

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

ADMINISTRATIVE ORDER NO.

05-46-B

**SUPERSEDES 92-3-CR AND 89-
89-CR**

**IN RE: CRIMINAL - RELEASE ON RECOGNIZANCE/SIGNATURE BOND IN
VIOLATION OF MISDEMEANOR PROBATION CASES**

WHEREAS, judges often recommend that defendants charged with violating probation in misdemeanor cases be released on their own recognizance or by signature bond by writing their recommendations on the face of the warrant for violation of probation; and

WHEREAS, in some of such cases defendants are being held over to initial appearances even though a judge has specified on the face of the warrant that the defendant be released; and

WHEREAS, it would reduce jail population and additional work at the initial appearance hearing if such recommendations for release were promptly followed by pretrial release personnel,

NOW, THEREFORE, IT IS ORDERED:

- 1) That when a Brevard judge executes a warrant for a violation of misdemeanor probation charge, and indicates on the face of a warrant that the defendant is to be released on his own recognizance or by way of a signature bond, Pretrial Release Personnel at the Brevard County Detention Center shall promptly provide the defendant with the opportunity to execute the Release on Recognizance form or signature bond and upon his/her doing so, release the defendant from custody, unless Pretrial Release Personnel have information indicating the defendant qualifies for a "danger to public" hearing under the Jessica Lunsford Act, in which case the

defendant shall be brought before the initial appearance judge.

- 2) In addition to any special bond conditions appearing on the face of the warrant, Pretrial Release Personnel shall include the following conditions of release in any Release on Recognizance form or signature bond, to wit:
 - a) The defendant shall keep in close contact with his/her attorney.
 - b) The defendant shall appear in Court at all subsequent hearings.
 - c) The defendant shall violate no laws.
 - d) The defendant shall report in person to his/ her probation officer within 72 hours of release from confinement.
 - e) The defendant shall provide the Court with his/ her correct residence address and telephone number, if any.
 - f) The defendant shall comply with the terms and conditions of probation.
 - g) The date, time, and place of the defendant's next court date shall appear on the face of the Release on Recognizance form or Signature Bond.
- 4) Provided the conditions of this Order are complied with, the defendant may be released from custody without a judges signature on the signature bond. Pretrial Release Personnel shall present the signature bond to the judge handling the initial appearance hearing on the day following the defendant's release for approval and signature.

DONE AND ORDERED this 21st day of September, 2005.

KERRY I. EVANDER
KERRY I. EVANDER
CHIEF JUDGE

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