

Favor public over bondsmen: Bogdanoff bill better, but her constituents don't want it

By **THE PALM BEACH POST**

Posted: 7:04 p.m. Monday, April 25, 2011

State Sen. Elyn Bogdanoff represents Palm Beach and Broward counties. Both oppose her attempt to make more accused criminals pay bondsmen to get out of jail. So why is she doing it?

Sen. Bogdanoff calls it a philosophical disagreement about who should monitor suspects awaiting trial: county governments or private bondsmen. Her bill would order counties to release only poor people from jail through public supervision programs, a move that would force more suspects to pay private bondsmen.

So, a philosophical disagreement, maybe. But this is very much about money - to be made by bondsmen if more arrestees are required to pay, and that's why the Bail Agents Independent League of Florida has hired influential lobbyist Ron Book to push its agenda.

Currently, most people accused of misdemeanor crimes get out of jail with a simple promise to show up for court. Those accused of capital crimes can't leave at all. In the middle are those released under county supervision or by posting bond. A judge decides whether to assign bail or refer someone to a county pretrial service program, in which the defendant pays a small weekly fee.

Since our last editorial, Sen. Bogdanoff has amended her bill and made it better. Previously, anyone not declared indigent could not qualify to be released under a county pretrial services program. This raised the specter of many poor but technically not indigent people stuck in jail, the most expensive option for taxpayers. Now, the bill would expand eligibility for pretrial services to anyone who is within 300 percent of federal poverty guidelines. Better, anyone who remains in jail on bond for more than 48 hours would automatically qualify for pretrial services, alleviating the fear that the cash-strapped would be stuck in jail for weeks on end.

Even so, the bill remains an attempt by the state to usurp counties' discretion to set up local programs that keep a lid on jail costs and preserve public safety. "All it's going to do," Sen. Bogdanoff argues, "is shrink government." But it wouldn't shrink state government. And it wouldn't "shrink" county government if jail costs rose. The state should leave debate over the size of county governments to the counties themselves. That would be limited government.

- Andrew Marra,

for The Palm Beach Post Editorial Board

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