

**Board of County
Commissioners**

1769 E. Moody Blvd Bldg 2
Bunnell, FL 32110



www.flaglercounty.org

Phone: (386)313-4001

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PUBLIC SAFETY COORDINATING COUNCIL

Wednesday, June 10, 2020 - 8:45 AM

1769 E. Moody Blvd., GSB Chambers Building 2, Bunnell, FL 32110

AGENDA

1. **Pledge of Allegiance**
2. **Welcome:** Commissioner Joe Mullins
3. **Reorganization:**
 - a. Remarks by Jerry Cameron
 - b. Identification of Statutorily Required Members
 - c. Nomination for Chair
 - d. Election of Chair
 - e. Nomination of Vice Chair
 - f. Election of Vice Chair
 - g. Discussion of Bylaws to be adopted at July Meeting
 - h. Appointment of Staff Liaison (Secretary)
 - i. Establishment of time and date for meetings going forward
4. **Council Comments and Questions**
5. **Public Comments**
6. **Next Meeting:** July 8, 2020 at 8:45 AM at the Emergency Operations Center.
7. **Adjournment**

Charles Ericksen, Jr.
District 1

Greg Hansen
District 2

David Sullivan
District 3

Joe Mullins
District 4

Donald O'Brien Jr.
District 5

Administration

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FOR IMMEDIATE RELEASE

Public Safety Coordinating Council to meet Wednesday at GSB

June 5, 2020 – The first quarterly meeting of Public Safety Coordinating Council since the COVID-19 pandemic hit will be held Wednesday in the Commission Chambers of the Government Services Building.

The council typically meets at the Emergency Operations Center.

“We made the change so that we can absolutely ensure there is ample space with the recommended room for social distancing to accommodate anyone who wishes to attend,” said County Administrator Jerry Cameron, who will be providing remarks under new business about the council’s reorganization.

This meeting will begin at 8:45 a.m. Wednesday, June 10. The Government Services Building is located at 1769 E. Moody Boulevard, Building 2, Bunnell.

The following safety procedures are in place:

- Visitors will be asked screening questions and have their temperatures taken
- Room occupancies will be at or below 50% and not to exceed 50 visitors
- Social distancing and cloth face coverings will continue to be required in line with CDC guidance
 - <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>
 - <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>
- Frequent cleaning of shared, public work areas and frequently touched surfaces

All residents and businesses are reminded to abide by Executive and Emergency Orders, and follow Florida Department of Health and CDC guidance.

Additionally, those who are sick and/or told to self-isolate are to: remain at home unless seeking medical care, cover coughs and sneezes, wear a facemask around others, and disinfect touched surfaces daily.

Charles Ericksen, Jr.
District 1

Greg Hansen
District 2

David Sullivan
District 3

Joe Mullins
District 4

Donald O’Brien, Jr.
District 5

COVID-19 testing is available for Flagler County residents at a variety of locations, please visit www.FlaglerCounty.org, and following the links for COVID-19 and then select Screening & Testing for the latest options.

COVID-19 health related questions or concerns should be directed to your regular healthcare provider or the Florida Health hotline at 866-779-6121.

COVID-19 business concerns should be directed to the Florida Department of Business & Professional Regulation at 866-532-1440.

All other COVID-19 government services questions or concerns may be directed your municipality or the Emergency Operations Center at 386-313-4200.

Check for current information on Flagler County's website www.flaglercounty.org, and follow "Flagler County Government" or "Flagler County Emergency Management" on Social Media. The county's social media team will provide updates through these official accounts:

Flagler County Government

- [Facebook.com/FlaglerCountyGovernment](https://www.facebook.com/FlaglerCountyGovernment)

Flagler County Emergency Management

- [Facebook.com/FlaglerEOC](https://www.facebook.com/FlaglerEOC)
- [Twitter.com/FlaglerEOC](https://twitter.com/FlaglerEOC)
- [Instagram.com/FlaglerEOC](https://www.instagram.com/FlaglerEOC)

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The Public Safety Coordinating Council

