvenile court to possibly receive juvenile sanctions. (See Appendix B.) As shown in Exhibit 6, we estimated that the percentage of direct-filed children compared to all eligible children for direct file decreased from 11.4% in Fiscal Year 2011-12 to 8.8% in Fiscal Year 2015-16. This means that of the children who could have been direct filed, a higher percentage are being retained in the juvenile system.

Exhibit 6
The Estimated Percentage of Direct-Filed Children Compared to Those Eligible for Direct File Has Decreased

Fiscal Year	Children Direct Filed	All Children Eligible for Direct File ¹	Percentage of Direct Filed
2011-12	2,022	17,733	11.4%
2012-13	1,524	15,856	9.6%
2013-14	1,298	14,645	8.9%
2014-15	1,239	14,037	8.8%
2015-16	1,178	13,432	8.8%

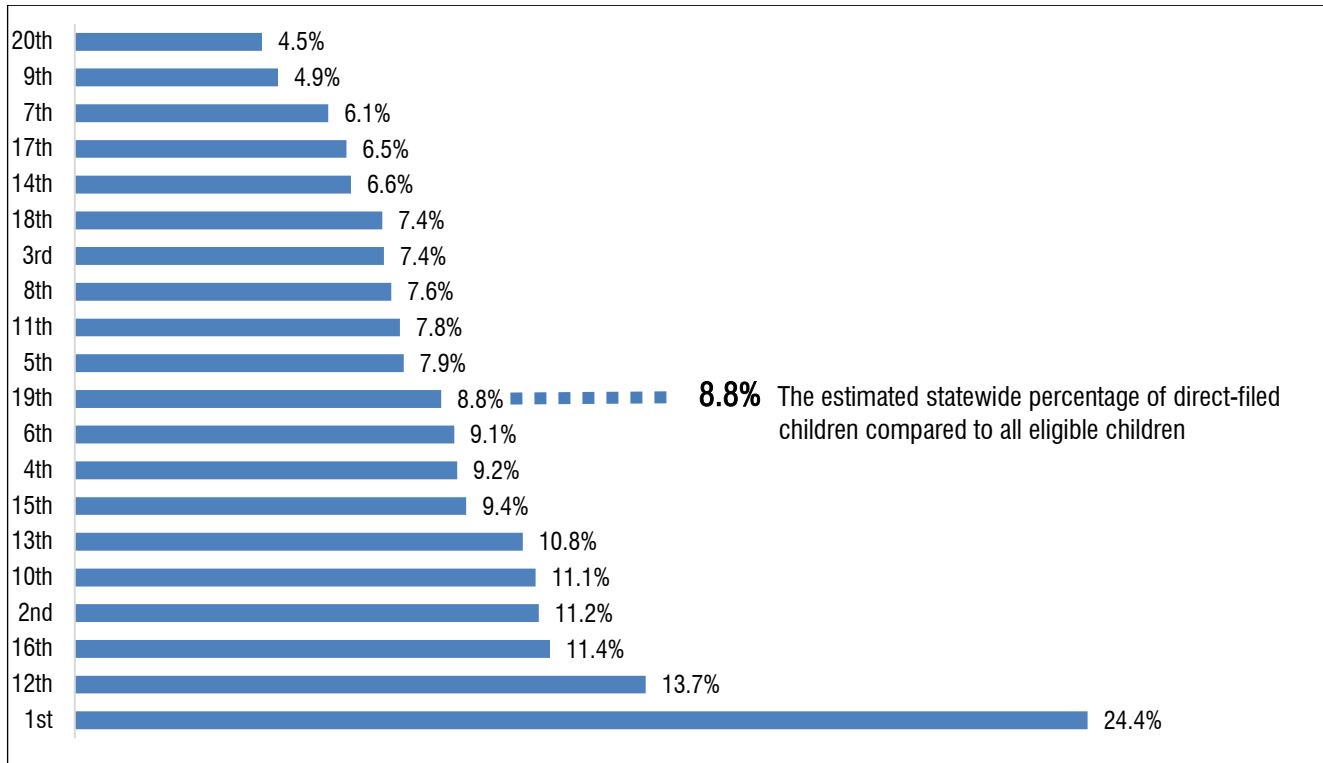
¹ This column includes all children eligible for direct file, including those that were direct filed in that fiscal year.

