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BOOK: R2336 PAGE 00243
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IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2000 - 1

IN RE UNIFORM BOND SCHEDULE AND PRETRIAL RELEASE - LEON COUNTY

Whereas, Fla R Crim P 3 131 provides that unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, every person charged with a crime or a violation of municipal or county ordinance shall be entitled to pretrial release on reasonable conditions If no conditions of release can reasonably protect the community from risk of physical harm to persons, assure the presence of the accused at trial, or assure the integrity of the judicial process, the accused may be detained, and

Whereas, Section 903 046, Florida Statutes provides that the purpose of a bail determination in criminal proceedings is to ensure the appearance of the criminal defendant at subsequent proceedings and to protect the community against unreasonable danger from the criminal defendant, and

Whereas, Section 903 046, Florida Statutes also provides in determining whether to release a defendant on bail or other conditions, and what that bail or those conditions may be, the court shall consider the nature and circumstances of the offense charged the weight of the evidence against the defendant; the defendant's family ties, length of residence in the community, employment history, financial resources and mental condition, the defendant's past and present conduct related to criminal history, probability of danger to the community, the source of funds to post bail; and the defendant's legal status, and

Whereas, Section 903 046, Florida Statutes also provides conditions of pretrial release, and

Whereas, there is a need for a continued use of an uniform set of standards to ensure a consistent, objective basis for pretrial release and conditions of release; it is therefore,

ORDERED THAT.

I. Bond Schedule

Separate and apart from this order, there is hereby established a Bond Schedule and Pretrial Release Procedures for the Circuit and County Courts of Leon County The bond schedule and pretrial release procedures may be amended under authority of this order

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II. Vera Point Scale

All persons arrested and admitted to the Leon County Detention Center charged with a second degree nonviolent felony or lower offense, shall be evaluated under the Vera Point Scale and if found to have a score of four points or more, shall be released on own recognizance with conditions deemed appropriate by the pretrial release director or designee, provided that other criteria outlined in Section III (Eligibility for Pretrial Release) of the attached Leon County Pretrial Release Procedures are met

III. Pretrial Release

All persons released into the pretrial release program shall be placed under pretrial release program supervision and any violation of program conditions shall be promptly reported to the assigned judge for appropriate judicial action. All persons arrested for DUI or related offenses (noted in the attached bond scheduled) shall have alcohol abstinence conditions, regardless if a bond is posted or individuals are released under the supervision of the pretrial office. All persons arrested for drug offenses (noted in the attached bond schedule) shall be required to submit to one weekly random urinalysis regardless if a bond is posted or individuals are released under the supervision of the pretrial office The defendant shall bear all costs for screening and urinalysis.

IV. Termination of Other Leon County Bond Schedule and Pretrial Release Orders

Administrative Orders 87-80 In Re. Leon County Pretrial Release dated October 21, 1987; and 90-27 *In Re Uniform* Bond Schedule - Leon County dated October 15, 1990 are terminated

DONE AND ORDERED at Tallahassee, Leon County, Florida this 13 day of January, 2000

George S Reynolds III, Chief Judge

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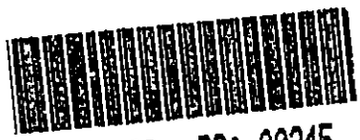

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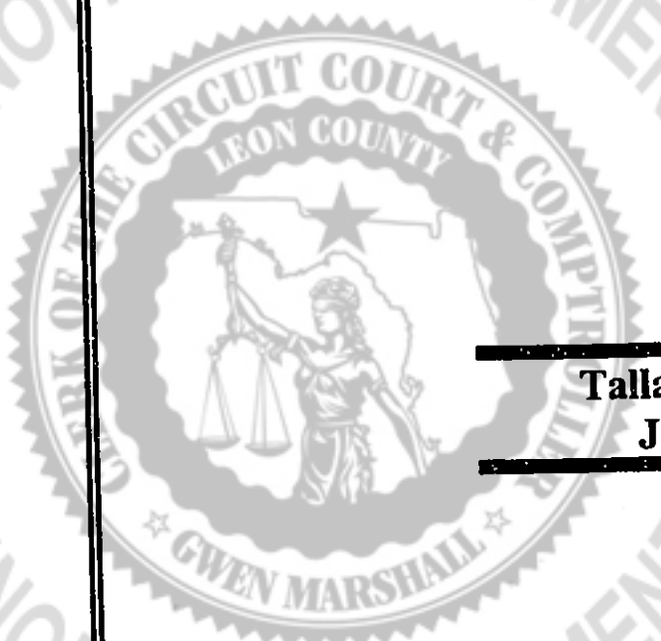
BOND SCHEDULE

and

PRETRIAL RELEASE PROCEDURES

for

LEON COUNTY
SECOND JUDICIAL CIRCUIT OF FLORIDA



Tallahassee, Florida
January 2000

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OFFICE OF THE CHIEF JUDGE

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DONE AND ORDERED at Tallahassee, Leon County, Florida this 13 day of January, 2000

George S Reynolds III, Chief Judge

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I. LEON COUNTY BOND SCHEDULE

