



# County Pretrial Release Programs: Calendar Year 2014

## *at a glance*

Pretrial release programs supervise defendants who have been released from jail while awaiting disposition of their criminal charges. Twenty-nine pretrial release programs responded to our survey requesting information regarding their 2014 operations. No program reported receiving state general revenue, with most (28) programs primarily funded through county funds. In addition, three programs received state or federal grants.

Eleven programs were able to provide a detailed breakdown of the nature of defendants' criminal histories, which varied among programs. For these programs, the percentage of defendants with violent felony criminal histories ranged from 0% to 44%. Twenty-eight programs reported that judges in their circuits have the discretion to both release a defendant on bond and require supervision by pretrial release programs to provide an additional layer of accountability.

While programs reported varying numbers of defendants that failed to appear or had new arrests, most programs reported that few defendants they supervised failed to appear in court or were arrested while in the program.

Programs have generally complied with statutory requirements, as 29 submitted an annual report and most reported that they maintained the required weekly registers. Some reporting requirements do not apply to programs that do not make release recommendations. Programs also could not report some criminal history information due to state and federal restrictions.

## Scope

Section 907.044, *Florida Statutes*, part of the Citizens' Right-to-Know Act, directs OPPAGA to annually evaluate the following aspects of Florida's pretrial release programs.<sup>1,2</sup>

- How were Florida's pretrial release programs funded?
- What was the nature of the charges and criminal history of defendants in pretrial release programs?
- How many defendants served by pretrial release programs were issued warrants for failing to appear in court or were arrested while in the program?
- Did pretrial release programs comply with statutory reporting requirements?

This report assesses the programs' compliance with statutory requirements for calendar year 2014.

<sup>1</sup> Prior annual reports include OPPAGA [Report No. 08-75](#), OPPAGA [Report No. 10-08](#), OPPAGA [Report No. 10-66](#), OPPAGA [Report No. 11-27](#), OPPAGA [Report No. 12-13](#), OPPAGA [Report No. 13-12](#), and *County Pretrial Release Programs: Calendar Year 2013*, OPPAGA [Report No. 14-13](#), December 2014.

<sup>2</sup> For the purposes of the Citizens' Right-to-Know Act, s. [907.043](#), *F.S.*, defines pretrial release program as an entity, public or private, that conducts investigations of pretrial detainees, makes pretrial release recommendations to a court, and electronically monitors and supervises pretrial defendants.

# Background

Pretrial release is an alternative to jail that allows arrested defendants to be released while they await disposition of their criminal charges. Pretrial release is a constitutional right for most people arrested for a crime and is generally granted in one of three ways.<sup>3</sup>

- Release on recognizance allows defendants to be released from jail without posting a bond. These defendants are not supervised.
- Bond allows defendants to be released by monetary payment to the court (cash bond) or to a private bondsman (surety bond).<sup>4</sup> A surety bond requires defendants to pay a nonrefundable fee to the bondsman of 10% of the bond amount set by the court. If the defendant does not appear in court, the bondsman is responsible for paying the entire bond amount. Bondsmen are not required to supervise defendants but have a vested interest in ensuring that their clients keep their court dates and do not abscond. Judges in some circuits require defendants to post bond and be supervised by a pretrial release program in order to have two layers of accountability.
- Local pretrial release programs allow defendants to be released under the program’s supervision. The programs supervise defendants through various methods such as phone

contacts, office visits, and electronic monitoring. Judges typically assign defendants to a program, but some programs can select the defendants that participate in their program. Judges generally allow defendants to be released to the program without a bond; however, in some counties, judges may require defendants to post bond and be assigned to a program.

## Questions and Answers –

### *How were Florida’s pretrial release programs funded?*

During 2014, none of the pretrial release programs responding to our survey reported receiving state general revenue, and 28 of the 29 programs reported that they were primarily funded through county funds.<sup>5</sup> In addition, three programs received grants. The programs in Leon and Manatee counties received federal Justice Assistance Grants (JAG), while the program in Okaloosa County received a grant from the Florida Department of Children and Families.<sup>6, 7, 8</sup> Details on reported program budgets are included in Appendix A.