Note: The total number of direct-filed children differs from previous exhibits because this analysis excludes 12 children who were direct filed, but do not meet our criteria as described in Exhibit 5.

Source: OPPAGA analysis of Department of Juvenile Justice data.

Exhibit 7

Estimated Percentage: Direct-Filed Children Compared to All Eligible for Direct File Varied by Circuit



Source: OPPAGA analysis of Department of Juvenile Justice data.

The estimated percentage of direct-filed children compared to eligible children varies by circuit. As shown in Exhibit 7, the estimated percentage ranged from 4.5% in the 20th Circuit to 24.4% in the 1st Circuit.

What information can be used to determine judicial sanctions for direct-filed children?

Current data limits the ability to identify judicial sanctions for direct-filed children. One of the key questions about direct file is what happens to children whose cases are heard in adult court. The answer entails determining the child’s adult court disposition and any related judicial sanctions, such as adult jail or prison or probation. This information is available; however, weaknesses in this data and the inability to consistently link this information to

direct-filed children limit its usefulness for accurately reporting judicial sanctions.

One limitation is that the Department of Juvenile Justice data system does not contain complete information on adult convictions and sanctions. Juvenile probation officers do not consistently enter adult judicial sanctions into the DJJ data system. They can obtain this information by attending court or looking it up in court databases.²⁷ This information is from 67 different county court clerks who may have different terminology and processes; thus, the information may not be uniform across the state.

In addition, when the juvenile probation officers enter the information, the information lacks the details necessary to identify adult judicial sanctions. This is because the DJJ data system is not designed to capture the

²⁷ Department of Juvenile Justice juvenile probation officers may

look up individual cases of children in the clerks of court Comprehensive Case Information System (CCIS).

complexities of the adult system. For example, the data system allows juvenile probation officers to enter only one adult disposition from a dropdown menu of choices that include adult jail, adult probation, or adult prison. As a result, if a child received more than one judicial sanction, such as adult prison to be followed by adult probation, this information is not recorded.

In addition, DJJ does not specify which sanction to enter if a child receives multiple adult judicial sanctions. For example, if a child awaiting trial in jail is convicted in the adult court and receives adult probation with time served in jail, it is not clearly defined which judicial sanction the juvenile probation officer should enter into the data system as the adult sanction. Also, the system does not have a field to capture the length of sentences. Therefore, the DJJ adult sanction information is inconsistent and cannot be used as a reliable source to report sanctions for direct-filed children.

We assessed the availability and completeness of data pertaining to direct-filed children in other systems. The Florida Department of Law Enforcement's Computerized Criminal History (CCH) data system is the repository of adult criminal records and therefore contains this information for direct-filed children; however, the system does not include a field to record if a child was direct filed. As a result, to obtain complete information, data must be matched between DJJ and FDLE.

In addition, the FDLE data system only contains the most recent judicial record. So, if the judicial sanction for a case is changed the database does not identify the judicial sanction first received for the direct-filed offense. For example, if a direct-filed child receives a judicial sanction of adult probation, but then violates probation and receives a sanction of adult prison, the data would only show the prison sentence. This is problematic for analysis because it does not

allow the first adult judicial sanction to be directly linked to the direct file.

In order to address these and other issues, FDLE is in the process of modernizing CCH. The updated system is designed to maintain all judicial records instead of just the most recent. The upgrade may also include the functionality to track direct-filed children.

The Department of Corrections data system also maintains records on some direct-filed children. However, it only contains information on direct-filed children entering their system with a judicial sanction of adult prison or adult probation. It does not include information about children who received an adult judicial sanction of jail or county probation. Due to the various limitations in these data systems there is no single source of information on outcomes.