A. Bond Amounts

Effective October 1, 1990
Amended January 2000

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE[1]
Animals, Offenses Involving				
Abandonment or neglect	828 13	M1	500 00	
Animal control violation			ROR	
Cruelty to animals	828 12(1)	M1	500 00	
Torturing animals	828 12(2)	F3	1,000 00	
Arson and Fire Bomb				
Arson of dwelling	806 01(1)(a)	F1	FAR	mand min
Arson of structure normally occupied	806 01(1)(b)	F1	FAR	mand min
Arson of structure actually occupied	806 01(1)(c)	F1	FAR	mand min
Arson of other types of structures	806 01(2)	F2	5,000 00	mand min
Possession of fire bomb	806 111(1)	F3	FAR	
Assault				
Aggravated assault	784 021	F3	FAR	mand min
- with firearm	784 021	F3	FAR	mand min
Assault on officer	784 07(2)(a)	M1	500 00	
Simple Assault	784 011	M2	100 00	
- domestic			FAR	
Attempt				
Capital felony	777 04(4)(a)	F1	FAR	
First degree or life felony	777 04(4)(b)	F2	FAR	
Second degree felony	777 04(4)(c)	F3	1,000 00	
Third degree felony	777 04(4)(d)	M1	500 00	
First degree misdemeanor	777 04(4)(e)	M2	100 00	
Battery				
Aggravated battery	784 045	F2	FAR	mand min
- with firearm	784 045	F2	FAR	mand min
Battery on officer	784 07(2)(b)	F3	1,000 00	
Felony battery	784 041	F3	1,000 00	
Simple battery	784 03	M1	500 00	
- domestic			FAR	

[1]NOTE = possible mandatory minimum sanction if convicted and/or imposition of special conditions of release

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Beverage Law Violations				
Possession of alcohol by minor	562 111(1)	M2	OREC	
- Second offense	562.111(1)	M1	500 00	
Sale of alcohol after hours	562 14(4)	M2	OREC	
Sale of alcohol to minors	562 11	M2	OREC	
Bigamy				
Bigamy	826 01 & 03	F3	1,000 00	
Boating Violations				
BUI (1st offense, no injury)	327 35(1)(b) or (c)	Penalty	500 00	conditions
BUI (2nd or 3rd offense)	327 35(1)(b) or (c)	Penalty	FAR	conditions
BUI (4th or subsequent offense)	327 35(2)(b)	F3	FAR	conditions
BUI (serious bodily injury)	327 35(3)2	F3	FAR	conditions
BUI Manslaughter	327 35(3)3a	F2	FAR	conditions
BUI Manslaughter-failed to aid	327 35(3)3b	F1	FAR	conditions
BUI damage to person/property 1st offense	327 35(3)1	M1	500 00	conditions
Reckless operation of boat	327 33(1)	M1	500 00	
Other Boating Violations			OREC	
Bomb Offenses				
See Arson and Fire Bomb				
Bookmaking				
See Gambling				
Bribery and Corruption				
Bribery	838 015	F3	1,000 00	
Extortion	836 05	F2	2,500 00	
Official misconduct	839 25	F3	1,000 00	
Threat of harm to public servant	838 021(3)(b)	F3	1,000 00	
Burglary and Trespass				
Armed burglary	810 02(2)(b)	F(life)	NO BOND	mand min
Armed trespass	810 09	F3	FAR	
Burglary with an assault	810 02(2)(a)	F(life)	FAR[2]	mand min
Burglary of dwelling	810 02(3)(a) & (b)	F2	FAR	mand min
Burglary of structure or conveyance	810 02(4)	F3	1,000 00	mand min
- occupied structure or conveyance	810 02(3)(c) & (d)	F2	FAR	mand min
Possession of burglary tools	810 06	F3	1,000 00	
Trespass of structure or conveyance	810 08(2)(a)	M2	500 00	
- armed	810 08(2)(c)	F3	1,000 00	

[2]Note This is a life felony which usually has no bond

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
- occupied structure or conveyance	810 08(b)	M1	500 00	
Trespass on property	810 09(2)(a)	M1	500 00	
Trespass after warning	810 09(2)(b)	M1	500 00	
Carjacking				
Carjacking with weapon	812 133(2)(a)	F(life)	NO BOND	mand min
Carjacking without weapon	812 133(2)(b)	F1	FAR	mand min
Child Abuse				
See Children, Offenses Against				
Children, Offenses Against				
Aggravated child abuse	827 03(2)	F1	FAR	mand min
Alcohol offenses involving minors				
See Beverage Law Violations				
Child abuse (w/o great bodily harm)	827 03(1)(c)	F3	FAR	
Contributing to delinquency of minor	827 04(1)	M1	500 00	
Lewd and lascivious act on child				
- by handling or fondling	800 04(6)(b)	F2	FAR	
- by sexual battery	800 04(4)	F2	FAR	
- by lewd act in child's presence	800 04(7)(a)(3)	F2	FAR	
Misapplication of child support				
-first offense	827 08	M1	500 00	
-second or subsequent offense	827 08	F3	2,500 00	
Neglect of a child				
-with great bodily harm	827 03	F2	FAR	
-without great bodily harm	827 03	F3	FAR	
Procuring minor for prostitution	796 03	F2	FAR	
Removal of child from state				
- contrary to court order	787 04	F3	FAR	
Withholding child support	827 06	M1	500 00	
Conspiracy				
Capital felony	777 04(4)(b)	F1	FAR	
First degree or life felony	777 04(4)(c)	F2	FAR	
Second degree felony	777 04(4)(d)	F3	1,000 00	
Third degree felony	777 04(4)(e)	M1	500 00	
First degree misdemeanor	777 04(4)(f)	M2	100 00	
Contraband				
Introducing contraband into detention facility	951 22	F3	1,000 00	
Contributing to Delinquency of Minor				
See Children, Offenses Against				