§951.26(1)(a)1. Citation	Position	Local Official	Four Year Term
a.	State Attorney (or ASA)	Jason Lewis	
b.	Public Defender (or APD)	James Purdy	
c.	Chief Circuit Judge (or Circuit Judge)	J. Perkins	
d.	Chief County Judge (or County Judge)	J. Distler	
e.	Chief Correctional Officer	Dan Engert	
f.	Sheriff (or Designee)	Rick Staly	
g.	State Probation Circuit Administrator	Michael Gallon	Yes
h.	BCC Chair (or other Cmmr designee)	Joe Mullins	
i.	Director of County probation/pretrial intervention, if any, four year term.		Yes
j.	Director of local substance abuse treatment program (or Designee).	Ivan Cosimi	Yes
k.	BCC Chair appointees who work with jobs programs or work with offenders or victims, four year term.	Jenny Stumbras Mark Weinberg Trish Giaccone Phyllis Pearson Thomas Foster Charles Puckett Linda Murphy Jeff White Paul Finn Dan Merrithew Alvin Jackson Ken Bryan Jack Howell Steve Emmett Leslie Babonis Bob Synder	Yes
<ul style="list-style-type: none"> • BCC Chair or his designee serves as PSCC Chair until PSCC elects new chair. • Meetings are at the call of the Chair (not necessarily regular). • Public Records law and Sunshine Law apply. 			

DUTIES OF THE PSCC

I. ASSESSING POPULATION STATUS OF COUNTY JAIL *(mandatory)*

- Fla. Stat. §951.26(2)
- Meetings are at the call of the Chair, do not have to be regular. BCC Chair or designee serves as chair of PSCC until PSCC elects new chair.
- Purpose of meetings:
 1. Assess population of County Jail.
 2. Formulate recommendations to ensure County Jail does not exceed capacity.
 - Recommendations *must* include:
 - Assessment of availability of:
 - Pretrial intervention programs;
 - Probation programs;
 - Work-release programs;
 - Substance abuse programs.
 - Gain-time schedules.
 - Bail bond schedules.
 - Confinement status of County Jail inmates.

II. MENTAL HEALTH *(Mandatory)*

- Fla. Stat. §394.657.
- BCC *must* designate the PSCC (or another criminal justice mental health and substance abuse council) as the Planning Council for purposes of this statute.
- PSCC shall make formal recommendation to the BCC regarding how the Criminal Justice, mental Health, and Substance Abuse Reinvestment Grant Program may best be implemented. BCC may assign any entity to prepare the grant application.
- The membership of the PSCC acting as Planning Council is the same as the PSCC membership under Chapter 951 except that the Court Administrator is mandatory and the following additional members:
 - a police chief
 - the director of a community mental health agency
 - a representative of the substance abuse and mental health program of DCF
 - a primary consumer of mental health services selected by the substance abuse and mental health program supervisor, also a family member of such consumer selected the same way
 - the director of Dept. of Juvenile Justice detention facility or designee
 - the chief probation officer of Dept. of Juvenile Justice or designee
- PSCC acting as Planning Council must assess the availability of mental health programs in addition to the assessments required under Fla. Stat. §951.26(2).

Commented [WU1]: Have we done this?

III. LOCAL PUBLIC SAFETY PLAN (optional)

- Fla. Stat. §951.26(3)(a)
- The PSSC *may* develop a Local Public Safety Plan for future construction needs. If the County receives community corrections funds under Section 948.51, *Fla. Stat.*, then the Public Safety Plan is mandatory, not optional. The Public Safety Plan *must* cover at least a 5-year period. The Local Public Safety Plan *may* be submitted to the local planning agency (which is the BCC in Flagler County) at least 120 days prior to the BCC's adoption/amendment to Comprehensive Plan.

Commented [WU2]: Do we have such a plan? I believe Flagler is behind schedule in amending the Comp Plan. It is as of June 2020 presently underway under the direction of the Growth Mgt Director.

