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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.

Effective 9/8/87

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);

- 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.);

- 6) Urinalysis 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

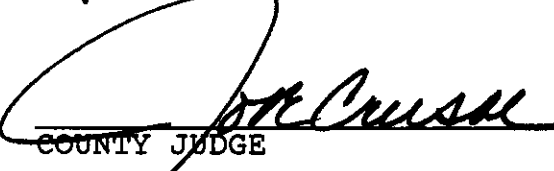
REVOCATION OF PRE-TRIAL RELEASE

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 8<sup>th</sup> day of September, 1987.

  
 \_\_\_\_\_  
 ADMINISTRATIVE JUDGE

  
 \_\_\_\_\_  
 COUNTY JUDGE

  
 \_\_\_\_\_  
 COUNTY JUDGE

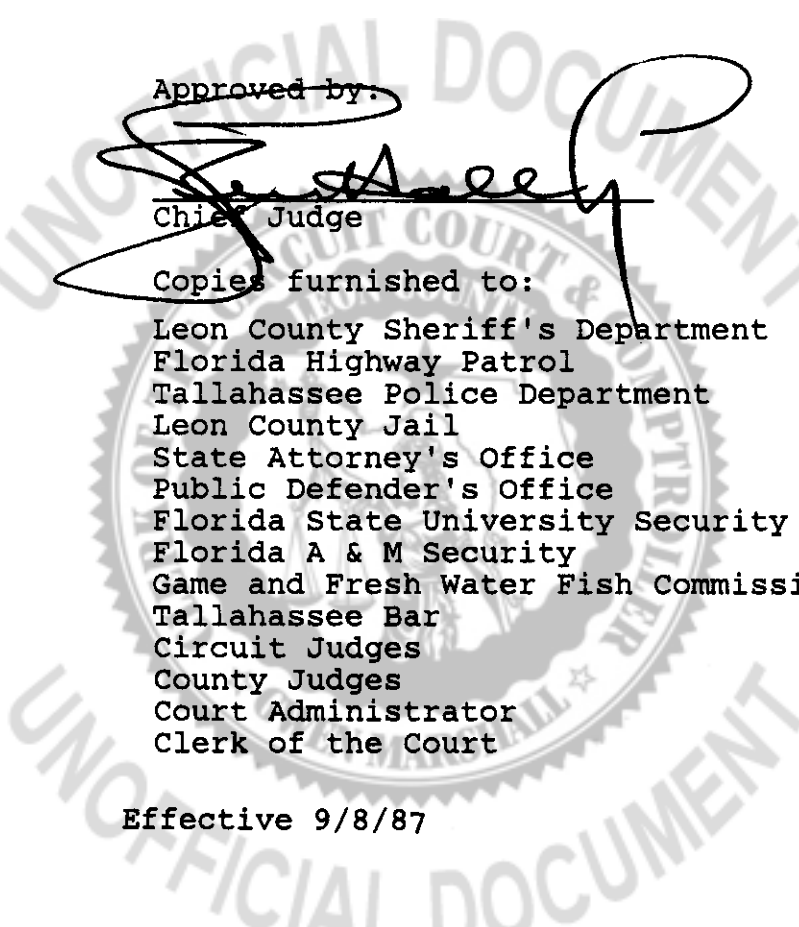
Approved by:

  
 \_\_\_\_\_  
 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

Effective 9/8/87



**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 <u>more</u> 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

Effective 9/8/87.

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

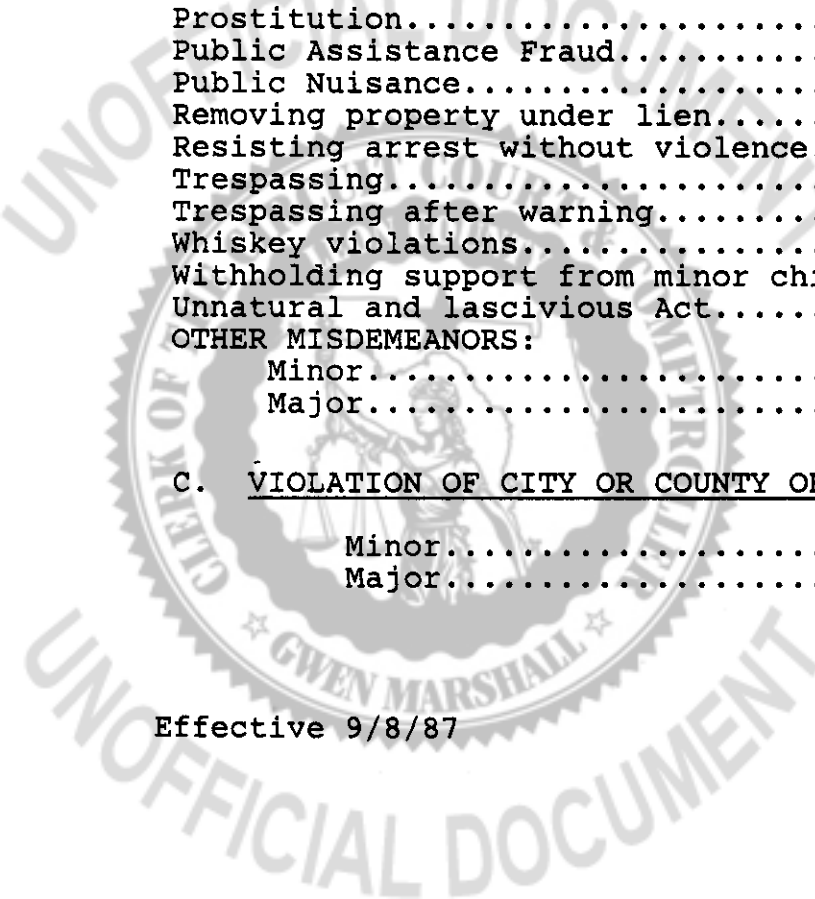
316.192	-	Reckless Driving	\$	250
316.067	-	False Accident Report		250
316.072(3)	-	Obstructing an Officer		250

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 disguised 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



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