Difficulties in linking information across data systems also limit access to information on what sanctions were imposed. To gather more information on outcomes of direct-filed children we attempted to match information across agency data systems. However, data quality problems such as misspellings during data entry and missing or invalid data can prevent matches across systems and, in this case, limited our ability to match juvenile case records to adult judicial sanction information. Because there is not a unique identifier attached to each individual person between adult and juvenile criminal justice data systems in Florida, matches must be done using data contained in both systems. We attempted to match DJJ to FDLE data using common identifiers, such as social security number, full name, date of birth, and demographic characteristics to obtain outcome information from the FDLE data. However, as shown in Exhibit 8, only 79% of children direct filed in Fiscal Year 2012-13 matched in the FDLE data system (1,222 of the 1,552 direct-filed children).^{28, 29} About 22.2% of children direct

²⁸ Children only appear in FDLE's system if they are fingerprinted at time of arrest or at a later time in the justice process, such as at booking or in court. Section 985.11, *F.S.*, requires fingerprinting of all children who are charged with a felony plus a list of

enumerated offenses. If, for some reason, a child is not fingerprinted their data would not be included in FDLE's system.

²⁹ A data match means that we located children in both datasets based on a set of identifying information.

filed in Fiscal Year 2012-13 did not have a valid social security number in DJJ's data.³⁰

After we identified the children in the FDLE data, we attempted to track the direct-filed offense.³¹ Tracking the offense(s) is important because it ensures that the adult conviction information is linked to the direct-filed offense.^{32, 33} Using arrest information from FDLE, we were able to identify direct file arrest records for 991 (63.9%) of the 1,552 children direct filed in Fiscal Year 2012-13. The FDLE arrest records then had to be matched to FDLE judicial records which resulted in a match of 771 (49.7%) children with a judicial record. However, because the FDLE data system only maintains the most recent judicial record tied to a case, we cannot use this data to report the first adult judicial sanction following direct file.

In an attempt to obtain this information, we conducted another match between the direct-filed children we identified in FDLE data and data from the Florida Department of Corrections (FDC). (See Exhibit 8.) The FDC data system includes records of every time a child entered their system with a judicial sanction of adult prison or adult probation. This match was easier to conduct because FDC maintains a record of the FDLE IDs. The FDLE ID is a number that FDLE assigns to individuals in their data. The two agencies coordinate on a regular basis to ensure that the FDLE IDs match to the correct person across their systems.³⁴ This match resulted in the identification of 982 of the 1,552 (63.3%) children direct filed in Fiscal Year 2012-13.

³⁰ We did this analysis for Fiscal Year 2012-13 because it had the best match rate of the five fiscal years included in our analysis. Using Fiscal Year 2012-13 also allows for enough time for children who were direct filed to receive a judicial sanction.

³¹ Tracking an offense in FDLE data requires tracking the arresting event that contains the direct-filed offense. DJJ offense, referral, and disposition dates were used to match to FDLE fingerprinting dates for the same child that included an identical charge. The linking dates are not always consistent between the two systems, therefore we chose dates that were within five days of each other as a match. For example, an offense date in DJJ may be on January 1, 2016, and the offense date for the same crime may appear in FDLE as January 5, 2016.