IV. COMMUNITY CORRECTIONS ASSISTANCE TO COUNTIES (optional)

- Fla. Stat. §948.51(2)
- The PSSC *may* contract with the Dept. of Corrections (DOC) for community corrections funds. To enter into such agreement:
 - The County must:
 - Designate a County officer or agency to administer the grant funds; and
 - Approve the initial Public Safety Plan developed by the PSSC.
 - The PSSC must:
 - Develop and implement a comprehensive public safety plan;
 - Cooperate with the Juvenile Justice Circuit Advisory Board established under Fla. Stat. 985.664 to include programs/services for juveniles in the Plan.
 - Have the Plan approved by the Secretary of Corrections.
 - Submit an annual report to the DOC on the status of the program.

Commented [WU3]: Does Flagler County enter into these grant agreements?

The Plan must cover 5 years and include:

1. Description of programs for job placement and treatment of offenders in the community.
2. Specific community-based intermediate sentencing options and types and number of offenders to be included in each program.
3. Goals and objectives for reducing percentage of commitments to State prison system of persons with low total sentencing scores.
4. Evidence of the population status of all programs in the Plan showing that the programs do not include offenders who would've been on less intensive form of community supervision.
5. Assessment of population status of all County correctional facilities.
6. Assessment of bed space available for substance abuse intervention and treatment and assessment of offenders in need of treatment who are committed to each County correctional facility.
7. Description of costs and sources of funds for each community correction program.

Grant funds *may* be used for acquisition, renovation, or operation of County-owned residential probation facilities or programs.

Grant funds *may not* be used for:

- Fixed capital outlay construction or operation of any adult or juvenile detention facility.
- Construction or operation of any State facility.

- Salary of State probation or parole officer.

For purposes of this Community Corrections Assistance grant requirements, “Public safety” does not include investigative patrol or administrative activities of law enforcement agency.

V. SENTENCING ALTERNATIVES *(Optional)*

- Fla Stat §921.187(1)(p).
- For any offender not receiving a State prison sentence, the Court may impose any sanction, which is provided in the community and approved as an intermediate sanction by the PSCC.
- Statute has list of other alternatives. These alternatives shall be used in manner to best serve society, punish offenders, and provide for rehabilitation.

Commented [WU4]: Not sure if our PSCC has any alternatives in place. Civil citations were discussed prior to the 2016 election.

VI. LOCAL REENTRY PLAN *(optional)*

- Fla. Stat. §951.26(4)
- The PSCC *may* develop a Local Reentry Plan to assist offenders released from incarceration to assist with successfully reentering the community.
- If PSCC develops a Reentry Plan, it *must*:
 - Cover a 5-year period.
 - Be developed in coordination with public safety officials and community organizations.

Commented [WU5]: Do we have such a plan in Flagler?

Select Year:

The 2019 Florida Statutes

[Title XLVII](#)
CRIMINAL PROCEDURE AND
CORRECTIONS

[Chapter 951](#)
COUNTY AND MUNICIPAL
PRISONERS

[View Entire Chapter](#)

951.26 Public safety coordinating councils.—

(1) Each board of county commissioners shall establish a county public safety coordinating council for the county or shall join with a consortium of one or more other counties to establish a public safety coordinating council for the geographic area represented by the member counties.

(a)1. The public safety coordinating council for a county shall consist of:

- a. The state attorney, or an assistant state attorney designated by the state attorney.
- b. The public defender, or an assistant public defender designated by the public defender.
- c. The chief circuit judge, or another circuit judge designated by the chief circuit judge.
- d. The chief county judge, or another county judge designated by the chief county judge.
- e. The chief correctional officer.
- f. The sheriff, or a member designated by the sheriff, if the sheriff is not the chief correctional officer.
- g. The state probation circuit administrator, or a member designated by the state probation circuit administrator, to be appointed to a 4-year term.
- h. The chairperson of the board of county commissioners, or another county commissioner as designee.
- i. If the county has such program available, the director of any county probation or pretrial intervention program, to be appointed to a 4-year term.
- j. The director of a local substance abuse treatment program, or a member designated by the director, to be appointed to a 4-year term.
- k. Representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed by the chairperson of the board of county commissioners to 4-year terms.

2. The chairperson of the board of county commissioners, or another county commissioner as designee, shall serve as the chairperson of the council until the council elects a chairperson from the membership of the council.