Eighteen programs reported that they charged fees to defendants. Counties used these fees to support program budgets, pay vendors for services rendered to defendants, or fund county general revenue. Programs most commonly charged fees for electronic monitoring. Please see Appendix B for more information on fees.

<sup>3</sup> [Article I, s. 14](#), *The Constitution of the State of Florida*, provides that unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, every person charged with a crime or violation of a municipal or county ordinance shall be entitled to pretrial release on reasonable conditions. Further, s. [907.041](#), *F.S.*, states that it is the intent of the Legislature to create a presumption in favor of release on nonmonetary conditions for any person who is granted pretrial release unless such person is charged with a dangerous crime. Dangerous crimes are described in s. [907.041\(4\)](#), *F.S.*, and include offenses such as arson, aggravated assault, aggravated battery, child abuse, abuse of an elderly person or disabled adult, kidnapping, homicide, manslaughter, sexual battery and other sex offenses, robbery, carjacking, stalking, and domestic violence.

<sup>4</sup> A cash bond is paid directly to the court/jail for the total amount of the bond, in cash. If the arrestee does not appear after posting a cash bond, the money will be forfeited. If a not guilty verdict is rendered or the case is dismissed, or at the conclusion of the trial proceedings, bond money will be refunded minus any fines and court costs.

<sup>5</sup> The Seminole County program did not provide budget information in its annual report or survey response.

<sup>6</sup> The Leon County program received pass-through funds from the Edward Byrne Memorial Justice Assistance Grant (JAG), which is administered through the Florida Department of Law Enforcement. Leon County was also a sub-grant recipient of funding through a U.S. Department of Justice direct Justice Assistance Grant awarded to the City of Tallahassee. This funding allowed for the continuation of the GPS monitoring program (supervised pretrial release) and the Leon County on-site drug and alcohol testing program (drug and alcohol testing division).

<sup>7</sup> The Manatee County program received two federal Justice Assistance Grants (JAG), which covered its two grant employee positions.

<sup>8</sup> The Okaloosa County grant covered a portion of the salary for a mental health pretrial officer.

**What was the nature of the charges and criminal history of defendants in pretrial release programs?**

Judges have broad discretion to place defendants, including those with more serious charges and criminal histories, in pretrial release programs.<sup>9</sup> As a result, programs may serve defendants with violent charges, such as domestic and aggravated battery and sex offenses.

Eleven programs were able to provide a detailed breakdown of the nature of defendants’ criminal histories, which varied among programs.<sup>10</sup> For example, as shown in Exhibit 1, the Citrus County program reported that 44% of its defendants had violent felony criminal histories, while the Putnam County program reported that none of the defendants had violent felony criminal histories.

**Exhibit 1  
For 2014, 11 Programs Provided Defendants’ Criminal Histories; Most Had No Prior Violent Felonies**

County	Criminal History of Most Defendants	Percentage of All Defendants Who Had Violent Felony Criminal History
Citrus	Violent felony (44%)	44%
Collier	Misdemeanors only (73%)	1%
Duval	Non-violent felony (73%)	2%
Highlands	Misdemeanors only (49%)	23%
Hillsborough	No prior offense (42%)	19%
Leon	No prior offense (60%)	13%
Miami-Dade	No prior convictions (60%)	9%
Monroe	No prior offense (68%)	4%
Putnam	Non-violent felony (100%)	0%
Sarasota	No prior offense (59%)	6%
St. Lucie	No prior offense (50%)	23%

Source: OPPAGA analysis of pretrial release program survey responses.

<sup>9</sup> Pretrial release programs that screen defendants for their programs generally restrict eligibility to defendants with less serious criminal charges.

<sup>10</sup> Section 907.044, F.S., requires OPPAGA to report on the nature of criminal convictions of defendants accepted into the programs. However, programs are not required to report this information in their annual reports. Therefore, we requested the number of defendants who had criminal histories of violent felonies, non-violent felonies, misdemeanors only, and no prior offenses. Most programs reported that they did not collect data at that level as it is not statutorily required or they did not categorize data in that manner.

While judges generally allow defendants to be released to a pretrial release program without a bond, 28 programs reported that judges in their circuits may also require defendants to post bond when assigned to a program. (See Exhibit 2.)