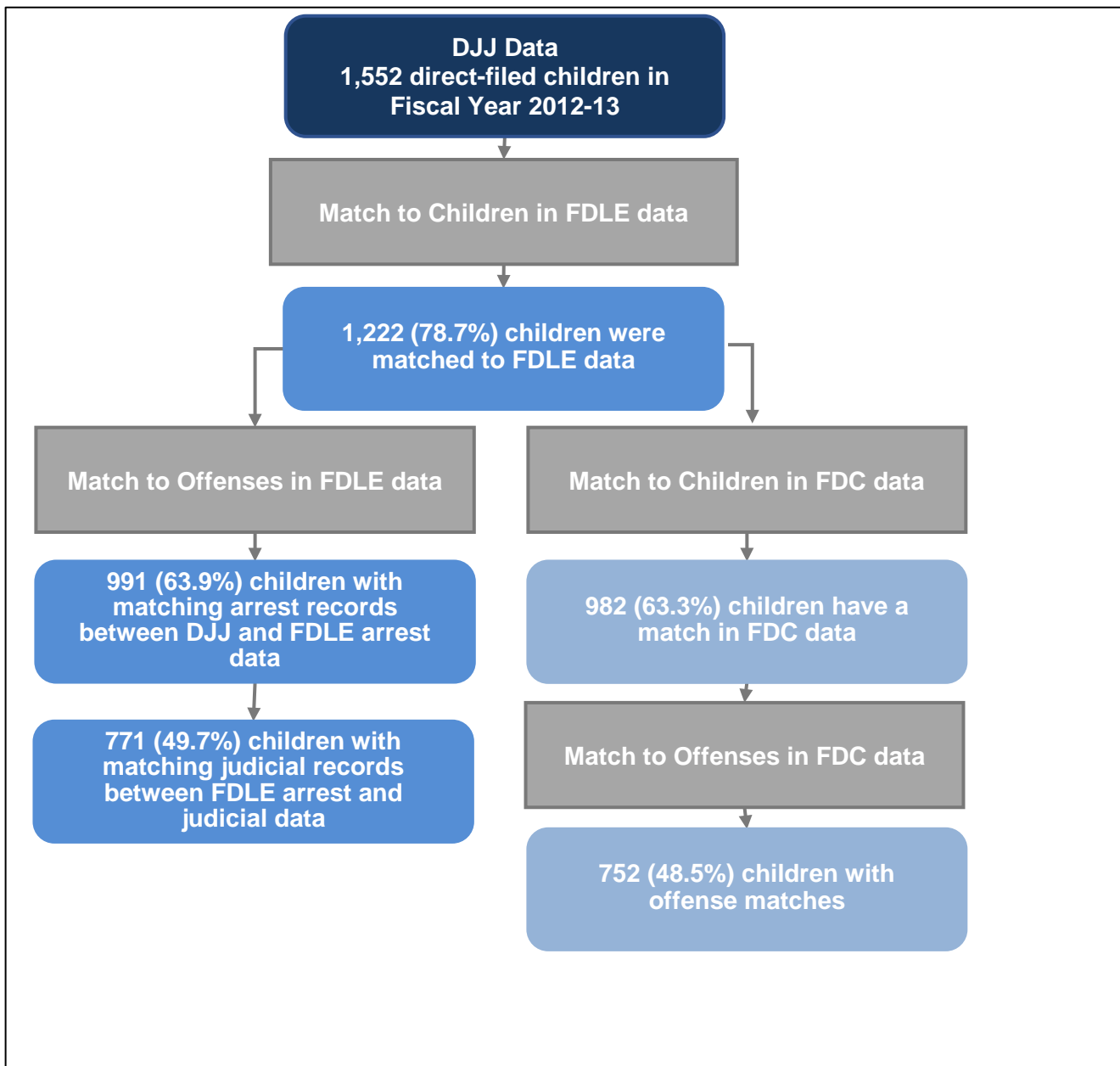
³² For instance, a child may be charged with committing burglary in January 2014 and be direct filed and found not guilty in the adult system. Then the same child may be charged with another burglary in May 2014, be direct filed, convicted in the adult system, and sentenced to prison. Tracking the offenses allows us to determine that the child was found not guilty for the first burglary and was convicted and sentenced to state prison for the second burglary.

³³ The FDLE arrest data is generated when a person is arrested and fingerprinted, which then creates a record in FDLE's Computerized Criminal History database.

³⁴ The FDC analysis is limited to the direct-filed children who we successfully identified between DJJ and FDLE.

Exhibit 8

Several Data Matches Are Needed to Determine Adult Outcomes of Direct-Filed Children, but Not All Children Are Identified Across Data Systems



Source: OPPAGA analysis of data from the Department of Juvenile Justice, Florida Department of Law Enforcement, and Florida Department of Corrections.

More than half of the subset of children identified in the FDC data received a sentence of adult probation. Using the multiple match process described above, outcome information is only available on 752 of the 1,552 children direct-filed children in Fiscal Year 2012-13, or fewer than half. Of the 752 children, 480 (63.8%) received probation, 111 (14.8%) received prison,

and 161 (21.4%) received a combined sentence of prison and probation.