(b)1. The public safety coordinating council for a consortium of two or more counties shall consist of the following members, appointed with the approval of each board of county commissioners within the consortium:

- a. A chief circuit judge, or a circuit judge designated by a chief circuit judge.
- b. A chief county judge, or a county judge designated by a chief county judge.
- c. A state attorney, or an assistant state attorney designated by a state attorney.
- d. A public defender, or an assistant public defender designated by a public defender.
- e. A state probation circuit administrator, or a member designated by a state probation circuit administrator, to be appointed to a 4-year term.
- f. A physician who practices in the area of alcohol and substance abuse, to be appointed to a 4-year term.
- g. A mental health professional who practices in the area of alcohol and substance abuse, to be appointed to a 4-year term.
- h. A sheriff or a jail administrator for a county within the consortium.
- i. A chief of police for a municipality within the geographic area of the consortium.
- j. A county commissioner from each member county of the consortium.

k. An elected member of the governing body of the most populous municipality within the geographic area of the consortium.

l. An elected member of a school board within the geographic area of the consortium.

2. The members of the public safety coordinating council shall elect a chairperson from among its members.

(2) The council shall meet at the call of the chairperson for the purpose of assessing the population status of all detention or correctional facilities owned or contracted by the county, or the county consortium, and formulating recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county, or the county consortium.

(3)(a) The council may also develop a local public safety plan for future construction needs. The plan must cover at least a 5-year period. The plan may be submitted for consideration to the local planning agency for the county, or the planning agency for each county within the consortium, at least 120 days before the adoption of or amendment to the comprehensive plan for the county by the local planning agency pursuant to part II of chapter 163.

(b) Each county, or county consortium, that contracts to receive community corrections funds for its community corrections programs under s. [948.51](#) shall require the public safety coordinating council to develop a comprehensive public safety plan as described therein which includes the future public safety construction needs as described in paragraph (a).

(4) The council may also develop a comprehensive local reentry plan that is designed to assist offenders released from incarceration to successfully reenter the community. The plan should cover at least a 5-year period. In developing the plan, the council shall coordinate with public safety officials and local community organizations who can provide offenders with reentry services, such as assistance with housing, health care, education, substance abuse treatment, and employment.

(5) All meetings of a public safety coordinating council, as well as its records, books, documents, and papers, are open and available to the public in accordance with ss. [119.07](#) and [286.011](#).

History.—s. 2, ch. 87-340; s. 90, ch. 88-122; s. 16, ch. 91-225; s. 35, ch. 92-310; s. 7, ch. 93-204; s. 44, ch. 95-283; s. 32, ch. 96-312; s. 1881, ch. 97-102; s. 22, ch. 2010-64.

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The 2019 Florida Statutes

[Title XLVII](#)
CRIMINAL PROCEDURE AND
CORRECTIONS

[Chapter 948](#)
PROBATION AND COMMUNITY
CONTROL

[View Entire
Chapter](#)

948.51 Community corrections assistance to counties or county consortiums.—

(1) LEGISLATIVE INTENT.—The purpose of this section is to:

(a) Divert nonviolent offenders from the state prison system by punishing such offenders with community-based sanctions, thereby reserving the state prison system for those offenders who are deemed to be most dangerous to the community.

(b) Forge a partnership between the state and the correctional and public safety programs and facilities within a county or consortium of counties so that state funds may be effectively contractually disbursed to counties or county consortiums to build and operate corrections and public safety programs.

(c) Promote accountability of offenders to their community by requiring financial restitution to victims of crime and by requiring public service to be performed for local governments and community agencies.

(d) Make victim restitution a greater priority and provide closer monitoring of offenders to ensure payment to victims.

(e) Maintain safe and cost-efficient community correctional programs that also require supervision and counseling, and substance abuse testing, assessment, and treatment of appropriate offenders.

(f) Provide sanctions, services, treatment, and alternative punishments that are available to the judge at sentencing and for pretrial intervention.

(g) Reduce, for contracting counties and county consortiums, both the percentage of nonviolent felony offenders committed to the state prison system and the percentage of nonviolent misdemeanants committed to the county detention system by punishing such offenders within the community or by requiring them to reside within community-based facilities.

