

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

**ADMINISTRATIVE ORDER NO. 2009-16
(Vacates Administrative Order No. 1999-64)**

IN RE: PRETRIAL ISSUES

PRETRIAL RELEASE PROGRAM – ESCAMBIA COUNTY

WHEREAS, the Escambia County Pretrial Release Program was established by Administrative Order No. 1987-16 and subsequently amended by Administrative Orders numbered 1996-61 and 1999-64; and

WHEREAS, the First Judicial Circuit continues to recognize the importance of jail alternatives as provided in Chapter 907, *Florida Statutes*; and

WHEREAS, improvements to the existing Pretrial Release Program in Escambia County are required for the program to remain in compliance with recommended best practices as advocated by the Pretrial Justice Center in Washington, DC as the primary national resource for pretrial release research and program standards; it is

ORDERED that:

1. Escambia County Corrections Bureau, Community Corrections Division will be responsible for the technical supervision of the program under the authority of the Chief Judge or his or her designee.

2. The Pretrial Release Program will provide timely information on detained defendants to the Court at first appearance hearings. This information is to be provided in an effort to assist judges in making release decisions. Information provided to the Court should include, but is not limited to, the following:

- a. Criminal history of the defendant;
 - b. Residency and length of time in the county;
 - c. Employment;
 - d. Alcohol and drug abuse;
 - e. Previous pre-trial release history;
 - f. Previous probation history;
 - g. Victim information;
 - h. Victim safety;
 - i. Serious mental health issues.
3. No person charged with a dangerous crime pursuant to the statutory definition thereof shall be granted non-monetary pretrial release at a first appearance hearing. *See §907.041(4)(a), Florida Statutes.*
 4. In those cases in which prosecution of any charge of domestic violence is at issue, and prior to the defendant's first appearance, the State Attorney shall ensure that all the required information is provided to the Court pursuant to the provisions of §741.2901(3), *Florida Statutes.*
 5. Services to a defendant released under the terms of this program shall be provided by the Pretrial Release Program, Escambia County Corrections Bureau, Community Corrections Division.
 6. Pretrial release of any inmate shall be subject to conditions imposed by the Court. Failure to comply with any or all conditions of pretrial release imposed by the Court will result in a sworn affidavit and a proposed bond revocation delivered to

the assigned judge. Further, any failure to comply with any condition(s) may result in the immediate disqualification of the defendant from further participation in the program, revocation of defendant's bond and/or any other sanction permitted by law and deemed appropriate by the Court.

DONE AND ORDERED at Pensacola, Escambia County, Florida this 24th day of April, 2009.

Signed by: Kim A. Skievaski, Chief Judge

Copies furnished to:

All Judges, Escambia County
Honorable Ernie L. Magaha, Clerk of Court
Honorable William Eddins, State Attorney
Honorable James Owens, Public Defender
Escambia County Corrections Bureau
Robin Wright, Trial Courts Administrator
For publication in *The Summation*, Escambia/Santa Rosa Bar Association