



Carlton: The teacher, the pot arrest, and the case for civil citations



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On the question of whether our local police should be able to hand out civil citations instead of criminal charges to people caught with small amounts of marijuana, consider the case of Jalem Robinson.

He was a University of South Florida student working as an after-school specialist at Potter Elementary School and planning to become a teacher. One night in 2014, he was pulled over for not having a tag light, according to a Hillsborough sheriff's report. The deputy said he smelled marijuana. Robinson denied he'd been smoking. Nonetheless, a marijuana cigarette was found in a search of his car — less than an inch and old, Robinson said, or 0.8 grams, according to the sheriff's report.

His car was impounded. He was taken to jail, fingerprinted and released with a notice to appear in court. He had never been arrested.

"I was devastated," he said. "I hadn't gotten in any trouble before in my life."

Because of the misdemeanor marijuana charge, he lost his job at the East Tampa school. He learned he wouldn't be allowed to apply to teach in Hillsborough County, where he grew up and planned to have his career, for three years. Now 26, he calls the experience disheartening.

"If I had a pound (of marijuana) and I was going to sell it, okay, take me to jail any time. Obviously, I'm doing something wrong," he says. "But for a small amount?"

We are rightly rethinking the criminalization of minor amounts of marijuana. Critics say such arrests tend to be racially and economically lopsided. And a criminal record can kick-start a downward spiral when a relatively minor crime means you can't get a job, especially for young people.

Both Tampa and St. Petersburg are working on what other local governments in Florida have already done: allowing police to give civil citations with fines instead of arresting people caught with up to 20 grams of pot. Both cities are working on ordinances, and the Tampa City Council plans to talk Thursday about what other cities have done.

In Tampa, the citation would mean a \$70 fine, and increasing fines for repeat offenses.

"Doing this doesn't make us any less anti-drug," Mayor Bob Buckhorn has said. "But it's a realization that the penalties that have been imposed have done more damage to the trajectories of young people's lives than the offenses have warranted."

Translation: It just makes sense.

If you don't buy the argument about the potential damage of a criminal record for a minor offense, consider a practical one: It costs money to jail people, and shouldn't we spend it on serious criminals?

Robinson's story — at least the next chapter — is a better one than for many in his shoes.

He was able to hire an attorney and get into a misdemeanor intervention program as a first-time offender. When he successfully finished, his charge was dropped.

Still, his arrest record meant going to another county for a teaching internship. Today he has a job at a charter school, but would love to be in the public school system here. "I love my job, I love the charter school I'm at, but my heart is with the inner-city kids," he says. "And I can't get to them because of that charge."

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