**Exhibit 2  
During 2014, Judges in 28 Counties May Have Required Defendants to Pay a Bond in Addition to Being Supervised by the Pretrial Release Program<sup>1</sup>**

County	Defendants Accepted in 2014	Percentage Who Also Paid a Bond
Alachua	736	9%
Bay	1,234	40%
Brevard	2,379	DNP
Broward	3,572	22%
Charlotte	248	DNP
Citrus	83	29%
Collier <sup>2</sup>	280	<1%
Duval	1,794	DNP
Escambia	2,071	DNP
Flagler <sup>3</sup>	325	DNP
Highlands	292	17%
Hillsborough <sup>4</sup>	201	DNP
Lee	2,296	32%
Leon	1,128	61%
Manatee	2,280	25%
Miami-Dade	8,280	17%
Monroe	723	15%
Okaloosa	908	80%
Orange	1,766	26%
Osceola	1,875	62%
Palm Beach	5,029	30%
Polk	5,097	DNP
Putnam	9	DNP
Santa Rosa	169	DNP
Sarasota	1,791	7%
Seminole	98	1%
St. Lucie	647	63%
Volusia	4,151	29%

<sup>1</sup> DNP denotes that the program did not provide this information.

<sup>2</sup> The Collier County program reported that only one defendant was required to pay a bond in 2014.

<sup>3</sup> The Flagler County program started in March 2014.

<sup>4</sup> In Hillsborough County, judges can only order both bond and pretrial release if there are multiple charges.

Source: OPPAGA analysis of pretrial release program survey responses.

***How many defendants served by pretrial release programs were issued warrants for failing to appear in court or were arrested while in the program?***

With some exceptions, pretrial release programs reported that few defendants they supervised failed to appear in court or were arrested while in the program. As shown in Appendix A, programs reported varying numbers of defendants who failed to appear. For example, the programs in Putnam and St. Lucie counties reported that no defendants were issued warrants for failure to appear, while the programs in Palm Beach, Escambia, and Miami-Dade counties reported that 246 (4%), 329 (12%), and 473 (5%) defendants, respectively, were issued such warrants.

Programs also had varying numbers of defendant arrests. For example, the program in Putnam County reported that only one defendant was arrested for any offense while in their program, while the programs in Broward, Polk, and Miami-Dade counties reported that 300 (5%), 338 (7%), and 824 (8%) defendants, respectively, were arrested for a new offense while in their program.

***Did pretrial release programs comply with statutory reporting requirements?***

Section 907.043, *Florida Statutes*, requires pretrial release programs to prepare a register, which must be updated weekly, displaying descriptive information about the defendants released through the program. Additionally, no later than March 31 of every year, each pretrial release program must submit an annual report for the previous calendar year to the governing body and to the clerk of the circuit court in the county where the pretrial release program is located.

In 2014, pretrial release programs generally complied with these statutory requirements, as 29 programs provided OPPAGA with an annual report and reported that they maintained the required weekly registers. Twenty-nine programs also responded to OPPAGA’s survey that requested additional information.

Some of the data required to be included in the annual report does not apply to all programs. For example, nine programs reported that they did not recommend defendants for pretrial release, did not recommend against nonsecured release,

and did not recommend defendants for nonsecured release. As a result, these programs could not report data for these required report elements.<sup>11</sup>

Also, several programs did not provide criminal history data required in the weekly register.<sup>12</sup> Florida statutes require pretrial release programs to disclose the nature of prior criminal convictions of defendants accepted into their programs. However, in 2010, the Florida Department of Law Enforcement (FDLE) determined that s. 907.043, *Florida Statutes*, does not and cannot authorize or permit reporting national criminal history information (information obtained from FDLE pertaining to jurisdictions other than Florida, including federal and other state information) to the public.<sup>13</sup> FDLE advised that the Federal Bureau of Investigation (FBI) could limit or deny access by Florida criminal justice agencies to national criminal history information if it is released in violation of federal restrictions. This revocation could extend to all law enforcement and public safety entities in the state. Appendix C describes program compliance with s. 907.043, *Florida Statutes*.

