

## **SB 1256 – Alternative Sanctioning (Identical CS/HB 1149)**

This bill amends s. 948.06, F.S., authorizing that the chief judge of each judicial circuit, in consultation with the state attorney, the public defender, and the Department of Corrections, “may establish an alternative sanctioning program in which the department, after receiving court approval, may enforce specified sanctions for certain technical violations of supervision.”

These alternative sanction programs are not mandatory for all judicial circuits. Also, alternative sanction programs could vary by judicial circuit as a result of chief judge discretion in what criteria must be followed. Furthermore, offenders can waive participation in the alternative sanction program and courts participating in alternative sanctioning can choose not to impose the alternative sanction for certain offenders.

Benefits believed to result from alternative sanctions for technical violations include: “a reduction in court dockets for probation violations, a reduction in prosecutor/public defender resources dedicated to technical violations, a reduction in law enforcement resources utilized to serve violation warrants, a reduced jail population, and a continuation of the offender’s employment/education/etc. while complying with imposed sanctions.” A response that is both swift and fair is expected to lead to a reduction in both recidivism and technical violators going to prison.

Currently, there are 6 judicial circuits using alternative sanctioning programs. This bill is intended to encourage more judges to participate in these programs.

The impact of discretion, from the creation of the alternative sentencing program through its actual implementation, cannot be quantified. Additionally, this bill presents a codification of an activity that is already occurring throughout the state, and how many more judges might be influenced by this bill is not known.

**CONFERENCE ADOPTED ESTIMATE: Negative Indeterminate**

**Requested by: House**