

RESOLUTION NO. 2011- 79

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO OPPOSE SB 372 AND HB 1379 DUE TO THE INCREASED PUBLIC SAFETY RISK THE BILLS WILL CAUSE AND TO SUPPORT JUDICIAL DISCRETION FOR SETTING BONDS AND ESTABLISHMENT OF PRETRIAL RELEASE PRACTICES.

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, Section 951.26, Florida Statutes determines the role of the Public Safety Coordinating Council to include assessment of the population of all detention or correctional facilities owned or contracted by the county including availability of pretrial interventions program, and

WHEREAS, the St. Johns County Public Safety Coordinating Council is of the opinion that decisions related to release options available to judges for individuals arrested for crimes pending trial are best made at the local level,

WHEREAS, more than sixty (60%) of St. Johns County's jail population consists of individuals in a pretrial status, most of whom have not posted the monetary bond that has been set;

WHEREAS, the St. Johns County Public Safety Coordinating Council unanimously recommends opposing SB 372 and HB 1379, and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT:

1. Declaration of Opposition: The St. Johns County Board of County Commissioners hereby declares its opposition to SB 372 and HB 1379.

2. The Board of County Commissioners concurs with the Public Safety Coordinating Council of St. Johns County, Florida in expressing its support for judicial discretion in making decisions related to the pretrial release of arrestees and the

establishment of pretrial release programs if found to be necessary in individual counties.

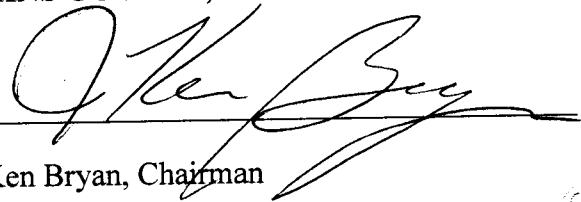
3. The above recitals are incorporated by reference into the body of this Resolution, and such recitals are adopted as Findings of Fact.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida this 5th day of April 2011.

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

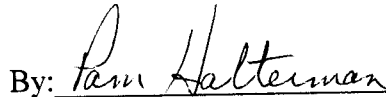
By: _____

J. Ken Bryan, Chairman



ATTEST: Cheryl Strickland, Clerk

By: _____



Deputy Clerk

RENDITION DATE 4/8/11

