

RESOLUTION NO. 2010-38

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO OPPOSE SB 782 AND HB 445 DUE TO THE ECONOMIC HARDSHIPS THIS LEGISLATION WOULD PLACE ON THE TAXPAYERS OF ST. JOHNS COUNTY

WHEREAS, Section 907.041(3)(a), Florida Statutes, states that it is the intent of the Legislature to create a presumption in favor of release on non-monetary conditions for any person who is granted pretrial release unless such a person is charged with a dangerous crime; and

WHEREAS, Rule 3.131(b), Florida Rules of Criminal Procedure, refers to a presumption in favor of release on non-monetary conditions for any person who is granted pretrial release; and

WHEREAS, the American Bar Association's standards provide that judicial officers should assign the least restrictive condition(s) of release that will reasonably ensure the accused will appear at court proceedings and protect the community, victims, witnesses, and any other person; and

WHEREAS, when pretrial release is delayed or denied, the cost of jail operations increases due to the jail population escalating as evidenced by the Average of Length of Stay (ALOS) and the Average Daily Population (ADP); and

WHEREAS, more than sixty (60%) of St. Johns County's jail population consists of individuals in a pretrial status, most of whom are unable to post a monetary bond; and

WHEREAS, research shows that individuals who remain incarcerated prior to trial are less likely to meaningfully contribute to their defense; receive harsher and longer sentences than those who are released prior to trial; and are more likely to lose their ability to financially support themselves and their families; and

WHEREAS, passage of these bills would adversely affect the taxpayers and criminal justice system of St. Johns County.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida, that:

Section 1. The above recitals are incorporated by reference into the body of this Resolution, and such recitals are adopted as Findings of Fact.

Section 2. The Board of County Commissioners of St. Johns County, Florida expresses its opposition, and urges the Florida Legislature to likewise oppose Senate Bill 782, and House Bill 445, due to the economic hardships this legislation will place on the taxpayers of the State of Florida, including those taxpayers residing in St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida
this 16th day of February, 2010.

ATTEST: CHERYL STRICKLAND,
CLERK

By: Pam Halterman
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

Ron Sanchez
Ron Sanchez, Chair

RENDITION DATE 2/18/10