(h) Require nonviolent offenders to meet their community obligations by maintaining employment, thereby providing resources for their families, service to the community, and payment for their cost of supervision and treatment.

(i) Extend the average length of supervision and commitment to a correctional program for those sentenced to community corrections programs beyond the actual time that they would have received at the state level.

(2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A county, or a consortium of two or more counties, may contract with the Department of Corrections for community corrections funds as provided in this section. In order to enter into a community corrections partnership contract, a county or county consortium must have a public safety coordinating council established under s. [951.26](#) and must designate a county officer or agency to be responsible for administering community corrections funds received from the state. The public safety coordinating council shall prepare, develop, and implement a comprehensive public safety plan for the county, or the geographic area represented by the county consortium, and shall submit an annual report to the Department of Corrections concerning the status of the program. In preparing the comprehensive public safety plan, the public safety coordinating council shall cooperate with the juvenile justice circuit advisory board established under s. [985.664](#) in order to include programs and services for juveniles in the plan. To be eligible for community corrections funds under the contract, the initial public safety plan must be approved by the governing board of the county, or the governing board of each county within the consortium, and the Secretary of Corrections based on

the requirements of this section. If one or more other counties develop a unified public safety plan, the public safety coordinating council shall submit a single application to the department for funding. Continued contract funding shall be pursuant to subsection (5). The plan for a county or county consortium must cover at least a 5-year period and must include:

- (a) A description of programs offered for the job placement and treatment of offenders in the community.
- (b) A specification of community-based intermediate sentencing options to be offered and the types and number of offenders to be included in each program.
- (c) Specific goals and objectives for reducing the projected percentage of commitments to the state prison system of persons with low total sentencing scores pursuant to the Criminal Punishment Code.
- (d) Specific evidence of the population status of all programs which are part of the plan, which evidence establishes that such programs do not include offenders who otherwise would have been on a less intensive form of community supervision.
- (e) The assessment of population status by the public safety coordinating council of all correctional facilities owned or contracted for by the county or by each county within the consortium.
- (f) The assessment of bed space that is available for substance abuse intervention and treatment programs and the assessment of offenders in need of treatment who are committed to each correctional facility owned or contracted for by the county or by each county within the consortium.
- (g) A description of program costs and sources of funds for each community corrections program, including community corrections funds, loans, state assistance, and other financial assistance.

(3) DEPARTMENTAL RESPONSIBILITIES.—The Department of Corrections shall:

- (a) Administer this section within the goals and mandates of this legislation.
- (b) Report by January 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the effectiveness of participating counties and county consortiums in diverting nonviolent offenders from the state prison system.
- (c) Establish, in cooperation with the governing bodies of counties and municipalities and with school boards, a program to provide technical assistance, education, and training to local governments, nonprofit entities and agencies, and public safety coordinating councils regarding community corrections and the provisions of this section.
- (d) Develop minimum standards, policies, and administrative rules for the statewide implementation of this section.
- (e) Develop and implement a community corrections partnership contract process and procedure.
- (f) Review community public safety plans and provide contract funding.
- (g) Conduct a review, as often as necessary but not less than annually, of all program measures, to ensure program accountability.

(4) PURPOSES OF COMMUNITY CORRECTIONS FUNDS.—

- (a) The Secretary of Corrections may contract for the issuance of community corrections assistance funds, as appropriated by the Legislature, to an eligible contracting county or county consortium for the purposes of:
 1. Providing community-based corrections programs within county-owned or county-contracted residential probation programs.
 2. Providing nonincarcerative diversionary programs, including pretrial release programs, for juvenile offenders or adult offenders who would otherwise be housed in a county detention facility, a state juvenile detention facility, or a state correctional institution.
 3. Providing community-based drug treatment programs, both outpatient and residential, by licensed providers.
 4. Funding costs for the enhancement of programs within county detention facilities.
 5. Funding costs for the enhancement of public safety and crime prevention programs.
- (b) Programs, services, and facilities that may be funded under this section include, but are not limited to:
 1. Programs providing pretrial services.