Additionally, according to s. 907.041(3)(b), *Florida Statutes*, before a person can be released on nonmonetary conditions under the supervision of pretrial release, the program must verify to the court that it has investigated or otherwise verified information such as the accused’s family circumstances, employment record, criminal record, and appearances at court proceedings. As shown in Exhibit 3, 12 pretrial release programs reported that in all cases they certified to the court that they had obtained and investigated or otherwise verified these elements at first appearance in 2014.

Programs that could not certify this information in all cases provided various reasons for being unable to do so. In one case, a program noted that it did not review cases before first appearance because judges determine who is eligible for the

<sup>11</sup> The nine programs were in Flagler, Leon, Orange, Osceola, Palm Beach, Polk, Sarasota, Seminole, and St. Lucie counties.

<sup>12</sup> One program that provided criminal history data limited the information to the total number of convictions, while another program provided the criminal history information for Florida adult convictions.

<sup>13</sup> Federal law restricts access to this information, as provided in s. [943.054, F.S.](#), and [28 CFR 20.33](#).

program and then refer those cases to the program. Other programs noted that some defendants refused to be interviewed during the booking process or were not available for interviews because of medical or housing reasons.

**Exhibit 3  
Twelve Pretrial Release Programs Reported That They Had Obtained and Investigated or Otherwise Verified Information for All Defendants in 2014<sup>1</sup>**

County	Percentage of Cases Certified in 2014
Alachua	100%
Bay	0%
Brevard <sup>2</sup>	100%
Broward	100%
Charlotte	100%
Citrus	DNP
Collier	100%
Duval <sup>3</sup>	100%
Escambia	55%
Flagler <sup>4</sup>	DNP
Highlands	40%
Hillsborough	0%
Lee	100%
Leon	100%
Manatee	84%
Miami-Dade	100%
Monroe	70%
Okaloosa	DNP
Orange	85%
Osceola	DNP
Palm Beach	79%
Pinellas	0%
Polk	96%
Putnam	100%
Santa Rosa	50%
Sarasota	100%
Seminole	0%
St. Lucie	DNP
Volusia <sup>5</sup>	100%

<sup>1</sup> DNP denotes that the program did not provide the percentage of cases at first appearance in which the program certified to the court that it had obtained and investigated or otherwise verified elements such as the accused’s family circumstances, employment record, criminal record, and appearances at court proceedings in calendar year 2014.

<sup>2</sup> The data provided by the Brevard County program is in reference to defendants released into the pretrial release program prior to a court appearance.

<sup>3</sup> The Duval County program noted that it only certifies criminal record and court appearances.

<sup>4</sup> The Flagler County program started in March 2014.

<sup>5</sup> The Volusia County program reported that it reviewed criminal records to include failure to appear rates on all individuals attending first appearances. Statistics were not maintained on the verification of other elements; however, this information is collected during the interview process.

Source: OPPAGA analysis of pretrial release program survey responses.

## Agency Comments

In accordance with the provisions of s. 11.51(2), *Florida Statutes*, a draft of OPPAGA’s report was submitted to the pretrial release programs and to the Office of State Courts Administrator for review.

**Appendix A**

**2014 Pretrial Release Program Budget, Failure to Appear, and New Offense Information**

As shown in Exhibit A-1, pretrial release programs’ reported budgets and outcomes varied. Comparisons of budgets should be made with caution because of differences in caseloads and responsibilities. For example, the Citrus County program, which served 97 defendants in 2014, electronically monitored and supervised pretrial defendants but did not conduct investigations of pretrial detainees or make pretrial release recommendations to the court. The Miami-Dade County program, which served 9,975 defendants in 2014, conducted investigations of pretrial detainees, made pretrial release recommendations to a court, and supervised pretrial defendants.

