

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NO. 2002-74  
(Administrative Order No. 2002-39 is hereby vacated)**

**IN RE:           WORK RELEASE**

**ESTABLISHMENT OF THE WORK RELEASE  
PROGRAM IN ESCAMBIA COUNTY**

WHEREAS, Escambia County and the Court System recognize the benefits of jail alternatives such as the Work Release Program, and

WHEREAS, the County Residential Probation Program was established in Escambia County by Administrative Order 2002-39, and

WHEREAS, it is deemed to be in the best interest of Escambia County and those involved with the management of defendants participating in alternative incarceration programs to make certain administrative procedural changes, and

WHEREAS, the Court has the authority to establish a Work Release Program under §951.24, *Florida Statutes*, and

WHEREAS, Escambia County has entered into a lease for a facility to house participants of the Work Release Program, and

WHEREAS, it is deemed in the best interest of Escambia County and the Court System to establish a Work Release Program, it is, therefore,

ORDERED that Administrative Order No. 2002-39 is hereby vacated and the Work Release Program is hereby established in Escambia County. Further, that all administrative regulation and management of defendants within this program shall be directed in accordance with the following:

1. The Work Release Program for Escambia County is hereby established effective June 1, 2002, and shall continue in Escambia County under the authority of §951.24, *Florida Statutes*, and pursuant to this order.

2. Any judge in Escambia County desiring to utilize the Work Release Program, when probation is not a part of the sentence, shall specify that the defendant serve his/her jail time in the Work Release Program, if eligible, and refer the defendant to the Escambia County Department of Community Corrections for processing. Probation shall not be a requirement for participating in the Work Release Program.

3. When a defendant is ordered to serve time in the Work Release Program, the Clerk shall prepare and furnish disposition of information to the Escambia County Department of Community Corrections.

4. The date on which a defendant is admitted into the Work Release Program shall be fixed by the Escambia County Department of Community Corrections staff. The Escambia County Department of Community Corrections shall provide supervision of defendants prior to admission into and during admission in the Work Release Program.

5. The Escambia County Department of Community Corrections shall accept each Work Release defendant on a space available basis; however, the Escambia County Department of Community Corrections will not be required to retain any defendant in the program if the participant fails to appear when scheduled or violates any rule or regulation promulgated by the Escambia County Department of Community Corrections.

6. The Escambia County Department of Community Corrections may reject any defendant from the program by notifying the Judge assigned to the case in writing and copying said notice to the Clerk, as soon as possible, but no later than the next business day, that the defendant has been rejected. Upon the Escambia Department of Community Corrections' finding a defendant not qualified, the defendant shall be transferred to the Escambia County Jail to complete his/her sentence.

7. The rules and regulations of the Escambia County Department of Community Corrections require total abstinence from alcohol or drugs for defendants in the Work Release Program. For that reason, all orders utilizing work release shall provide that the defendant will not partake of drugs or alcohol.

8. If it develops that a defendant is not employed or becomes unemployed, the Work Release time shall be converted to straight time and said defendant will be transferred to the County Jail to complete his/her sentence.

9. In the event of conflicting commitments under separate court orders, the commitment for straight time shall take precedence, and the Escambia County Department of Community Corrections shall notify the Court of any conflict.

10. To defray the cost of the supervision of defendants on the waiting list, each defendant on the waiting list will be required to pay a \$25.00 monthly fee to the Escambia County Department of Community Corrections.

11. To help defray the cost of the program, each prisoner while housed in the Work Release Program facility shall be required to pay the Escambia County Department of Community Corrections \$15.00 per day, with the first week paid in advance. Thereafter, payment shall be made weekly in advance. In the event of default, privileges of the Work Release Program shall be forfeited. This cost will be in lieu of the \$50.00 per day that is assessed for inmates in the Escambia County Jail.

12. If a Work Release defendant has paid in advance and his/her sentence is converted to straight time, any unearned funds shall be credited toward the \$50.00 per day lien. If released, said unearned funds shall be returned to the defendant.

13. *Florida Statutes* §316.193(6)(b) requires that persons convicted of driving under the influence (DUI) a second time within a period of 5 years after the date of a prior conviction of DUI shall be imprisoned for not less than 10 days and at least 48 hours of that confinement be consecutive.

DONE AND ORDERED at Pensacola, Escambia County, Florida, this 31<sup>st</sup> day of December 2002, *nunc pro tunc* to June 1, 2002.

Signed by: Kim A. Skievaski  
Acting Chief Judge

Copy hereof furnished to:

All Circuit and County Judges, Escambia County  
The Honorable Ron McNesby, Sheriff, Escambia County  
The Board of County Commissioners  
The Honorable Curtis Golden, State Attorney  
The Honorable Jack Behr, Public Defender  
The Honorable Ernie Lee Magaha, Clerk of Court  
George Touart, County Administrator  
Joe Ward, Senior Deputy Court Administrator  
Dennis Williams, Director, Escambia County Jail  
Doug Harrison, State Probation  
Wayne Peacock, Court Administrator