

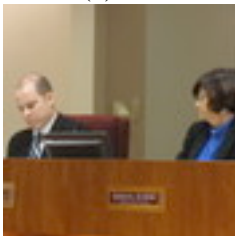
Local Law Enforcers Back Pre-Trial Program

Sheriffs, prosecutors, politicians and judges unite to stop legislation.

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Last year, a bill in the Florida House of Representatives would have abolished a program used in 28 counties to allow supervised release of persons accused of crime. The bill was backed by the state association representing bail bondsmen.

On Friday, a panel of judges, county commissioners, sheriffs, and representatives of the state attorney and public defender came together at Lakewood Ranch Town Hall to support the Pretrial Release Program. In effect they fired a shot across the bow of the bail bondsmen not to push their bill again.

“This is the bail bondsmen’s bail-out bill,” said Sarasota Sheriff Tom Knight.

Manatee Sheriff Brad Steube made a statement on behalf of the Florida Sheriffs’ Association opposing any attempt to eliminate the pre-trial program.

“When this bill comes back, you will find me and other sheriffs lobbying against this bill,” said Steube.

More than half of the people arrested for crimes in Florida bond out before swapping their street clothes for inmate orange. Every jail has a list of bonds for each crime, and with a phone call, the arrestee can call a bondsman, pay 10% of the bond and promise to show up in court.

The bondsman’s only responsibility is to get the defendant to court. For those unable to make bond, another service is available. It’s called “pre-trial release,” where a background check of employment, residence, family ties and criminal history is presented to a judge at the first appearance.

The judge can then let the defendant go back into the community, and may apply “conditions” such as drug testing, curfews, continued employment and a promise to show up for trial. “Failure to comply with the conditions results in a warrant for their arrest,” said Chief Circuit Judge Andy Owens.

The program is attractive, and saves counties millions. Circuit Judge Charles Williams, head of felony court in the 12th circuit, said the pre-trial program costs Manatee County \$1.91 per day, compared to \$67 per day for a bed in jail.

“Serious offenders need to be in jail,” he said. “But other people, no. They can be back in the community.”

For Sarasota the figures are \$3.20 for pre-trial supervision versus \$71 per day for a jail cell. In the last fiscal year, Manatee spent \$549,956 for the program, and Sarasota spent \$1.2 million.

No state money is involved. The program is funded with county dollars and is a bargain, two county commissioners said.

“Sarasota and Manatee Counties have cut their budgets by millions of dollars,” said Manatee County Commissioner Michael Gallen. “But we’ve held funding steady for pre-trial programs. And it is a success. Ninety-seven percent show up at their court hearings; 86% were totally compliant with their conditions; and 93% completed all their conditions for release.”

Sarasota County Commissioner Jon Thaxton said, "The pre-trial services have reduced the demand for a new jail. We know it is working. It has relieved us of the necessity of building a new \$60 million jail, and then staffing it year after year. The pre-trial services are a bargain."

Even DeSoto Sheriff William Wise supported the program, although his county does not use it.

"I support programs like pre-trial services, even though we don't have the full range like Sarasota and Manatee," he said.

Chief Assistant States Attorney Ed Brodsky said the pre-trial program is actually better for the community than the traditional bail-bond approach.

"For a bond, the defendant has to pay 10%, and show sufficient collateral. But there is no other condition imposed," Brodsky said. "Nothing prohibiting contact with the victim, or drug testing, none of these are monitored by the bail bond industry. Their only job is making sure the defendant shows back up in court."

For people without sufficient funds to bond out, the pre-trial system is their only alternative to staying in jail for minor infractions.

"Indigents cannot post even minimal bonds. Without pre-trial services, this person isn't going anywhere," said Jerome Meisner, the felony division chief for the public defender's office. "Their life spirals out of control. They lose their job, they can't pay their rent and lose the place where they live. And then they lose custody of their children because they can't support them."

Last year the bill to abolish pre-trial services was voted out of committee but failed to make it to the floor for a vote. Rep. Ray Pilon (R-Sarasota) voted in favor of the bill in committee. Neither Rep. Jim Boyd (R-Bradenton) nor Rep. Daryl Rousson (D-St. Petersburg) supported the bill.

Last month the Sarasota County Commission approved a resolution urging the legislature to oppose any bill "to modify, alter or otherwise restrict a judge's ability to release individuals to the supervision of the county's pre-trial services." The Manatee County Commission is expected to take up a similar resolution later this month.

No representative of the bail-bond industry was present to speak at the gathering.