

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,  
IN AND FOR OKALOOSA COUNTY, FLORIDA**

**ADMINISTRATIVE DIRECTIVE NO: OCAD2023-08**

**RE: RECIPROCAL GRANT OF AUTHORITY BY MEMBERS OF THE FIRST JUDICIAL CIRCUIT ASSIGNED TO OKALOOSA COUNTY, FLORIDA, FOR REVOCATION OF PRETRIAL RELEASE AT FIRST APPEARANCE HEARINGS**

**WHEREAS**, § 907.041(1), Florida Statutes (2022), declares the legislative intent of pretrial detention and release is “that the primary consideration be the protection of the community from risk of physical harm to persons”; and

**WHEREAS**, § 903.0471, Florida Statutes (2022), allows the revocation of pretrial release, providing, “[n]otwithstanding [§ ] 907.041, a [C]ourt may, on its own motion, revoke pretrial release and order pretrial detention if the [C]ourt finds probable cause to believe that the defendant committed a new crime while on pretrial release”; and

**WHEREAS**, Florida Rule of Criminal Procedure 3.131(d)(1) identifies when a judicial officer may set and/or modify conditions of release, providing that:

No judge or a [C]ourt of equal or inferior jurisdiction may modify or set a condition of release, unless the judge:

- (A) imposed the conditions of bail or set the amount of bond required;
- (B) is the chief judge of the circuit in which the defendant is to be tried;
- (C) has been assigned to preside over the criminal trial of the defendant; or
- (D) is the first appearance judge and was authorized by the judge initially setting or denying bail to modify or set conditions of release[;] [and]

**WHEREAS**, the Court must always be mindful of balancing multiple interests, which may include protecting a defendant’s due process and constitutional rights, protecting the community from the risk of physical harm, and assuring the integrity of the judicial process; and

**WHEREAS**, pursuant to Florida Rule of Criminal Procedure 3.131(d)(1)(D), and § 903.0471, Florida Statutes (2022), the Judges of Okaloosa County, Florida, have been consulted and unanimously agree to grant to their judicial colleagues assigned in that county presiding over a First Appearance hearing, the authority to revoke any pretrial release in any earlier case in which another Judge assigned to Okaloosa County, Florida, may have previously granted pretrial release. Therefore, it is

**ORDERED AND ADJUDGED:**

1. EFFECTIVE DATE: The administrative policies and procedures herein, shall be effective July 21, 2023, and to the extent that this administrative directive may conflict with any law, statute, or rule, that law, statute, or rule shall prevail.

2. APPLICABILITY: This administrative directive is intended to memorialize the reciprocal grant of authority by the Judges assigned to Okaloosa County, Florida.
3. AUTHORITY IN OKALOOSA COUNTY, FLORIDA: Based on the reciprocal grant of authority by the Judges assigned to Okaloosa County, Florida, as confirmed by the acknowledgments attached hereto, any Judge presiding over a First Appearance hearing in that county, may pursuant to § 903.0471, Florida Statutes (2022), revoke any pretrial release granted in an earlier case upon making a finding of probable cause to believe that the defendant committed a new crime while at liberty on pretrial release.
4. RECIPROCAL AUTHORITY: This administrative directive herein does not mandate any particular action on the part of any Judge assigned to Okaloosa County, Florida, presiding over a First Appearance hearing. The express intent of this administrative directive is to grant authority which is permissive in nature, and which allows a Judge presiding over a First Appearance hearing the authority to use sound and rational discretion in determining any revocation of a previous pretrial release.

The reciprocal authority granted herein is regarding the possible modification, enhancement, and/or revocation of pretrial release. This administrative directive maintains the discretion of any Judge assigned to Okaloosa County, Florida, to make any modification, enhancement, and/or revocation to the pretrial release terms imposed previously by another Judge. Any modification, enhancement, and/or revocation to pretrial release shall specifically address any public safety concerns, detention population issues, and declared emergencies.

The reciprocal grant of authority granted herein is only applicable among the Judges assigned to Okaloosa County, Florida, as demonstrated by the acknowledgments attached hereto. There shall be no application of this administrative directive outside of Okaloosa County, Florida.

Furthermore, this administrative directive does not act as a grant of authority to any Judge assigned outside of Okaloosa County, Florida, nor does the herein act as an acquisition of authority from any Judge assigned outside to Okaloosa County, Florida.

5. MOTIONS FOR PRETRIAL DETENTION OR PRETRIAL RELEASE: This administrative directive is not intended to prohibit any party from filing any appropriate motion for pretrial detention or motion for pretrial release, as authorized by the Florida Rules of Criminal Procedure or Florida Statute.

**DONE AND ORDERED** at Fort Walton Beach, Okaloosa County, Florida this 21<sup>st</sup> day of July 2023.

/S/ WILLIAM F. STONE  
**WILLIAM F. STONE**  
ADMINISTRATIVE JUDGE

**Administrative Directive No. OCAD2023-08**

**Copies furnished to:**

Honorable John L. Miller, Chief Judge  
All Circuit and County Judges, Okaloosa County  
Kasey Watson, Trial Court Administrator  
Ursula Hall, Court Operations Manager, Okaloosa County  
Okaloosa Clerk of Circuit Court  
Escambia-Santa Rosa Bar Association  
Okaloosa Bar Association  
Walton Bar Association  
Honorable J.D. Peacock II, Clerk of Circuit Court

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ACKNOWLEDGMENTS

Serving in the capacity of a Judge in the First Judicial Circuit Court and assigned to Okaloosa County, Florida, I hereby acknowledge the provisions of Okaloosa County Administrative Directive #2023-08 and, in accordance with Florida Rule of Criminal Procedure 3.131(d)(1)(D), authorize any Judge assigned to Okaloosa County, Florida, and presiding over a First Appearance Hearing to revoke any pretrial release where that Judge has probable cause to believe that a defendant has committed a new crime while at liberty on pretrial release in any earlier case in which I may have previously granted pretrial release.

/S/ WILLIAM F. STONE  
**WILLIAM F. STONE**  
Circuit Judge

/S/ TERRANCE R. KETCHEL  
**TERRANCE R. KETCHEL**  
Circuit Judge

/S/ JOHN T. BROWN  
**JOHN T. BROWN**  
Circuit Judge

/S/ JOHN J. GONTAREK  
**JOHN J. GONTAREK**  
Circuit Judge

/S/ LACEY P. CLARK  
**LACEY P. CLARK**  
Circuit Judge

/S/ DAVID OBERLIESEN  
**DAVID OBERLIESEN**  
Circuit Judge

/S/ JIM WARD  
**JIM WARD**  
County Judge

/S/ ANGELA D. MASON  
**ANGELA D. MASON**  
County Judge

/S/ JONATHAN V. SCHLECHTER  
**JONATHAN V. SCHLECHTER**  
County Judge