**Exhibit A-1**

**Pretrial Release Programs’ Budgets and Numbers of Defendants Who Failed to Appear or Committed New Crimes Varied<sup>1</sup>**

County	Calendar Year 2014 Total Budget	Total Accepted in 2014	Total Served in 2014	Issued a Warrant for Failing to Appear in Court	Arrested for Any Offense While in the Program
Alachua <sup>2</sup>	\$1,226,536	736	1,062	28	39
Bay	\$51,548	1,234	2,534	34	140
Brevard	\$120,389	2,379	2,379	102	98
Broward	\$6,312,440	3,572	5,934	DNP	300
Charlotte	\$346,495	248	284	3	20
Citrus	\$72,893	83	97	4	20
Collier <sup>3</sup>	\$88,900	280	280	5	12
Duval	\$886,564	1,794	1,776	35	38
Escambia	\$459,108	2,071	2,844	329	9
Flagler <sup>4</sup>	\$60,613	325	325	4	10
Highlands	\$94,960	292	315	13	12
Hillsborough	\$212,598	201	270	3	6
Lee	\$2,273,325	2,296	2,726	56	139
Leon	\$821,538	1,128	2,650	49	63
Manatee	\$696,349	2,280	2,280	DNP	107
Miami-Dade <sup>5</sup>	\$4,857,375	8,280	9,975	473	824
Monroe <sup>6</sup>	\$530,389	723	977	19	15
Okaloosa	\$375,555	908	2,478	40	54
Orange	\$1,994,861	1,766	2,178	56	83
Osceola <sup>2</sup>	\$584,245	1,875	1,875	76	110
Palm Beach	\$1,249,984	5,029	6,203	246	287
Pinellas	\$1,005,131	2,189	3,452	95	60
Polk	\$1,008,539	5,097	5,097	DNP	338
Putnam <sup>7</sup>	\$4,522	9	11	0	1
Santa Rosa	\$104,298	169	530	9	16
Sarasota	\$1,370,392	1,791	2,213	45	115
Seminole	DNP	98	129	6	7
St. Lucie	\$745,233	647	912	0	35
Volusia	\$1,328,671	4,151	4,796	34	223

<sup>1</sup> DNP denotes that the program did not provide that information.

<sup>2</sup> The Alachua County and Osceola County programs provided Fiscal Year 2013-14 budget information. The Alachua County program noted that program realignment in calendar year 2012 resulted in staff previously included in the budget of another division being consolidated and moved into the pretrial budget.

<sup>3</sup> The Collier County program received \$88,900 in county funds for Fiscal Year 2013-14 and an additional \$1,540 in fees from defendants for calendar year 2014.

<sup>4</sup> The Flagler County program started in March 2014.

<sup>5</sup> The Miami-Dade County program noted that its budget is based on a fiscal year, so its calendar year 2014 budget is approximate.

<sup>6</sup> The Monroe County program received an additional \$9,582 in fees from defendants for calendar year 2014.

<sup>7</sup> The Putnam County program was operated as part of county probation.

Source: Pretrial release program annual reports and survey responses.

## Appendix B

### 2014 Pretrial Program Defendant Fees

Exhibit B-1 lists the 18 counties that reported charging fees to defendants. Counties used these fees to support program budgets, pay vendors for services rendered to defendants, or fund county general revenue. Programs most commonly charged fees for electronic monitoring.

#### Exhibit B-1

#### Eighteen Programs Charged Defendant Fees<sup>1,2</sup>

County	Service	Fee Amount	Total Collected	Fee Assessment	Recipient of Fees
Alachua <sup>3</sup>	Electronic monitoring; global positioning satellite monitoring; thermal alcohol detection monitoring	\$5/day	\$20,863	Per fee schedule based on federal poverty guidelines	Vendor
Brevard <sup>4</sup>	Judicial Correction Services pretrial and community supervision administrative fee	\$10/week	\$18,190	Mandatory unless waived	Program revenue
	Brevard County community corrections pretrial and community supervision administrative fee	\$10/week	\$15,225	Mandatory unless waived	Program revenue
Broward	Electronic monitoring	\$5/day	DNP	Mandatory unless waived or is using the services of an appointed attorney, typically a public defender	County general fund
Charlotte	Alcohol/ethyl glucuronide (EtG) testing	\$14.95/test	DNP	When court-ordered	County
	Drug testing	\$5/test	DNP	When court-ordered	County
	GPS or alcohol devices	\$6 to \$12/day	DNP	Mandatory unless waived	Vendor
	Synthetic drug testing	\$19.95/test	DNP	When court-ordered	County
Citrus	Electronic monitoring	\$8/day	\$18,543	Mandatory unless waived	Program revenue
Collier	Alcohol monitoring	\$6.50/day	\$0	When court-ordered	Vendor
	Drug screens	\$4.19/test	\$67	When performed	Vendor
	Drug screen (spice)	\$6.00/test	\$24	When performed	Vendor
	Electronic monitoring (domestic violence-related)	\$7.52/day	\$1,248	When court-ordered	Vendor
	Electronic monitoring (not domestic violence-related)	\$7.02/day	\$202	When court-ordered	Vendor
Lee	Misdemeanor diversion	\$150/flat fee	\$388,263	Mandatory unless community service is allowed in lieu of cost of supervision	Board of county commissioners
Leon	GPS monitoring fees	Sliding fee scale	DNP	Mandatory unless waived	Vendor
	Monthly administrative fees	\$40/month	\$106,759	Mandatory unless waived	Program revenue
	Secured continuous random alcohol monitoring (SCRAM) fees	\$12/day	\$85,290	Mandatory unless waived	Program revenue