While most of the children we identified in FDC's data received adult probation, this does not represent all direct-filed children. The FDC database does not include information about children who received an adult judicial sanction

of jail or county probation. The FDC database also does not include information about children who received juvenile sanctions or whose cases were dismissed.

What improvements could be made to data on direct-filed children?

More easily available data on direct-filed children could assist the Legislature with policy decisions. The Department of Juvenile Justice collects extensive information about children who enter the juvenile justice system, including those who are transferred to adult court. FDLE, FDC, and the courts also maintain extensive information about direct-filed children. However, as discussed above, it is very difficult to match data between DJJ and other entities to determine the adult court sanctions of those direct-filed children identified by DJJ. Additionally, not all state attorneys indicate which section of the direct file statute they are proceeding under, making it difficult to determine how many children are mandatory direct files and how many are discretionary direct files.

These gaps in information may affect the Legislature's ability to monitor the direct file process and develop policy. The Legislature could consider the following options to improve data collection on the sentencing of direct-filed children.

The Department of Juvenile Justice could improve the detail and reliability of its data on adult court outcomes. As previously discussed, the department's data system, JJIS, limits the information that juvenile probation officers can enter about the outcome in adult court. Modifications to JJIS could allow additional information, such as sentence length and multiple adult sanctions, to be captured. In addition, recent upgrades to the Comprehensive Case Information System (CCIS) maintained by the Florida Court Clerks and Comptrollers Association may make more reliable outcomes data available to probation officers. Considerations associated with this option include the cost of any necessary

modifications to JJIS and training of probation officers about how to capture the additional information.

An alternative to improving the adult sentencing data collected by DJJ would be to require FDLE and FDC to annually share this information with DJJ. If the three agencies cooperated on matching the set of direct-filed children annually among the agencies' datasets, DJJ could serve as a single source of data about direct-filed children, including their outcomes in adult court.

This data sharing between DJJ, FDLE, and FDC would be improved if DJJ collected the FDLE identification number that children receive when fingerprinted. If DJJ included this identification number in their data on the child at the time of arrest, then the three agencies' datasets would contain a common identifying number and matching datasets between the three agencies would be easier and more efficient.

Potential challenges to this approach include the issues with overwriting of the FDLE data as discussed previously. However, the proposed replacement of FDLE's Comprehensive Criminal History (CCH) data system may address the problem by storing all changes to a person's criminal record.

State attorneys could be required to cite the section of statute under which they are proceeding. State attorneys could report which section of s. 985.557, *Florida Statutes*, they are proceeding under in the information they file. Juvenile probation officers could then collect this information from court clerks, making it much easier to compare the number of mandatory direct-filed children to the number of discretionary direct-filed children. As discussed previously, currently making this comparison requires estimating the numbers of children in each category by applying the statutory criteria to DJJ's data on direct-filed children.

Potential challenges to this approach include requiring all state attorneys to use consistent forms for filing the information. Additionally, it

would add another data element to those juvenile probation officers would be required to collect.

submitted to the Secretary of the Department of Juvenile Justice. The department's written response has been reproduced in Appendix C.

Agency Response _____

In accordance with the provisions of s. 11.51(2), *Florida Statutes*, a draft of our report was

Appendix A

Florida's Direct File Statute

985.557 Direct filing of an information; discretionary and mandatory criteria.—

(1) DISCRETIONARY DIRECT FILE.—

(a) With respect to any child who was 14 or 15 years of age at the time the alleged offense was committed, the state attorney may file an information when in the state attorney's judgment and discretion the public interest requires that adult sanctions be considered or imposed and when the offense charged is for the commission of, attempt to commit, or conspiracy to commit:

