



## CRIMINAL PUNISHMENT CODE TASK FORCE Non-Prison Sanctions Subcommittee

### Minutes

**February 10, 2020 at Noon**

Conference Call

#### **I. Members Present:**

Sheriff Christopher Nocco (Chair)  
The Honorable Melissa Nelson  
The Honorable Michael Andrews  
Sheriff William Snyder  
Secretary Simone Marsteller

#### **II. Non-Prison Sanctions Subcommittee**

The subcommittee discussed the following recommendations:

**Proposal: Allow law enforcement to issue notices to appear for Non-Violent, Non-Sexual Third-Degree Felonies.**

Judge Williams asked if the person released will be evaluated for unreasonable risk to the community based on priors and if Third-Degree DUIs fit under this as well. This will be further investigated.

The subcommittee agreed to define which offenses fall under this proposal in continued discussion.

**Proposal: Amend Florida Statutes regarding diversion to mandate funding for diversion courts: Florida Statute 397.334 (Drug Court), Florida Statute 394.47892 (Mental Health Court), Florida Statute 394.47891 (Veterans Court), and Florida Statute 948.16 (Misdemeanor mental health/drug/veterans court programs). Create an oversight office of all diversion programs in the state for consistency. Oversight office to consult with subject matter experts for best practices. Recommend Legislature allocate appropriate sufficient recurring funds for implementation and operation of all the statutory diversion programs.**

Ms. Nelson expressed reluctance about mandating- she would like to better understand the landscape across Florida and the impact these courts have on the budget.

**Proposal: Create Statute for Conditional Medical Release of Inmates in County Jails.**

Sheriff Nocco stated that the jails are being turned into hospitals for those who need healthcare. Considering that the jail does not get Medicaid rates as the prisons do, this is extremely costly.

Judge Andrews inquired if this is this a burden law enforcement wants to take on, noting it may upset victims and their families.

Sheriff Nocco clarified—this would be pre-trial and would be available for counties that have the resources to score and evaluate if this person is a threat or not.

Subcommittee members expressed a desire to better understand the projected impact of these recommendations before moving forward.

Judge Andrews asked if there was any component of supervision to this release. If the sheriff is releasing them, how are we monitoring them? Sheriff Nocco recognized that not all jurisdictions have the ability to provide such supervision.

**III. Further Discussion**

The subcommittee voted to bring Proposal #1 to the Task Force at-large and to continue efforts to define which offenses should be included.

The remaining two recommendations will be presented to the at-large Task Force for further discussion and research.

**IV. Public Comment**

None

**V. Adjourn**

The Meeting was adjourned at approximately 12:35 P.M.