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Controlled Substances				
Controlled substance to minor				
- any drug in 893 03(1)(a)(b)&(2)(a)(b)	893 13(1)(c)(1)	F1	FAR	conditions
- any drug in 893 03(1)(c)&(2)(c),(3),(4)	893 13(1)(c)(2)	F2	FAR	conditions
Controlled substance within feet of child care facility or school				
- any drug in 893 03(1)(a)(b)&(2)(a)(b)	893 13(1)(c)(1)	F1	FAR	mand min
- any drug in 893 03(1)(c)&(2)(c),(3),(4)	893 13(1)(c)(2)	F2	5,000 00	mand min
Controlled substance within feet of convenience business or place of worship				
- any drug in 893 03(1)(a)(b)&(2)(a)(b)	893 13(1)(e)(1)	F1	FAR	conditions
- any drug in 893 03(1)(c)&(2)(c),(3),(4)	893 13(1)(e)(2)	F2	5,000 00	conditions
Controlled substance within 200 feet of post secondary education institution				
- any drug in 893 03(1)(a)(b)&(2)(a)(b)	893 13(1)(d)(1)	F1	FAR	conditions
- any drug in 893 03(1)(c)&(2)(c),(3),(4)	893 13(1)(cd(2)	F2	5,000 00	conditions
Controlled substance within 200 feet of public housing				
- any drug in 893 03(1)(a)(b)&(2)(a)(b)	893 13(1)(f)(1)	F1	FAR	conditions
- any drug in 893 03(1)(c)&(2)(c),(3),(4)	893 13(1)(f)(2)	F2	5,000 00	conditions
Fraud				
Invalid prescription	893 13(6)(a)	F3	1,000 00	conditions
Obtaining drugs by fraud	893 13(7)(a)(9)	F3	1,000 00	conditions
Sale of counterfeit drugs	817 563	F3	1,000 00	conditions
Importation into the State				
- any drug in 893 03(1)(a)(b)&(2)(a)(b)	893 13(5)(a)	F2	5,000 00	conditions
- any drug in 893 03(1)(c)(d)&(2)(c),(3),(4)	893 13(5)(b)	F3	2,500 00	conditions
Possession				
Amphetamines	893 13(6)(a)	F3	1,000 00	conditions
Cannabis (less than 20 grams)	893 13(6)(b)	M1	500 00	conditions
Cannabis (more than 20 grams)	893 13(6)(a)	F3	1,000 00	conditions
Cocaine	893 13(6)(a)	F3	1,000 00	conditions
Heroin	893 13(6)(a)	F3	1,000 00	conditions
LSD	893 13(6)(a)	F3	1,000 00	conditions
MDMA (Ecstasy more than 10 grams)	893 13(6)(c)	F1	FAR	conditions
Methaqualone	893 13(1)(f)	F3	1,000 00	conditions
Paraphernalia	893 147	M1	500 00	conditions
Phencyclidine	893 13(6)(a)	F3	1,000 00	conditions
Possession with intent to sell				
Cannabis	893 13(1)(a)(2)	F3	2,500 00	conditions
Cocaine	893 13(1)(a)(1)	F2	5,000 00	conditions
- other drugs in 893 03(1)(a)(b)&(2)(a)(b)	893 13(1)(a)(1)	F2	5,000 00	conditions
- other drugs in 893 03(1)(c)&(2)(c),(3),(4)	893 13(1)(a)(2)	F3	2,500 00	conditions
Sell, Manufacture or Deliver				
Cannabis	893 13(1)(a)(2)	F3	2,500 00	conditions
Cocaine	893 13(1)(a)(1)	F2	5,000 00	conditions

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Trafficking				
Cannabis (above 10,000 lbs)	893 135(1)(a)(3)	F1	FAR	mand min
Cannabis (above 2,000 to 10,000 lbs)	893 135(1)(a)(2)	F1	FAR	mand min
Cannabis (25 to 2,000 lbs)	893 135(1)(a)(1)	F1	FAR	mand min
Cocaine (above 400 grams)	893 135(1)(b)(3)(c)	F1	FAR	mand min
Cocaine (200 to 400 grams)	893 135(1)(b)(2)(b)	F1	FAR	mand min
Cocaine (28 to 200 grams)	893 135(1)(b)(1)(a)	F1	FAR	mand min
Criminal Mischief				
Criminal mischief (more than $1,000)	806 13(1)(b)3	F3	1,000 00	
Criminal mischief ($200 to $1,000)	806 13(1)(b)2	M1	500 00	
Criminal mischief (less than $200)	806 13(1)(b)1	M2	100 00	
Culpable Negligence				
Culpable negligence (without injury)	784 05(1)	M2	100 00	
Culpable negligence (with injury)	784 05(2)	M1	FAR	
Dealing In Stolen Property				
See Theft and Dealing in Stolen Property				
Disorderly Conduct				
Disorderly conduct	877 03	M2	100 00	
Disorderly intoxication	856 011	M2	100 00	conditions
Domestic Violence				
No such offense, See Violation of Domestic Violence Injunction or Violation of Repeat Violence Injunction, or battery or assault				
Drugs and Narcotics				
See Controlled Substances				
Escape				
Escape or attempted escape	944 40	F2	FAR	mand min
Extortion				
See Bribery and Corruption				
Failure of Defendant to Appear				
See Obstructing Justice				
False Imprisonment				
See Kidnaping and False Imprisonment				
Firearms Offenses				
See Weapons and Firearms				