1. Arson;
2. Sexual battery;
3. Robbery;
4. Kidnapping;
5. Aggravated child abuse;
6. Aggravated assault;
7. Aggravated stalking;
8. Murder;
9. Manslaughter;
10. Unlawful throwing, placing, or discharging of a destructive device or bomb;
11. Armed burglary in violation of s. 810.02(2)(b) or specified burglary of a dwelling or structure in violation of s. 810.02(2)(c), or burglary with an assault or battery in violation of s. 810.02(2)(a);
12. Aggravated battery;
13. Any lewd or lascivious offense committed upon or in the presence of a person less than 16 years of age;
14. Carrying, displaying, using, threatening, or attempting to use a weapon or firearm during the commission of a felony;
15. Grand theft in violation of s. 812.014(2)(a);
16. Possessing or discharging any weapon or firearm on school property in violation of s. 790.115;
17. Home invasion robbery;
18. Carjacking; or
19. Grand theft of a motor vehicle in violation of s. 812.014(2)(c)6. or grand theft of a motor vehicle valued at \$20,000 or more in violation of s. 812.014(2)(b) if the child has a previous adjudication for grand theft of a motor vehicle in violation of s. 812.014(2)(c)6. or s. 812.014(2)(b).

(b) With respect to any child who was 16 or 17 years of age at the time the alleged offense was committed, the state attorney may file an information when in the state attorney's judgment and discretion the public interest requires that adult sanctions be considered or imposed. However, the state attorney may not file an information on a child charged with a misdemeanor, unless the child has had

at least two previous adjudications or adjudications withheld for delinquent acts, one of which involved an offense classified as a felony under state law.

(2) MANDATORY DIRECT FILE.—

(a) With respect to any child who was 16 or 17 years of age at the time the alleged offense was committed, the state attorney shall file an information if the child has been previously adjudicated delinquent for an act classified as a felony, which adjudication was for the commission of, attempt to commit, or conspiracy to commit murder, sexual battery, armed or strong-armed robbery, carjacking, home-invasion robbery, aggravated battery, or aggravated assault, and the child is currently charged with a second or subsequent violent crime against a person.

(b) With respect to any child 16 or 17 years of age at the time an offense classified as a forcible felony, as defined in s. 776.08, was committed, the state attorney shall file an information if the child has previously been adjudicated delinquent or had adjudication withheld for three acts classified as felonies each of which occurred at least 45 days apart from each other. This paragraph does not apply when the state attorney has good cause to believe that exceptional circumstances exist which preclude the just prosecution of the juvenile in adult court.

(c) The state attorney must file an information if a child, regardless of the child’s age at the time the alleged offense was committed, is alleged to have committed an act that would be a violation of law if the child were an adult, that involves stealing a motor vehicle, including, but not limited to, a violation of s. 812.133, relating to carjacking, or s. 812.014(2)(c)6., relating to grand theft of a motor vehicle, and while the child was in possession of the stolen motor vehicle the child caused serious bodily injury to or the death of a person who was not involved in the underlying offense. For purposes of this section, the driver and all willing passengers in the stolen motor vehicle at the time such serious bodily injury or death is inflicted shall also be subject to mandatory transfer to adult court. “Stolen motor vehicle,” for the purposes of this section, means a motor vehicle that has been the subject of any criminal wrongful taking. For purposes of this section, “willing passengers” means all willing passengers who have participated in the underlying offense.

(d)1. With respect to any child who was 16 or 17 years of age at the time the alleged offense was committed, the state attorney shall file an information if the child has been charged with committing or attempting to commit an offense listed in s. 775.087(2)(a)1.a.-p., and, during the commission of or attempt to commit the offense, the child:

- a. Actually possessed a firearm or destructive device, as those terms are defined in s. 790.001.
- b. Discharged a firearm or destructive device, as described in s. 775.087(2)(a)2.
- c. Discharged a firearm or destructive device, as described in s. 775.087(2)(a)3., and, as a result of the discharge, death or great bodily harm was inflicted upon any person.

2. Upon transfer, any child who is:

- a. Charged under sub-subparagraph 1.a. and who has been previously adjudicated or had adjudication withheld for a forcible felony offense or any offense involving a firearm, or who has been previously placed in a residential commitment program, shall be subject to sentencing under s. 775.087(2)(a), notwithstanding s. 985.565.
- b. Charged under sub-subparagraph 1.b. or sub-subparagraph 1.c., shall be subject to sentencing under s. 775.087(2)(a), notwithstanding s. 985.565.