County	Service	Fee Amount	Total Collected	Fee Assessment	Recipient of Fees
Manatee	Drug testing	\$50/one-time fee	\$11,800	When court-ordered	Program revenue
	Electronic monitoring	\$5.95/day	\$12,317	When court-ordered	Vendor
Monroe <sup>5</sup>	Electronic monitoring	\$4.25/day	\$2,316	When court-ordered	County general revenue
	Urinalysis	\$10/test or \$35 to \$40/test	\$7,266	When court-ordered	County general revenue or vendor
Okaloosa	Electronic monitoring	\$12/day	\$22,255	When court-ordered	County general revenue
Orange	Drug testing fees	\$17/one-time fee	\$18,290	Mandatory unless waived	County government general fund
	Pretrial supervision telephone reporting fee	\$6/month	\$2,801	Mandatory unless waived	\$4 of each \$6 fee is paid to the vendor and \$2 goes to the county government general fund
Osceola	GPS monitoring	\$5.78/day	DNP	Mandatory/court-ordered	Vendor
Palm Beach	Cost of supervision	\$10/week	\$217,457	Mandatory unless waived	Program revenue
Pinellas <sup>6</sup>	Alcohol monitoring	\$10/day	\$129,070	Mandatory unless waived	Vendor
	Electronic monitoring	\$7/day	\$130,964	Mandatory unless waived	Vendor
Putnam	Cost of supervision	\$2/day	DNP	When court-ordered	General fund
	Electronic monitoring	\$10/day	DNP	When court-ordered	Vendor and general fund
Santa Rosa	Administrative fee	\$25/one-time fee	\$4,765	Mandatory	Program revenue
	Drug/alcohol testing	\$15/test	\$5,565	When tested	Program revenue
St. Lucie	GPS supervision	\$2/week to \$30/week	\$370	When court-ordered	County general revenue

<sup>1</sup> DNP denotes that the program did not provide that information.

<sup>2</sup> The Miami-Dade County program noted that electronic monitoring is provided by the Miami-Dade Corrections and Rehabilitation Department’s Monitored Release Program and defendants are required to pay fees for the cost of supervision.

<sup>3</sup> The Alachua County program noted that there are no fees for pretrial supervision. However, if the court orders electronic monitoring, global positioning satellite monitoring, or thermal alcohol detection monitoring, the costs for these services is collected from the defendant and forwarded to the vendor. For calendar year 2014, the total cost for electronic monitoring, global positioning satellite monitoring, or thermal alcohol detection monitoring equipment usage was \$54,230; of that amount, \$20,863 (27%) was collected from defendants. The remaining \$33,363 (63%) was paid by the Alachua County General Fund.

<sup>4</sup> In Brevard County, a private probation company, Judicial Correction Services, supervises all misdemeanor pretrial and community supervision releases, while Brevard County Community Corrections supervises all felony pretrial and community supervision releases. Judicial Correction Services operates the pretrial release program while the county oversees Judicial Correction Services and supervises felony releases. Both Judicial Correction Services and Brevard County Community Corrections charge each defendant accepted into the community supervision program \$10 per week. A defendant cannot be removed from either community supervision program for failure to pay administrative fees.