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Fishing Violations				
Contaminate fresh waters	372 85	M2	OREC	
Harass fisher	372 705	M2	OREC	
- 2nd or subsequent offense	372 705	M1	OREC	
Import fish without permit	372 26	M1	OREC	
Import/release nonindigenous species	372 265	M1	OREC	
Killing/wounding endangered species	372 0725	F3	500 00	
Possess, transport freshwater fish > 50 lbs	372 9903	M1	OREC	
Violates rules, etc of the Fish and Wildlife Conservation Commission	372 74	M2	OREC	
Violates rules, re seasons, limits, sale, etc	372 83	M2	OREC	
- 2nd or subsequent offense	372 83	M1	OREC	
Forgery and Uttering				
Forgery	831 01	F3	1,000 00	
Uttering forged instrument	831 02	F3	1,000 00	
Fraud				
Credit card fraud				
- value less than $300 00	817 481(3)(b)	M2	100 00	
- value more than $300 00	817 481(3)(a)	F3	1,000 00	
Defrauding hotel or restaurant				
- value less than $300 00	509 151	M2	100 00	
- value more than $300 00	509 151	F3	1,000 00	
Insurance fraud	817 234(11)(a)	F3	1,000 00	
Obtaining property by worthless check See Passing Worthless Bank Checks				
Obtaining vehicle by trick or fraud	817 52	F3	1,000 00	
Public assistance fraud	414 39(5)(b)	F3	1,000 00	
Unemployment compensation fraud	443 071(1)	F3	1,000 00	
Gambling				
Bookmaking				
- first offense	849 25(2)	F3	1,000 00	
- 2nd or subsequent offense	849 25(3)	F2	FAR	
Gambling	849 08	M2	100 00/ PTRL	
Keeping a gambling house	849 01	F3	1,000 00	
Hunting Violations				
False statement in licence/ permit application	372 58	M2	OREC	
Harass hunter/trapper	372 705	M2	OREC	
- 2nd or subsequent offense	372 705	M1	OREC	
Illegal kill, possess, capture alligator/eggs	372 663	F3	500 00	
Import/release nonindigenous species	372 265	M1	OREC	
Kill Florida or wild panther	372 671	F3	500 00	
Killing/wounding endangered species	372 0725	F3	500 00	

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Sale of deer or turkey	372 99(5)	F3	500 00	
Sale, possess, transport alligator/skin	372 662	M1	OREC	
Transport domestic game without permit	372 16	M2	OREC	
- 2nd or subsequent offense	372 16	M2	OREC	
Unlawful sale of alligator products	372 6645	M1	OREC	
Violates rules, etc of the Fish and Wildlife Conservation Commission	372 74	M2	OREC	
Violates rules, etc re seasons, limits, sale, etc	372 83	M2	OREC	
- 2nd or subsequent offense	372 83	M1	OREC	
Homicide				
Murder 1st degree	782 04(1)(a)	F(capital)	NO BOND	mand min
Murder 2nd degree	782 04(2)&(3)	F(life)	NO BOND	mand min
Murder 3rd degree	782 04(4)	F2	FAR	mand min
Manslaughter	782 07	F2	FAR	
Vehicular Homicide				
See Motor Vehicle Offenses				
Incest				
Incest	826 04	F3	FAR	
Kidnaping and False Imprisonment				
Kidnaping	787 01	F(life)	NO BOND	mand min
False Imprisonment	787 02	F3	FAR	
Loitering and Prowling				
Loitering and prowling	856 021	M2	100 00/PTRL	
Manslaughter				
See Homicide				
Minors, Offenses Against				
See Children, Offenses Against				
Motor Vehicle Offenses				
Criminal Offenses				
DUI (1st offense, no injury)	316 193		500 00	conditions
DUI (2nd or 3rd offense)	316 193		FAR	conditions
DUI (serious bodily injury)	316 193(3)(a)2	F3	FAR	conditions
DUI (4th or subsequent offense)	316 193(2)(b)	F3	FAR	conditions
DUI Manslaughter	316 193(3)(a)(3)	F2	FAR	conditions
False accident report	316 067		100 00	
Fleeing or attempting to elude	316 1935(1)	M1	500 00	
Fleeing or attempting to elude, lights and siren activated	316 1935(2)	F3	FAR	