3. Upon transfer, any child who is charged under this paragraph, but who does not meet the requirements specified in subparagraph 2., shall be sentenced under s. 985.565; however, if the court

imposes a juvenile sanction, the court must commit the child to a high-risk or maximum-risk juvenile facility.

4. This paragraph shall not apply if the state attorney has good cause to believe that exceptional circumstances exist that preclude the just prosecution of the child in adult court.

5. The Department of Corrections shall make every reasonable effort to ensure that any child 16 or 17 years of age who is convicted and sentenced under this paragraph be completely separated such that there is no physical contact with adult offenders in the facility, to the extent that it is consistent with chapter 958.

(3) EFFECT OF DIRECT FILE.—

(a) Once a child has been transferred for criminal prosecution pursuant to an information and has been found to have committed the presenting offense or a lesser included offense, the child shall be handled thereafter in every respect as if an adult for any subsequent violation of state law, unless the court imposes juvenile sanctions under s. 985.565.

(b) When a child is transferred for criminal prosecution as an adult, the court shall immediately transfer and certify to the adult circuit court all felony cases pertaining to the child, for prosecution of the child as an adult, which have not yet resulted in a plea of guilty or nolo contendere or in which a finding of guilt has not been made. If a child is acquitted of all charged offenses or lesser included offenses contained in the original case transferred to adult court, all felony cases that were transferred to adult court as a result of this paragraph shall be subject to the same penalties to which such cases would have been subject before being transferred to adult court.

(c) When a child has been transferred for criminal prosecution as an adult and has been found to have committed a violation of state law, the disposition of the case may be made under s. 985.565 and may include the enforcement of any restitution ordered in any juvenile proceeding.

(4) An information filed pursuant to this section may include all charges that are based on the same act, criminal episode, or transaction as the primary offenses.

History.—s. 35, ch. 97-238; s. 130, ch. 99-3; s. 15, ch. 99-201; s. 1, ch. 99-257; s. 26, ch. 99-284; s. 2, ch. 2000-119; s. 27, ch. 2000-135; s. 1, ch. 2000-136; s. 21, ch. 2001-125; s. 4, ch. 2001-185; s. 5, ch. 2006-51; s. 70, ch. 2006-120; s. 5, ch. 2011-200; s. 2, ch. 2016-7.

Note.—Former s. 985.227.

Appendix B

Methodology Used to Analyze the Discretionary/Mandatory Categories of Juvenile Direct File and to Create a Comparison Group

The purpose of the methodology was

- to determine if a child was direct filed under the discretionary or mandatory sections of statute; and
- to create a comparison group of children who were eligible to be direct filed, but retained in the juvenile system.

Mandatory or Discretionary Direct File

To estimate the percentage makeup of mandatory versus discretionary direct-filed children, we applied the statutory criteria to direct file data obtained from the Department of Juvenile Justice (DJJ). For example, if a child was 15 years of age at the time of the alleged offense and was charged with arson, then we grouped the child as a discretionary direct file under s. 985.557(1)(a), *Florida Statutes*. We applied the statutory requirements to each paragraph of the direct file statute. This allowed us to estimate how many children were direct filed because they met the mandatory criteria and how the makeup of mandatory versus discretionary changed over time.

The results from the application of statute to data must be interpreted with caution because the statute does not provide a statutory reference for every listed offense. Therefore, we had to determine which statutory references were included in the direct file offenses without a clear statutory reference. For example, in s. 985.557(1)(a), *Florida Statutes*, arson does not have a statutory reference, but grand theft does. Therefore, we included a broad group of offenses that fall under arson including arson offenses in s. 806.01, *Florida Statutes*. Additionally, state attorneys may use discretion to determine which offenses correspond to the offense lists included in s. 985.557, *Florida Statutes*. We applied statute uniformly to the statewide data; however, because statute allows for state attorney discretion, the utilization of the statute may differ by judicial circuit and our methodology does not account for possible variations across circuits.