2. Specialized divisions within the circuit or county court established for the purpose of hearing specific types of cases, such as drug cases or domestic violence cases.
3. Work camps.
4. Programs providing intensive probation supervision.
5. Military-style boot camps.
6. Work-release facilities.
7. Centers to which offenders report during the day.
8. Restitution centers.
9. Inpatient or outpatient programs for substance abuse treatment and counseling.
10. Vocational and educational programs.
11. Rehabilitative community reentry programs that provide services that assist offenders in successfully reentering the community. Such services may include, but are not limited to, assistance with housing, health care, education, substance abuse treatment, and employment.

(c) The application and contract submitted to the department by the public safety coordinating council may include provisions for funding the anticipated costs of providing health care to offenders placed in a program or facility funded under this section.

(d) Upon the award of community corrections assistance funds, the department shall disburse one-third of the funds for provision of the services described above and shall thereafter disburse the remaining funds on a quarterly basis.

(e) Except as provided in this paragraph, contracting counties or county consortiums may not use any community corrections assistance funds for any of the following purposes:

1. Fixed capital outlay in construction, addition, renovation, or operation of any adult or juvenile secure detention facility;
2. Construction, addition, renovation, or operation of any state facility; or
3. Salary of any state probation and parole officer.

However, community corrections assistance funds may be used to acquire, renovate, and operate county-owned residential probation facilities or programs.

(5) **CONTINUED CONTRACT FUNDING.**—In order to remain eligible for continued contract funding, a contracting county or county consortium must substantially comply with the goals, standards, and objectives set forth in its comprehensive public safety plan and with the standards established in this section. Each contracting county or county consortium shall participate with the Department of Corrections in an evaluation of its program effectiveness in a format to be determined by the department, with particular emphasis placed upon attainment of the goals specified in paragraphs (2)(c) and (d). The department is responsible for the costs of performing the evaluation. If the department determines that a county or county consortium, in the course of its regular business and recordkeeping practices, is unable, without additional funds, to comply with the department's request for information necessary to perform an evaluation, the department shall reimburse reasonable additional recordkeeping expenses incurred by the county or county consortium during the evaluation process.

(6) **NONCOMPLIANCE WITH PLAN.**—If the Secretary of Corrections determines that there are reasonable grounds to believe that a contracting county or county consortium is not substantially complying with its plan or with the standards established in this section, the secretary shall give 30 days' written notice to the governing board of the county, or the governing board of each county within the consortium, and the chair of the public safety coordinating council. If the secretary then finds noncompliance by such contracting county or county consortium, the secretary shall require the governing board of the county, or the governing board of each county within the consortium, to provide a written agreement as to how and when the specific deficiencies identified by the secretary will be corrected. If no such agreement is submitted to the secretary within the time limit specified, or if such deficiencies are not corrected within 45 days after such an agreement has been approved by the secretary, the secretary may suspend any part or all of the funding until compliance is achieved.

Select Year:

The 2019 Florida Statutes

[Title XXIX](#)
PUBLIC HEALTH

[Chapter 394](#)
MENTAL HEALTH

[View Entire Chapter](#)

394.657 County planning councils or committees.—

(1) Each board of county commissioners shall designate the county public safety coordinating council established under s. [951.26](#), or designate another criminal or juvenile justice mental health and substance abuse council or committee, as the planning council or committee. The public safety coordinating council or other designated criminal or juvenile justice mental health and substance abuse council or committee, in coordination with the county offices of planning and budget, shall make a formal recommendation to the board of county commissioners regarding how the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program may best be implemented within a community. The board of county commissioners may assign any entity to prepare the application on behalf of the county administration for submission to the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee for review. A county may join with one or more counties to form a consortium and use a regional public safety coordinating council or another county-designated regional criminal or juvenile justice mental health and substance abuse planning council or committee for the geographic area represented by the member counties.