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Fleeing or attempting to elude, lights and siren activated, high speed	316 1935(1)	F2	FAR	
Aggravated fleeing or attempting to elude	316 1935(1)	F2	FAR	
Obstructing an officer	316 072(3)	M2	100 00	
Leaving scene - attended property	316 061(1)	M2	500 00	
Leaving scene of accident (injury)	316 027(1)(a)	F3	FAR	
Leaving scene of accident (death)	316 027(1)(b)	F2	FAR	
Reckless driving (no injury)	316 192		500 00	
Vehicular Homicide	782 071	F2	FAR	
Driver's License Offenses				
D/W/L/S/R (1st offense)	322 34(2)(a)	M2	OREC	
D/W/L/S/R (2nd offense)	322 34(2)(b)	M1	500 00	
D/W/L/S/R (3rd or subsequent offense)	322 34(2)(c)	F3	1,000 00	
D/W/L/S/R - (death or injury)	322 34(6)(b)	F3	1,000 00	
D/W/L/S/R as habitual offender	322 34(5)	F3	1,000 00	
N/V/D/L (1st offense)	322 03	M1	OREC	
N/V/D/L (2nd or subsequent offense)	322 03	M1	500 00	
Expired tag - more than six (6) months (1st offense)	320 07(3)(b)		OREC	
- more than six (6) months (2nd offense)	320 07(3)(b)	M2	OREC	
False age in application	322 212(5)	M2	OREC	
False age (2nd offense)		M1	500 00	
Permitting unlicensed driver	322 36	M2	OREC	
Possession of false license/sticker	322 18(8)(e)	M2	OREC	
Refusing to sign citation	318 14(3)	M2	500 00	
Unauthorized use/possession of DL	322 212	F3	1,000 00	
Unlawful use of license	322 32	M2	100 00	
Violation of business license (B P O)	322 273	M2	500 00	
Violation of restrictions	322 16	M2	100 00	
License Tag & Registration Offenses				
Altering plate or sticker	320 061	M2	100 00	
Counterfeiting insurance card	320 02(5)(c)	M1	500 00	
Expiration of registration more - than six (6) months	320 07(3)(c)	M2	OREC	
Fraud - insurance	320 02(5)(c)	M1	500 00	
Fraud - registration	320 02(6)	M2	100 00	
Fraud, obtaining special license plate	320 0898	M2	100 00	
Sticker on wrong tag	320 61	M2	OREC	
Tag on wrong vehicle	320 261	M2	OREC	
Unlawful use of temporary tag	320 131(3)	M2	OREC	

Murder
See Homicide

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Nuisance				
Creating a public nuisance	823 01	M2	100 00	
Obscenity and Lewdness				
Indecent exposure	800 03	M1	500 00	
Obscene materials				
- possession or sale	847 011(1)(a)	M1	500 00	
- sale to minors	847 012(3)	F3	FAR	
Obscene phone calls				
See Telephone and Wire Offenses				
Unnatural and lascivious act	800 02	M2	100 00	
Obstructing Justice				
Aiding escape	843 12	F3	FAR	
Conveying tools into a prison	843 11	F2	FAR	
Destruction/Tampering with Evidence	918 13	F3	1,000 00	
Failure to appear (felony charges)[3]	843 15(1)(a)	F3	FAR	
Failure to appear (misdemeanor charges)[3]	843 15(1)(b)	M1	FAR	
False reports to officer				
See Perjury				
Impersonating an officer	843 08	F3	1,000 00	
Obstructing officer without violence	843 02	M1	500 00	
Resisting officer with violence	843 01	F3	1,000 00	
Resisting officer without violence	843 02	M1	500 00	
Witness Tampering				
See Witnesses, Offenses Against				
Passing Worthless Checks				
Obtaining property by worthless check				
- less than $150 00	832 05(4)(c)	M1	500 00	
- more than $150 00	832 05(4)(c)	F3	1,000 00	
Passing worthless checks				
- less than $150 00	832 05(2)(b)	M1	500 00	
- more than $150 00	832 05(2)(b)	F3	1,000 00	
Perjury				
False reports to an officer	837 05	M1	500 00	
Perjury by contradictory statement	837 021	F3	2,500 00	
Perjury in official proceeding	837 02	F3	2,500 00	
Perjury not in official proceeding	837 012	M1	500 00	

[3]See Exceptions to the Bond Schedule page 13

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Prostitution				
Prostitution or soliciting				
-first violation	796 07	M2	100 00	conditions
-second or subsequent violation	796 07	M1	500 00	conditions
Rape				
See Sexual Battery				
Removing Child From State				
See Children, Offenses Involving				
Resisting Arrest				
See Obstructing Justice				
Robbery				
Home invasion robbery	812 135	F1	FAR	mand min
Robbery by sudden snatching				
-no weapon	812 131	F3	FAR	mand min
-with weapon	812 131	F2	FAR	mand min
Robbery with a firearm or deadly weapon	812 13(2)(a)	F(life)	NO BOND	mand min
Robbery with a non-deadly weapon	812 13(2)(b)	F1	FAR	mand min
Strong arm robbery	812 13(2)(c)	F2	FAR	mand min
Sale of Controlled Substances				
See Controlled Substances				
Sexual Battery				
Lewd and lascivious act on child				
See Minors, Offenses Involving				
Sexual battery (child under 12, offender 18 or older)	794 011(2)(a)	F(capital)	NO BOND	mand min
Sexual battery (child under 12, offender under 18)	794 011(2)(b)	F(life)	NO BOND	mand min
Sexual battery (armed or great force)	794 011(3)	F(life)	NO BOND	mand min
Sexual battery (other aggravation)	794 011(4)	F1	FAR	mand min
Sexual battery with slight force	794 011(5)	F2	FAR	mand min
Shooting Into Buildings and Vehicles				
See Weapons and Firearms				
Stalking				
Simple	748 048(2)	M1	FAR	
Aggravated	748 048(3)	F3	FAR	mand min
Domestic Violence Injunction	748 048(4)	F3	FAR	

