

## Common Myths about the Juvenile Justice System

### 1. Juvenile records go away when a youth turns 18.

In most cases juvenile records are not automatically sealed until the youth turns 24 years old. Under some circumstances juvenile records may be merged with an adult criminal record.

### 2. Juvenile records are automatically expunged for a youth who completes a court diversion program.

A youth who has successfully completed a court diversion program may be able to get a record expunged for some misdemeanor charges, but this is not automatic. The youth's parents or guardians, or the youth if age 18, must submit an application to FDLE within six months of completion of the diversion program and pay a \$75 processing fee. If the expunction is granted, the records can still be shared under a number of circumstances, such as, if the youth applies for employment with a criminal justice agency.

### 3. A juvenile criminal record has no impact once a youth becomes an adult.

Youth may have to explain their arrest and/or adjudication as a minor on some job applications, even when they become an adult. They may be excluded from entering the military, from some college scholarships, and from being accepted to some colleges. They may be excluded from certain jobs, such as, working for a criminal justice or law enforcement agency, health care, or working with children or the elderly. They may be excluded from obtaining some occupational licenses. They may also be excluded from renting some apartments or housing that requires a background check.

### 4. Juvenile criminal records are not available to the general public, to employers, or to the media.

Law enforcement agencies may release the name, photograph, address, and arrest report of any youth who has been charged with a felony. This same information may be disclosed if the youth has been found by a court to have committed three or more misdemeanors. For a fee, the FDLE may provide to the general public or employers a record of all juvenile arrests that FDLE is authorized under statute to provide. All traffic violations by youth are public record.

### 5. Scared Straight programs are an effective way of preventing youth from becoming involved in the juvenile justice system.

Research on Scared Straight programs shows just the opposite. Youth who participate in Scared Straight programs are *more likely* to become involved in the juvenile justice system.

### 6. Juvenile boot camps are an effective strategy for changing youth with problem behaviors.

Research on boot camps has shown that they are not effective with youth with problem behaviors.

**7. The purpose of sending youth to a juvenile detention center is to punish them or to “teach them a lesson.” It has a positive impact on youth.**

Juvenile detention centers are a short term holding facilities, whose purpose is to hold youth who may be a risk to public safety or may be a flight risk, until a trial can be held. Generally, youth can only be held up to 21 days in a detention center. Research has shown that sending youth to detention facilities increases their likelihood to reoffend and can have long term negative impacts compared to youth of similar risks who participated in alternative programs.

**8. The purpose of the juvenile justice system is to punish youth.**

While the intent of the juvenile justice system is to hold youth accountable for their crimes, one of its main purposes is also to rehabilitate youth.

**9. Most youth who get into the juvenile justice system cannot be rehabilitated.**

Approximately 10% of arrested youth are at high risk to reoffend. Rehabilitation may be very challenging with this group of youth, but there are some successes. The majority of youth (60%) who are arrested are not likely to reoffend, even with no additional services. For the group of youth in the middle, those at moderate risk to reoffend (14%) and at moderate high risk to reoffend (15%), research has shown that many can be rehabilitated with effective, treatment oriented services.

**10. When a youth with an emotional disorder seriously acts out at school, arresting them is an effective strategy for dealing with the problem.**

The arrest process and the juvenile justice system are not set up to address behavior problems associated with emotional disorders and in many cases can do more harm than good. Youth with severe emotional disorders should be treated through the community’s continuum of special education and mental health services.

**11. Juvenile crime goes up during the summer time when youth are out of school.**

Juvenile crime has historically gone down in Lee County during the summer months.

**12. Most juvenile crime occurs late at night.**

Most juvenile crime occurs in the hours after school on school days, from 3:00 p.m. to 6:00 p.m.