(2)(a) For the purposes of this section, the membership of a designated planning council or committee must include:

1. The state attorney, or an assistant state attorney designated by the state attorney.
2. A public defender, or an assistant public defender designated by the public defender.
3. A circuit judge designated by the chief judge of the circuit.
4. A county court judge designated by the chief judge of the circuit.
5. The chief correctional officer.
6. The sheriff, if the sheriff is the chief correctional officer, or a person designated by the sheriff.
7. The police chief, or a person designated by the local police chiefs association.
8. The state probation circuit administrator, or a person designated by the state probation circuit administrator.
9. The local court administrator, or a person designated by the local court administrator.
10. The chairperson of the board of county commissioners, or another county commissioner designated by the chairperson, or, if the planning council is a consortium of counties, a county commissioner or designee from each member county.
11. The director of any county probation or pretrial intervention program, if the county has such a program.
12. The director of a local substance abuse treatment program, or a person designated by the director.
13. The director of a community mental health agency, or a person designated by the director.
14. A representative of the substance abuse program office and the mental health program office of the Department of Children and Families, selected by the substance abuse and mental health program supervisor of the district in which the county is located.
15. A primary consumer of mental health services, selected by the substance abuse and mental health program supervisor of the district in which the primary consumer resides. If multiple counties apply together, a primary consumer may be selected to represent each county.

16. A primary consumer of substance abuse services, selected by the substance abuse and mental health program supervisor of the district in which the primary consumer resides. If the planning council is a consortium of counties, a primary consumer may be selected to represent each county.

17. A family member of a primary consumer of community-based treatment services, selected by the abuse and mental health program supervisor of the district in which the family member resides.

18. A representative from an area homeless program or a supportive housing program.

19. The director of the detention facility of the Department of Juvenile Justice, or a person designated by the director.

20. The chief probation officer of the Department of Juvenile Justice, or an employee designated by the chief probation officer.

(b) The chairperson of the board of county commissioners or another county commissioner, if designated, shall serve as the chairperson of the planning council or committee until a chairperson is elected from the membership.

(c) All meetings of the planning council or committee, as well as its records, books, documents, and papers, shall be open and available to the public in accordance with ss. [119.07](#) and [286.011](#).

(3)(a) If a public safety coordinating council established under s. [951.26](#) acts as the planning council, its membership must include all persons listed in paragraph (2)(a).

(b) A public safety coordinating council that is acting as the planning council must include an assessment of the availability of mental health programs in addition to the assessments required under s. [951.26\(2\)](#).

History.—s. 2, ch. 2007-200; s. 4, ch. 2010-159; s. 93, ch. 2014-19.

(7) **ALLOCATION OF FUNDS.**—The department shall allocate the funding for these contracts to counties and county consortiums to the extent authorized in the General Appropriations Act.

(8) For the purposes of this section, the term “public safety” does not include the investigative, patrol, or administrative activities of a law enforcement agency.

History.—s. 4, ch. 91-225; s. 33, ch. 92-310; s. 6, ch. 94-265; s. 43, ch. 95-283; s. 35, ch. 97-194; s. 20, ch. 98-204; s. 60, ch. 98-280; s. 12, ch. 2000-135; s. 120, ch. 2006-120; s. 1, ch. 2010-96; s. 4, ch. 2013-118.

Select Year:

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[Title XLVII](#)
CRIMINAL PROCEDURE AND CORRECTIONS

[Chapter 921](#)
SENTENCE

[View Entire Chapter](#)

921.187 Disposition and sentencing; alternatives; restitution. –

(1) The alternatives provided in this section for the disposition of criminal cases shall be used in a manner that will best serve the needs of society, punish criminal offenders, and provide the opportunity for rehabilitation. If the offender does not receive a state prison sentence, the court may:

(a) Impose a split sentence whereby the offender is to be placed on probation upon completion of any specified period of such sentence, which period may include a term of years or less.

(b) Make any other disposition that is authorized by law.

(c) Place the offender on probation with or without an adjudication of guilt pursuant to s. [948.01](#).

(d) Impose a fine and probation pursuant to s. [948.011](#) when the offense is punishable by both a fine and imprisonment and probation is authorized.

(e) Place the offender into community control requiring intensive supervision and surveillance pursuant to chapter [948](#).