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TYPE OF OFFENSE	STATUTE	DEGREE	AMOUNT	NOTE
Telephone and Wire Offenses				
Harassing telephone calls	365 16	M2	100 00	
- with a threat of harm	365 16	M2	FAR	
Obscene telephone calls	365 16	M2	100 00	
- with a threat of harm	365 16	M2	FAR	
Theft and Dealing in Stolen Property				
Dealing in stolen property	812 019	F2	2,500 00	
Grand theft (above $100,000)	812 014(2)(a)	F1	FAR	
Grand theft (above $20,000)	812 014(2)(b)	F2	2,500 00	
Grand theft (above $300 00)	812 014(2)(c)	F3	1,000 00	
Grand theft (above $100 00 from dwelling)	812 014(2)(d)	F3	2,500 00	
Grand theft (motor vehicle)	812 014(2)(c)6	F3	1,000 00	
Grand theft (firearm)	812 014(2)(c)5	F3	1,000 00	
Grand theft (fire extinguisher)	812 014(2)(c)8	F3	500 00	
Felony petit theft	812 014(2)(d)	F3	1,000 00	
Petit theft (1st offense)	812 014(3)(a)	M2	100 00	
Petit theft (2nd offense)	812 014(3)(b)	M1	500 00	
Petit theft (3rd or subsequent offense)	812 014(3)(c)	F3	1,000 00	
Trafficking in stolen property	812 019(2)	F1	FAR	
Trespass				
See Burglary and Trespass				
Vehicular Homicide				
See Motor Vehicle Offenses				
Violation of Domestic Violence Injunction; Repeat Violence Injunctions				
Violation of Domestic Violence Injunction	741 31	M1	FAR	
Violation of Repeat Violence Injunction	784 047	M1	FAR	
Stalking, Domestic Violence Injunction	748 048(4)	F3	FAR	
Weapons and Firearms				
Bomb possession	790 161	F2	FAR	
Bomb threat	790 162	F2	FAR	
Carrying concealed firearm	790 01	F3	1,000 00	
Carrying a concealed weapon	790 01	M1	500 00	
False bomb report	790 163 & 790 164	F2	FAR	
Possession of firearm by convicted felon	790 23	F2	FAR	mand min
Shooting Into Building or Vehicle	790 19	F2	FAR	
Throwing or discharging a bomb	790 161(1)	F3	FAR	
- intent to cause harm	790 161(1)	F2	FAR	mand min
- causing actual harm	790 161(3)	F2	FAR	mand min
Withholding Support				
See Minors, Offenses Involving				

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Witnesses, Offenses Against			
Retaliation against witness	914 23	F2	FAR
Tampering with a witness	914 22	F3	FAR

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B. BOND AMOUNTS FOR UNLISTED OFFENSES

The bail amount for any offense not listed above shall be determined by the severity of the offense in accordance with the following procedures

1 No bail shall be set for a capital felony, life felony, or first degree felony punishable by life In such cases, the defendant shall be admitted to bail only by the circuit judge having felony trial jurisdiction and then only after a bail hearing

2 No bail shall be set for any crime of violence not listed in the bail schedule regardless of the degree of the offense In such cases, the defendant shall be held for first appearance so that the judge can impose appropriate conditions such as no contact provisions and geographical limitations

3 No bail shall be set for any crime carrying mandatory sanctions in which a firearm is used in commission with a felony

4 Bail for any other offense not specifically listed above and not within either of the previous two general categories shall be as follows

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Capital Felony	NO BOND
Life Felony	NO BOND
First Degree Felony (life)	NO BOND
First Degree Felony	FAR
Second Degree Felony	5,000 00
Third Degree Felony	2,500 00
First Degree Misdemeanor	500 00
Second Degree Misdemeanor	100 00
Local Ordinance	PTRL

C. EXCEPTIONS TO THE BOND SCHEDULE

A defendant who is otherwise entitled to bail under the bond schedule shall, nevertheless, be held for first appearance under any of the following circumstances

1 **In the event that monetary bail or other pretrial release conditions set by an arrest warrant or capias are in conflict with the presumptive amount of bail under the bail schedule, the bail or pretrial release conditions set by the arrest warrant or capias shall prevail and may not be modified except pursuant to the Florida Rules of Court and Chapter 903, Florida Statutes.**

2 No bail shall be set for any defendant who appears to be a danger to himself or to others In such cases, the defendant shall be held for first appearance so that the trial or first appearance judge can determine the need for mental screening and evaluation(s).

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3 **A first appearance is required** if the arresting officer has made a written request that the defendant be held for first appearance stating a bona fide law enforcement reason supporting the need for a first appearance For example, a defendant may be held for first appearance if law enforcement officers are in the process of obtaining arrest warrants in other cases or there is a need to establish the defendant's identity A defendant may not be held merely because he was uncooperative or offended in the officer in some way

4 **A first appearance is required** if the pretrial release officer has made a written request that the defendant be held for first appearance stating a bona fide reason for denying bail under the bail schedule The reason must be limited to the defendant's likelihood of appearance or the safety of the community

5 **A first appearance is required** if defendant is a releasee reoffender charged with a felony

6 **A first appearance is required** if the defendant is charged with the use of a firearm in commission of a felony

7 No defendant shall be admitted to bail under the bond schedule if that defendant has not provided accurate information as to his or her identity

8 In the event mental health screening and evaluation is ordered as a condition of bail by the assigned judge or first appearance magistrate, the defendant shall be held without bond The case shall be set for review by the trial judge on the 5th day following first appearance

D. STANDARD ABBREVIATIONS AND NOTATIONS FOR ARREST WARRANTS

The following standard abbreviations and notations are commonly used in setting conditions of release on arrest warrants

FAR	A first appearance is required
OREC	Release the defendant on his own recognizance
PTRL	Release the defendant through the pretrial release program, if qualified
NO BOND	Do not release the defendant on bond or any other condition of release
$(amount)	Release the defendant on a bond in the specified amount

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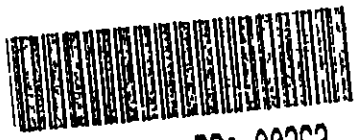
III. LEON COUNTY PRETRIAL RELEASE PROCEDURES

