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AT THE TIME AND DATE NOTED
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

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

ADMINISTRATIVE ORDER NO. 87-1

MISDEMEANOR AND TRAFFIC DIVISIONS

PRE-TRIAL RELEASE ORDER AND BOND SCHEDULE

WHEREAS, the power to admit to bail is judicial; and,

WHEREAS, standing judicial orders establishing bond amounts for specific criminal offenses are permitted, and sheriffs and pre-trial release officers may administer such orders in a ministerial way under color of judicial authority; and,

WHEREAS, it is the intent of this court to permit the use of a standing judicial bail and pre-trial release order only under criteria that will protect the citizens of Leon County; and,

WHEREAS, the Supreme Court of Florida has, by its Criminal Rules, provided for the first appearance detention hearing which ensures that no one will remain detained in this state for longer than twenty-four (24) hours without being brought before a judicial officer for the purpose of addressing the question of release in an individualized manner. It is therefore

ORDERED AND ADJUDGED that all existing bond schedules in effect in Leon County, Florida, including the one established by Administrative Order 79-5, and the one effective February 22, 1982, origin unknown, and the one established by Administrative Order Number 85-3, are hereby revoked. It is further

ORDERED AND ADJUDGED that all persons arrested and charged with criminal misdemeanor and traffic offenses and delivered to the custody of the Sheriff at the Leon County Jail have the right to appear in front of a judge at a first appearance hearing for, among other things, the setting of appropriate bail amount.

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In lieu of a first appearance hearing, all persons so charged may be released as follows, subject to the exception of Part III of this Order:

PART I

DUTY TO COLLECT INFORMATION

All persons arrested by any means other than Federal charges, shall see a pre-trial release officer, who shall first determine and collect the following information on the defendant:

1) Identity with reasonable certainty;

2) Criminal History (national, state and local);

3) Other pending prosecutions, warrants, summons or civil process;

4) Community ties - Affidavit for Release;

5) Probable Cause Sheet;

6) Victim Statement (if crime against person)

PART II

ARREST BY WARRANT OR CAPIAS

If arrested on a warrant or capias signed by a judge, release may be accomplished by posting the bond or otherwise complying with the conditions of release, if any, endorsed on the warrant by the judge after completion of the information required in Part I above.

PART III

MANDATORY FIRST APPEARANCE

After the initial interview, as required by Part I, the Pre-Trial Release Officer shall determine the eligibility of the defendant, other than those booked in the jail on a warrant or capias, for Pre-Trial Release by determining if the defendant has a:

1) Prior felony history including withholding of adjudication within the last three years or incarceration in a penal institution within the last five years;

2) Prior criminal charge still pending at the time of this booking;

3) Prior failure to appear or escape;

4) Present charge of DUI and has a prior conviction for DUI;

5) Present charge of Battery (including spouse abuse);

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6) Present charge of Petit Theft and has two or more convictions for Petit Theft (including withholding of adjudication).

7) Denial of release prior to first appearance by a law enforcement officer in writing, state attorney in writing or by phone, or by a pre-trial release officer;

8) Warrant which is blank as to terms and conditions of release.

If the defendant has any of the above listed problems, then the defendant is not eligible for bond or pre-trial release and must appear at first appearance unless otherwise authorized by a judge of competent jurisdiction.

PART IV

BOND OR PRE-TRIAL RELEASE

If the defendant is eligible for Pre-Trial Release, the defendant may be released on bond pursuant to the attached bond schedule or by a Pre-Trial Release Officer on such terms and conditions as are necessary to protect the public and ensure the defendant's appearance in court. If a defendant is otherwise eligible for Pre-Trial Release, the defendant may post a bond pursuant to the attached bond schedule in lieu of Pre-Trial Release unless there is an objection by the Pre-Trial Release Officer. If there is an objection by the Pre-Trial Release Officer to the defendant making a bond for release, and the defendant is otherwise eligible for bond, the Pre-Trial Release Officer may set forth special conditions as outlined below in addition to the bond for the defendant's release. If the defendant refuses to agree to abide by the special conditions set forth by the Pre-Trial Release Officer, the Defendant shall appear at first appearance.

The following are terms and conditions which may be imposed by a Pre-Trial Release Officer:

1) Actual or telephonic contact with the Pre-Trial Release Program on a scheduled basis;

2) No contact with persons or places;

3) Curfew;

4) Mental Screening;

5) Counseling (alcohol, drug, marital, psychological, etc.);

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6) Urinanalysis for alcohol or drugs on a scheduled or random basis;

7) Job Search;

8) Monetary Bond (cash, property, or surety) as set forth by the Pre-Trial Release Officer.

PART V

REVOCATION OF PRE-TRIAL RELEASE

If any defendant released by the pre-trial release program violates any of the conditions imposed by the pre-trial release officer, the pre-trial release officer shall immediately prepare an affidavit for revocation of pre-trial release which shall set forth with specificity the violation(s) by the defendant. The affidavit for revocation of pre-trial release shall then be presented to the Office of the State Attorney for presentation to any Judge of this Circuit, who shall either set a hearing or authorize, if appropriate, the immediate revocation of the defendant's release, in which case the defendant shall be brought before the magistrate at the next scheduled first appearance.

DONE AND ORDERED in Chambers, Tallahassee, Leon County, Florida, this 8th day of September, 1987.

