

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY,
FLORIDA

**ADMINISTRATIVE ORDER NO. :
09-17-S 2ND AMENDED
SUPERSEDES 09-17-S AMENDED**

**IN RE: Criminal - GPS Electronic Monitoring - Post-Sentencing
Alternatives For Non-Violent Offenders**

The Seminole County Sheriff has requested the Court to allow selected inmates be placed into the GPS Electronic Monitoring Program without further judicial intervention after sentence has been imposed upon meeting certain qualifications. After due consideration of the request,

IT IS ADJUDGED:

1. Offenders who meet the criteria below may be placed in the GPS Electronic Monitoring Program and the limits of their confinement be extended for that purpose without further order of the Court.
2. No offender may qualify for the GPS Electronic Monitoring Program if the sentencing judge places a no-GPS restriction on the sentencing order.

Offense Criteria

Offenders who are incarcerated for non-violent offenses may be considered eligible for GPS Electronic Monitoring Program. However, offenders who are sentenced for violent offenses, to include domestic violence related offenses, offenses involving the abuse of children, offenses involving the use of a deadly weapon, and any violent offense, or whose criminal history indicates a public risk, will not be eligible for this GPS Electronic Monitoring Program.

Offenders are required to first be incarcerated for administrative classification purposes, before extending the limits of confinement to GPS Electronic Monitoring Program. If during the

classification process the offender's history indicates that he or she is ineligible, the offender's limits of confinement shall not be extended to GPS.

Offenders must agree to abide by GPS Electronic Monitoring requirements, be responsible for replacement cost of lost or damaged monitoring equipment and to pay cost of monitoring without accruing arrears. Payments will be made to the Seminole County Sheriff's Office per the Offender Fee Schedule Agreement.

Offenders who are acutely psychotic, severely mentally retarded, currently suicidal or otherwise unable to cope with the structured requirements of GPS Monitoring, or unable to understand and comply with the monitoring conditions, will not be eligible for GPS Electronic Monitoring.

Offenders who are placed in the program shall at the discretion of the Sheriff be required to wear, maintain, and comply with all prescribed conditions of GPS-Electronic Monitoring at all times. Equipment value exceeds \$300 and malicious damage and/or theft will be criminally prosecuted as a Felony offense. Offenders are required to maintain an approved Seminole County residence with an active residential telephone line and electrical service. Offenders must agree to secure pets for the safety of Law Enforcement personnel.

Offenders must abide by curfew, work schedule, approved routes to and from approved scheduled activities. No recreational activities outside the residence will be permitted. All activity and movement must be approved and scheduled in advance by the Sheriff's Office program staff. Any incident which requires offenders to leave their scheduled location as directed by police, fire, or medical personnel will be reported immediately to the Sheriff's Office program staff. Contact with any Law Enforcement must be reported immediately to program staff.

Offenders must maintain employment/educational/vocational training unless specifically waived. Employment/educational training will be verified by the Sheriff's Office program staff. Employment interviews will be permitted only as needed. Interviews must be approved and scheduled with the Sheriff's Office program staff.

Medical care and expenses will be the offender's responsibility. Offenders are not permitted to possess any drugs or alcohol without a prescription from a duly licensed medical doctor. Medical emergencies must be reported immediately and verifiable. Offenders will be required to submit to random alcohol and urinalysis testing. Offenders must abide by these conditions and any other special conditions as ordered by the Court.

Other Limitations and Provisions

No offender with a "hold" from any other jurisdiction is eligible for GPS Electronic Monitoring but is subject to immediate transport upon resolution of all local charges, if any.

Offenders serving one sentence which may qualify but who are sentenced on other charges that do not meet the requirements of this order are not eligible for GPS Electronic Monitoring.

Offenders who fail to comply with the conditions of the GPS Electronic Monitoring are subject to being returned to the jail to serve the balance of the sentence originally imposed. Upon written motion of the State Attorney's Office the Court may issue a capias to return the defendant to jail if the offender cannot be located

DONE AND ORDERED this 8th day of October, 2009.

J. PRESTON SILVERNAIL

J. Preston Silvernail
Chief Judge

Distribution:

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