Effective October 1, 1990
Revised January 2000



The Leon County Pretrial Release Program was established to provide an alternative to monetary bail for those defendants who are likely to appear in court and unlikely to present a danger to the community Release under the supervision of the Pretrial Release Program shall be subject to the following procedures

A. INTAKE

An officer of the Leon County Pretrial Release Program shall be on duty at the Leon County Detention Center every day, twenty-four hours a day The Pretrial Release Officer shall be responsible for collecting initial information on each defendant for use in determining eligibility for admission to bond prior to the first appearance hearing and eligibility for pretrial release The information shall include

1 The defendant's identity,

2 The defendant's prior record including national, state, and local charges,

3 The existence of any pending prosecutions or warrants,

4 The existence of any pending domestic violence injunctions or history of injunctions,

5 The extent of the defendant's ties, if any, to the community

6 An affidavit of indigency for public defender, acknowledgment of statutory public defender application fee, and order appointing/not appointing the public defender, and

7 The defendant's release date from the Department of Corrections, if applicable, to determine releasee reoffender status

This information shall be recorded on a pretrial release intake interview form (attached as part of this document) and attached to other pertinent arrest documents including the probable cause affidavit and the victim statement, if applicable If the defendant is not released on bond or pretrial release, all of the pertinent information shall be provided to the judge assigned to handle the first appearance hearing the next morning

B. CLASSIFICATION

After all of the initial information has been obtained and assembled, the pretrial release officer shall place the defendant within one of the following three categories

1 Not eligible for bond or pretrial release before the first appearance hearing,

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2 Eligible for immediate release on a scheduled amount of bond, or

3. Eligible for release under the supervision of the Leon County Pretrial Release Program

C. ELIGIBILITY FOR PRETRIAL RELEASE

The pretrial release officer shall evaluate each defendant charged with a second degree nonviolent offense or lesser offense using the VERA point scale (see page 21) to determine eligibility for pretrial release A defendant who has made a written request for pretrial release (see page 22) and who has a verified address in the Second Judicial Circuit and a verified point score of four (4) or greater on the VERA point scale shall be eligible for release unless one of the following conditions exist

1 The defendant has a present felony charge and has been sentenced to the Department of Corrections within the preceding eighteen (18) months

2 The defendant has a prior criminal charge which was pending at the time of the offense that is the subject of the present detention

3 The defendant has a history of an escape or an unexcused failure to appear

4 The arresting officer has made a written request that the defendant be held for first appearance stating a bona fide law enforcement reason supporting the need for a first appearance

5 The defendant is suffering from a mental or emotional illness and it appears that release would endanger the safety of the defendant or others

6 The defendant was taken into custody on a warrant that indicates that the defendant should be held without bond or that the defendant should be held for first appearance

7 The pretrial release officer has made a written request that the defendant be held for first appearance stating a bona fide reason for denying bond under the bond schedule The reason must be limited to the defendant's likelihood of appearance or the safety of the community

D. CONDITIONS OF PRETRIAL RELEASE

1. General Conditions

Pretrial release officers have the authority to require a defendant to meet any of the following conditions of release under the Pretrial Release Program

(a) Regular contact with the pretrial release officer

(b) No contact with the victim

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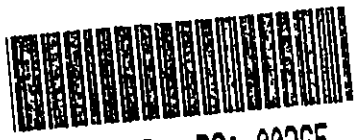

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(c) No return to the property in question

(d) No weapons or firearms

(e) Abstinence from alcohol

(f) Curfew

(g) Surrender of passport

(h) Limitations on residence and travel

(i) Screening for mental illness, drug abuse, or alcohol abuse

(j) Counseling for mental illness, drug abuse, or alcohol abuse

(k) Random urinalysis for drugs or alcohol

(l) Maintain full-time employment or school

(m) Employment search

(n) Monetary bond in addition to the conditions of release

(o) Any other condition necessary to ensure community safety

2. Mandatory Conditions

Certain special conditions are mandatory depending on the charge against the defendant Special conditions shall apply in the following circumstances

(a) *Alcohol Offenses* Alcohol abstinence and random testing shall be required in all DUI cases in which the defendant has at least one prior DUI, and may be required in any other case in which alcohol is a major factor in the commission of the offense

(b) *Drug Offenses* Drug screening and counseling and random urinalysis shall be required as a condition of pretrial release for every defendant who has been identified as a candidate for admission to the Leon County Felony Drug Court The pretrial release officer may require drug screening and random urinalysis for any defendant charged with a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act The defendant shall bear all costs for screening and urinalysis

(c) *Crimes Against the Person* In all crimes against the person of another, the pretrial release officer shall require as a condition of release that the defendant refrain from having any contact with the victim, directly or indirectly

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(d) *Crimes Against Property* In all crimes against property, the pretrial release officer shall require as a condition of release that the defendant not return to the property or premises in question

3. Violations

If any defendant released under the supervision of the pretrial release program violates any of the conditions or release, the officer shall prepare an affidavit and a draft of an order to show cause why the defendant's pretrial release should not be revoked The affidavit and proposed order to show cause shall be presented to the assigned trial judge

E. ELIGIBILITY FOR IMMEDIATE RELEASE ON BOND

A defendant who is eligible for release on bond under the Leon County Bond Schedule, prior to the first appearance, shall be entitled to release upon posting the scheduled amount of bond, regardless of the defendant's eligibility for pretrial release, subject to any mandatory conditions that are imposed pursuant to the bond schedule, i e , urinalysis, and sustain from drugs and/or alcohol