ADMINISTRATIVE JUDGE

COUNTY JUDGE

COUNTY JUDGE

Approved by:

Chief Judge

Copies furnished to:

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

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LEON COUNTY BOND SCHEDULE

CAUTION: If bond is not posted, subject must be brought before the judge within twenty-four (24) hours of being taken into custody.

A. TRAFFIC

License Tag & Registration Offenses

320.02(6)	-	Fraud-Insurance Proof	2°	$ 350
320.02(5)(c)	-	Counterfeiting Insurance Card	1°	350
320.061	-	Altering Plate or Sticker	2°	150
320.07	-	Expiration of Registration more than four (4) months	2°	75
320.0898	-	Fraud, Obtaining Special License Plate	2°	75
320.131	-	Unlawful Use of Temporary Tag	2°	75
320.261	-	Tag on Wrong Vehicle	2°	150
		Sticker on Wrong Tag	2°	150
All other offenses constituting a misdemeanor under Chapter 320, Florida Statutes -				250

Driver License Offenses

320.03(5)(b)	-	Expiration - more than 4 months	2°	250
322.16	-	Violation of Restrictions	2°	75
322.18(8)(e)	-	Possession of Forged, Stolen, Counterfeit License or Renewal Sticker	2°	150
322.212(5)	-	False Age in Application	2°	75
322.273	-	Violation of Business License	2°	250
		Violation of Business License 2nd or subsequent offense	1°	1000
322.32	-	Unlawful Use of License	2°	250
322.34(1)	-	D/W/L/S/R - 1st Offense	2°	250
		D/W/L/S/R - 2nd Offense or subsequent	1°	500
		D/W/L/S/R - for DUI - 1st Offense	2°	500
		D/W/L/S/R - for DUI - 2nd Offense or subsequent	1°	1000
322.34(2)	-	D/W/L/S/R as Habitual Offender	1°	1000
322.36	-	Permitting Unauthorized Person to Drive	2°	75
318.14(3)	-	Refusing to Sign Citation	2°	75
All other driver license offenses constitution a misdemeanor under Chapter 322., Florida Statutes -				500

Other Criminal Offenses

316.193	-	DUI (1st Offense)	500
316.193	-	DUI (2nd or more)	none
316.061	-	Leaving scene - attended property	1000
316.1935	-	Fleeing or Attempting to Elude	1000

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A. Traffic - Other Criminal Offenses (Cont'd):

316.192	-	Reckless Driving	$ 250
316.067	-	False Accident Report	250
316.072(3)	-	Obstructing an Officer	250

B. CRIMINAL

Assault	250
Beer - Selling after hours	200
Beer - Selling to minors	500
Bolita	300
Camping in other than designated campsite	100
Carrying a concealed weapon	500
Contributing to the delinquency of minors	500
Criminal Mischief - under $200	100
Criminal Mischief - over $200	500
Cruelty to an Animal (not serious)	250
Cruelty to an Animal (serious)	1,000
Culpable Negligence (No Injury)	500
Culpable Negligence (with personal injury)	1,000
Dance Hall - operating on Sunday	100
Discharging a Firearm in Public	250
Disorderly conduct	175
Disorderly intoxication	100
Drugs (See Narcotics)	
Failure to Compel School Attendance	100
False Report to Law Enforcement Officer	250
Gambling	50
Harassing Phone Calls	300
Improper Exhibition of Dangerous Weapon	500
Indecent Exposure (sex organ)	1,000
Indecent Exposure (urinating in public)	100
Interference with custody	1,000
Littering	100
Loitering and Prowling	250
Narcotics:	
Marijuana, less than twenty grams	250
Possession of paraphernalia**	
**see felony bond schedule if possession charge is in connection with felony	
Obscene Phone Calls	2,500
Obstructing officer without violence	500
Obstruction by a disquised person	500
Obtaining lodging or food with intent to defraud	250
Passing Worthless Bank Checks (per check)	50
Petit Theft (including shoplifting):	
1st offense	100
2nd offense	1,000
3rd offense	none
Prostitution	250
Public Assistance Fraud	250
Public Nuisance	500
Removing property under lien	250
Resisting arrest without violence	500
Trespassing	100
Trespassing after warning	500
Whiskey violations	1,000
Withholding support from minor child	250
Unnatural and lascivious Act	500
OTHER MISDEMEANORS:	
Minor	100
Major	500

C. VIOLATION OF CITY OR COUNTY ORDINANCES:

Minor	50
Major	250

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D. VIOLATION OF PUBLIC UTILITY COMMISSION RULES AND REGULATIONS:

Minor	$ 50
Major	250

E. VIOLATION OF GAME AND FRESH WATER FISH COMMISSION RULES:

I. BOATING

1) Operation of motor boat while intoxicated	500
2) Reckless operation of boat	200
3) Other Boating Violations:	
Minor	50
Major	250

II. FISHING

1) Illegal fishing devices	250
2) Over bag limit of fish	50*
*plus $5.00 per fish	
3) Other Fishing Violations:	
Minor	50
Major	250

III. HUNTING

1) Hunting while intoxicated	500
2) Fleeing or attempting to elude officer	250
3) Possession of steel traps	500
4) Taking or attempting to take short-horned buck	500
5) Taking or attempting to take doe-	500
6) Illegal taking or possession of deer or wild turkey	500
7) Taking game on or over bait	250
8) Taking or attempting to take migratory birds over bait	250
9) Taking bear in closed season	500
10) Unlawful killing of fox	250
11) Illegal hunting with gun and light	
wildlife	500
deer	500
12) Other Hunting Violations:	
Minor	50
Major	250

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