<sup>5</sup> In Monroe County, judges determine the fees for defendants and the defendant’s ability to pay is considered in the judge’s decision. The 16th Judicial Circuit has an in-house lab that performs urinalysis for \$10; a contracted lab (for out-of-area tests) costs \$35 to \$40. Electronic monitoring costs \$4.25 per day.

<sup>6</sup> The Pinellas County program noted that the alcohol and electronic monitoring fees include all monitoring programs and are not limited to pretrial participants.

Source: Pretrial release program responses to OPPAGA survey.



## Appendix C

# 2014 Compliance With Statutory Reporting Requirements

Section 907.043, *Florida Statutes*, requires pretrial release programs to prepare a register, which must be updated weekly, displaying descriptive information about the defendants released through the program. Additionally, by March 31 every year, each pretrial release program must submit an annual report for the previous calendar year. Pretrial release programs generally complied with these statutory requirements, as 29 programs provided OPPAGA with an annual report and reported that they maintained the required weekly registers; 29 programs also responded to OPPAGA’s survey for additional information. Some programs’ annual reports did not contain all data required by law as some data elements did not apply to all programs and some criminal history data could not be released. Exhibit C-1 summarizes the number of programs that reported meeting the requirements to maintain and update a weekly register and provide an annual report.

### Exhibit C-1

#### Some Programs Reported That They Did Not Provide All Requirements

	Number of Programs That Provided Data	Number of Programs That Did Not Provide Data
<b>Weekly Register Requirements (s. 907.043(3)(b), F.S.)</b>		
Number of defendants assessed and interviewed for pretrial release	27	2
Number of indigent defendants assessed and interviewed for pretrial release	22	7
Names and number of defendants accepted into the pretrial release program	27	2
Names and number of indigent defendants accepted into the pretrial release program	23	6
Charges filed against and the case numbers of defendants accepted into the pretrial release program	26	3
Nature of any prior criminal conviction of a defendant accepted into the pretrial release program	22	7
Court appearances required of defendants accepted into the pretrial release program	24	5
Date of each defendant’s failure to appear for a scheduled court appearance	21	8
Number of warrants issued for a defendant’s arrest for failing to appear at a scheduled court appearance	23	6
Number and type of program noncompliance infractions committed by a defendant in the pretrial release program and whether the pretrial release program recommended that the court revoke the defendant’s release	23	6
<b>Annual Report Requirements (s. 907.043(4)(b), F.S.)</b>		
Number of defendants assessed and interviewed for pretrial release	27	2
Number of defendants recommended for pretrial release	17	12 <sup>1</sup>
Number of defendants for whom the pretrial release program recommended against nonsecured release	15	14 <sup>1</sup>
Number of defendants granted nonsecured release after the pretrial release program recommended nonsecured release	17	12 <sup>1</sup>
Number of defendants assessed and interviewed for pretrial release that were declared indigent by the court	24	5
Name and case number of each person granted nonsecured release who failed to attend a scheduled court appearance	22	7
Name and case number of each person granted nonsecured release that was issued a warrant for failing to appear	25	4
Name and case number of each person granted nonsecured release who was arrested for any offense while on release through the pretrial release program	26	3

<sup>1</sup> Nine programs (Flagler, Leon, Orange, Osceola, Palm Beach, Polk, Sarasota, Seminole, and St. Lucie counties) included in this figure reported that they did not recommend defendants for pretrial release, did not recommend against nonsecured release, and did not recommend defendants for nonsecured release.

Source: Pretrial release program annual reports and survey responses.

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# *The Florida Legislature*

## *Office of Program Policy Analysis and Government Accountability*

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OPPAGA provides performance and accountability information about Florida government in several ways.

- [Reports](#) deliver program evaluation and policy analysis to assist the Legislature in overseeing government operations, developing policy choices, and making Florida government more efficient and effective.
- [PolicyCasts](#), short narrated slide presentations, provide bottom-line briefings of findings and recommendations for select reports.
- Government Program Summaries (GPS), an online encyclopedia, [www.oppaga.state.fl.us/government](http://www.oppaga.state.fl.us/government), provides descriptive, evaluative, and performance information on more than 200 Florida state government programs.
- [PolicyNotes](#), an electronic newsletter, delivers brief announcements of research reports, conferences, and other resources of interest for Florida's policy research and program evaluation community.
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