

# FLORIDA TRIBUNE

Bogdanoff bid to revive bill called "offensive" by fellow Republican

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By: Kim MacQueen

The **Senate Judiciary Committee** heard **SB 1398** Tuesday, a relatively innocuous bill having to do with the judiciary -- things like compensation for **Supreme Court** marshals and terms of the circuit courts.

But an amendment tagged onto SB 1398 advances a slightly more controversial measure, one that would limit access to pre-trial release programs to indigent citizens. It is similar to a bill that had been temporary postponed three times by the **Senate Criminal Justice Committee** and considered dead until Tuesday's meeting.

The amendment, by **Sen. Ellyn Bogdanoff**, R-Ft. Lauderdale, limits eligibility for pre-trial release programs to indigent defendants who qualify for public defenders, or those who have been ordered to attend such a program by the court. Such programs are currently up and running in 28 counties around the state.

Bogdanoff said the program had been expanded to include the "working poor," which was not the program's original intent, and as such was costing counties too much money. Under the amendment, defendants would have to wait 48 hours in jail before being accepted into a pre-trial release program. If they can afford it, she said, they'll "bond out" before that time is up.

"I do not believe government should be picking up the tab for people who can afford bond," she said.

Acknowledging last week that it didn't look good for her original bill, Bogdanoff surmised that legislators didn't want to give up control over the programs in their respective counties.

"I tried to make every change that I possibly could make, but members are intimidated by the counties, I'm assuming," she said.

**Sen. Arthenia Joyner**, D-Tampa, called the bill an unfunded mandate that's unfair to both the counties and "also to the individuals who should have that opportunity to bond out immediately, based on the standard that's been set and long-recognized in this state."

Both Joyner and **Sarrah Carroll**, lobbyist for the **Florida Association of Counties**, indicated they'd been taken aback by the measure's quick attachment to an otherwise mundane bill.

Carroll said the amendment could cost counties millions of dollars. County officials have previously testified the measure would expand the number of people in county jails, while also depriving counties of the fees associated with the programs that are used to pay for such services such as electronic monitoring. The Senate Criminal Justice Committee -- where Bogdanoff's original bill wasn't heard after three times on the agenda -- was meeting as SB 1398 moved through Judiciary. **Sen. Paula Dockery**, R-Lakeland, noted that she found it "very offensive that a bill that did not make it through the committee process and that is not eligible to be added on to another bill was done so."

*Brent Henzi contributed to this story*