(f) Impose, as a condition of probation or community control, a period of treatment which shall be restricted to a county facility, a Department of Corrections probation and restitution center, a probation program drug punishment treatment community, or a community residential or nonresidential facility, excluding a community correctional center as defined in s. [944.026](#), which is owned and operated by any qualified public or private entity providing such services. Before admission to such a facility, the court shall obtain an individual assessment and recommendations on the appropriate treatment needs, which shall be considered by the court in ordering such placements. Placement in such a facility, except for a county residential probation facility, may not exceed 364 days. Placement in a county residential probation facility may not exceed 3 years. Early termination of placement may be recommended to the court, when appropriate, by the center supervisor, the supervising probation officer, or the probation program manager.

(g) Sentence the offender pursuant to s. [922.051](#) to imprisonment in a county jail when a statute directs imprisonment in a state prison, if the offender's cumulative sentence, whether from the same circuit or from separate circuits, is not more than 364 days.

(h) Sentence the offender who is to be punished by imprisonment in a county jail to a jail in another county if there is no jail within the county suitable for such prisoner pursuant to s. [950.01](#).

(i) Require the offender to participate in a work-release or educational or technical training program pursuant to s. [951.24](#) while serving a sentence in a county jail, if such a program is available.

(j) Require the offender to perform a specified public service pursuant to s. [775.091](#).

(k) Require the offender who violates chapter [893](#) or violates any law while under the influence of a controlled substance or alcohol to participate in a substance abuse program.

(l)1. Require the offender who violates any criminal provision of chapter [893](#) to pay an additional assessment in an amount up to the amount of any fine imposed, pursuant to ss. [938.21](#) and [938.23](#).

2. Require the offender who violates any provision of s. [893.13](#) to pay an additional assessment in an amount of \$100, pursuant to ss. [938.055](#) and [943.361](#).

(m) Impose a split sentence whereby the offender is to be placed in a county jail or county work camp upon the completion of any specified term of community supervision.

(n) Impose split probation whereby upon satisfactory completion of half the term of probation, the Department of Corrections may place the offender on administrative probation pursuant to s. [948.013](#) for the remainder of the term of supervision.

(o) Require residence in a state probation and restitution center or private drug treatment program for offenders on community control or offenders who have violated conditions of probation.

(p) Impose any other sanction which is provided within the community and approved as an intermediate sanction by the county public safety coordinating council as described in s. [951.26](#).

(q) Impose, as a condition of community control, probation, or probation following incarceration, a requirement that an offender who has not obtained a high school diploma or high school equivalency diploma or who lacks basic or functional literacy skills, upon acceptance by an adult education program, make a good faith effort toward completion of such basic or functional literacy skills or high school equivalency diploma, as defined in s. [1003.435](#), in accordance with the assessed adult general education needs of the individual offender.

(2) The court shall require an offender to make restitution under s. [775.089](#) unless the court finds clear and compelling reasons not to order such restitution. If the court does not order restitution, or orders restitution of only a portion of the damages, as provided in s. [775.089](#), the court shall state the reasons on the record in detail. An order requiring an offender to make restitution to a victim under s. [775.089](#) does not remove or diminish the requirement that the court order payment to the Crimes Compensation Trust Fund under chapter 960.

History.—s. 6, ch. 83-131; s. 6, ch. 84-363; s. 6, ch. 88-96; s. 77, ch. 88-122; s. 5, ch. 88-381; s. 44, ch. 89-526; s. 4, ch. 90-111; s. 8, ch. 90-287; s. 8, ch. 91-225; s. 2, ch. 91-280; s. 3, ch. 92-107; ss. 22, 36, ch. 92-310; s. 6, ch. 93-37; s. 2, ch. 93-59; s. 9, ch. 93-227; s. 5, ch. 94-107; s. 22, ch. 94-342; s. 25, ch. 95-184; s. 27, ch. 96-322; s. 58, ch. 96-388; s. 25, ch. 97-194; s. 38, ch. 97-271; s. 4, ch. 2002-81; s. 1041, ch. 2002-387; s. 2, ch. 2003-142; s. 36, ch. 2004-373; s. 20, ch. 2005-128; s. 1, ch. 2008-250; s. 5, ch. 2010-64; s. 7, ch. 2010-113; s. 2, ch. 2012-125; s. 47, ch. 2016-105; s. 16, ch. 2017-115; s. 134, ch. 2019-167.