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CLERK OF CIRCUIT COURT

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT, IN
AND FOR LEON COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 85-2

WHEREAS, the quality of information being made available to judges of this and other courts charged with the decisions concerning pre-trial detention or release is unsatisfactory, and

WHEREAS, the State Attorney has advised this Court of his belief that first appearance is a non-adversary proceeding and does not require his presence, and

WHEREAS, the safety of the people of Leon County and the integrity of the judicial process requires the court to seek information about persons dangerous to the community or unlikely to appear if given a chance to flee, and

WHEREAS, the constitutional presumption of innocence and the Rules of the Supreme Court mandates the non-monetary release of non-dangerous, trustworthy accused persons, and

WHEREAS, in the absence of other meaningful programs to secure the quality of available information for this court, it is the intention of this court to protect the public interest as well as to free those from detention who are of no risk to the safety of other citizens and are likely to appear in court. It is therefore

ORDERED AND ADJUDGED effective 1 o'clock P.M. on the 12 day of August, 1985, this Court will consider the pre-trial release or detention of accused persons in Leon County only after the arresting agency has made available the following information at or prior to first appearance:

1) The original or a readable copy of the charge or charges placed against the defendant.

2) A probable cause affidavit, unless probable cause has

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previously been found by a judicial officer or an information filed by the State Attorney in which case there must be attached a fact sheet setting forth the essential facts of the alleged offense.

3) An FCIC computer print-out or other documents showing the Florida Crime Information Center criminal history record of the named defendant, and, if a traffic offense, a copy of the defendant's driver's record.

4) A certificate of the existence of pending prosecutions not otherwise contained on the FCIC information print-out (See Exhibit A attached).

5) A sheet providing information about the defendant's name, address, employment history for the past two years, length of residence in this community and residence history for the past two years (See Exhibit B attached).

6) In a crime against persons, a statement by the victim, or the arresting officer, or the investigating officer or some other person in a public welfare agency concerning the previous relationship of the defendant to the victim, and recommendations, where appropriate, to ensure the safety of the victim (See Exhibit C attached). It is further

ORDERED AND ADJUDGED that in lieu of the above information, the arresting officer shall appear with the defendant before this court at first appearance, or such other hearing as may be set for the determination of the detention or release of the defendant.

DONE AND ORDERED in Chambers, Tallahassee, Leon County, Florida, this 24 day of July, 1985.

ADMINISTRATIVE JUDGE

COUNTY JUDGE

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IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT IN
AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

Defendant.

_____/

CERTIFICATE OF PENDING PROSECUTIONS

I DO HEREBY certify that I have examined the records, and this Defendant is currently being prosecuted for:

Charge	Bond Amount	Conditions (if any)
1)		
2)		
3)		
4)		
5)		
6)		

(If no record of pending prosecution - write "none")

DATED THIS ____ day of _____, 198____.

_____
Arresting or investigating officer

_____
Police Agency

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LEON COUNTY
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EXHIBIT A

TO THE DEFENDANT:

The following affidavit is to obtain information about you so your qualification to be released on your recognizance or on bail can be established.

You have the privilege against self-incrimination, and you cannot be forced to answer any questions that may tend to incriminate you. Additionally, you have the right to consult with an attorney before providing any information requested herein.

IN THE COUNTY COURT OF THE SECOND JUDICIAL CIRCUIT IN AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA

vs.

Defendant.

_____/

AFFIDAVIT FOR RELEASE FROM CUSTODY

STATE OF FLORIDA)

COUNTY OF LEON)

COMES NOW, your Affiant, charged with an offense under the laws of Florida in the instant case, and being advised that the following questions must be answered under the penalty of perjury, in order to be considered for release from custody, and after being duly sworn states:

NAME_____ SOCIAL SECURITY #_____

1) My present residence address is (I stay at. . .) _____ Street & Number (include Apt. #)

_____ Phone Number

_____ City, State, Zip Code,

2) I rent/own this property.

3) I have lived or stayed at the following addresses during the past two (2) years:

_____/
Street and Number City, State Phone Number

_____/

_____/

(Use back of this sheet for additional addresses)

4) I work for _____/
Name, Address How long?

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EXHIBIT B

NAME_____ Page 2

5) My gross pay is $_____. My take-home pay is $_____.

6) I have worked for the following other people over the last two (2) years:

_____/_____
Name, Address How long?

_____

_____

(Use back of this sheet if necessary)

7) I am married? no____ yes___ If yes, to whom_____

We live together? no_____ yes_____

We live together at this address_____

_____

8) If not married, I live with someone? no____ yes _____

With whom?_____ Where?_____

9) I have children? no_____ yes _____

Their names and addresses are:

_____

_____

_____

_____

(Use back of this sheet if necessary)

10) I own the following land in Leon County:_____

_____

_____

11) I own the following motor vehicles:_____

_____

_____

12) I have the following money in my savings and checking account:

_____

_____
Defendant

Sworn to and subscribed to before me this ___ day of _____, 198___.

_____

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IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT IN
AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA

vs.

Defendant.

_____/

CERTIFICATE OF CONTACT WITH VICTIM

I HEREBY CERTIFY that in this case the defendant is charged with a crime against a person and has allegedly harmed or threatened harm to another.

I FURTHER CERTIFY that I have talked with the victim who has advised me:

1) He/she knows the defendant no___ yes___ How long?_____

2) He/she has what relationship to Defendant_____

3) Defendant has threatened him/her before no___ yes ____

How many times?_____ In what way?_____

_____

4) Was a gun, knife, or other weapon involved? no____ yes____

What type?_____

5) Is he/she frightened of defendant? no___ yes ___ Why?____

_____

_____

6) What would he/she like to be done to protect him/her from Defendant?

_____

_____

DATED this ____ day of _____, 198___.

_____
Arresting Officer, Investigating Officer, Social welfare officer

_____
Name of Agency

EXHIBIT C

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COUNTY JUDGE

Approved by:

CHIEF JUDGE

Copies to:

Leon County Sheriff's Department
Tallahassee Police Department
Florida Highway Patrol
Leon County Jail
State Attorney's Office
Public Defender's Office
Florida State University Security
Florida A & M University Security
Game and Fresh Water Fish Commission
Tallahassee Bar
Circuit Judges
County Judges
Court Administrator
Clerk of the Court

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