

## R SHEET ON EXPANDING THE USE OF FIELD CITATIONS IN MISSOURI

October 2021

### BACKGROUND

While Missouri saw a [6 percent](#) decrease in property crime between 2019 and 2021, violent crime increased by 7 percent. Murders also increased in this period by [25.5 percent](#), and [689 people were shot and killed](#), making 2020 the state's deadliest year yet for gun violence. St. Louis, the state's [economic engine](#), has been especially hard hit by the rise in violent crime and stands to [lose millions](#) of dollars in business. Indeed, St. Louis, Kansas City and Springfield, the state's major economic hubs, are among the top ten cities with the highest violent crime [rates](#) in the United States.

Missouri's law enforcement agencies likewise are struggling with violent crime. Departments across the state, from [small communities](#) to large [urban centers](#), are enduring insufficient staffing and resources. Jails also are grappling with [overcrowding](#), [understaffing](#) and [underfunding](#). Predictably, dangerous jail conditions culminated in [riots](#) at St. Louis City Justice Center this past year.

Although there are no easy solutions to these problems, expanding the use of field citations to address low-level offenses helps reduce jail crowding, minimize taxpayer costs and enable officers to focus on addressing violent crime. A field citation is a written order issued by an officer in lieu of custodial arrest, allowing a delayed arraignment. Upon signing a promise to pay a fine or appear in court on a specific date for adjudication of the charge, an offender is released by the officer at the scene.

### CURRENT DEBATE

Contrary to popular belief, about [80 percent](#) of arrests are for non-violent misdemeanors. Burdened by arrests for low-level offenses, officers spend only [4 percent](#) of their time dealing with violent crime.

### SUMMARY

- Violent crime has increased in Missouri, undermining public safety and the state's economy.
- Jails are overcrowded, costly and embroiled in litigation—all at the expense of taxpayer dollars.
- Police departments and jails are understaffed and overextended.
- Expanding the use of field citations in lieu of arrest could enhance public safety and economic security, while reducing strain on jails and law enforcement.

The average violent crime clearance rate in 2019 for police nationwide was [45.5 percent](#), while Missouri's in 2020 was [36 percent](#). This clearance rate is not an indictment of police performance, but reflects that undue obstacles impede officers' abilities.

The reality is that arresting and jailing nonviolent misdemeanants is time-consuming and expensive. An [average](#) arrest can take two hours or longer. Further, it costs Missouri taxpayers roughly [\\$50 per day](#) to jail an offender, but these costs accumulate astronomically. In 2020, the state owed counties [\\$32 million](#) in unpaid reimbursements for jail housing.

To reduce jail overcrowding, lessen the economic burden on taxpayers and enable law enforcement officers to focus on violent crime, [many states](#) are using alternatives to custodial arrest to deal with petty offenses.

While [all 50 states](#) permit some form of discretionary citation, a growing number of states are requiring police officers to issue field citations for some low-level offenses. This approach offers numerous benefits.

First, expanding the use of field citations to address petty offenses frees up officers to focus on violent crime. It can also reduce the risk of harm to police by limiting the duration and degree of physical contact in street encounters,

which often escalate violence. Because officer [assaults](#) and [deaths](#) are more likely to occur in arrest situations than in any other circumstance, using alternatives to arrest for low-level offenses can help protect lives.

Second, reducing arrests for petty offenses also correlates with [fewer police shootings](#), which can improve the police-community relationships that are essential to crime control. By contrast, detaining low-level offenders in jail correlates to increases in [recidivism](#) rates. Further, evidence indicates that diverting low-level offenders from arrest does [not](#) increase violent crime or crime as a whole.

Lastly, the use of field citations in lieu of arrest lessens the size of jail populations. This, in turn, reduces the cost of housing detainees. It also enhances institutional safety by decreasing jail crowding and understaffing, factors that [escalate violence](#). In the wake of jail closures and riots, this is of particular concern to Missouri taxpayers, who must pay not only exorbitant jail costs, but also the added expense of [lawsuits](#) regarding unconstitutional jail conditions.

## ACTION ITEMS

[Missouri statutes](#), [Supreme Court rules](#), local ordinances and police protocols allow citations for some offenses. However, local practices can vary between jurisdictions, yielding unfair disparities and outcomes.

To address such problems, Missouri lawmakers should consider enacting thoughtful legislation that expands the use of field citations for low-level, non-violent offenses. In doing so, public safety must be paramount. To that end, a presumption in favor of field citations should exclude certain offenses, such as those that are sexual, violent, or present an ongoing threat to persons or property. It also should exclude certain categories of offenders, such as those who present a flight risk; have a history of serious criminal offenses; have outstanding warrants; are on parole or probation; or display similar characteristics that weigh against release.

In short, expanding the use of field citations for low-level offenses is a cost-effective, [“smart on crime”](#) solution that could address Missouri’s needs and enhance public safety by reducing violent crime and optimizing the use of limited resources—all while holding low-level offenders accountable.

## CONTACT US

For more information on this subject, contact the R Street Institute, 1212 New York Ave. NW, Washington, D.C. 20005, 202-525-5717.



Maya Szilak  
Resident Fellow, Criminal Justice  
and Civil Liberties  
[mszilak@rstreet.org](mailto:mszilak@rstreet.org)  
773-368-2412