F. DUTY TO PROVIDE INFORMATION TO THE COURT

If the defendant is not released on bond or pretrial release before the first appearance hearing, the pretrial release officer shall assemble the following documents for the judge assigned the first appearance hearing

1 The Pretrial Release Intake and Indigency Review Interview Forms (Part I and II)

2 The VERA Point Scale Form

3 Computer print-outs of applicable offense records

4 The probable cause affidavit

5 The victim's statement, if any

6 Summary of Criminal History

7 History of Domestic Violence Injunctions

8 Any other document relating to the release decision

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LEON COUNTY PRE-TRIAL RELEASE PROGRAM

Intake and Indigency Review

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DATE/TIME._____ Interviewed By _____

NOTE **READ TO EACH PERSON INTERVIEWED**

The information taken during this interview will be used to make a decision about your Pre-Trial Release You are not required to answer any questions and you have the right to consult an attorney before providing any information

Do you consent to this interview? Yes ( ) No ( )

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SECTION I - General Information

NAME _____ SPIN # _____
(Last) (First) (Middle)

ALIASES _____

SS# _____-_____-_____ AGE _____ DOB ____/____/____ RACE _____ SEX _____

SECTION II - Pending Leon County Cases

_____

_____

_____

SECTION III - Criminal History

CJIS _____

_____

_____

FCIC _____

_____

_____

NCIC _____

JUV _____

DMV _____

DOM INJ _____

Currently on Probation Yes ( ) No ( ) Where _____ Officer _____

Currently on Bond Yes ( ) No ( ) Where _____ Amount _____ Agent _____

SECTION IV - Employment Information

Employed Yes ( ) No ( ) Employer Name _____

Employer Address _____ Supervisor _____

How Long Employed _____ Phone = _____ Job Title _____

Previous Employment (Last two years) _____

_____

_____

SECTION V - Personal Information

Present Address _____
(Street) (City) (State) (Zip Code) _____

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LEON COUNTY PRE-TRIAL RELEASE PROGRAM

Intake and Indigency Review (Page 2)

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SECTION V - Personal Information (continued)

How long at this address _____ Resides with _____ Relationship _____
Rent/Own _____ Phone #: _____ How long in 2nd Jud. Circuit _____
Previous Address (2 years) _____

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SECTION VI - Family Ties/References

Marital Status _____ Spouse Name/Address _____
List name, address, phone number and relationship of other family and/or references

SECTION VII - Medical History

Current Health Condition Good/Fair/Poor Disability _____
Treated for Physical/Mental Disorder Yes ( ) No ( ) Month/Year _____
Treated for Drug/Alcohol Use Yes ( ) No ( ) Month/Year _____

SECTION VIII - Financial Affidavit for Appointment of Public Defender _____ (waived)

Number of Dependants _____ Net Income (after taxes) _____(wkly/bi-wk/mon)

Other Income _____(wkly/bi-wk/mon)

____spouse s income
____alimony
____child suppor
____s s benefits
____unemp comp
____trus of g fits
____union funds
____gov assis
____worker s comp
____pub or priv retiremer
____ve benefits
____rental income

Equity in Assets _____

____dividends or in
____personal savings
____checking acct
____real estate
____stocks and bonds
____cer o dep
____cash
____autos boats e
____o ne _____

Monthly Debts auto _____home _____ court ordered child support _____
other _____

** I certify that all information that I have provided is true and correct to the best of my knowledge All such information is subject to verification by and for the court and must include parental or legal guardian income if applicable

** I understand that I must pay a $40 00 application fee to the clerk of court within 7 days, and if found guilty in this case, a final judgement and lien will be entered against me and my personal property for the costs of the Public Defender

** Under the penalties of perjury, I declare that I have read Section VIII and that the facts stated in it are true I agree to report any changes in my financial situation to the Court or to the Indigency Examiner

_____ Defendant

_____ Pre-Trial Release Officer

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Intake and Indigency Review (Page 3)

SECTION IX - Vera Point Scale

Second Judicial Circuit Address Yes ( ) No ( ) Interview Score _____ Verified Score _____

INT	VER		
		Prior Criminal Record	
3	3	No Convictions	
0	0	One Misdemeanor Conviction	
-1	-1	Pending Leon County Case OR 1st or 2nd FTA	
-2	-2	Felony Conviction(s) OR Habitual Traffic Offender	
-2	-2	Incarceration in a penal institution in the past 5 years	
Note		One point must be deducted for any pending criminal charge One point must be deducted for 1 or 2 FTAs	
		Employment/Schooling	
4	4	Present job one (1) year or more OR full time student	
3	3	Present job four (4) months OR present and prior job six (6) months	
2	2	Present job one (1) month	
1	1	Current job OR unemployed three (3) months or less with nine (9) months or more on prior job	
1	1	Receiving unemployment compensation or welfare OR supported by family	
		Residence	
3	3	Present residence one (1) year or more	
2	2	Present residence six (6) months OR present and prior residence one (1) year	
1	1	Present residence four (4) months OR present and prior residence six (6) months	
		Family Ties	
3	3	Lives with family AND has contact with other family members	
2	2	Lives alone with family	
2	2	Lives alone and has contact with family	
1	1	Lives with non-family person whom he/she gives as reference	
Definitions		Family grandparent parent brother, sister, children, and/or spouse Contact must see the person at least once a week	
		Time in the Second Judicial Circuit	
2	2	Five (5) years or more	

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