



Florida Sheriffs Support Juvenile Diversion Programs

A juvenile who has committed a nonviolent misdemeanor offense may have the arrest record for that offense expunged if he or she completes a prearrest or postarrest diversion program. These programs allow juveniles a second chance at having a “clean record.” However, applications for jobs and colleges can require juveniles to answer questions about criminal history, making it very confusing on how a juvenile should answer.

HB 205 permits a juvenile who successfully completes a diversion program to lawfully deny or fail to acknowledge his or her participation in a diversion program and that the nonjudicial arrest record that was expunged. Records eligible for expunction under HB 205 are sealed and can only be viewed by criminal justice agencies for the purposes of eligibility of diversion programs, criminal investigations, and employment within a criminal agency. This provision exists in current law for adults who have a criminal history record expunged or sealed.

The bill also makes the process of applying for diversion programs easier for juveniles as it:

- Allows for other diversion programs listed in ch. 985, F.S., to expunge criminal history records, rather than only prearrest and postarrest diversion programs.
- Requires the diversion program to submit to the FDLE a certification for expunction upon a minor’s successful completion of a program.
- Eliminates \$75 expunction processing fee by the FDLE.
- Allows a minor to seek expunction for a later criminal history record once they become an adult.

This bill provides juveniles with the opportunity to recover from a first-time interaction with the criminal justice system. This bill enhances the current expunction of a criminal history record through juvenile diversion programs and provides juveniles with the additional safeguards to simplify the process.



Support HB 205 by Rep. Ahern