Comparison Group

To determine if a child was eligible for direct file, we applied the same methodology as described in the mandatory versus discretionary methodology. Our analysis allowed us to estimate the percentage of direct-filed children compared to all eligible children for direct file. This means that children who did not meet criteria for direct file were omitted from the analysis. This resulted in 12,254 children who were eligible to be direct filed, but retained in the juvenile system in Fiscal Year 2015-16. The results from the application of statute to data must be interpreted with caution as described above.

Appendix C



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Christina K. Daly, Secretary

February 27, 2017

Mr. R. Philip Twogood, Coordinator
Office of Program Policy Analysis and
Government Accountability
111 West Madison Street
Tallahassee, Florida 32399-1475

Dear Mr. Twogood:

The Department has received and reviewed the preliminary findings and recommendations of OPPAGA's report titled *Direct File of Children to Adult Court is Decreasing; Better Data Needed to Assess Sanctions*. Please consider this letter the Department's official response to the preliminary Report, in accordance with subsection 11.51(2), Florida Statutes. The Department does not suggest modification to the Report with regard to most of the preliminary findings; however, we would like to provide feedback regarding findings relating to the Department's tracking of additional information on outcomes and dispositions of direct-filed youth who receive adult sanctions. It is important to note that children whose cases are transferred to the adult system and receive adult sanctions are formally and officially treated as adults in the criminal justice system.

The Department is dedicated to accurate and useful collection of data relating to children in the juvenile justice system and works to be transparent in the sharing and provision of information to our stakeholders, including policy makers, law enforcement, the judiciary, sister agencies, and citizens of Florida. The Department administers and maintains the Juvenile Justice Information System (JJIS), a comprehensive data system used to track and record all information for youth who come into contact with Florida's juvenile justice system. This system was built by the Department specific to juvenile justice case processing and custody statuses.

Within JJIS, the Department accurately captures the custody status of direct-filed youth as youth who are transferred to the adult system; however, the additional, more specific detail on the many different sentences youth receive as adults in the adult system are not consistently captured. This information is entered by juvenile probation officers into JJIS, which is not designed for the variety of sentences given in the adult system. Collection of additional sentencing information would require a modification of JJIS and use of staff time and resources to collect this information from the disparate sources statewide. Currently, juvenile probation officers have limited access to the requisite databases or information systems necessary to track adult case outcomes and placements. The tracking of adult cases would require juvenile probation officers to become more deeply involved in adult court processing when their focus is on case management and supervision of juveniles in the juvenile justice system. Requiring juvenile probation officers to collect adult information would be a substantial ongoing commitment of staff time and potentially require additional clerical staff.

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<http://www.djj.state.fl.us>

The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.

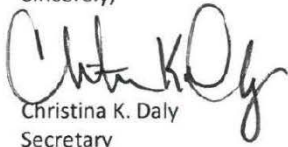
Page Two
February 27, 2017

The Department is amenable to modification of JJIS to collect additional data related to children who are transferred to the adult system, including information regarding pleas, a youth's FDLE identification number, and statutes cited by the state attorney in the process of transfer; however, it may be inappropriate for the Department of Juvenile Justice to serve as the repository for sentencing information on adults. The Department has little purview into the adult court system and process and there is no requirement that this information be shared with the Department. Should DJJ be tasked with serving as a single source of data about direct file, data would need to be gathered not only from the Florida Department of Law Enforcement and Department of Corrections, but from each individual county and clerk of courts, as youth direct filed are most frequently in the custody of the county.

As the Report describes, matching data between disparate systems is a complex and lengthy undertaking. Until data consistency issues are resolved, the Department would experience the same matching issues experienced by OPPAGA.

Thank you for the opportunity to review your preliminary findings and Report.

Sincerely,



Christina K. Daly
Secretary

cc: Ms. Melinda Miguel, Chief Inspector General, Executive Office of the Governor
Mr. Fred Schuknecht, Chief of Staff, Department of Juvenile Justice
Ms. Meredith Stanfield, Director of Legislative Affairs, Department of Juvenile Justice

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The Florida Legislature

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